



# CABINET

Notice of a Meeting, to be held in the Council Chamber, Ashford Borough Council on Thursday, 12th September, 2019 at 7.00 pm.

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The Members of the Cabinet are:-

- Councillor Clarkson – Leader of the Council
- Councillor Bartlett – Deputy Leader and Portfolio Holder for Legal and Democracy
- Councillor Barrett – Portfolio Holder for Housing
- Councillor Bell – Portfolio Holder for Finance and IT
- Councillor Buchanan – Portfolio Holder for Environment and Land Management
- Councillor Clokie – Portfolio Holder for Regeneration and Corporate Property
- Councillor Feacey – Portfolio Holder for Culture, Tourism and Leisure
- Councillor Gideon – Portfolio Holder for Community Safety and Wellbeing
- Councillor Pickering – Portfolio Holder for Human Resources and Customer Services
- Councillor Shorter – Portfolio Holder for Planning and Development

## Agenda

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| <b>1. Apologies/Substitutes</b>  |                   |
| To receive Notification of Substitutes in accordance with Procedure Rule 1.2(iii)                          |                   |
| <b>2. Declarations of Interest</b>   | 1 - 2             |
| To declare any interests which fall under the following categories, as explained on the attached document: |                   |
| a) Disclosable Pecuniary Interests (DPI)   |                   |
| b) Other Significant Interests (OSI)   |                   |
| c) Voluntary Announcements of Other Interests  |                   |
| See Agenda Item 2 for further details  |                   |
| <b>3. Minutes</b>  |                   |
| To approve the Minutes of the Meeting of this Committee held on xxx  |                   |
| <b>4. To Receive any Petitions</b>   |                   |
| <b>5. Leader's Announcements</b>   |                   |

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18.	<b>To Consider Passing the Following Resolution to Exclude the Public</b>	

That pursuant to Section 100A(4) of the Local Government Act 1972 as amended the public be excluded from the meeting during consideration of the following item as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraph 3 of Part 1 of Schedule 12A of the Act.

19. **Leisure Procurement (to follow)**

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DS  
5 September 2019

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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](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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# Agenda Item 6

**Agenda Item No:** 6

**Report To:** Cabinet

**Date of Meeting:** 12 September 2019

**Report Title:** Financial Monitoring – First four months of 2019/20

**Report Author & Job Title:** Lee Foreman – Senior Accountant  
Jo Stocks – Senior Accountant (HRA Section)  
Maria Hadfield – Senior Accountant (Capital Section)

**Portfolio Holder** Cllr. Bell  
**Portfolio Holder for:** Finance & IT



ASHFORD  
BOROUGH COUNCIL

**Summary:** This report presents the forecast outturn for 2019/20 based on actual information to the end of July 2019. The report covers the performance and forecasts of the General Fund and the Housing Revenue Account (HRA), with commentary supporting key variances in the body of the report.

The current projections indicate that the General Fund will have a deficit of £309,000 at year end with significant pressures arising from rental income on commercial properties, reduced parking income, and an increase in temporary accommodation costs. To offset these pressures savings from changes to the corporate borrowing strategy.

Management Team (MT) have considered a number of action points to mitigate the pressure including a review of commercial property, managing vacancies, and a reduction in non-essential works. The actions taken are covered in the report.

The HRA is forecasting an overspend of £9,000 for the year with anticipated savings in the capital programme being used to support additional repairs and maintenance works.

The report provides and update on large capital projects and provides an update on the Council's Treasury Management Activity.

**Key Decision:** No

**Significantly Affected Wards:** None

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

- I. **Note the forecast outturn position for the General Fund and the Housing Revenue Account**
- II. **Note the Capital Monitoring and Treasury Management position**
- III. **Recommend to Council that delegated authority be given to the Head of Environmental Services to approve spend from repairs and renewals reserve for operational equipment at Aspire.**
- IV. **Recommend to Council that delegated authority be given to the Chief Executive in conjunction with the Leader, relevant portfolio holders, S151 officer and Monitoring Officer for the release of up to £500,000 of the Economic Resilience Reserve to support the letting of the Council's commercial property.**
- V. **Cabinet are asked to note the contribution to support the Woodchurch Wagon under delegated authority by the Head of Community Safety and Wellbeing**
- VI. **Cabinet is asked to recommend to Council that that Stray Dog fees are set at £25 as per statutory requirements.**

**Policy Overview:** The Budget is a key element supporting the delivery of the Council's wider policy objectives

**Financial Implications:** The General Fund is reporting an overall overspend of £1.068m in services which is being supported by a reduction in borrowing costs of £509,000 and the repairs and renewals annual allocation of £250,000. The General Fund does have a service contingency budget of £200,000 which can still be deployed in year if the deficit position cannot be recovered.

The Housing Revenue Account is reporting an overall overspend of £9,000.

These positions will continue to be monitored and reported to Management Team to enable them to introduce strategies to manage the pressures going forward.

**Legal Implications** N/A

**Equalities Impact Assessment** As part of Budget Setting 2019/20 a full assessment was undertaken

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

## Report Title: Financial Monitoring – First Four Months of 2019/20

### Introduction and Background

1. This report captures the forecast outturn position for 2019/20 based on information available until the end of July 2019. The aim of this report is to inform management team and members of variances from budget (both positive and negative) so that these movements can be understood and managed.
2. The report considers each of the following areas of the Council; General Fund, Housing Revenue Account, Collection Fund, Capital Expenditure and Treasury Management.

### Summary of Current Overall Position

3. The current General Fund position is showing a forecast overspend of £309,000. This includes savings in corporate interest payable of £509,000 and funding in year repairs and renewal of £250,000 rather than transferring to the repairs and renewals reserve.
4. Table 1 at a Directorate level, which is further broken down at Table 2 to a head of service level.
5. Management Team have received further details of the pressures arising in quarter 1 and have considered a number of action that can be adopted to support the pressure in year to minimise and drawdown on reserves in year and help inform the 2020/21 budget setting process. The bullet points below provide an overview of what actions are being considered:-
  1. Commercial Income – undertake a review of vacant properties to understand their status, barriers to letting, performance of letting agents, and to develop a site-specific action plan.
  2. Consultants – review the role of consultants across the organisation, especially where they are performing the ‘day job’ and resolve through appropriate recruitment.
  3. Staffing – all requests to fill vacant posts will be reviewed by Management Team to ensure that resourcing is necessary, and whether the option of increasing capacity through digital transformation has been considered. Some front line services are exempt from this requirement.
  4. Short-term accommodation – Consider temporary flexibility for allocations policy for flats and the potential acquisition of apartment blocks to help reduce costs.
  5. Property Works – a schedule of repairs and renewals will be produced to prioritise works and scale back where possible.
  6. Spending freeze – although not a total freeze, budget managers are asked to control service expenditure and reduce requests that are beyond the scope of normal operational duties.
  7. Car Parking – consider overall capacity across the town centre, both public and private car parks also consider future travel trends and new

carbon neutral agenda to inform direction of travel for further parking provision.

8. Monitoring centre – investment has been made in this area and options to use this new technology to promote commercial income should be considered.
9. Additional income streams – services are asked to consider options for raising additions income streams, staff at all levels should be encouraged to bring forward ideas for consideration.
10. Monthly Monitoring updates on the budget position will also be developed and presented to MT to identify further pertinent movements so that they can be responded to in a timely manner.

**Table 1 – General Fund Budget Outturn Forecast as at 31 July 2019 – Directorate**

*	Directorate	Current Budget (net)	Forecast Outturn (net) to 31/03/19	Variance
		A £'000	B £'000	(B-A) £'000
a	Chief Executive	1,357	1,372	15
b	Director Of Finance & Economy	2,598	3,255	656
c	Director Of Law & Governance	1,112	1,497	385
d	Director Of Place & Space	10,658	10,672	13
	<b>Net Service Expenditure</b>	<b>15,726</b>	<b>16,794</b>	<b>1,068</b>
e	Non service specific items	(494)	(1,254)	(759)
	<b>Budget Requirement</b>	<b>15,232</b>	<b>15,541</b>	<b>309</b>
f	Financing:	(15,232)	(15,232)	0
	<b>Total movement</b>	<b>0</b>	<b>309</b>	<b>309</b>

**Table 2 - General Fund Budget Outturn Forecast as at 31 July 2019 – Service**

*	Service	Current Budget (net)	Forecast Outturn (net) to 31/03/19	Variance
		A £'000	B £'000	(C-A) £'000
a	Chilmington Management Organisation	(0)	1	2
a	Corporate Policy, Economic Development & Communications	1,357	1,370	13
b	Corporate Property & Projects	(2,271)	(1,767)	503
b	Finance & ICT	3,917	3,789	(128)
b	Housing Services	952	1,233	281
c	Community Safety and Wellbeing	(316)	94	410
c	HR & Customer Services	75	79	3
c	Legal & Democratic Services	1,353	1,324	(29)
d	Culture	3,295	3,327	32
d	Environmental & Land Management	5,255	5,221	(33)
d	Planning	2,108	2,123	15
	<b>Net Service Expenditure</b>	<b>15,725</b>	<b>16,794</b>	<b>1,068</b>
e	Capital Charges and net interest	(2,492)	(3,002)	(509)
e	Levies, Grants and Precepts	259	259	0
e	Contribution (from)/to reserves	1,739	1,489	(250)
	<b>Budget Requirement</b>	<b>15,231</b>	<b>15,540</b>	<b>309</b>
	<b>Financing:</b>			
f	Retained Business Rates	(4,721)	(4,721)	0
f	Council Tax	(7,556)	(7,556)	0
f	New Homes Bonus	(2,954)	(2,954)	0
	<b>Total movement</b>	<b>(0)</b>	<b>309</b>	<b>309</b>

\* Cross referencing of Directorate Table to Service table

6. The following narrative provides further explanations of the movements in the table above which are grouped into their directorate headings:

**Chief Executive**

7. The budgets for the **CMO, Corporate Policy, Economic Development & Communications** are currently forecasting a slight pressure of £15,000 which is due to the regrading of current posts.

**Director of Finance & Economy**

8. **Corporate Property & Projects** – This area is reporting an overall pressure of £528,000 in quarter 1 which is from a number of areas. Commercial properties, including Elwick, CQ38 and Carlton Road Depot are forecasting deficit pressure on rental income of £578,000, although this is slightly offset by a reduction in service charge of £100,000, and rental income for the Matalan acquisition which is generating income of £337,000 which was not part of the original budget.
9. The Council has been making progress securing tenants for the retail units at the Elwick Cinema with announcements having been made revealing the first set of operators Macknades and Dansaki. In addition the Council is in

the final stages of agreeing a lease for a Gym in unit 8 and the Elwick Due Diligence group is considering a further 2 offers for units and there is interest and early discussions in other units on the site. Furthermore progress has been made in letting some of the vacant space in International House, CQ38 and Carlton Road.

10. Whilst this is a positive picture, there are concerns about the risks to the wider economy and this may affect our commercial property portfolio. Elwick, Carlton Road and CQ38 are new long term strategic investments for the Council. New enterprises of this nature take time to mature and establish themselves before their full potential in terms of income generation and impact on the local economy can be fully realised. To provide for this the Council has the Economic Resilience Reserve, which has just under £3m to manage the commercial risks in the budget.
11. It is recognised that the Council needs to be responsive in these uncertain times and therefore it is proposed that Council approve a delegation to the Chief Executive, , in conjunction with the Leader, Relevant Portfolio Holders, S151 Officer and Monitoring Officer to agree to deploy up to £500,000 of the reserve to support our commercial lettings strategy. This delegation will allow for responsive action to be taken should it be needed but ensure that there is member oversight to the process.
12. Park Mall is reporting a pressure of £64,000 due to unexpected delays in moving tenants from rent free to market rents and additional cost of estate agency fees in rent negotiations, a £26,000 saving on business rates has been identified for the Mecca site.
13. An increase in repairs and maintenance requirements this year have added £343,000 to the budget which includes plant maintenance at the Stour Centre, repairs at the Julie Rose, Woodchurch Windmill and Ellingham Industrial Estate. Instead of making the annual transfer of £250,000 to the repairs and renewals reserve this will be used to fund in year expenditure.
14. An increase in consultant and professional fees for Elwick and Town Centre place making have added £90,000 pressure to the budget, in addition to £18,000 for EPC surveys and software. However, salary savings of £27,000 and reductions in bus shelters, footway maintenance and lift works of £78,000 support these pressures.
15. **Finance and ICT** – This area is currently showing a net saving of £128,000 against budget. This saving is as a result of from salary savings totalling £82,000 and additional benefits administration grant of £64,000.
16. **Housing Services** – Pressure of £281,000 is being forecast for the Housing General Fund and relates to pressures arising in temporary accommodation against budget. The pressure has arisen due to delays in identifying permanent housing solutions for residents who have been placed in temporary accommodation. Schemes such as Christchurch House 2 and the introduction of modular units will reduce the costs but have not come forward as quickly as anticipated.

## **Director of Law & Governance**

17. **Community Safety and Wellbeing**– Overall this service is showing a pressure of £410,000 with a pressure of £330,000 coming from lower than expected levels of parking income.
18. Environmental health has staffing pressures of £14,000 from temporary staff members and consultant costs. The Monitoring Centre is forecasting a staffing pressures of £30,000 for covering long term sick and pressure on income of £17,000.
19. **Legal and Democratic Services** – A surplus of £28,000 is currently forecast in this areas with additional legal fee income being driver with an anticipated increase of £125,000. This has been reduced to reflect the pressure from the savings target, which has not deliverable and £12,000 for new projector and software costs in Democratic Services.

## **Director of Place & Space**

20. **Culture** – This service area is forecasting a year end pressure of £32,000 with £30,000 coming from additional costs associated with the ongoing Leisure Procurement exercise.
21. **Environmental and Land Management** – A surplus of £37,000 is being anticipated in this area as the garden waste collection service continues to expand bringing in an additional income.
22. **Planning** is continuing to have challenges with recruitment and retention although a new structure is currently being rolled out with an aim to resolve these issues. Currently the service is anticipating a small pressure of £14,000 which it would hope to work down as the year unfolds.
23. The service is still anticipating consultancy costs of £320,000 to support the day job which are largely being offset by salary savings of £192,000. A further £125,000 is being funded from the service change management budget which was introduced last budget cycle to support the transition to the new structure.

## Housing Revenue Account (HRA)

24. The Housing Revenue Account is showing a projected annual overspend of £9,000 based on information available to the end of July 2019, the breakdown of this underspend is shown in the table below with further commentary below that.

**Table 3 – 2019/20 Housing Revenue Account Outturn Position**

Budget Page	Current Budget	Q1 Forecast Outturn to 31/03/19	Q1 Variance
	A £'000	B £'000	(B-A) £'000
Income	(24,843)	(24,843)	0
Supervision and Management	5,770	5,850	80
Repairs and Maintenance	3,478	3,849	371
Other	16,030	15,956	(75)
<b>Net Revenue Expenditure</b>	<b>435</b>	<b>811</b>	<b>376</b>
Capital Works - Decent Homes	4,600	4,233	(367)
Net Capital Expenditure	<b>4,600</b>	<b>4,233</b>	<b>(367)</b>
<b>Total Net Expenditure</b>	<b>5,035</b>	<b>5,045</b>	<b>9</b>

### Commentary on HRA Variances

25. **Supervision and Management** - There is a £80,000 pressure in this area with £60,000 attributable to the Electrical Services Division for the fit out costs and first year rent and business rates of its Carlton Road unit, and £20,000 pressure is from lift maintenance.
26. **Repairs and Maintenance** – This area is currently showing an overspend of £371,000 following re-profiling of in-year plans. Extra projects have also been identified to utilise the capital works underspend and include door entry system upgrades and area planning improvements.
27. **Other** – Saving of £75,000 resulting from the difference between the estimated and actual indexation increase on the PFI contract.
28. **Capital Works** – The works under this heading are for the planned maintenance programme. The programme uses industry guidance to determine when works would be expected to be required for items such as kitchens, bathrooms and roofs. However, as the plan unfolds some of the planned works may be deemed unnecessary, resulting in a saving in the programme.

## Capital Monitoring

### Property Purchases

29. The Matalan site on Brookfield Road was purchased in April 2019 at a cost of £5,028,000 including stamp duty and professional fees. The current occupier has a remaining 6 years on the current lease.
30. This will generate income of £365,000 per annum to the General Fund, £337,000 in 2019/20 as acquired in year and has been included in the forecast.

### Coachworks

31. Work is progressing at a rapid pace, with a completion date for the site of 21 October and a Halloween opening night of 31 October. A budget increase from £850,000 to £950,000, was approved at Cabinet 13 June 2019 and it is anticipated that the project will be delivered within budget.

### Vicarage Lane redevelopment

32. In February 2019 Cabinet approved a budget of £1.3m for demolition of the former Mecca building on site. A report was presented to Cabinet in March 2019 and approved at Council on the 25 April 2019 for the redevelopment of the Mecca building and the Vicarage Lane car park, the overall budget for the project is now forecast at £21.5m. Due diligence work is currently underway and has incurred various site surveys. An application has been received by Historic England to list the building and this is being considered. If successful the strategy for the planning application will be adjusted accordingly.

### Power Supply Separation

33. The original plan to physically separate the power supply between the Civic Centre and Stour Leisure Centre at a cost of £100,000 has been revised and it is now been decided that it will be sufficient to sub meter the two supplies to achieve the required outcome. The works have been completed at a cost of £5,000.

### Victoria Park

34. The grant has now been secured with Heritage Lottery for £3m. Work is now progressing for the appointment of a Project Manager and other members of the delivery team. Community engagement is ongoing particularly with stakeholders such as Friends of Victoria park group. Additional funding of £1.4m is being provided from other sources.

### Conningbrook Lakes Country Park Development

35. During the first quarter of the year work has been underway to obtain quotes for the infrastructure of the project including design and survey fees.

### HRA Projects

1. The HRA Business Plan is currently being re-based (the report will be presented to Cabinet in October 2019) incorporating a number of new projects. One of which is the expansion of the street purchases scheme. There is no budget included in the current year for this, however Housing are looking at purchasing up to 25 properties in 2019/20 (at a cost of around £5m). It is hoped that continued investment in this area will, over time, reduce the numbers of families on the housing waiting list as well as play a

part in relieving the pressure on temporary accommodation and homelessness.

2. The re-development of East Stour Court is on target to deliver 29 units in 2021/22. The original estimate for this project was £6.4m, however due to a number of factors such as remediation works, alterations to the existing plans regarding drainage, removal of contamination from the site, as well as an additional lift, the total cost of this project is expected to be around £7.5m
3. Halstow Way, another development of sheltered housing, is expected to start later this year, it is expected to deliver 17 units in 2021/22, this project is currently in line with budget expectations.
4. We have acquired Piper Joinery at a cost of £1.4m, with an additional £500,000 expected to be needed in 2019/20. Our in-house architect is scoping out designs and cabinet approval to progress the site will be sought in the Cabinet report in October. A planning application will be submitted later in the year. It is anticipated that an additional 23 units will be provided in 2021/22.
5. The development at the Poplars is still in the early stages, we have not been able to progress this project as quickly as anticipated, the 2019/20 expenditure expected to now be around £500,000 (an underspend, compared to budget of £1.4m. However, this underspend will be re-profiled and allocated to future years, with completion due in 2021/22.
6. The affordable housing programme (phase 5) is nearing completion and continues in line with the HRA business plan, with 6 new units expected to be delivered in 2019/20, over two sites, however there are a number of projects in the planning stages that will enable additional units in the future.

## **Treasury Management**

7. Capital Charges and Net Interest is showing a surplus in year of £509,000 which relates to borrowing costs.
8. For 2019/20 the strategy made provision for a proportion of long term borrowing to provide certainty over repayments going forward. However, given the current economic climate, interest rate forecasts and the corporate deficit it is unlikely that any long term loans will now be taken in 2019/20. This decision and a reduction in the overall borrowing requirement will generate a reduction in debt payments of £845,000 in year.
9. The reduction in the overall borrowing requirement is partly due to lower than expected loans to the Council's subsidiary. The reduction in making these loans has a negative effect on investment income of £205,000. It is also anticipated that equity fund interest will be £150,000 below budget as new investments have taken longer to place than anticipated.
10. A full list of the Council's investment and borrowing portfolio is shown at Appendix A

## **Delegated Authority**

11. Environmental services have made contributions to the repairs and renewals reserve in recent years for the Bin Replacement Programmes, and going forward income from commercial activity.
12. The purpose of this contribution is to replace Aspire Operational equipment as it meets the end of its economic life.
13. Cabinet are asked to recommend to Council that delegated authority be given to the Head of Environmental Services to allocate funds from the earmarked section of the Repairs and Renewals reserve to acquire operation equipment for Aspire, which may include the use of revenue for capital purposes.

## **Funding for Woodchurch Wagon**

14. The Council is supporting a community group with the acquisition of a wellbeing wagon known as the Woodchurch Wagon.
15. The costs of running the vehicle are anticipated to be £13,330, with an anticipated income of £10,469 from usage.
16. The Head of Community Safety and Wellbeing has approved to support the scheme by making up the shortfall of £2,861 under her delegated authority.

## **Fees and Charges**

17. Following the budget setting meeting in February 2019, it has been identified that the charge for stray dogs was increased to £28. This was an error in the publishing of fees and charges as the 'Environmental Protection (stray dogs) regulations 1992' stipulates that the sum is £25. For confirmation the Council has not levied more than £25 and therefore no one has been overcharged.
18. Cabinet is asked to recommend to Council that the fee for Stray Dogs be amended from £28 to £25 in accordance with statutory requirements.

## **Portfolio Holder's Views**

19. To be given at the meeting

## **Contact and Email**

20. Lee Foreman - [Lee.Foreman@ashford.gov.uk](mailto:Lee.Foreman@ashford.gov.uk)
21. Maria Hadfield – [maria.hadfield@ashford.gov.uk](mailto:maria.hadfield@ashford.gov.uk)
22. Jo Stocks - [jo.stocks@ashford.gov.uk](mailto:jo.stocks@ashford.gov.uk)

## Treasury Management Positions as at 31/07/2019

Counter Party	Deal Date	Rate %	Amount £	Fair Value £	Comment
<b>Investment Accounts</b>					
Goldman Sachs	Various	0.53%	50,000	51,295	**
ICD Portal - Invesco	Various	0.78%	4,887,000	4,887,000	*
Payden Global MMF	Various	0.91%	3,000,000	2,998,668	**
<b>Total Investment Accounts</b>			<b>7,937,000</b>	<b>7,936,963</b>	
<b>Long Term Investments</b>					
<b>Local Authority Investments</b>					
Blaenau Gwent	21/10/2014	2.00%	3,000,000	3,000,000	Matures 21/10/2019
<b>Property Investment</b>					
CCLA Local Authority Property Fund	Various	4.20%	11,000,000	12,296,313	
A Better Choice of Property Ltd.***	Various	N/a	275,001	272,765	Value as at 31/03/2019
<b>Equity Funds**</b>					
UBS Multi Asset Income Fund	26/08/2015	2.01%	2,993,552	2,974,165	**
Kames Diversified Monthly Income Fund	16/05/2019	TBC	5,500,000	5,584,576	**
Schroder Income Maximiser	03/11/2015	7.90%	3,492,152	3,453,007	**
CCLA Diversified Income Fund	Various	3.23%	3,000,000	3,085,713	**
Investec Diversified Income Fund	28/03/2019	4.40%	2,500,000	2,487,426	**
<b>Total Long Term Investments</b>			<b>31,760,705</b>	<b>33,153,965</b>	
<b>Total Investment Portfolio</b>			<b>39,697,705</b>	<b>41,090,928</b>	

\* Money Market Fund (MMF) are AAA rated deposit facilities which have variable rates of interest but have constant

\*\* Equity funds and the Property fund have variable rates of interest and also have fluctuating capital values, the

\*\*\* A Better Choice Of Property Ltd. is a solely owned subsidiary of ABC

## Debt Portfolio as at 31 July 2019

Counter Party	Deal Date	Rate %	Amount £	Fair Value	Comment
<b>Temporary Borrowing</b>					
PCC of West Midlands	26/02/2019	1.00%	5,000,000		Maturity - 27/08/2019
Greater London Authority	21/05/2019	0.82%	15,000,000		Maturity - 20/08/2019
North Yorkshire County Council	21/05/2019	0.80%	5,000,000		Maturity - 21/08/2019
PCC of Gloucestershire	05/07/2019	0.78%	5,000,000		Maturity - 07/10/2019
Hampshire County Council	05/07/2019	0.78%	10,000,000		Maturity - 07/10/2019
West Midlands Combined Authority	05/07/2019	0.78%	5,000,000		Maturity - 07/10/2019
PCC of Hertfordshire	05/07/2019	0.77%	3,000,000		Maturity - 07/10/2019
PCC of West Yorkshire	08/07/2019	0.79%	10,000,000		Maturity - 08/10/2019
<b>Total Temporary Borrowing</b>			<b>58,000,000</b>		
<b>Long Term Borrowing</b>					
Public Works Loan Board***	various	various	113,664,150		Maturity Date - various
<b>Total Long Term Borrowing</b>			<b>113,664,150</b>		
<b>Grand Total Borrowing</b>			<b>171,664,150</b>		

\*\*\* HRA borrowing

## Detail of PWLB Loans outstanding

All these loans are as a result of the HRA Buyout. This is a breakdown of the £113.4m referenced above.

Date of Advance	Loan Ref Number	Date of Repayment	Amount Outstanding	Rate
28/03/2012	499502	28/03/2020	5,000,000	1.99%
28/03/2012	499501	28/03/2021	2,000,000	2.21%
28/03/2012	499500	28/03/2022	7,000,000	0.86%*
28/03/2012	499516	28/03/2022	2,000,000	2.40%
28/03/2012	499514	28/03/2023	2,000,000	2.56%
28/03/2012	499507	28/03/2024	3,000,000	2.70%
28/03/2012	499503	28/03/2025	3,000,000	2.82%
28/03/2012	499505	28/03/2026	1,000,000	2.92%
28/03/2012	499496	28/03/2027	1,000,000	3.01%
28/03/2012	499509	28/03/2028	2,000,000	3.08%
28/03/2012	499497	28/03/2029	2,000,000	3.15%
28/03/2012	499510	28/03/2030	2,000,000	3.21%
28/03/2012	499498	28/03/2031	8,000,000	3.26%
28/03/2012	499511	28/03/2032	9,000,000	3.30%
28/03/2012	499499	28/03/2033	10,000,000	3.34%
28/03/2012	499512	28/03/2034	11,000,000	3.37%
28/03/2012	499506	28/03/2035	12,000,000	3.40%
28/03/2012	499513	28/03/2036	9,000,000	3.42%
28/03/2012	499515	28/02/2037	16,713,000	3.44%
29/03/2011	498502	29/03/2061	5,951,150	5.26%
		<b>Total</b>	<b>113,664,150</b>	

\* Variable Rate Loan, the others are fixed rate

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# Agenda Item 7



ASHFORD  
BOROUGH COUNCIL

<b>Agenda Item No:</b>	7
<b>Report To:</b>	Cabinet
<b>Date of Meeting:</b>	12 September 2019
<b>Report Title:</b>	Quarter 1 2019/20 Performance Report
<b>Report Author &amp; Job Title:</b>	Will Train Senior Policy and Scrutiny Officer
<b>Portfolio Holder</b>	Cllr. N Bell
<b>Portfolio Holder for:</b>	Finance and IT

<b>Summary:</b>	This report summarises performance against the council's suite of key performance indicators (KPIs) for Quarter 1 (1 <sup>st</sup> April to 30 <sup>th</sup> June) 2019/20. It also provides an overview of key developments in the delivery of the council's corporate plan priorities over the same period.
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**Key Decision:** No

**Significantly Affected Wards:** None

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

- I. Note the performance data for quarter 1 2019/20 (Appendix 1)**

**Policy Overview:** A review of the council's performance monitoring arrangements was undertaken during the latter half of the 2017/18 municipal year to reconcile key performance indicators, service level performance data and the council's existing programme management processes. The revised performance framework and monitoring arrangements will allow for Heads of Service to more readily integrate performance data into programme management and the service planning process.

**Financial Implications:** None

**Legal Implications** None

**Equalities Impact Assessment** Not required as the report presents information on past council performance and does not recommend any change to council policy or new action.

**Other Material Implications:** None

**Exempt from  
Publication:**

**No**

**Background  
Papers:**

None

**Contact:**

Will.train@ashford.gov.uk – Tel: (01233) 330394

## **Report Title: Quarter 1 2019/20 Performance Report**

### **Introduction**

1. This report seeks to provide an overview of performance against the council's key performance indicators for quarter 1 2019/20. The council's performance framework captures key performance data from across the organisation as it relates to the council's Corporate Plan.

### **Background**

2. A review of the council's performance monitoring arrangements was undertaken during the latter half of the 2017/18 municipal year to reconcile key performance indicators, service level performance data and the council's existing programme management processes.
3. A revised performance framework was endorsed by Cabinet in at the end of 2017/18, with recording against the new key performance indicators beginning in April 2018. The new monitoring arrangements will allow for Heads of Service to more readily integrate performance data into programme management and the service planning process.

### **Quarter 1 Performance**

4. Commentary on individual performance indicators is included within the appendix to this report. Performance against the majority of key performance indicators for quarter 1 is above target, however in some areas performance is below target. Directors and Heads of Service are aware of these drops in performance and work is ongoing to address any underlying issues.

### **Quarter 1 Corporate Plan developments**

#### **Enterprising Ashford**

5. Quarter 1 saw continued recognition of the council's success in reviving Ashford town centre, with Communities Secretary James Brokenshire MP praising Ashford, which has bucked the trend of falling high street footfall. Building on the success of last year's 'Splashes of Summer' campaign in the town centre, quarter 1 also saw the permanent addition of table tennis tables to Park Mall to add to the existing family games area.
6. This quarter also saw key developments in the town centre's offer, with the opening of the Curious Brewery and the announcement of new tenants for Elwick Place including the award-winning Kentish independent food and drink brand, Macknade, signing up to occupy the largest unit. Guy Hollaway Architects' design for Elwick Place was also selected as a finalist in the 'Retail and Leisure Architect of the Year' category at the 2019 Building Design Architect of the Year Awards.

7. Strategic property investment in the town continued in quarter 1, with the council acquiring Matalan to secure commercial income; and the acquisition of the HomePlus site for redevelopment by A Better Choice for Property Ltd.

### **Living Ashford**

8. The re-opening of the Danemore sheltered housing scheme in Tenterden marked a major landmark in the multi-million pound modernisation plans for the council's sheltered housing schemes. The new look Danemore provides 34 homes for affordable rent for older people, together with four chalet bungalows to be sold on the open market.
9. Quarter 1 also saw further work to tackle tenancy fraud with the council participating in a key amnesty organised by the Kent Tenancy Fraud Forum; the council securing a court injunction to address anti-social behaviour in areas of Tenterden; and the start of consultation on Rolvenden Parish Council's submitted Neighbourhood Plan.

### **Active and Creative Ashford**

10. The council provided funding to enable the Ashford One You shop to relocate to a larger unit within Park Mall. Since opening in February 2017, the One You shop has provided support to Ashford communities in tackling their health and wellbeing concerns, with more than 4,000 people having visited the One You shop to date.
11. Public consultation also took place on the council's Cycling and Walking Strategy 2019-2029. As part of a wider strategy to improve overall sustainable transport, in particular making the town centre more accessible, the Cycling and Walking Strategy will bring benefits in health, transport and the economy.
12. Cultural development of the town was also boosted in quarter 1 with the announcement that the Jasmin Vardimon Company had secured a grant of over £3 million from Arts Council England; and the approval of the development of a disused site on Henwood Industrial Estate to provide the dance company, which has had its base in Ashford for the past seven years, with a self-financing, energy-efficient, bespoke, new-build home in Ashford.

### **Attractive Ashford**

13. New artworks appeared in Ashford in quarter 1, with the appearance of a large pair of colourful wings on the frontage of the former Mecca Bingo Hall, created by a local artist in partnership with LoveAshford's Town Centre Regeneration Team. The Newtown Road underpass was also revitalised with two striking murals and new lighting installed following a design competition held at Ashford's North School.
14. In celebration of 2019 being the Year of the Environment, Ashford Borough Council also teamed up with art students of Ashford College to create a flower garden scene using single use plastics either collected by those involved in the project or through council litter picks. This plastic sculpture was displayed prominently in the town centre.

## **Conclusion**

15. Quarter 1 shows a continuation of strong performance in a number of key areas and further delivery against the aims of the council's corporate plan. Most indicators where performance fell below target in quarters 3 and 4 of the previous financial year have seen improvement in quarter 1, whilst other areas are being closely monitored and work is ongoing to address any underlying issues.

## **Portfolio Holder's views**

- 16.

## **Contact and Email**

Will Train, Senior Policy and Scrutiny Officer  
[Will.train@ashford.gov.uk](mailto:Will.train@ashford.gov.uk)

## Quarter 1 2019/20 Performance

KPI status key	
	Not meeting target – under performance
	Target not met but within acceptable threshold
	Target met or exceeded performance
	Status unknown
	Data Only – no target set

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
Page 22 KPI01 Park Mall Vacancy Rates	No. of vacant units within Park Mall - collected quarterly through survey carried out by Economic Development	3	0		3	0		2	0		<p>At 6.3%, this is the lowest vacancy rate across all areas in town (Town Centre streets – 9.3%, County Square – 7.3%, Elwick Place – 80%).</p> <p>Overall town centre vacancy is at 10.9% with 35 units vacant out of 322 which is a fall from 11.5% in April (2 units have been filled since).</p> <p>This is in line with research that shows national retail vacancy rates are at 10%-16% (Duff &amp; Phelps and Springboard – Retail Gazette).</p>
KPI02 Ashford Town Centre Car Park Usage	No. of vehicles parking in Ashford town centre car parks as recorded by Parking Services	164,745	N/A		184,593	N/A		177,236	N/A		Usage across Ashford town centre car parks in quarter 1 is up 17% on quarter 1 2018/19. Whilst the quantum of parking available in Ashford town centre increased quarter 3 2018/19, usage of Elwick Place car park in quarter 1 equalled 70% of the year on year total increase in usage (18,178 users).

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI03 Ashford Town Centre Car Park Income	Income for Ashford town centre car parks - cash, card and mobile transactions combined	£398,692.87	N/A		£430,761.38	N/A		£420,166.73	N/A		Income across Ashford town centre car parks in quarter 1 increased by more than £45,000 on quarter 1 2018/19. It should be noted that the quantum of parking available in Ashford town centre increased in quarter 3 2018/19 with the opening of Elwick Place car park, income for which in quarter 1 2019/20 totalled £41,653.60.
KPI04 Ashford Town Centre Car Park average spend	Average spend per visit - Ashford town centre car parks	£2.42	N/A		£2.33	N/A		£2.37	N/A		Average spend per user has increased slightly from quarter 4, however performance is down from quarter 1 2018/19, where the average spend was £2.48.
KPI05 Tenterden Car Park Usage	No. of vehicles parking in Tenterden car parks	119,171	N/A		112,903	N/A		114,786	N/A		Usage of Tenterden car parks across quarter 1 is around 4% lower than the same period in 2018/19, however usage has increased on the previous quarter in line with historic trends.
KPI06 Tenterden Car Park Income	Income for Tenterden car parks - cash, card and mobile transactions combined	£236,555.22	N/A		£219,690.93	N/A		£220,273.75	N/A		Income from Tenterden car parks has increased marginally on quarter 4's takings, however income is down by more than £15,000 on quarter 1 2018/19.
KPI07 Tenterden Car Park average spend	Average spend per visit - Ashford town centre car parks	£1.99	N/A		£1.95	N/A		£1.92	N/A		As a consequence of increasing usage but only a marginal increase in takings in Tenterden's car parks in quarter 1, average spend has fallen marginally against quarter 4 performance. Compared to quarter 1 2018/19, average spend for the last quarter is down by around 4%.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI08 New Businesses Supported	No. of pre-start and start up businesses supported by Ashford Borough Council through service level agreement with Kent Invicta Chamber of Commerce	19	36		24	36		6	36		Activity in quarter 1 was low from direct enquiries to the hub, but has likely also been impacted due to changes in the Chamber of Commerce website which resulted in the removal of a 'one to one' booking form and the lack of an obvious route to register for a call back. KICC say the situation has been rectified and it is expected that quarter 2 figures will show improvement.
KPI13 Business Rates Collection	% of national non-domestic rates collected by the council - cumulative figure per month	82.11%	99%		99.13%	99%		30.25%	24.75%		Business rates collections have exceeded target for quarter 1. It should be noted that the target for collections is 99% across the financial year, with a quarterly projection of collection rates set as target for each quarter.
KPI14 Social rent void loss	Rent loss on void social rent properties as a % of the rent roll for HRA social properties	0.28%	0.3%		0.24%	0.3%		0.21%	0.3%		<p>Q1 2019/20 Social Rents</p> <p>Total rent Loss = 9,592</p> <p>Debit Raised = 4,569,912</p> <p>No. Properties = 37</p> <p><b>RENT LOSS = 0.21%</b></p> <p>Void rent loss has steadily reduced from quarter 1 2018/19, where it stood at 0.36% of the rent roll.</p>

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI14A Affordable rent void loss	Rent loss on void affordable rent properties as a % of the rent roll for HRA affordable rent properties	0.96%	1%		1.06%	1%		0.93%	1%		<p>Q1 2019/20 Affordable</p> <p>Total Rent Loss = 9,028</p> <p>Debit Raised = 972,027</p> <p>No. Properties = 30</p> <p><b>TOTAL AFFORDABLE = 0.93%</b></p> <p>Void rent loss has steadily reduced from quarter 1 2018/19, where it stood at 1.42% of the rent roll.</p>
KPI15 Council Affordable Housing - New Build	No. of additional new build affordable homes delivered by council housing	12	N/A		34	N/A		0	N/A		<p>There are two projects (Weavers in Biddenden and Ragstone Hollow in Aldington) which the council is still to complete on. These are expected to be handed over at the end of Q3 2019/20. All other projects are in the planning system currently, or are being tendered, so the figure for Q1, and Q2 will remain at 0 for this KPI.</p>
KPI15A Council Affordable Housing - On-Street Purchases	No. of additional on-street purchase affordable homes delivered by council housing	2	N/A		2	N/A		0	N/A		<p>There have been no on-street purchases as yet in 2019/20. This is because we are awaiting details from finance on year-end budgets and also information regarding available 1-4-1 monies that need spending before we resume our programme.</p>

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI16 Registered Provider Affordable Housing  Page 26	No. of new affordable homes delivered by registered providers	16	N/A		32	N/A		16	N/A		<p>16 homes have completed thus far (these were 3 x 2-bed flats and 7 x 1-bed flats) - West Kent took receipt of these units at the Smallhythe Road site in Tenterden (part of the TENT1 development).</p> <p>A further 6 x 2-bed flats have been completed by Orbit in Jemmett Road in Ashford.</p> <p>Please note that the council is acquiring 2 x 2-bed affordable rent, and 2 x 2-bed shared ownership homes on a site being built out by Jarvis in Shadoxhurst. We stepped in as no other RP came in for these s106 homes. There is an outside possibility that these homes may come forward by the end of Q1 but it is likely these will come forward in Q2 and will be reported then.</p>
KPI17 B&B Accommodation	No. of households placed in Bed and Breakfast accommodation	2	0		5	0		2	0		As at end of quarter 1. Usage remains low - of the two households in bed & breakfast at quarter end, one family is moving imminently and one was an eviction that the council had no prior knowledge of. For comparison, 15 households were in bed & breakfast accommodation at the end of quarter 1 2018/19.
KPI18 Nightly Paid Accommodation	No. of households placed in Nightly Paid accommodation as at the end of the reporting period	66	N/A		77	N/A		88	N/A		As at end of quarter 1. Placements have risen slightly across quarter 1 due to a lack of move on accommodation and continuing use of nightly paid as an alternative to bed & breakfast placements.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI19 Other Temporary Accommodation	No. of households placed in Other Temporary accommodation	70	N/A		70	N/A		48	N/A		As at end of quarter 1. Placement numbers have fallen through the quarter through converting tenancies in our own 'Other Temporary' stock to introductory tenancies and so discharging our homelessness duties. We are no longer using the emergency "crash pad" facility at Homegroup due to a change in KCC contracts, and have had a few of the PSL properties handed back to the landlord.
KPI20 Homelessness Presentations	No. of homelessness presentations	368	N/A		435	N/A		391	N/A		April saw the highest ever number of approaches per month, however numbers have dropped off through the rest of the quarter, and approaches historically slow down into the summer. Total approaches are down year on year, with 430 approaches made in the same period in 2018/19.
KPI21 Homelessness Preventions	No. of households where homelessness was prevented	71	N/A		69	N/A		64	N/A		Preventions increased each month through quarter 1, however staff shortages and increases in the number of approaches made (see KPI20) reduced the amount of time available to complete dedicated follow up casework in April. Many people presenting do not respond to callbacks or attend interviews, and the team are receiving presentations from people with more complex needs.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI22 Homelessness Reliefs	No. of households where homelessness was relieved	89	N/A		37	N/A		43	N/A		April and May saw an increase in people approaching as homeless on the day with no prior approaches and an increase in presentations made late in the day. Increases are also being seen in approaches from 18+ care leavers due to changes in commissioning services.
KPI23 Refugee Households Resettled	No. of households resettled in the Borough under the Vulnerable Persons Resettlement Programme	2	N/A		3	N/A		1	N/A		Numbers remain dependent on availability of affordable property in the private rented sector. Already 2 confirmed families next quarter with others yet to be confirmed
KPI24 Refugee Persons Resettled	No. of refugees resettled in the Borough under the Vulnerable Persons Resettlement Programme	8	N/A		14	N/A		2	N/A		Numbers remain dependent on availability of affordable property in the private rented sector. 13 people so far confirmed next quarter.
KPI25 RTB2 28 day processing time	Average time taken to process an RTB2 form with 28 day target time admitting or denying the right to buy	7.5	28		9.92	28		11	28		Average turnaround of right to buy applications for the last quarter well within the 28 day target. Average processing time has increased from quarter 4, however this is in line with historic trends and is improved on quarter 1 2018/19
KPI25A RTB2 56 day processing time	Average time taken to process an RTB2 form with 56 day target time admitting or denying the right to buy	0	56		9	56		12	56		Average processing time has increased from quarter 4, however average turnaround of right to buy applications for the last quarter remains well within the 56 day target

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI26 Disabled Facilities Grants Administered	No. of disabled facilities grants administered by the council	15	N/A		36	N/A		13	N/A		Quarter 1 performance is lower than quarter 4 (in line with historic trends) due to grant works being completed in March to coincide with close of financial year; however performance is improved on quarter 1 2019/20, where 8 grants were administered in the same period.
KPI27 Disabled Facilities Grant Spend	Average spend per disabled facilities grant administered	£203,441.40	N/A		£397,962.91	N/A		£158,838.66	N/A		April's spend is £0 due to financial year end and the team closing off works utilising the previous year's budget. Spend for May and June is in line with anticipated levels of demand, and total spend for quarter 1 is increased on the same period in the previous year (£139,592.12)
KPI30 Private Rented Sector Condition Complaints	No. of complaints received regarding poor conditions in the private rented sector	72	N/A		75	N/A		60	N/A		The figure represents a broad range of issues, mainly around heating, hot water, general disrepair and damp and mould. Complaint numbers for quarter 1 are up slightly on the same period last year, but are not at unexpected levels.
KPI31 Informal Private Rented Sector Condition Complaint Resolutions	No. of complaints regarding poor conditions in the private rented sector resolved informally	8	N/A		20	N/A		19	N/A		Complaint resolutions in quarter 1 were slightly down on the same period in 2018/19 however several complaints have been challenging to resolve and have required landlords to undertake works to properties. As such complaints have been left open for a longer period to allow for sufficient time to complete identified works.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI32 Formal Action Private Rented Sector Complaint Resolutions	No. of complaints regarding poor conditions in the private rented sector resolved with formal action	4	N/A		0	N/A		2	N/A		Only two complaints in quarter 1 were resolved with formal action. In one case an improvement notice was issued to the owner of a block containing four self-contained flats, which required works related to improving fire precautions to be undertaken. In the other case a community protection warning notice was issued to address an unsightly long-term empty property. The notice required the owners to tidy the garden and undertake works to improve the appearance of the property.
KPI32A Gas Safety Certificates	% of ABC properties with up to date gas safety certificates	99.78%	100%		99.91%	100%		99.87%	100%		At the end of this quarter, only two properties remained outstanding, one HRA and one PSL. The HRA property was 5 days overdue at time of report, and was in fact a decanted property awaiting demolition - the gas has now been capped off so this property is compliant.  The PSL property was awaiting decision from the landlord because it is vacant and needs a lot of work before re-letting. This property has now been removed from contract (as at 12 July) so will not be included in our stats going forward. 15 outstanding properties were cleared during quarter 1.
KPI33 Food Hygiene Rating	% of businesses in the borough with a food hygiene rating above 3*	98.1%	98.5%		98.25%	98.5%		98.62%	98.5%		The team has reduced the number of non-compliant premises to 16 at the end of quarter 1.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI34 Lifeline Call Answer Speed	% of lifeline calls answered within 60 seconds	99.74%	97%		99.84%	97%		99.81%	97%		Performance against this KPI continues to be above target
KPI37 Planning Application Approvals	% of planning applications approved	93%	90%		91%	90%		92%	90%		Planning application approval rates in quarter 1 are lower than for the corresponding period in 2018/19 but remain above target.
KPI38 Speed of Major Planning Application Decisions	% of major planning applications determined within 13 weeks (or within such extended period as agreed in writing between the applicant and the local authority)	67%	60%		66.67%	60%		53%	60%		The Planning Guarantee is Governments tool for monitoring speed and quality of decisions. The speed element assesses a 24 month period between October 2017-September 2019 rather than monthly performance. Speed of major decisions within this period up to the end of Q1 19/20 is currently 69%. Whilst monthly performance may fluctuate, the performance over the assessment period is the key performance indicator with a national threshold set at 60% for major decisions.
KPI39 Speed of Non-Major Planning Application Decisions	% of minor and other planning applications determined within 8 weeks (or within such extended period as has been agreed in writing between the applicant and the council).	51%	65%		68.94%	65%		87%	70%		The Planning Guarantee is Governments tool for monitoring speed and quality of decisions. The speed element assesses a 24 month period between October 2017-September 2019 rather than monthly performance. Speed of non-major decisions within this period up to the end of Q1 19/20 is currently 81%.

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI40A Quality of Major Planning Application Decisions	% of major planning application decisions overturned at appeal	NEW PERFORMANCE MEASURE FOR 2019/20						4%	10%		Quality performance is that at the end of the quarter but final figures will not be known until December 2019. Assessment period is April 2017 - March 2019 with a 9 month lag period.
KPI40B Quality of Non-Major Planning Application Decisions	% of non-major planning application decisions overturned at appeal	NEW PERFORMANCE MEASURE FOR 2019/20						0.58%	10%		Quality performance is that at the end of the quarter but final figures will not be known until December 2019. Assessment period is April 2017 - March 2019 with a 9 month lag period.
KPI41 Planning Contraventions Resolved Informally	% of planning contraventions resolved without the need for formal action	38%	37%		33.67%	37%		45.33%	37%		Quarter 1 performance has returned above target from a drop in quarter 4, and is slightly up on performance for the same period in 2018/19 (44.33%)
KPI43 Council Tax Collection Rate		86.48%	98.25%		98.11%	98.25%		30.38%	24.57%		Collection rates for quarter 1 are on target to deliver the annual target collection (98.25% by year end). Note for 2019/20 annual target has been projected equally across each quarter.
KPI44 Benefit Change of Circumstance Processing	Average time taken to process a benefit change of circumstance in no. days	2.9	10		2.6	10		2.82	10		Benefit change of circumstance processing times remain well within target limits for quarter 1.
KPI45 Benefit New Claim Processing Time	Average time taken to process a new benefit payment claim in no. days	23.62	28		23.42	28		25.63	28		Processing times for quarter 1 remain within target and are slightly improved on the same period in 2018/19 (26.11 days)

## Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI48 % of tourism related contacts to Ashford TIC made in person	% of Ashford TIC contacts made in person	75.17%	N/A		64.47%	N/A		55.55%	N/A		The share of in person visits has fallen in quarter 1, however the current share is broadly in line with performance in quarter 1 2018/19.
KPI52 Recycling Rate	% of borough waste recycled or composted	52.67%	50%		48%	50%		54.5%	50%		Recycling performance has risen back above target in quarter 1 after a drop below 50% in quarter 4.
KPI53 Refuse Collection Success Rate	% of successful refuse collections per 100,000 refuse collections made.	99.97%	99.97%		99.96%	99.97%		99.97%	99.97%		Collection success rate is in line with target for quarter 1. Performance against this KPI has remained steady, either at or within 0.01% of target since quarter 1 2018/19.
KPI55 FOI Response Rate	% of freedom of information requests responded to within 20 working days	96.5%	95%		98.25%	97%		95.5%	97%		218 Freedom of Information requests were completed in quarter 1, of which 10 were completed beyond the statutory 20 working day deadline.
KPI56 Major Personal Data Breaches	Number of major personal data breaches recorded (as required to be reported to the Information Commissioner's Office)	0	0		2	0		1	0		6 incidents were logged internally in Quarter 1, of which one was reported to the Information Commissioner's Office (ICO). The ICO advised that there would be no further action taken in regard to this incident.

# Quarter 1 2019/20 Performance

Code & Short Name	Description	Q3 2018/19			Q4 2018/19			Q1 2019/20			Latest Note
		Value	Target	Status	Value	Target	Status	Value	Target	Status	
KPI64 Average Speed of Customer Service Calls Answered	Average wait time for customer service calls - to be benchmarked with results across Kent	0h 01m 33s	0h 01m 38s		0h 01m 25s	0h 01m 38s		0h 01m 34s	0h 01m 38s		<p>FTE in April was 4.82. We have one csa on long term sick and lost another 19.5 days due to sickness. 12 csa's took leave totalling 21 days.</p> <p>FTE in May was 4.11. We have one csa on long term sick. 10 csa's took leave totalling 163.5 hrs.</p> <p>FTE in June was 5.40. 3 csa's took sick leave totalling 119 hours. 10 csa's took annual leave totalling 229 hours.</p>

# Agenda Item 8



ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:** 8

**Report to:** Cabinet

**Date:** 12<sup>th</sup> September 2019

**Report Title:** Corporate Property Performance Annual Report 2018/19

**Report Author:** Philip Bond, Commercial, Development and Regeneration Officer

**Portfolio Holders:** Cllr Clokie, Portfolio Holder for Corporate Property and Projects

**Summary:** The revenue generated by the Council's corporate property portfolio contributes significantly to the Council's income. The income generated for the financial year ending March 2019 is shown in the Corporate Property Income Schedule attached at Appendix 1.

The Council is constantly exploring both ways to make the existing portfolio more profitable and additional investment opportunities. An update on the work done in this regard is provided in the report.

**Key Decision:** No

**Affected Wards:** None specifically

**Recommendation:** That Cabinet is asked to;

- i. note the revenue performance of the Council's corporate property portfolio during the previous twelve months as provided for in the Corporate Property Income Schedule attached at Appendix 1 and;
- ii. note the work undertaken to increase profitability and investment activity during the previous twelve months and going forward.

**Policy Overview:** The Council's investment in commercial property and development opportunities is crucial to delivering "*a viable and sustainable replacement for Formula Grant*". This is one of the underpinning parts of the council's Corporate Plan.

**Financial Implications:** The financial implications are considered in detail in the Corporate Property Income Schedule attached at Appendix 1.

<b>Legal Implications:</b>	There are none.
<b>Other Material Implications:</b>	There are none.
<b>Risk Assessment</b>	<p>The portfolio is risk assessed on a regular basis, prior to any acquisition and during the budget monitoring updates.</p> <p>The risks relating to each property are assessed at the time of acquisition, as part of the insurance renewal process and where the tenants change.</p>
<b>Equalities Impact Assessment:</b>	Not applicable.
<b>Appendices:</b>	<b>Appendix 1 – Corporate Property Income Schedule 2018/19</b>
<b>Background Papers:</b>	None.
<b>Contact:</b>	Phil.bond@ashford.gov.uk

**Report Title:** Corporate Property Performance Annual Report 2018/19

**Purpose of the Report**

1. This report, which comes to Cabinet annually, reports on the revenue performance of the Council's corporate property portfolio during the previous twelve months. It also advises of the work undertaken to increase the profitability of the portfolio and investment activity during past twelve months and going forward.

**Background**

2. In March 2015 the Government produced a four year financial settlement for Local Government, the net effect of which will be to reduce revenue support grant funding to zero by 2019/20. The Council, having been aware of the impending changes for some time, has been taking steps to mitigate against the impact of this to ensure the uninterrupted delivery of Council services. This approach includes the acquisition of property for investment purposes which can bring with it the additional benefits of borough wide regeneration.

**Financial Implications**

3. The income generated from the Council's corporate property portfolio during the period April 2018 to March 2019 is shown in the Corporate Property Income Schedule attached at Appendix 1 and has been reported previously in the council's end of year outturn. The return is calculated in respect of the historical cost of the asset (the purchase price). The surplus for this period (before internal recharges) is £1,856,120 on a total income of approximately £3.83m.
4. The surplus for 2018-2019 is approximately £400k lower than 2017-2018. This has primarily been caused by a mixture of reduced income and increased costs and outgoings. The reduced income is focused on International House where there has been a reduction in rental income of approximately £200k. This was due to a rent free period and the fact that we had no tenant(s) for the eleventh floor. This situation should reverse for 2019-2020 as the rent free period has now ended and heads of terms have been agreed to lease approximately half of the eleventh floor to a new tenant.
5. The increased costs and outgoings relate to approximately £100k of rental costs for the leases the council has on the new Connect 38 building and approximately £100k of increased costs for Park Mall due to an insurance re-valuation and increased legal fees due the number of leases that were signed. As with the reduction in rent, the situation with the increased costs and outgoings will improve during 2019-2020 as we start to receive rent from tenants of Connect 38.

6. In the Corporate Property Income Schedule attached at Appendix 1 “rent income from general fund” distinguishes the rents collected from third parties to those rents charged to other Council services. An example of this is the rent of £33,490 paid by Environmental Health for One You, the health and wellbeing unit at Park Mall. Internal recharges are overheads and expenses apportioned pro-rata to each asset. The inclusion of internal recharges results in a more accurate calculation of return on investment.
7. It should also be borne in mind when considering the income generated by the Park Mall shopping centre, that it was not acquired as an investment but rather for regeneration purposes and to reinvigorate the town centre.

### **Performance & Asset Update**

8. Over the previous twelve months a number of activities and initiatives have been undertaken with a view to improving the management and profitability of the real estate portfolio including the purchase of a number of new assets. Further details are provided below.

### **Asset Management**

9. In September 2018 the council appointed a Property and Asset Manager. This role provides support to the Head of Corporate Property and Projects in the provision and delivery of core objectives. The role has responsibility and leadership for the Council’s commercial investment portfolio, strategic asset management, building & design services and energy teams. The role contributes to the Council’s regeneration initiatives and provides input to all aspects of asset management proposals as well as leading on the preparation of the Council’s asset management plan and associated systems for the whole corporate estate.

### **Elwick Place**

10. In December 2018 the council took possession of Elwick Place, a new retail and leisure development on Elwick Road. Built on the site of the old Ashford market the development is intended to grow the night time economy in Ashford and become a destination in its own right.
11. The development comprises of a hotel and cinema with the two anchor tenants of Travelodge and Picturehouse and 10 retail units. All the retail units are intended to be food and beverage units with the exception of one unit that is expected to be a gym.
12. Since the development was planned and designed there has been a significant change in the retail sector. The tough economic conditions that the sector now finds itself in have been epitomised by the collapse of national chains such as HMV, Maplin, Patisserie Valerie and Toys R Us. In addition other well-known national brands such as Debenhams and

House of Fraser have entered administration.

13. It is against this background, as well as the continuing uncertainty of Brexit, that securing tenants for the retail units has been slower than hoped for. However, recently the council and its development partner, Stanhope plc, was able to announce that it had reached agreement with the independent food and restaurant company, Macknade's, to lease the largest unit in the development, unit 1. It is anticipated that Macknade's will open in October/November this year. Terms have also been agreed with another company which is also aiming to open its restaurant before the end of the year. Additionally agreement is expected to be reached very shortly with Snap Fitness to open a gym in unit 8 of the development.
14. Discussions with a number of other potential tenants are also underway and it is hoped that the majority of the units will be let or have agreements in place to let in the next 12-18 months.

### **International House**

15. International House continues to perform well even with a reduced level of income as detailed above. Occupancy for the site is currently slightly over 90% and if agreement is reached with a potential new tenant for approximately half of the eleventh floor this level will rise to above 95%.
16. During 2018-2019 the council undertook a major improvement in the street scene around Dover Place, the Commercial Quarter and International House. As part of these improvements the car park at International House was re-surfaced, significantly improving the visual amenity of the area.
17. Following a recommendation from Overview & Scrutiny Committee during 2018 officers have had a red book valuation of International House carried out. A red book valuation (based upon guidance from the Royal Institute of Chartered Surveyors) assesses the covenant strength of the tenant(s) in occupation in conjunction with various other commercial factors including the number of tenants in occupation and unexpired lease term(s) to expiry and/or break options.
18. The council purchased International House in 2014 for £7.8m. The valuation for International House returned as of March 21<sup>st</sup> 2019 is approximately £9m.

### **Park Mall**

19. The council purchased the long term leasehold of Park Mall in 2015. The purchase was made to support the council's long term aspirations to develop and regenerate the town centre and as such was not made as a commercial investment. At the time of purchase approximately 30% of the units were vacant with those that were occupied being predominately charity shops.
20. Since the purchase the council has worked hard to develop the shopping centre and encourage traders to move to it. Against the back drop of a

significant decline in the retail high street shopping market the council has been able to bring new traders into the shopping centre, increase the variety of shops trading within the centre and improve the vibrancy of Park Mall.

21. Currently every unit except one is now tenanted and heads of terms have been agreed with a new tenant for the vacant unit. Whilst churn is inevitable, particularly in the current retail conditions, Park Mall is at its most stable position for a number of years and the council will be looking to increase the level of rent that the centre achieves in the next 2 to 3 years.

### **Commercial Quarter**

22. In 2016 the council reached agreement with Quinn Estates to lease two floors in the new Connect 38 office development on Dover Place. The lease of the two floors helped improve the viability of the scheme and helped ensure the delivery of the first phase of the council's ambitious plans to develop a commercial quarter near to the International Station, one of the council's big 8 projects.
23. In 2018 the council entered into a lease with a tenant for the council's interest in the fourth floor and subsequent to this the council has signed leases with a further two tenants for space on the third floor. At the time of writing this report the council has let approximately 11,000 sq. ft. of its 18,000 sq. ft. interest in the Connect 38 building.

### **Garages**

24. The Council's garage holding of approximately 1500 garages makes a significant contribution towards the Council's income each year. Since late 2017 the council has been looking to improve upon the management and profitability of our garage sites that were viable and to look for alternative uses for those sites which are not.
25. The once paper-based application and lettings process has been digitised so that the system is fully automated. This new working practice has both improved customer service and resulted in efficiencies and savings.
26. In addition structural and asbestos surveys are being carried out on the garage stock which will lead to a detailed planned maintenance strategy being developed. Work is also being undertaken with a planning consultancy to consider garage sites that may be suitable for development and other uses rather than being retained for garages.

### **Carlton Road Business Park**

27. In September 2017 Cabinet approved the purchase of a development of light industrial units on land at Carlton Road by Gallagher's. The development was completed and passed into council ownership towards the end of 2018.

28. Two units have been let internally, including one to Aspire the council's landscape services team. Terms have now been agreed with two companies for units on the site with one of these expected to reach lease completion in the next couple of weeks.
29. Lettings of the units have been slower than originally anticipated due to a mixture of concerns surrounding Brexit and the sites operating hours. However the council is looking to amend the operating hours of the site and we expect to see significant growth in tenancy levels over the next 12-18 months.

### **Risk Assessment and Management**

30. The portfolio is risk assessed on a regular basis through internal monthly reviews and the quarterly budget monitoring cycle.
31. The risks relating to each property are assessed at the point of acquisition, as part of the insurance renewal process and where the tenants change.
32. In order to manage the risk of voids, the property management undertaken internally ensures that tenancies are monitored and either re-marketed or negotiation with existing tenants commenced no later than six months prior to the end of any lease term.

### **Other Options Considered**

33. The purpose of this report is to advise on the revenue performance of the Council's corporate property portfolio during the previous twelve months and of opportunities being explored to increase profitability and investment activity. As such, it is not appropriate to consider alternative options at this time.

### **Conclusion**

34. The Council is continuing to make good progress with its commercialisation agenda resulting in improved management practices and improving the overall efficiency of the real estate portfolio. New investment opportunities are continuing to be explored in accordance with the criteria identified in the Corporate Property Management Strategy 2018 to 2021.

### **Portfolio Holder's Views**

35. Will be given at the meeting.

**Contact:** Philip Bond, Commercial, Development & Regeneration Officer

**Email:** phil.bond@ashford.gov.uk

## Appendix 1 - Corporate Property Income Schedule 2018/19

	Commercial Quarter	Court Wurtin	*Industrial Estates	*Garages	Carlton Road	Elwick Place	Stanhope Shops	Wilkinson 1 Park Mall	Park Mall	*Bockhanger Com Props & Centre	*Brookfield Com Prop	International House	*Civic Centre	Tenterden Gateway	Sustainable Energy Project	*Minor Holdings	Total
Total income	22,203	16,665	446,386	577,605	0	125,313	97,702	314,000	589,860	34,526	44,549	1,240,441	116,689	51,847	20,492	131,856	3,830,135
Total expenditure	(134,951)	0	(31,573)	(85,760)	(7,464)	(55,185)	(11,376)	(4,101)	(667,235)	(5,138)	(11,831)	(769,218)	(107,252)	(72,853)	0	(10,078)	(1,974,015)
<b>Surplus/Deficit</b>	<b>(112,748)</b>	<b>16,665</b>	<b>414,813</b>	<b>491,846</b>	<b>(7,464)</b>	<b>70,128</b>	<b>86,325</b>	<b>309,899</b>	<b>(77,375)</b>	<b>29,388</b>	<b>32,719</b>	<b>471,222</b>	<b>9,437</b>	<b>(21,006)</b>	<b>20,492</b>	<b>121,779</b>	<b>1,856,120</b>
Historical Cost	0	0	2,780,000	2,820,200	0	0	1,032,000	3,560,000	823,500	217,000	467,200	7,900,000	202,900	0	185,000	1,045,700	
Return	0.0%	0.0%	14.9%	17.4%	0.0%	0.0%	8.4%	8.7%	(9.4%)	13.5%	7.0%	6.0%	4.7%	0.0%	11.1%	11.6%	
Less internal recharges	0	(551)	(123,772)	(5,746)	0	(81)	(81)	0	(61,250)	(4,268)	(8,799)	(70,547)	0	(6,133)	0	(54,272)	(335,500)
Rent income form GF	0	0	0	0	0	0	0	0	33,490	0	0	0	0	27,139	0	0	60,629
<b>Net income after recharges</b>	<b>(112,748)</b>	<b>16,114</b>	<b>291,041</b>	<b>486,100</b>	<b>(7,464)</b>	<b>70,047</b>	<b>86,244</b>	<b>309,899</b>	<b>(105,134)</b>	<b>25,119</b>	<b>23,920</b>	<b>400,675</b>	<b>9,437</b>	<b>(0)</b>	<b>20,492</b>	<b>67,506</b>	<b>1,581,249</b>
Return on investment including recharges	0.0%	0.0%	10.5%	17.2%	0.0%	0.0%	8.4%	8.7%	(12.8%)	11.6%	5.1%	5.1%	4.7%	0.0%	11.1%	6.5%	

\* Based on 2007 Historical value



**Agenda Item No:** 9  
**Report To:** CABINET  
**Date of Meeting:** 12 September 2019  
**Report Title:** Animal Licensing Policy  
**Report Author & Job Title:** William Wilson  
Food and Health & Safety Team Leader  
**Portfolio Holder** Cllr. Gideon  
**Portfolio Holder for:** Community Safety and Wellbeing

<b>Summary:</b>	The purpose of this report is to present to Cabinet an animal activity licensing policy.
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**Key Decision:** NO

**Significantly Affected Wards:** All

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

- i. Review the draft animal licensing policy and recommend its adoption to Council**

**Policy Overview:** Ashford Borough Council is the Licensing Authority and is responsible for considering applications and administering a licensing regime in respect of activities that are identified as licensable by the Regulations and Acts relating to animals.

**Financial Implications:** Licensed premises are required to pay a fee that will cover the reasonable expenses incurred by the Council in considering the application for the grant, renewal, variation and the enforcement of unlicensed operators. These fees have been set for 2019-20 and are reviewed annually. Many new businesses have come forward with licence applications and fees will be used to cover licensing expenses.  
Investigation of unlicensed operators

**Legal Implications** The policy will provide clarity as to how the council will discharge its functions in accordance with the legislation as the Licensing Authority in assessing licence applications, renewals and variations. It will also reference the requirement to investigate and take enforcement action where appropriate and proportionate against unlicensed operators. It will reduce the potential for inconsistency that could lead to legal challenge.

<b>Equalities Impact Assessment</b>	See attached.
<b>Other Material Implications:</b>	There has already been an increase in businesses making applications for licences since the new regulations relating to a number of animal licensing activities came into force on the 1 <sup>st</sup> October 2018. Whilst increasing income there has also has an impact on the workload for the only officer currently deemed competent to assess the licensing application. This officer, however, undertakes a wide range of environmental health work and therefore other workload has been reassigned as necessary. Moving forward, additional staff within the Community Safety & Wellbeing Service will be trained to undertake animal licensing work.
<b>Exempt from Publication:</b>	<b>NO</b>
<b>Background Papers:</b>	None
<b>Contact:</b>	william.wilson@ashford.gov.uk – Tel: (01233) 330 517

## Report Title:

# Animal Licensing Policy

## Introduction and Background

1. The purpose of this report is to present to cabinet a draft version of Ashford Borough Council's Animal Licensing Policy. It relates to the licensing system that implements primary legislation for a number of animal activities:
  - Dog breeding
  - Pet shops
  - Riding establishments
  - Animal boarding establishments
  - Animal exhibition
  - Zoos
  - Dangerous wild animals
2. The draft policy as presented by this report, reflects legislative changes that came into force on the 1st October 2018 and guidance from DEFRA for some of the activities above. The draft policy is attached as Appendix A.
3. The changes recognise the strong public expectation for enforcement of animal welfare standards, acknowledging the previous legislative provisions were outdated, complex and cumbersome to administer. They led to enforcement and consistency challenges and required strengthening to tackle hidden activity by unscrupulous persons. The key changes being the development of a single licence for some animal activities reflecting up to date welfare requirements. Each individual activity having its own specific standards but the level of protection remains the same. It includes online and home-based business and mobile animal exhibits.
4. The determination of licence applications is a statutory duty and aims to ensure acceptable animal welfare standards as defined in the Animal Welfare Act 2006.
5. The policy aims to ensure that the Licensing Authority and licence holders are familiar with how the animal licensing regime will be administered within the borough and the principles by which the council will determine applications.
6. A policy relating to the determination of applications not only guides the decision-maker, but also informs an applicant about what they should consider in preparing their application.

## **Current Position**

7. The legislation consolidated a number of the existing regulations specific to different types of animal licensing into one regulation. This was accompanied by a set of guidance documents from DEFRA relating to the application process and the conditions that can be applied to the licence.
8. The borough council continues as the Licensing Authority for the majority of the licences, but has taken on additional responsibility the animal exhibition licence from Kent County Council.
9. The regulations now introduce the ability to extend the licensable period from one, two or three years. Previously all licences were annually renewed.
10. The numbers of applications has already increased and whilst this increases income it also increases the workload involved in inspecting and processing the application.
11. The policy also requires the proactive investigation of potentially unlicensed animal businesses to ensure that all businesses within the borough are being treated equally.

## **Implications and Risk Assessment**

12. The new requirements have significantly increased the length of time it takes to process a licence application and in particular the time taken to complete a site inspection.
13. Officers undertaking licensing inspections are now required to obtain a qualification by October 2021 to be deemed competent. Presently there is only one training course available at a cost of £990 per officer. The officer has to complete 30 hours of online training prior to attending the one-week training course. They are also required to undertake ten licensing inspections and produce a several thousand word reflective essay for each inspection. This is a considerable undertaking and will inevitably be a resource pressure on the service during 2020-21. The authority can, however, engage an inspector holding a formal veterinary qualification to undertake inspections and complement in-hours resources. Cost would be recovered from applicants.
14. The regulations introduce a new requirement to undertake an unannounced inspection during the period of the licence.
15. The regulations also introduce a risk rating scheme similar to the system used for the national food premises hygiene rating. The purpose being to match inspection frequencies to risk and also provide information to the public. There is an appeal process available to challenge the risk rating.
16. There is also an appeal process for the suspension, revocation, variation or refusal of a licence.

17. The most significant implication for the council is the requirement for proactive investigation of potentially unlicensed animal activity. The anticipated costs of such enforcement activity can be costed in the licensing fee structure. At this time it is difficult to assess what the level of enforcement will be, but any investigations will place additional burdens on the environmental health team. This is something that will need to be closely monitored. It is intended to add the reporting of unlicensed animal activity to the council's report-it app and also increase awareness of this issue in the council's magazine.

### **Equalities Impact Assessment**

18. The policy will affect all persons involved in or affected by a relevant licensable activity in the borough, irrespective of gender, race, disability, sexuality or age.
19. An equalities impact assessment is attached as *Appendix B*.

### **Consultation Planned or Undertaken**

20. There has been extensive national coverage of the changes with around 1,700 responses which were largely highly supportive. Relevant bodies were consulted in the development of the provisions.
21. The policy will be placed on the council's website once approved and all existing licensees have been contacted.

### **Other Options Considered**

22. There are no other options as the council has a statutory duty as the Licensing Authority to enforce the Regulations.

### **Reasons for Supporting Option Recommended**

23. The policy has been developed in line with the Regulations and Guidance. It sets out a clear approach to licensing of animal activity businesses within the Borough.

### **Next Steps in Process**

24. Following adoption by Full Council the Animal Licensing Policy will be published on the council's website.

### **Conclusion**

25. The policy is based on the change in legislation that has the overarching principle of animal welfare whilst ensuring that the Licensing Authority and licence holders are familiar with how the animal licensing regime will be administered within the borough and the principles by which the council will determine applications.

26. In line with the purpose of this report, it is recommended that Cabinet recommend the adoption of the Animal Licensing Policy to Full Council.

### **Portfolio Holder's Views**

27. "I support the adoption of the Animal Licensing Policy which provides clarity on how the council administer the licensing process, whilst protecting animal welfare and ensuring a level playing field for all animal licensable businesses within the Borough."

***Councillor Gideon***

### **Contact and Email**

28. William Wilson - [william.wilson@ashford.gov.uk](mailto:william.wilson@ashford.gov.uk)

**Appendix A: Animal Licensing Policy (DRAFT)**

**Appendix B: Equalities Impact Assessment**

# Policy: Animal Licensing Policy

**Original Implementation Date:**



Control Schedule			
<b>Policy Owner:</b>	Community Safety & Wellbeing		
<b>Policy Author:</b>	William Wilson		
<b>Approved By:</b>	Council		
<b>Approval Date:</b>	17 October 2019	<b>Minute reference:</b>	
<b>Policy Review Due:</b>	17 July 2024	<b>Review Cycle:</b>	
<b>EIA completed:</b>	25 <sup>th</sup> July 2019	<b>EIA Review Due:</b>	July 2024

Version Control				
Version	Date	Author	Comment	Approved by
1.0	23/8/19	W. Wilson	Final draft	

Decisions affecting this policy			
Date	Committee/Member/Officer	Report title	Minute ref

## Policy Statement

On the 1<sup>st</sup> October 2018 the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force. The Regulations replace previous licensing and registration regimes under the following legislation:

- Pet Animals Act 1951
- Animal Boarding Establishments Act 1963
- Riding Establishments Acts 1964 & 1970
- Breeding of Dogs Act 1973 & Breeding and Sale of Dogs (Welfare) Act 1999
- Performing Animals (Regulation) Act 1925

This policy sets out how Ashford Borough Council as the licensing authority will ensure that the Licensing Authority and licence holders (and other relevant persons) are familiar with how the animal licensing regimes will be administered within the borough.

## Scope of the policy

The policy covers those animal establishment businesses that require licensing under the following legislation: -

- Dangerous Wild Animals Act 1976
- Zoo Licensing Act 1981
- Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

## Relationship with other existing policies

This policy has not been formulated with reference to any other policy.

## Definitions

There are no specific definitions.

## Policy content

Number		Page
1.0	Contacting us	
2.0	Introduction	
3.0	Aims and Objectives	
4.0	Principles of Licensing	
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7.0	Safeguarding	
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12.0	Rating Scheme	
13.0	Inspectors	
14.0	Inspections	
15.0	Enforcement	
16.0	Information Sharing	
17.0	Fees	
18.0	Primary Authority	

## Consultees

In developing this policy the Council has given consideration to statutory guidance issued by the Department for Environment.

This policy supersedes all previous policy decisions relating to the relevant areas made by the Council from the date of this policy being published.

This policy was ratified by Full Council on XX XX XX.

### 1.0 How to contact us:

1.1 All correspondence should be sent to [licensing@ashford.gov.uk](mailto:licensing@ashford.gov.uk) or:

Community Safety and Wellbeing  
Ashford Borough Council  
Civic Centre  
Tannery Lane  
Ashford  
TN23 1PL

Telephone 01233 331111

### 2.0 Introduction

2.1 In carrying out its regulatory functions, Ashford Borough Council will have regard to this policy in its capacity as Licensing Authority, when making licensing decisions regarding matters relevant to The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, the Dangerous and Wild Animals Act 1976 and the Zoo Licensing Act 1981. Where it is necessary to depart substantially from this policy, clear and compelling reasons will be given for doing so.

2.2 Ashford Borough Council is the Licensing Authority for the purposes of discharging functions in accordance with the above mentioned legislation, and is responsible for considering applications and administering a licensing regime in respect of activities that are identified as licensable by the Regulations and Acts.

### 2.3 Minor amendments

Minor changes to policy may be made by the councils Lead Officer without consultation.

From time to time it may be necessary to make minor amendments to this policy in the light of amended legislation and/or statutory guidance, legal case precedents, or other local determinants. Where this is necessary amendments will be drafted by the council's Lead Officer for animal activity licensing and submitted for consideration and agreement by the Head of Service for Community Safety and Wellbeing in consultation with the portfolio holder. Amendments of this nature will be made without recourse to the council's cabinet and full council.

### 3.0 **Aims and Objectives**

3.1 The aim of this policy is to ensure that the Licensing Authority and licence holders (and other relevant persons) are familiar with how the animal licensing regimes will be administered within the borough. This policy has been introduced pursuant to the commencement of the Animal Welfare (Licensing of Activities Involving) Animals Regulations on 1 October 2018. It will be reviewed 5 years following first approval, and/or where necessary to reflect significant changes in relevant legislation or other relevant policy and practice of the Council.

3.2 Various legislation exists that gives the local district council the power to regulate animal establishments through licensing:

- Animal Welfare Act 2006
- Dangerous Wild Animals Act 1976
- Zoo Licensing Act 1981
- Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018 made under section 13 (1) of the Animal Welfare Act 2006.

Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.

3.3 Licensees who are licensed by multiple authorities are expected to inform all such authorities of the authorities they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take it into account as appropriate.

3.4 In adopting this policy the Council has set out the general approach that it will take when it considers applications under the Acts and regulations detailed above. The Council confirms that each application will be considered on its merits. In view of the wide range of premises and

applications, the policy cannot set out all the factors which will result in appropriate licensing objectives being achieved.

3.5 The policy aims to achieve the following objectives:

- Ensuring any person who carries on, attempts to carry on or knowingly allows a licensable activity to be carried on holds a licence in accordance with the Regulations.
- The licence holder is not disqualified from holding a licence in accordance with the requirements of the Regulations.
- That the five overarching principles of animal welfare, (known as the “five needs”) introduced by the Animal Welfare Act 2006 are upheld in any decision.
- The safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured.
- Each application is considered on its merits.
- That the obligations of the council’s public sector equality duty under the Equality Act 2010, section 149 are fulfilled by eliminating discrimination, harassment, victimisation and other conduct prohibited by the Act, advancing equality of opportunity and fostering good relations between persons who share and those who do not share protected characteristics.

#### 4.0 Principles of Licensing

4.1 Existing legislation requires licence conditions to ensure acceptable animal welfare standards. The Animal Welfare Act 2006 introduces five overarching principles of animal welfare, known as the “five needs” (see 4.3).

4.2 In addition the Council will base its animal licensing regime on the following three principles:

- a) Ensuring the welfare of domestic or captive animals by implementing appropriate standards that promote the “five needs”;
- b) Ensuring that persons responsible for the management of animal welfare observe recognised standards of good practice;
- c) Ensuring that, so far as it falls within its powers, the requirements of all animal-related licensing legislation will be rigorously and pro-actively enforced.

4.3 The “five needs” referred to in this policy are:

- a) The need for a suitable environment;  
(by providing an appropriate environment, including shelter and a comfortable resting area)
- b) The need for a suitable diet;

(by ready access, where appropriate, to fresh water and a diet to maintain full health)

- c) The need to be able to exhibit normal behaviour patterns;  
(by providing sufficient space, proper facilities and the company of an animal of its own kind, where appropriate)
- d) Any need to be housed with, or apart from, other animals;  
(by providing the company of an animal of its own kind, where appropriate)
- e) The need to be protected from pain, suffering, injury and disease;  
(by prevention or rapid diagnosis and treatment, and ensuring conditions and treatment which avoid mental suffering).

#### 4.4 Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018

##### Licensing Conditions and Codes of Best Practice

In promoting the principle of best practice detailed in these Guidelines, the Council will set general and specific licence conditions as set out in the relevant statute and accompanying guidance. Reference may also be made to the codes of best practice and industry standards produced by organisations such as, but not limited to;

- a) Chartered Institute of Environmental Health
- b) Local Government Association
- c) Secretary of State, Department for Environment, Food and Rural Affairs (DEFRA)
- d) British Veterinary Association
- e) Royal College of Veterinary Surgeons
- f) National Trade Associations
- g) DEFRA.

4.5 In promoting the Council's three animal licensing principles, general and specific conditions, codes of best practice and industry standards will be considered to be a minimum standard and additional conditions required to promote the "five needs" may be imposed as necessary.

4.6 Licence conditions may be reviewed where best practice codes are periodically reviewed to ensure they reflect current best practice. The Council will write to affected licensees advising them of any revised/new condition, giving them a fair and reasonable time to bring their premises and practices up to the required standard.

#### 5.0 **Licensable Activities**

5.1 On 1 October 2018 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force. These regulations replaced a number of pieces of previous legislation repealed at the end of

2018 and provided a new single licensing regime for a number of animal licensing activities.

Those undertaking the following activities will need to be licensed under the new regime:

- Selling animals as pets
- Providing or arranging for the provision of boarding for cats or dogs (including day care)
- Hiring out horses
- Breeding dogs
- Keeping or training animals for exhibition

5.2 For avoidance of doubt, the above does not currently apply to rescue centres and charities.

5.3 The Regulations replace previous licensing and registration regimes under the following legislation:

- Pet Animals Act 1951
- Animal Boarding Establishments Act 1963
- Riding Establishments Acts 1964 & 1970
- Breeding of Dogs Act 1973 & Breeding and Sale of Dogs (Welfare) Act 1999
- Performing Animals (Regulation) Act 1925

5.4 The Zoo Licensing Act 1981 (as amended) makes provision for the licensing of zoos which members of the public have access for seven days or more within twelve consecutive months, with the objective of the conservation of animals and their welfare.

5.5 The Dangerous Wild Animals Act 1976 (as amended) specifies a list of animals that require a licence in order to be kept, to ensure public protection as well as ensuring the health and safety of the species concerned. Information regarding which species require licensing under the Act can be found on the council's web pages.

5.6 A licence is required where any of the above activities are being carried on in the course of a business, whether the operator makes a sale or carries on the activity with a view to making a profit or earns commission or fee from the activity.

## 6.0 **Applicant Suitability**

6.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and associated government guidance require local authorities to consider several factors before issuing or renewing a licence.

- 6.2 The Council will consider the conduct displayed by the applicant / licence holder to ensure that they meet the “fit and proper” test to carry out the proposed licensable activity and meet the conditions attached to the licence.
- 6.3 The term ‘fit and proper’ is not defined in legislation or guidance. For the purpose of this policy, the Council would consider a ‘fit and proper person’ to be an individual who can demonstrate upon application that they have:
- the right to work in the UK
  - no relevant convictions
  - not been disqualified from holding a licence
  - the knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of animals in their care
  - made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licence activity.
- 6.4 Each authority can request such information as they reasonably consider necessary to enable them to determine whether the licence should be granted or not or whether special conditions should be attached to any such licence. This will include the suitability of the site for the proposed licensable activities, any previous experience or training undertaken by the applicant or staff they intend to employ at the premises and any other matter considered by the Council as appropriate in respect of the licence(s) applied for.
- 6.5 In the case of renewals we will consider any information received about the operation over the period of the existing licence, the Council will expect licensees to demonstrate appropriate professional conduct at all times, act with integrity and demonstrate the conduct befitting the trust that is placed on them to operate their premises and care for the animals.
- 6.6 In determining suitability of an applicant, the authority may also request information from the police or other local authorities. Such requests will be undertaken in accordance with the provisions of Section 17 of the Crime and Disorder Act 1998, which required that local authorities must have regard to the likely effect of the exercise of their functions on, and do all that they can to prevent crime and disorder in their area.
- 6.7 Schedule 8 of the Regulations is specific in respect of certain convictions, which if held, bar that person from applying for a licence under the regulations. A full list of those offences is contained at Appendix A to this policy.

In reaching a decision on whether or not to issue a licence the Licensing Authority will consider the inspector’s report on the premises and will refuse to grant a licence if it:

- considers the applicant is not capable of meeting the licence conditions

- believes that granting a licence might negatively affect the welfare, health or safety of the animals involved in the activity
- believes the accommodation, staffing or management are inadequate for the animals well-being or for the activity or establishment to be run properly
- is established that the applicant has been disqualified from holding a licence as per Schedule 8 of the regulations

#### 6.8 Dangerous Wild Animals and Zoos

In order to ensure compliance with our duties to ensure that an individual has not been disqualified from holding a licence, upon application the Council may request information from the Police under our information sharing agreement about any relevant convictions an applicant may hold.

#### 6.9 Qualifications

Where required, applicants will need to possess appropriate specified qualifications.

6.10 In respect of riding establishments, vocational qualifications are regulated by sector skills councils and, for the equestrian industry, the relevant council is LANTRA. LANTRA determines national occupational standards for its industries and ensures that related vocational certified qualifications are relevant and at an appropriate standard.

6.11 The British Horse Society (BHS) grant recognised qualifications to suitable candidates, with the British Horse Society Assistant Instructor (BHSAI) or equivalent generally accepted as being the necessary minimum level. It is generally held that the certified qualifications should cover a basic standard in practical horse husbandry; so, whilst an applicant may present a theory-based qualification as evidence of suitability, these are not likely to be sufficient evidence of suitability in isolation if they have little practical content.

6.12 Other equine qualifications such as college diplomas and NVQs may be taken into consideration as proving the suitability of an applicant or manager. The following are considered minimal and equivalent to the above qualifications:

- At least an NVQ Level 3 in Horse Care and Management
- At least a BTEC Level 3 National Diplomas in Horse Management offered by Edexcel
- At least a Level 3 National (Advanced National) Certificate in Management of Horses offered by City and Guilds
- At least a British Horse Society Assistant Instructor Certificate (BHSAI);
- British Equestrian Tourism Ride Leader Qualification
- British Equestrian Tourism Riding Holiday Centre Manager Qualification

- 6.13 The above list is not exhaustive and may grow as other qualifying training courses and examinations become recognised. If the Licensing Authority is unsure as to an applicant's suitability, it may contact the Royal College of Veterinary Surgeons (RCVS) Riding Establishments Subcommittee for advice. Association of British Riding Schools (ABRS) tests are not currently recognised by LANTRA.
- 6.14 If a new applicant has no recognised qualifications and is relying on practical experience the Council will obtain references to support the application and the Inspector should assess them. A CV will be requested to ascertain previous relevant responsibilities held by the applicant, in addition to a professional reference from a veterinary surgeon or farrier, and the inspector should keep in mind that the object of the Riding Establishments Acts is to ensure adequate minimum standards of management.
- 6.15 If the management of a riding establishment is to be entrusted to another person by the applicant (such as a manager), the suitability and experience of the manager must also be considered and reported upon.

## 7.0 **Safeguarding**

- 7.1 The regulations have the aims of maintaining and improving animal welfare standards. However there are other safeguarding considerations arising from licensable activities which the Council has a statutory duty to ensure, in particular surrounding the protection of children and vulnerable persons.
- 7.2 The Council is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons. For example the tuition of a young person provided at a Riding Establishment, or entertaining at a children's party with an exhibition of animals.
- 7.3 To this extent, the Council would require applicants and licence holders whose activities involve contact with children or young persons to:
- Have a written safeguarding policy and provide training for staff; and
  - Have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons.

## 8.0 **Application Procedures**

### 8.1 New/Renewal Applications

The Application is to be made via the Licensing Authority's published application forms. Please see our website for further information on fees.

- 8.2 Payment for vet inspections where required will be charged to the applicant.
- 8.3 Applications must be submitted a minimum of 10 weeks prior to renewal or grant. This is to allow the Inspector time to arrange to consider the

application, make enquiries and inspect premises. We will not be able to guarantee processing applications which have been made outside of this time period, or which are incomplete due to missing documentation.

- 8.4 Written reminders will be sent out by the Council a minimum of three months prior to renewal of Licence. This will be sent by email where possible.
- 8.5 An application will only be accepted as a valid application if it is accompanied by the correct fee and all relevant documentation required in accordance with this policy.
- 8.6 The Guidance stipulates that once a Licensing Authority receives an application for the grant or renewal of a licence it must take the following steps before granting or renewing a licence:
- The Council must consider whether the conduct displayed by the applicant indicates that they are a fit and proper person to carry out the licensable activity and meet their licence conditions.
  - The Council must inspect the site of the licensable activity and assess if it's likely to meet the licence conditions. The inspection will be completed by a suitably qualified inspector present as well as a veterinarian for all new licence inspections. All new dog breeding inspections must have a veterinarian present and a listed veterinarian for all inspections of horse riding establishments. The inspector must prepare a report, in accordance with the requirements of regulation 10 (or in accordance with applicable legislation), to be submitted to the Licensing Authority following their inspection.
  - The inspector's report will contain information about the operator, any relevant premises, any relevant records, the condition of any animals and any other relevant matter and state whether or not the inspector considers that the licence conditions will be met.
  - Ensure that the appropriate fees have been paid, these can include fees for the consideration of the application, the reasonable anticipated costs of consideration of a licence holder's compliance with these Regulations, the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator and any fees in relation to the provision of information to the secretary of state.
- 8.7 Once a valid application has been received, an appointment will be booked with the applicant to inspect the premises and decide the risk rating assessment.

## 9.0 **Standards and Conditions**

### 9.1 Animal Welfare (Licensing of Activities Involving) Animals Regulations 2018

DEFRA has produced mandatory conditions and associated guidance for each licensable activity. These are divided into two categories namely General Conditions (stipulated in Schedule 2) and Specific Conditions from the associated Schedule of the Regulations.

9.2 Applicants/licence holders will need to meet the requirements of all the minimum standards, although minor failings may be noted/recorded providing they do not compromise the welfare of the animals (these should be predominantly administrative in nature).

9.3 In addition each licensable activity (with the exception of the keeping or training of animals for exhibition) also stipulates further optional conditions for “Higher Standards”.

9.4 For each activity (except keeping or training animals for exhibition) a number of “higher standards” have been agreed. Meeting the higher standards is optional but is the only way to gain the highest star rating. The higher standards are classified into two categories – required (mandatory) and optional. These will usually be colour coded into blue and red respectively. To qualify as meeting the higher standards the business must achieve all the required (mandatory) standards as well as a minimum of 50% of the optional higher standards.

### 9.5 Risk Assessment and Rating

The result of this assessment is translated into a ‘Star Rating System’, which will be used to determine the length of the licence (between one and three years), with the exception of “Keeping or Training Animals for Exhibition” where all licences are issued for three years. Dangerous Wild Animals and Zoos do not require a risk rating.

### 9.6 Dangerous Wild Animals & Zoos

The Council will impose Defra’s standard conditions, in addition to any premises/animal specific conditions deemed to be required by the councils Inspector and Secretary of State appointed inspector.

9.7

**Table 1 – The Scoring Matrix**

		Welfare Standards		
		<b>Minor Failings</b> (existing business that are failing to meet minimum standards)	<b>Minimum Standards</b> (as laid down in the schedules and guidance)	<b>Higher Standards</b> (as laid down in the guidance)
Risk	<b>Low Risk</b>	<b>1 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>3 Star</b> 2yr licence Min 1 unannounced visit within 24 month period	<b>5 Star</b> 3yr licence Min 1 unannounced visit within 36 month period
	<b>Higher Risk</b>	<b>1 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>2 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>4 Star</b> 2yr licence Min 1 unannounced visit within 24 month period

## 10.0 Determining Applications

### 10.1 Granting an application

Where a licence is issued the Licensing Authority will provide the following details:

- the Licence with the Star Rating;
- details of how the business has been rated including a list of the higher standards the business currently fails to meet or a list of the minimum standards the business is failing to meet and resulting in a “minor failing” category;
- a copy of the risk management assessment table;
- details of the appeals process and timescales.

10.2 Any fee(s) required upon the grant of the application must be paid in full prior to the grant of the licence.

10.3 Refusing an application

The Licensing Authority will consider the report from the inspector and any comments made by the applicant when deciding whether to issue a licence.

10.4 The Licensing Authority must refuse to issue a licence if it considers that the applicant cannot meet the licence conditions, the granting of a licence will have a negative impact on animal welfare or if the level of accommodation, staffing or management is inadequate for the well-being of animals.

10.5 The Licensing Authority will also refuse an application if it considers that the applicant does not meet the 'fit and proper person' test.

10.6 A licence cannot be issued to an operator who is disqualified.

10.7 Any application fees or veterinary inspection fees paid will not be refunded for unsuccessful applications.

10.8 The applicant will have the right of appeal to a First-tier Tribunal within 28 days of the decision notice.

11.0 **Transfer, Variation, Suspension and Revocation**

11.1 Transfer of Licence

There is no provision for the transfer of a licence under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

11.2 Death of the Licence Holder

If a licence holder dies, the procedure in regulation 12 of the Regulations applies. It allows the personal representative of the deceased to take on the licence provided that they inform the Licensing Authority within 28 days of the death that they are now the operators of the licensable activity. The licence will then remain in place for three months from the death of the former holder or for the rest of the time it was due to remain in force if that time period is shorter. The new licence holder should then apply for a new licence one month before the expiry of this new period.

11.3 Additionally a local authority can extend the three month period by up to another three months if requested by the representative and if they believe this time is needed to wind up the estate of the former licence holder.

11.4 If the personal representative does not notify the Licensing Authority within 28 days of the death of the licence holder the licence will cease to have effect after those 28 days.

### 11.5 Variation, Suspension or Revocation of a Licence

The Licensing Authority may vary, suspend or revoke a licence without the consent of the licence holder if:

- (a) The licence conditions are not being complied with,
- (b) There has been a breach of the Regulations,
- (c) Information supplied by the licence holder is false or misleading, or
- (d) It is necessary to protect the welfare of an animal.

11.6 Such a suspension, variation or revocation of a licence will normally take effect 7 working days after the decision has been issued to the licence holder unless the reason is to protect the welfare of an animal in which case the Licensing Authority may stipulate that the decision has immediate effect.

11.7 The decision to vary or suspend the licence must be notified to the licence holder in writing, explain the reasoning for the decision, and provide information regarding when the suspension, variation or revocation comes into effect and the rights of the licence holder, as well as any specific changes that the Licensing Authority deems necessary in order to remedy the situation.

11.8 The decision to vary or suspend a license should be dependent on the severity of the situation, if an operator fails to meet administrative conditions or provide information when requested, then this could potentially lead to the suspension of a licence if it happens repeatedly. Revocation of a licence should occur in an instance where poor welfare conditions are discovered or it would otherwise benefit the welfare of the animals involved to be removed from the activity. Variations can occur if adjustments need to be made, whether that is to the licence itself or to the premises/animals referred to in the licence.

11.9 If it is necessary to protect the welfare of an animal the Licensing Authority may specify in the notice that it takes immediate effect.

11.10 A Licensing Authority notice must be delivered in one of three ways, in person, by leaving or sending it by post to the person's current or last known postal address or by emailing it to the person's current or last known email address.

11.11 Following the issuing of the notice the licence holder will then have 7 working days to make written representation. Upon receipt of this the Licensing Authority must decide whether to continue with the suspension, variation or revocation of the licence or cancel the decision to make changes to the licence. If the licence has been altered to protect the welfare of an animal then the Licensing Authority must indicate that this is the reason and whether the change is still in effect.

11.12 The business will not be able to trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by either the Licensing Authority upon being satisfied that licence conditions are being

met, or by the First-tier Tribunal who may decide the Licensing Authority's decision was incorrect.

- 11.13 If a licence is suspended for a significant period of time then the Licensing Authority should ensure that the animals are checked on regularly to ensure that the welfare of the animals is maintained.
- 11.14 As with applications the licence holder may appeal to a First-tier Tribunal if they do not agree with the decision made by the Licensing Authority. This must be done within 28 days of the decision.
- 11.15 Note that if representation is not responded to within 7 working days of receipt then the initial decision the Licensing Authority made is deemed to be overturned, this is also the case if a licence which is initially suspended has no further action taken on it within 28 days.

## 12.0 **Rating Scheme**

- 12.1 A risk based star rating system has been introduced which ultimately acts as a tool to determine how long a licence may be issued for. The only exceptions are zoos and the activity of "Keeping or Training Animals for Exhibition". The rating is determined by the animal welfare standards adopted by a business as well as their level of risk, based on elements such as past compliance. The model will be used every time a licence is granted or renewed.
- 12.2 Businesses will be rated from 1 to five stars, based on their risk rating and the results of their inspection (determining if the business meets higher or lower standards). The rating will appear on the licence issued by the Licensing Authority.
- 12.3 It is possible for a business to request a rescore inspection following improvements being made and/or an appeal procedure exists against a rating.
- 12.4 To obtain a licence, as a minimum, the business must meet the required minimum standards for the activity/activities applied for. These standards are laid out in the Schedules of The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 and Codes of Practice.
- 12.5 If a business has a number of minor failings with regards to the minimum standards laid down in the schedules and the guidance, they should receive a risk rating score of 1 star. These minor failings should be predominantly administrative or if they are in relation to standards, they must not compromise the welfare of the animals. If animal welfare is being compromised, a licence should not be granted/renewed or, if already in place, should be suspended or revoked.

- 12.6 Further information relating to the rating process can be found on the council's web pages.
- 12.7 Appeals to star rating  
Businesses have 21 days (including weekend and bank holidays) following the issue of their licence in which to appeal the star rating, if they consider the star rating awarded does not reflect the licence history and standards found at the time of inspection.
- 12.8 Any business that has made changes since the inspection and wishes for these to be taken into account should apply for a re-score.
- 12.9 Prior to making an appeal, applicants are encouraged to discuss their rating with the Inspector should they disagree with it. This will afford the opportunity to explain the process that must be followed and may resolve matters without the business having to lodge an appeal. The business will be provided with the Inspectors inspection report which will highlight the Inspectors decision on how the risk rating, compliance level and star rating has been determined. The business is encouraged to discuss the matter initially with the Inspector where possible.
- 12.10 If an applicant wishes to appeal their rating, this should be done in writing by emailing the licensing team (see contact details at section 1.1). The grounds for appeal must clearly be stated (i.e. the reasons why it is felt that the rating has been applied incorrectly).
- 12.11 Businesses should not appeal if they have made improvements to their business and wish for those improvements to be reassessed. This should be achieved by an application for a re-inspection.
- 12.12 Appeals will be determined by the Lead Officer for animal activities licensing or their appointed deputy, or by an equivalent person in another Licensing Authority. No Inspector directly involved with the inspection or rating will determine an appeal.
- 12.13 A decision will be issued to the applicant for an appeal within 21 days if receipt of the appeal request.
- 12.14 The Licensing Authority will determine the outcome of an appeal by considering the paperwork associated with the inspection and the past record of the business. In some circumstances, a further visit to the establishment may be required. The appeal process should be transparent. The costs of any additional inspections related to the appeal will be borne by the applicant unless it results in a higher rating being awarded. This will depend on the nature of the dispute and whether a decision can or cannot be made on the basis of the paperwork.
- 12.15 If a business disagrees with the outcome of the appeal, they can challenge the decision by way of judicial review. The business may also make a

compliant via the council's corporate complaints procedure if they consider a council service has not been properly delivered.

### 13.0 **Inspectors**

13.1 All inspectors must be suitably authorised and qualified. This is defined in the Guidance as:

- Any person holding a Level 3 certificate granted by a body, recognised and regulated by the Office of Qualifications and Examinations Regulation which oversees the training and assessment of persons in inspecting and licensing certain animal activities businesses, confirming the passing of an independent examination. A person is only considered to be qualified to inspect a particular type of activity if their certificate applies to that activity;
- Any person holding a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons ("RCVS"), together with a relevant RCVS continuing professional development record;
- Until October 2021, any person that can show evidence of at least one year of experience in licensing and inspecting animal activities businesses.

### 14.0 **Inspections**

14.1 There will be reasons where inspections must be carried out during the term of a licence.

14.2 For the activity of hiring out horses, there is a requirement for an annual inspection by a listed veterinarian, regardless of the total length of the licence. The Licensing Authority must appoint a listed veterinarian to inspect the premises on which the activity is being carried on before the end of the first year after the licence is granted and then each subsequent year.

14.3 Unannounced inspections must be carried out during the period of the licence. Unannounced inspections should be used in the case of complaints or other information that suggests licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.

14.4 During the course of an inspection the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by an operator. The operator must comply with any reasonable request of an inspector to facilitate the identification, examination and sampling of an animal including ensuring that suitable restraints are provided if requested.

## 15.0 Enforcement

- 15.1 The Regulations introduce a range of enforcement powers to allow the Council to issue a suspension, variation or revocation notice where licence conditions are not being complied with; there is a breach of the regulations, or issues relating to the protection of the welfare of an animal.
- 15.2 The service of an enforcement notice is subject to a strict process and includes for the provision of the right to representation and appeal.
- 15.3 It is an offence to breach any license condition. It is also an offence not to comply with an inspector's request in the process of taking a sample from an animal. Samples should be as non-invasive as possible. However, inspectors may deem more invasive samples necessary if there are concerns over the welfare of the animals. The provision for sampling is primarily aimed at veterinarians carrying out inspections, and it is not expected that samples be taken by those without the training to properly and safely do so.
- 15.4 It is also an offence to obstruct an inspector who has been appointed by a Licensing Authority to enforce the Regulations. Committing either of these offences could result in an unlimited fine.
- 15.5 Anyone who carries on any of the licensable activities without a licence is liable to imprisonment for a term of up to six months, a fine or both. Section 30 of the Animal Welfare Act 2006 allows for Local Authorities to prosecute for any offences under that Act.
- 15.6 The post-conviction power from section 34 of the Animal Welfare Act 2006 is in place whereby a person convicted of an offence under the Act is disqualified from owning, keeping, participating in the keeping of animals and from being party to an arrangement under which they can control or influence the way an animal is kept. They also may not transport or deal in animals. Breaching these disqualifications is an offence.
- 15.7 The post-conviction power from section 42 of the Animal Welfare Act is also in place whereby a court can cancel a currently existing licence and disqualify a person from owning a licence for any period it sees fit if that person is convicted of an offence under the Act.
- 15.8 The Council works closely with partners in accordance with locally established joint enforcement protocols and will aim to promote the welfare of animals and safety of the public.
- 15.9 The main enforcement and compliance role for the council in terms of the Regulations will be to ensure compliance with the conditions placed upon the licence and investigate and take appropriate action on unlicensed premises.

## 16.0 Information Sharing

16.1 In the interests of protecting public safety, the safety and wellbeing of animals and ensuring fitness and propriety of licence holders the Licensing Authority will share information with other enforcement agencies including the RSPCA, police and other local authorities. Information may also be shared with internal council departments including environmental health, community safety, revenues and benefits and planning. The Council may also share information with other local authorities. All information will be exchanged in accordance with relevant statute as the law permits.

## 17.0 Fees

17.1 Fees in relation to these schemes are calculated annually on a cost recovery basis as stipulated in the legislation and have been set for 2019/20. Applicants and licence holders will also be required to pay vets fees for inspections where this is required. The fees will be published on the council's website.

17.2 Fees payable consist of an application fee and a grant fee. Both may be paid in total together and the latter part of the fees will be refunded where an applicant is unsuccessful. If an applicant prefers, the fee may be paid in two parts. Licences will not be issued until the full fee has been paid, this inclusive of vets fees where applicable.

17.3 Applicants for licences under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 that require permission for more than one licensable activity will only need to pay the highest of the fees.

17.4 If the licence is approved, any additional fees required (longer licence, vet's fees etc.) must be paid before the licence can be granted or renewed. If the licence is not approved, the licensing authority will refund the grant fee of the application fee.

## 18.0 Primary Authority

18.1 Primary Authority enables local authorities to improve compliance and build better relationships with big businesses that have branches across a large number of areas whilst supporting local economic growth. Under Primary Authority, a local authority partners with a business or group of businesses to provide them with regulatory advice that other authorities have to respect.

- 18.2 Primary Authority establishes statutory duties for all local authorities when they exercise regulatory functions that are within scope of the scheme in respect of any business that has a primary authority. These duties relate primarily to:
- Following an inspection plan for the business, where one has been issued by the primary authority, and providing any feedback required.
  - Notifying the primary authority of enforcement action in relation to the business.
- 18.3 The Council will consult the secure Primary Authority Register to identify if the business has a partnership in place, and will ensure that their Inspectors have sufficient understanding of the responsibilities of an enforcing authority within Primary Authority.

### **Equalities Impact Assessment**

- If there are specific impacts that need to be accounted for or addressed these should be listed here.

### **Review of Policy**

- List the next scheduled review date and review cycle here.

Appendix A.

SCHEDULE 8 Regulation 11

Persons who may not apply for a licence

1. A person who has at any time held a licence which was revoked under regulation 15 of these Regulations.
2. A person who has at any time held a licence which was revoked under regulation 17 of the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014.
3. A person who has at any time held a licence which was revoked under regulation 13 of the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012.
4. A person who is disqualified under section 33 of the Welfare of Animals Act (Northern Ireland) 2011.
5. A person who has at any time held a licence which was revoked under regulation 12 of the Welfare of Racing Greyhounds Regulations 2010.
6. A person who is disqualified under section 34 of the Act.
7. A person who is disqualified under section 40(1) and (2) of the Animal Health and Welfare (Scotland) Act 2006.
8. A person who is disqualified under section 4(1) of the Dangerous Dogs Act 1991.
9. A person who is disqualified under Article 33A of the Dogs (Northern Ireland) Order 1983.
10. A person who is disqualified under section 6(2) of the Dangerous Wild Animals Act 1976 from keeping a dangerous wild animal.
11. A person who is disqualified under section 3(3) of the Breeding of Dogs Act 1973 from keeping a breeding establishment for dogs.
12. A person who is disqualified under section 4(3) of the Riding Establishments Act 1964 from keeping a riding establishment.
13. A person who is disqualified under section 3(3) of the Animal Boarding Establishments Act 1963 from keeping a boarding establishment for animals.
14. A person who is disqualified under section 5(3) of the Pet Animals Act 1951 from keeping a pet shop.
15. A person who is disqualified under section 1(1) of the Protection of Animals (Amendment) Act 1954 from having custody of an animal.
16. A person who is disqualified under section 4(2) of the Performing Animals (Regulation) Act 1925.
17. A person who is disqualified under section 3 of the Protection of Animals Act 1911 from the ownership of an animal.

# 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.

**Armed Forces Community**

9. As part of the council's commitment to the Armed Forces Community made through the signing of the Armed Forces Covenant the council's Cabinet agreed in November 2017 that potential impacts on the Armed Forces Community should be considered as part of the Equality Impact Assessment process.

10. Accordingly, due regard should also be had throughout the decision making process to potential impacts on the groups covered by the Armed Forces Covenant:

- Current serving members of the Armed Forces (both Regular and Reserve)
- Former serving members of the Armed Forces (both Regular and Reserve)
- The families of current and former Armed Forces personnel.

**Case law principles**

11. 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](#)

<b>Lead officer:</b>	William Wilson
<b>Decision maker:</b>	Cabinet
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>	To agree the adoption of the new Animal Licensing Policy.
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	12 <sup>th</sup> September 2019
<b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	<p>The report seeks the approval of this new policy due to reflect changes in legislation that came into force on the 1<sup>st</sup> October 2018.</p> <p>The policy sets out how the Council will carry out its statutory duties as the Licensing Authority in respect of the animal activities covered by the legislation. It provides information to any applicants as to how the Council will process their application.</p> <p>The expected outcome will be that all businesses that require a license are licensed.</p> <p>It will affect any business or persons who operates an animal activity business that meets the criteria for licensing.</p> <p>Currently there are over 50 businesses or persons who are licensed. There are likely to be more businesses that are operating that should be licensed.</p>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>	<p>DEFRA introduced new legislation that came into force on the 1<sup>st</sup> October 2018 relating to certain animal activities. Further guidance documents were provided. These have been read to ensure the policy and the process implements the requirements of the legislation and guidance.</p>
<b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	<p>No consultation has taken place since the regulations came into force as this is national legislation.</p> <p>During the drafting of the regulations DEFRA did consult a wide range of businesses, trade organisations, local authorities and animal charities.</p>

**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.

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

<b>Mitigating negative impact:</b> Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
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<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC's <a href="#">Essential Guide</a> , alongside fuller <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes / No / N/A</b>
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	N/A

<p><b>Conclusion:</b></p> <ul style="list-style-type: none"> <li>• Consider how due regard has been had to the equality duty, from start to finish.</li> <li>• There should be no unlawful discrimination arising from the decision (see guidance above ).</li> <li>• 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.</li> <li>• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul>	<p>The overarching principle within the legislation is the welfare of animals involved in the licensable activities it is not aimed at humans.</p> <p>The policy will ensure that everyone who makes an application will be dealt with in accordance with the equality duty.</p>
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<b>EIA completion date:</b>	25 <sup>th</sup> July 2019
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**Agenda Item No:** 10  
**Report To:** Cabinet  
**Date:** 12<sup>th</sup> September 2019  
**Report Title:** Section 106 Annual Monitoring Report 2018/19  
**Report Author:** Sharon Dimsdale Section 106 Monitoring Officer  
Roland Mills – Strategic Applications Team Leader

**Portfolio Holder:** Cllr Shorter  
**Portfolio Holder for:** Planning & Development

**Summary:** The primary purpose of the report is to show transparently how contributions are being collected and applied in a proper way and that the monitoring of section 106 contributions remains robust. This report will reinforce the point that section 106 is an important resource stream and also that officers are prepared for any legislative changes. The report includes details of new contributions negotiated; an accounts update, funds received from existing agreements, and update on projects being funded by section 106 funding.

**Key Decision:** NO

**Affected Wards:** None directly

**Recommendations:** **The Cabinet be asked to endorse the report, so it can be made available online to provide information to the public and provide a transparent record of s106 activity over the last financial year.**

**Policy Overview:** The delivery of high quality development as part of well-balanced communities supported by a range of community and other infrastructure is a key part of the Council's policy ambition. These are set out in the draft local plan, the Adopted Development Plan policy and the Council's Corporate Plan.

**Financial Implications:** As the Borough grows so does the need for more and improved community infrastructure. Section 106 (S106) funding to support this growth is vital. It is important to have a robust S106 monitoring system ensuring the availability of capital from S106 agreements and that those contributions are collected and spent effectively for their intended purpose.

**Risk Assessment** Not applicable – this is a monitoring report

**Equalities Impact Assessment**

Spending of S106 contributions is in line with adopted development plan policy and local priorities. Decisions on expenditure involve working closely with many departments, local parishes and other organisations. Many contributions arise from site policies and development brief requirements that have been directly influenced by the wider community through design workshops and similar events.

**Contacts:**

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## Report Title: Section 106 Annual Monitoring Report 2018/19

### Purpose of the Report

1. This report updates Members on the financial contributions negotiated and secured in the financial year 2018/19 and the use and management of financial resources. The report provides details of new S106 agreements signed in the financial year and identifies the progress that has been made since the last report. There is a breakdown of payments received in this financial year, what the contributions are to be used for, and contributions currently held on account. The report also includes examples of projects delivered by the Council in the financial year and new projects that are under way or soon to commence.

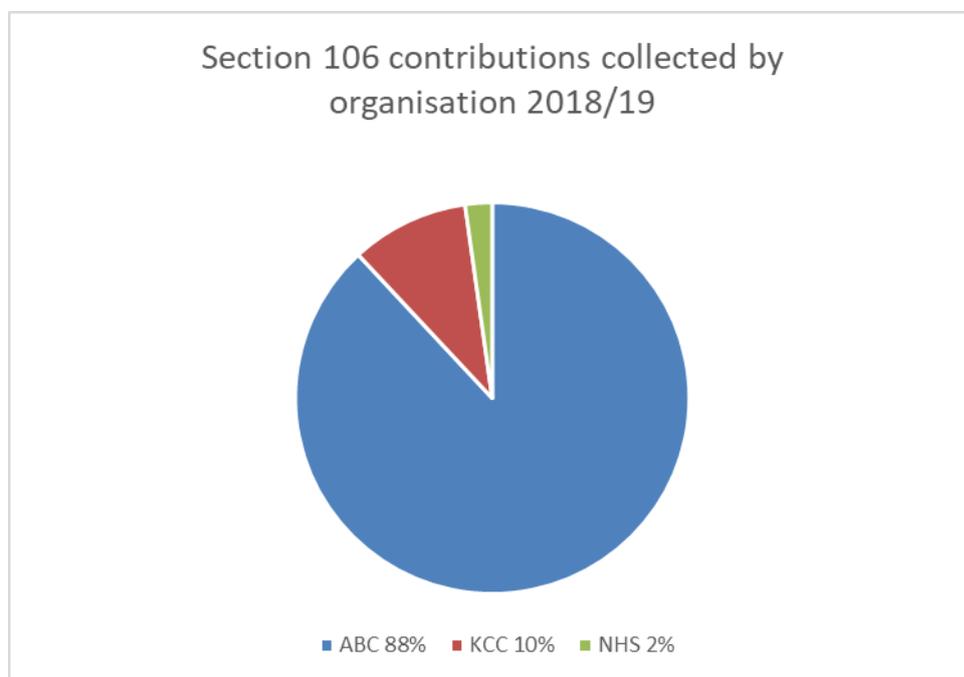
### Section 106 Agreements negotiated 2018-19

2. Between 1 April 2018 and 31 March 2019, 9 planning permissions have been issued that have been subject to a S106 agreement. The total projected financial contributions arising from these agreements are £1.6m.
3. The following points should be noted: if a planning permission is not implemented, associated S106 benefits will not be paid. Also there is often a period of time between the issue of the planning permission and the payment of contributions, as the timing of payments will be linked to the phasing of the development and when the need for the facility arises. Hence payments received in a specific year will often be from contribution by agreement one or more years ago.

### 2018/19 Financial Overview

Overview	18/19	17/18	Average from 2014-2019
Number of Agreements signed	9	22	18
Value of Agreements signed	£1.6 m	£10.22m	£28.22m
Section 106 money spent	£1.33m	£5.57m	£3.46m
Payments received	£0.66m	£4.84m	£2.71m
End of year balance	£7.11m	£7.78m	£7.05

4. The above table highlights the financial breakdown in the S106 accounts for 2018/19 with a comparison of the year before.
5. The pie chart below breaks down S106 contributions collected in 2018/19 by organisation, a full breakdown is included as Appendix B.



### **End of year balance (breakdown)**

6. The general S106 account is used to hold all S106 contributions that are collected through legal agreements (excluding the SPG6 fund). This includes contributions towards open space, community halls and play areas.
7. SPG6 main fund contributions are used to pay back the forward funded work for the J10 Interim improvement scheme completed several years ago. When a SPG6 contribution is received, 80% of the figure will go into this pot and will be paid back to the developer until the Council has paid back the entire sum.

### **CIL & the future of Section 106**

8. Following the Government's review of developer contributions and the Community Infrastructure Levy (CIL), new regulations will come into force on the 1<sup>st</sup> September 2019. It is proposed to keep the Community Infrastructure Levy, with some technical changes being made to the regulations. More significant changes are proposed in relation to S106, which will allow more flexibility for the use of S106. This includes the removal of pooling restrictions, so that more than five S106 agreements can be pooled together for a single piece of infrastructure. The changes will also allow S106 contributions and CIL to be spent on the same infrastructure. Additional reporting arrangements

for S106 and CIL are set out in the regulations, with an Infrastructure Funding Statement to be produced annually, the first of which is required to be published by the 31 December 2020, covering the next reporting year (2019/2020).

The viability and infrastructure evidence which underpins the justification for a CIL Charging Schedule is currently being updated. Once this has been completed a decision will be taken on the future implementation of CIL in Ashford Borough and its relationship with S106 developer contributions.

## **Risk Assessment**

9. Failure to monitor S106 agreements in an efficient and timely manner would lead to the possibility of S106 contributions being missed and infrastructure not being constructed at the correct time. Another problem that may arise if S106 agreements were not monitored is that any payments collected or sent in by the developers may not be spent within the allotted time limit. This could lead to a scenario where the Council would be forced to pay back the contribution to the developers and the local community would receive no benefit.

## **Consultation**

10. The S106 working group which meets quarterly was created to monitor the collection and spending of S106 contributions. The S106 working group comprises of officers from planning, cultural, finance, legal and property. An audit form process is used to make sure the required steps are completed and specific approval given before the money is transferred.

## **Conclusion**

11. It is vitally important that the council continues to monitor the collecting and spending of S106 contributions to ensure that the necessary community, transport and other infrastructure is constructed and maintained to support the borough's growth. The process of monitoring and spending S106 contributions is always being adapted and improved to make sure that any problems or challenges that arise can be dealt with quickly and efficiently.

## **Portfolio Holder's Views**

- 12.

**Contact:** Sharon Dimsdale (01233 330202)

**Email:** Sharon.dimsdale@ashford.gov.uk

## Appendix A - Section 106 Agreements signed 2018/19

Date Signed	Application	Description	Organisation	Obligation Detail	Financial Contribution (£)	Restriction
02/05/2018	17/00258/AS	Land rear of Rose Cottage Farm, Biddenden	ABC	Children's and young people's play space	£68,750.00	Cycle path/trail at Gordon Jones Playing Field
			KCC	Primary Education	£136,284.00	John Mayne Primary School
			KCC	Footpath & Cycleway	£10,000.00	Footpath AT10
			KCC	Secondary Education	£96,751.80	Phase 2 Highworth School
			KCC	Library Services	£2,160.71	additional bookstock
30/05/2018	16/01387/AS	Oakover Nurseries, Westwell	ABC	Monitoring Fee only		
19/07/2018	17/00952/AS	Land East of Hope House, High Halden	ABC	Natural Green Space	£21,252.00	Upgrade pond at Hopes Grove
Page 84			KCC	Secondary Education	£115,220.00	Expand dining hall at Norton Knatchbull
			ABC	Outdoor sports	£53,620.00	MUGA at Hopes Grove
			ABC	Strategic Parks	£5,404.00	Signage at Conningbrook Lakes
			KCC	Library Services	£1,344.56	additional bookstock
			ABC	Allotments	£9,072.00	within High Halden
			ABC	Children's and young people's play space	£36,736.00	Multi Play unit at Hopes Grove
21/08/2018	17/01511/AS	Godinton House, Godinton Road, Ashford	ABC	Natural Green Space	£21,252.00	Watercress Fields Riverside project
			ABC	Allotments	£9,072.00	towards Repton & Westress allotments
			ABC	Outdoor sports	£53,620.00	Changing facilities at Courtside
			ABC	Strategic Parks	£5,404.00	Seats & benches at Victoria Park
			KCC	Library Services	£1,344.56	additional bookstock
			ABC	Children's and young people's play space	£36,736.00	Toddler play equipment at Victoria Park

14/09/2018	17/01357/AS	Trafalgar House, Elwick Road, Ashford	KCC	Library Services	£717.58	additional bookstock
06/11/2018	17/00796/AS	Beechwood Kennels, Cranbrook Road, Biddenden	ABC	Restriction on occupancy	NA	
16/11/2018	18/00584/AS	site of former Klondyke works, Newtown	KCC	Highways	£62,980.00	The signalisation of the Crowbridge Road bridge including the junction with Gladstone Road
			KCC	Adult Social Care	£4,376.58	Fairlawns Respite Care Centre
			KCC	Community Learning	£3,204.00	Gateway
			KCC	Library Services	£4,465.48	additional bookstock
			KCC	Youth	£2,595.48	additioonal equipment at Ashford North Youth Centre
			ABC	Cultural Facilities	£31,108.48	Public art on or off site
07/02/2019	18/01249/AS	Little Pottery Farm, Brook	ABC	Monitoring Fee only		
22/02/2019	15/01282/AS	Land opposite 1-8 Elwick Road, Ashford	KCC	Adult Social Care	9,412.00	Changing Place facility
			KCC	Adult Education	6,890.00	IT equipment Gateway
			ABC	Outdoor sports	279,272.00	Provision of changing room at Swan Centre
			ABC	Strategic Parks	28,146.00	Upgrading landscaping around fountain at Victoria Park
			KCC	Youth & Community Learning	5,378.00	Expansion of Ashford North Youth Centre
			KCC	Public realm	24,000.00	vicinity of Beaver Road/Victoria Way
			KCC	Library Services	41,786.00	Reconfiguration of Ashford Gateway
			NHS	Health Care Contribution	103,500.00	Primary Care facility within Ashford Urban hub
			ABC	Allotments	47,252.00	South East Ashford allotments
			ABC	Children's and young people's play space	191,334.00	Play equipment for junior and toddler ages at Victoria Park
			ABC	Natural Green Space	110,688.00	Improvements to signs at Victoria Park
				Total financial contributions	£1,641,129.23	

Appendix B Section 106 Contributions Collected 2018/19

Application Number	Description	Organisation	Obligation Detail	Date	Financial Contributions (£)	Restrictions
14/00757/AS	<b>Land at Recreation Ground Road</b>	KCC	Travel Monitoring	15/06/2018	£1,000.00	
	<b>Tenterden</b>	NHS	Healthcare	08/02/2019	£17,002.97	Ivy Court Surgery
		KCC	Secondary school	08/02/2019	£38,144.19	Homewood School
		ABC	Voluntary Services	08/02/2019	£1,943.87	within Tenterden
		ABC	Allotments	08/02/2019	£7,085.62	within Tenterden
		ABC	Outdoor Sports	08/02/2019	£41,879.52	within Tenterden
		ABC	Strategic Parks	08/02/2019	£1,027.85	Tenterden Recreation Ground
		KCC	Adult Care	08/02/2019	£1,696.61	Changing Places Project
		KCC	Community Learning & Youth	08/02/2019	£1,887.75	within Tenterden
		KCC	Cycleway	08/02/2019	£1,273.44	cycling links
		KCC	Library Services	08/02/2019	£4,661.20	Tenterden Library
16/554/AS	<b>Dover Place Car Park</b>	ABC	Public Realm	05/07/2018	£30,000.00	in the vicinity
		KCC	Highways Contribution	05/07/2018	£20,000.00	improvements to bus stop
15/1163/AS	<b>Rear of 59-65 Oxenturn Road</b>	ABC	Childrens Play Equipment	01/05/2018	£3,936.00	within Wye
		ABC	Natural Green Space	01/05/2018	£2,277.00	within Wye
12/00400/AS	<b>Land at Chilmington Green</b>	ABC	Early Community Development	17/05/2018	£62,847.11	for use within development
		ABC	Quality Monitoring	17/05/2018	£80,000.00	
		ABC	Monitoring Fee	17/05/2018	£50,000.00	

16/00267/AS	<b>Cedar House Farm, Challock</b>	ABC	Childrens Play	28/02/2019	£1,626.88	upgrade childrens play park
14/1402/AS	<b>The Designer Outlet</b>	ABC	Town Centre Contributions	08/02/2019	£77,119.00	
16/00795/AS	<b>Land at Smallhythe House</b>		Affordable Housing	06/09/2018	£256,076.22	within the borough
	Tenterden	KCC	Library Services	06/09/2018	£1,981.84	within Tenterden
			Monitoring Fee	06/09/2018	£1,146.52	
16/00981/AS	<b>Travis Perkins</b>	KCC	Library Services	23/11/2018	£1,655.44	additional bookstock
		ABC	Improvements to Victoria Park	23/11/2018	£26,390.51	Victoria Park improvement project
16/00986/AS	<b>Victoria Crescent</b>	ABC	Monitoring Fee	23/04/2018	£300.00	
		ABC	Victoria Park	23/04/2018	£21,245.65	Victoria Park improvement project
		KCC	Library Services	23/04/2018	£1,384.48	additional bookstock
17/1357/AS	<b>Trafalgar House</b>	KCC	Library Services	18/09/2018	£717.58	additional bookstock
15/1195/AS	<b>Elwick Place</b>	ABC	Variable Message Sign	18/02/2019	£10,000.00	in town centre
18/1249/AS	<b>Little Pottery Farm, Brook</b>	ABC	Monitoring Fee	06/02/2019	£1,000.00	
			<b>Total contributions collected</b>		£ 767,307.25	

# SECTION 106 & the community

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## Introduction

A section 106 (S106) agreement allows a local planning authority to enter into a legally binding agreement with a developer. Within S106 agreements there are planning obligations that enable a council to secure contributions to services, infrastructure and amenities. As the borough continues to grow it is vitally important that community infrastructure grows and improves with it. This report looks at the many projects that S106 payments have contributed towards in the 2018/19 financial year and looks ahead.

These range from small community projects to large infrastructure works. S106 contributions are an important revenue source that helps support sustainable growth and enhances communities within the Ashford Borough.



## Housing

### *(Affordable & ABC construction)*

The council continues to negotiate robustly on S106 agreements to deliver affordable homes across our borough. Homes secured this way are then built by developers and managed by the Registered Providers (RPs) of social housing who operate in the Ashford borough. The council's housing department plays an active role in enabling S106 homes to come forward, working with a range of internal and external stakeholders (including our legal and planning teams, developers, architects, parish councils, borough councillors and RPs) to ensure delivery.

In 2018-19, 99 affordable housing units (a mixture of affordable rent and shared ownership) were handed over by developers to RPs. In addition to that the council built 46 homes that it added to the stock it owns in its housing revenue account, and also completed on the purchase of 10 on-street properties to add to our stock.



## Victoria Park

Ashford Borough Council has been awarded more than £3 million from the National Lottery Heritage Fund and The National Lottery Community Fund to revitalise Victoria Park.

The funding, thanks to National Lottery players together with S106 funding means the council can deliver its exciting plans to redevelop and restore one of Ashford's oldest and most-loved

green spaces, working with the local community, volunteer groups and the Friends of Victoria Park.

Proposals include a new children's play area, improvements to the river, improved lighting across the park, and a new community hub building with café, and new toilets. The iconic Grade II Listed Hubert Fountain and the surrounding piazza area will also be restored and repaired.



## Tenterden - Homewood School 3G

This project provided a brand new full-size 3G Artificial Turf Pitch for the local community based at Homewood School. The dual-use facility benefited from a S106 contribution for outdoor sports pitches from TENT1 with the support of Tenterden Town Council. The contribution represented 50% of the build costs of the new facility.

The contribution was granted on the understanding that the pitch would be available for hire by the local community at affordable rates. A formal Community Use Agreement has been entered in to between the Council and Homewood School.

The pitch has been a great success and is proving very popular with the local community with a strong level of bookings.



## Hamstreet – Victory Hall Play Park

Officers in the Cultural Projects team worked in partnership with the Victory Hall Playground Committee using S106 funds of £134,000 from the new development on Lancaster Close to design a brand new play area for the village, replacing the old equipment of 20+ years old.

Consultation events were held with residents, the local school and the parish council to plan out and give direction to the design specification. The play area includes equipment for young people

up to 16 years old, has been zoned for different age groups and provides inclusive play experiences for all abilities. The site was completed and opened by the Mayor in October 2018 to a large village attendance. Feedback from residents has been hugely positive and the site is now used on a daily basis with a large footfall of visitors, not just from the village, but also the surrounding villages and Ashford town centre. The Victory Hall Playground Committee is delighted with the outcome of the project and the village will benefit a new site that will last for many years.



## Town Centre Developments

Housing delivery along and adjoining the Victoria Road and Leacon Road 'corridor' is progressing at pace. This will help regenerate the town centre as well as supply much needed homes on brownfield land. Alongside other contributions to mitigate impacts, the completed schemes will make a total of £460,000 S106 contributions towards improvements to Victoria Park located a short walk or cycle away.

The first 74 homes at the Powergen development will be ready for occupation in Autumn 2019. Homes are already occupied on one half of the former Travis Perkins site on George Street with the other, riverside half, nearing completion. The first apartment block comprising 16 homes at Victoria Point (opposite the Curious Brewery) is nearing completion helping to deliver an impressive entrance to the eastern end of Victoria Road.



## Designer Outlet contributions

The S106 agreement sets out a number of obligations. It requires an annual Town Centre Contribution to be made to the Council. The first payment has been received and will assist the comprehensive programme of measures that have been agreed by the Cabinet to help strengthen the role and attractiveness of the town centre. The S106 agreement also requires an agreed specification for a dedicated Visitor Information Unit within the Designer Outlet to

promote attractions within the town centre and within the borough more widely. Officers in Cultural Services are working closely with the centre's management to finalise this specification. Contributions towards route enhancements to Ashford International are also secured by contributions and good progress has been made towards finalising an agreed scheme; first stage works to the underpass have already been implemented.



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ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:**

**Report To:** Cabinet

**Date of Meeting:** 12 September 2019

**Report Title:** Renewal of LASER Contract for the Supply of Gas and Electricity

**Report Author & Job Title:** Daniel Stone, Property & Asset Manager

**Portfolio Holder:** Cllr. Paul Clokie

**Portfolio Holder for:** Regeneration & Corporate Property

**Summary:**

The Council currently purchases its utilities (gas and electricity) through the LASER consortium, an energy buying group which represents over 160 local authorities and other public bodies headed by KCC, of which this Council has been a member of since 1994. The current purchasing agreement comes to an end in September 2020 and the Council will need to enter into a new contract if it wishes to continue purchasing utilities in this way.

The purpose of this report is to identify the different options open to the Council when it comes to the procurement of utilities and explain the advantages of doing this; and to obtain Cabinet approval to enter into a new LASER contract so that the Council can continue to procure its utilities through the LASER consortium for the next 4 years.

**Key Decision:** YES

**Significantly Affected Wards:** All

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

- I. Approve the Council entering into a new LASER agreement, so that it can continue to procure its utilities through the LASER consortium until 30 September 2024.**
- II. Give authority to the Head of Property & Projects and in conjunction with the Head of Legal & Democratic Services to enter into such agreement in relation to the above recommendation.**

**Policy Overview:** Ashford Borough Council has agreed at full council that it aims to be 80% carbon neutral by 2025 and 100% carbon neutral by 2030. The formal strategy on achievement of this is yet to be ratified.

<b>Financial Implications:</b>	Current expenditure per annum on gas and electricity by Ashford Borough Council is just under £1million.
<b>Legal Implications</b>	The council would be entering into a 4 year agreement with LASER to procure utilities on the Council's behalf.
<b>Equalities Impact Assessment</b>	Not Required, this report deals with procurement of utilities and does not affect individual groups within society.
<b>Other Material Implications:</b>	None
<b>Exempt from Publication:</b>	<b>N/A</b>
<b>Background Papers:</b>	<b>Appendix information on LASER information pack</b> <ul style="list-style-type: none"> <li>• Flexible Energy Frameworks 2020 – 2024</li> </ul>
<b>Contact:</b>	<b>Daniel Stone</b> (Property & Asset Manager) Tel: 01233 330305 / 07770 444760 Daniel.stone@ashford.gov.uk

## **Report Title: Renewal of LASER Contract for the Supply of Gas and Electricity**

### **Introduction and Background**

1. The purpose of this report is to :
  - a. Identify the different options open to the Council when it comes to the procurement of utilities
  - b. Explain the advantages of the Council procuring its utilities through the LASER agreement
  - c. Identify the savings that the Council has made during the term of the previous LASER agreement
  - d. Obtain Cabinet approval to the Council entering in to a new LASER agreement so that it can continue to procure its utilities through the LASER consortium up until September 2024

### **Proposal/Current Position**

2. Cabinet is asked to consider the different options open to the Council when it comes to the procurement of utilities and whether or not it should enter in to a new LASER agreement so that it can continue to procure gas and electricity through the LASER framework until 30 September 2024

### **Implications and Risk Assessment**

3. In order to maximise the window for making future energy purchases, and best manage market price volatility, the LASER contract is to be committed to by 31<sup>st</sup> March 2020. If we are unable to do this by this date we run the risk of losing the forward purchasing arranged for us by LASER and potential cost increases associated with direct purchase.

### **Equalities Impact Assessment**

4. This report deals with the procurement of utilities and does not affect individual groups in society so no equalities impact assessment is required.

### **Consultation Planned or Undertaken**

5. Background information has been obtained from LASER outlining the framework benefits. A cost analysis on how LASER's flexible framework has provided a reduction in costs (on average of £70.3k per annum) is highlighted below.

Description	Avoided Cost £/pa for ABC
Lower Supplier Management Fees	£28,346
Shaping benefits	£3,946
Entire Market Pricing	£1,942
Flexibility of Trading	£748
Volume Tolerance	£329
LASER's track record in monitoring the market and buying at lower than average market prices	£29,701
Transparency of pricing	£5,315
<b>TOTAL</b>	<b>£70,327</b>

### ***Managed Service vs. Unmanaged Service***

LASER offers a service of either managed or unmanaged (procurement only) services. Currently approximately 75% of our expenditure is on a managed service, the remaining 25% being unmanaged. There are benefits in consolidating this to a fully managed service in order to provide better administration of data relating to carbon savings to meet our 2025 & 2030 carbon neutral objectives. It is also anticipated that by going to a 100% fully managed service further cost reductions can be realised given the above mentioned cost avoidance benefits.

### **Other Options Considered**

6. **Other Frameworks** - There are a number of other organisations that have set up frameworks however, these are very often restricted to authorities in specific parts of the public sector such as higher and further education, and the Ministry of Defence, and are not open to local authorities such as Ashford, or are specific to geographic areas.
7. **Third Party Intermediary** – a third party intermediary is an independent energy consultancy who would procure the council's energy requirements on its behalf. The consultancy would be procured via a competitive tender based on a fee for their services, or a gain/share arrangement based on the savings made.
8. **Direct Purchasing from a supplier** – The Council could tender for the supply of utilities directly with providers, but as mentioned above without the benefit of buying power offered by a consortium it would be unlikely that this would offer value for money. There would also be additional administration costs, and there is also the possibility that if using a new supplier, they may not be able to offer competitive pricing.

### **Reasons for Supporting Option Recommended**

9. LASER is a consortium of local authorities that tenders and negotiates prices on behalf of around 160 local authorities in London and the South East of England. It offers a range of services that include fixed term fixed price contracts, flexible pricing contracts, bill validation and a number of other advisory services. Discounted prices are secured through the aggregation of demand of all participants.

10. The vast majority of all of the electricity and gas that the Council currently purchases is through the existing LASER agreement under a managed service.
11. LASER benchmarks its purchasing performance each year and publishes its findings. The current frameworks have delivered cost avoidance of £70.3k per annum to ABC, equivalent to 9.9% delivered spend.
12. Bearing in mind the successful track record that LASER has working both with the Council and the majority of Councils in the South East, there is no evidence available to the council to suggest that any other frameworks would offer any advantage to the Council.
13. A third party intermediary may be able to negotiate or procure better deals for some buildings but, without the benefit of the size of contract offered by buying consortiums, it is considered unlikely that they would be able to improve on the overall prices achieved via LASER or other frameworks.
14. LASER is working with Kent County Council on renewable energy supply initiatives that would link to our aims of becoming carbon neutral (80% by 2025 & 100% by 2030). These initiatives feeding in to a fully managed service would allow us to produce evidence to support our carbon neutral aims.
15. The new frameworks contain enhanced provisions to purchase customer generated electricity (e.g. from a solar farm or waste-to-energy plant) or customer-produced gas (e.g. from a landfill waste site). As an indication, a 5MW solar farm would typically produce electricity worth between £220k-£260k per annum. This electricity can be sold through the frameworks to generate revenue or can be allocated to other sites within your portfolio (mitigating the need to buy electricity from the market).

### **Next Steps in Process**

16. Kent County Council, which heads up LASER, is a Central Purchasing Body and the Contracting Authority for the LASER frameworks. As such, this Council would not need to run its own procurement process to utilise the LASER frameworks available to us.

### **Conclusion**

17. Given the Council's level of expenditure on energy of approximately £1million per annum, it is important that energy purchasing arrangements provide value for money and are managed effectively and efficiently. It is also important that any energy supplier we use can link to our carbon neutral objectives. It is considered that this is most likely to be achieved by confirming out interest in the LASER contract and accordingly Cabinet is asked to approve the recommendation.

## **Portfolio Holder's Views**

18. This proposal has been discussed with Cllr Paul Clokie, portfolio holder for Regeneration and Corporate Property, who is in support of the proposal.

# Flexible Energy Frameworks 2020 – 2024 Information Pack Post-Tender Award

Customer Name: Ashford Borough Council

Version: v1N

28 November 18

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## Introduction

LASER Energy Buying Group  
1 Abbey Wood Road  
Kings Hill  
Kent  
ME19 4YT  
Tel: 0800 484 0840

Dear Claire,

LASER has now awarded the new flexible energy procurement frameworks, covering the period October 2020 to September 2024. These new and improved contracts will replace the current frameworks for the supply of gas and electricity when they end on 30 September 2020. Npower and Total Gas and Power have been successful in retaining the electricity and gas frameworks respectively. A further seven suppliers have also been added to the framework to provide access to a range of procurement-compliant energy services, such as battery storage, renewable energy and energy efficiency hardware.

We have updated the Information Pack, distributed earlier this year, to assist with your decision to join the new frameworks from 1 October 2020 onwards. The pack outlines the benefits of the existing frameworks, which have been retained and built upon, and provides details on the new frameworks. The information pack contains an Overview section, which provides key information, along with Appendices of supporting material and analysis.

The current frameworks have delivered cost avoidance of £70.3k per annum to Ashford BC, equivalent to 9.9% of delivered spend. The new agreements will deliver a number of enhancements for LASER customers, including:

- Lower supplier management fees;
- Additional options for reducing energy spend, such as solar installations and battery storage;
- More stringent supplier Service Level Agreements; and
- Additional Social Value requirements.

We welcome any feedback from customers on this updated Information Pack and would be pleased to provide any further material and assistance you may need to support your decision to join the new frameworks. Should you have any queries, please do not hesitate to contact your Customer Service Manager, Account Manager or myself.

Yours sincerely



Nigel Hartnup  
Director of Energy

## Overview

LASER has operated flexible energy procurement frameworks on behalf of the public sector since 2008. LASER's flexible procurement model aggregates the energy volumes of 200 customers with an annual spend of **£450 million**. The aggregated energy volumes are then purchased in multiple blocks prior to the point of use. The current flexible frameworks for the supply of electricity and gas expire **30 September 2020**. LASER has awarded the renewed flexible frameworks for the supply period **1 October 2020 to 30 September 2024** to Npower (Electricity) and Total Gas and Power (Gas). We expect suppliers to start executing the framework contracts from November 2018. Further information on the procurement process and contract options can be found in **Appendix A**.

### Why is Early Contract Renewal Important?

To maintain an effective risk-management approach, a minimum two-year window is recommended to complete future flexible energy purchases. LASER's frameworks permit us to buy energy beyond their termination date and transfer the volumes to any incoming supplier. This allows us to take advantage of favourable buying opportunities and mitigates against the risk of energy market price rises. Having the new frameworks in place ensures we have continuity of supply beyond October 2020. Further information on the importance of maintaining a forward purchase window can be found in **Appendix B**.

Gas and electricity market prices are highly volatile. Market price movements of more than 10% in a week are not unprecedented. Purchasing all energy requirements on a single day therefore carries the risk of buying when energy market prices are high, with a potentially significant associated budget risk. To spread market price risk, and to avoid buying during periods of peak market pricing, Government has advised that **"all public sector organisations adopt aggregated, flexible and risk-managed energy procurement"** as provided by LASER.

Of LASER's aggregated energy portfolio spend of **£450 million** per annum, the wholesale energy cost component represents approximately **£214 million** per annum. The difference is primarily made up of regulated network charges and environmental levies. The following table shows the annualised wholesale energy cost based on maximum market prices, average market prices and the LASER achieved prices for the period 2013-17.

Period	Annualised Wholesale Energy Costs		
	Maximum Market Prices	Average Market Prices	Achieved LASER Prices
Oct 2013 – Sep 2017	£256M	£214M	£204M

For Ashford BC's portfolio, LASER's achieved prices equate to avoided costs of **£107.5k** pa against maximum market prices and **£29.7k** pa against average market prices<sup>1</sup>. The current flexible frameworks have therefore been very effective at managing the price risk associated with buying energy in highly volatile markets.

<sup>1</sup> All customer figures quoted in this Information Pack are based on approximate current usage volumes committed to flexible procurement under your contract, the current choice of Procurement Basket(s) you utilise and the framework performance for the past 4-years (irrespective of when your portfolio first joined the framework).

## What are the benefits of the existing frameworks?

LASER's current flexible frameworks have achieved significant cost avoidance for Ashford BC:

Description	Avoided Cost £/pa for Ashford BC
<b>Lower Supplier Management Fees</b> - reduced fees from your gas and electricity suppliers compared to buying as a stand-alone customer. This has been shown to reduce delivered energy costs by ~4% pa.	£28,346
<b>Shaping Benefits</b> - Aggregating the volumes of multiple customers flattens the overall usage profile, allowing our traders to purchase more as baseload (24/7 energy) and less as peak-load (7am - 7pm energy, which is more expensive).	£3,946
<b>Entire Market Pricing</b> - When LASER submits a bid to buy a block of energy, our suppliers are compelled to put this bid into the open market. This means we receive the lowest price anyone in the entire market is prepared to offer, not just the price our own supplier will sell at.	£1,942
<b>Flexibility of Trading</b> - our large energy purchase volumes mean we can buy larger blocks of energy over the market, which come at a discount to buying smaller blocks of energy.	£748
<b>Volume Tolerance</b> - penalty clauses appear in most energy supply contracts when usage falls outside $\pm 10\%$ of a customer's contracted usage. LASER's volume tolerances apply at the aggregated customer level (rather than individual customer level). This minimises the risk of volume tolerance penalty charges being incurred. To date, no LASER customer has incurred a penalty charge for using more or less energy than predicted.	£329
<b>LASER's track record in monitoring the market and buying at lower than average market prices.</b> This calculation compares the prices achieved by LASER for the period Oct 13 - Sep 17 with the average market price (the average traded price of energy in the 2-years in advance of the supply start date). Savings are annualised.	£29,701
<b>Transparency of pricing</b> – LASER's flexible frameworks require the suppliers to give a full and transparent breakdown of all energy and non-energy cost components included in contract pricing prior to opening bills being issued. LASER then validates this breakdown, at customer account level, to ensure all cost components are correctly calculated. This typically reduces delivered energy prices by 0.75% per annum	£5,315

In total, LASER's flexible frameworks **have reduced Ashford BC's energy spend by £70.3k** per annum. Further information and additional benefits can be found in **Appendix C**. Benefits of LASER's service to support the frameworks can be found in **Appendix D**.

### Tender outcomes and new framework benefits

An ‘Open Procedure’ procurement process, in accordance with public sector procurement regulations, has been utilised for the tender and award of Flexible Framework Agreements for the supply of Electricity and Gas for the period October 2020 – September 2024.

A total of nine suppliers submitted tenders. Npower (Electricity) and Total GP (Gas) received the highest assessed tender scores in Lot 1 (flexible supply of energy). Npower and Total GP are the incumbent framework providers for electricity and gas respectively. The full list of suppliers for Lot 2, Additional Services, is shown as follows:

Lot 2 – Additional Services	Electricity	Gas
Includes (but not limited to): <ul style="list-style-type: none"> <li>Battery Storage</li> <li>Data Collection</li> <li>Demand Side Response</li> <li>Electric Vehicle Charging</li> <li>Energy Efficiency</li> <li>Metering</li> <li>Renewable Energy</li> </ul>	<ul style="list-style-type: none"> <li>Connected Energy</li> <li>EDF</li> <li>Eon</li> <li>Npower</li> <li>Octopus</li> <li>Solar Advance Systems</li> <li>Stark Software</li> <li>Total GP</li> </ul>	<ul style="list-style-type: none"> <li>Corona</li> <li>Eon</li> <li>Total GP</li> <li>Stark Software</li> </ul>

A full list of Additional Services is included in Appendix E2. OJEU Notices have been published in respect of the Invitation to Tender and copies of these can be downloaded using the links provided Appendix E1. OJEU Award notices are being formalised as suppliers execute the contract framework documents.

The new frameworks retain all the features and benefits of the existing frameworks. There is also additional functionality and benefits introduced within the new frameworks, including:

#### Additional Framework Benefits

**Lower Supplier Management Fees** – Supplier management fees under the new frameworks are ~20% lower than the existing frameworks. Supplier management fees typically account for approximately 0.8% of delivered energy spend under LASER’s existing frameworks, but can be around 4% for a standalone customer contract.

**Protection Against Supplier Failure** – during 2018, ten energy suppliers have ceased trading. LASER’s frameworks include a financial stability test to minimise the risk of a framework provider failing during the term of the agreement. Also the 2020-24 frameworks contain a panel of suppliers which provides a ready OJEU compliant route to appoint a new supplier should an existing supplier fail (either because they cease trading or they materially breach the terms of the contract).

## Additional Framework Benefits

**Cost Avoidance through Additional Services** – LASER’s long-run energy price forecasts predict that electricity and gas prices will rise by 75% and 60% respectively over the next 10-years. Robust procurement strategies and contract management can protect against these price rises to a degree, but changing energy usage patterns (such as energy efficiency initiatives and investments in renewable electricity generation) are the only ways of materially reducing long-term costs. Figures from the Carbon Trust indicate that an ongoing effective energy management and efficiency programme can reduce energy usage by 10%, which would equate to cost avoidance of **£70.9k** per annum for your portfolio. LASER’s new frameworks contain a large range of energy efficiency hardware and support, renewable generation and Demand Side Response services. This will support your development and implementation of cost avoidance initiatives through reducing energy usage.

**Power and Gas Purchase Agreements** – the new frameworks contain enhanced provisions to purchase customer generated electricity (e.g. from a solar farm or waste-to-energy plant) or customer-produced gas (e.g. from a landfill waste site). As an indication, a 5MW solar farm would typically produce electricity worth between £220k-£260k per annum. This electricity can be sold through the frameworks to generate revenue or can be allocated to other sites within your portfolio (mitigating the need to buy electricity from the market).

**Green Energy** – renewable electricity and green gas can be purchased through the framework suppliers, with the premium for renewable electricity 30% lower than under the current framework. Renewable energy from a third party source, such as a separate supplier or generator, can also be purchased and supplied via the framework suppliers.

**Additional Trading Strategies** – the new frameworks permit LASER to vary or introduce new trading strategies during the term of the agreement without charge from the supplier. This flexibility is important as the needs of customers change and market conditions alter. Having this opportunity ensures that purchasing strategies remain fit for purpose for the duration of the agreement and can evolve with changing customer requirements.

**Management Information** – additional supplier reporting requirements have been included within the framework as a direct result of customer feedback on the Management Information that would support your organisation. In total, suppliers will need to report against 42 criteria across areas such as portfolio, queries, billing, readings, cost forecasting and debt.

**Additional supplier Service Level Agreement requirements and enhanced KPIs** – based on customer feedback, amendments have been made to the framework SLAs, KPIs and poor performance remedies (PPRs). This focuses on key areas such as billing accuracy and timeliness, resolution of queries, accuracy of portfolio maintenance and overall customer satisfaction. The new PPRs provide a route through which compensation can be sought against serious or consistent poor performance. LASER has recruited a new role of Contracts Manager with specific responsibility for maximising the benefits delivered to customers by our framework providers.

### Additional Framework Benefits

**More flexible Access to framework services** – customers will sign an Access Agreement with LASER to utilise the framework and then Call Off contracts with suppliers for any services to be taken. This approach is more commonly understood by Procurement departments (compared to LASER’s current tripartite agreements) and provides flexibility to access services from multiple suppliers under the same framework.

**Social Value Innovations** – the frameworks require the suppliers to be more progressive in their approach to benefiting local communities through Social Value Innovations. Suppliers have provided information on a range of previous projects that have delivered value; socially, economically or environmentally. Examples include Apprenticeships, school programmes with access to environmental learning, promotion of electric vehicle schemes, skills and training opportunities, careers fair, free training material and self-development to support people with their employment moves or entry and community support.

### Next Steps

We expect Kent County Council and each of the suppliers to sign the framework contracts from November 2018 onwards. LASER has prepared a framework User Guide providing key information to support you in joining the framework and how you can access the range of additional compliant energy services. In order to maximise the window for making future energy purchases, and best manage market price volatility, we recommend that we receive your commitment by **31 March 2019**. Should you be unable to commit to the framework by this date, commitment can be provided subsequently. However, please note that LASER cannot commence forward purchases on behalf of your portfolio of sites until commitment is received. **We would like to arrange a discussion with you regarding the process for ‘signing up’ to the new frameworks in order to understand your requirements and procurement process in order to understand your requirements and procurement process.**

## Information Pack Executive Summary: Flexible Energy Frameworks 2020-24

LASER has now awarded the new flexible energy procurement frameworks, covering the period October 2020 to September 2024. These new and improved contracts will replace the current frameworks for the supply of gas and electricity when they end on 30 September 2020. Npower and Total Gas and Power have been successful in retaining the electricity and gas frameworks respectively. A further seven suppliers have also been added to the framework to provide access to a range of procurement-compliant energy services, such as battery storage, renewable energy and energy efficiency hardware. A summary of the main Additional Services and framework suppliers is shown below:

Lot 2 – Additional Services	Electricity	Gas
Includes (but not limited to): <ul style="list-style-type: none"> <li>Battery Storage</li> <li>Data Collection</li> <li>Demand Side Response</li> <li>Electric Vehicle Charging</li> <li>Energy Efficiency</li> <li>Metering</li> <li>Renewable Energy</li> </ul>	<ul style="list-style-type: none"> <li>Connected Energy</li> <li>EDF</li> <li>Eon</li> <li>Npower</li> <li>Octopus</li> <li>Solar Advance Systems</li> <li>Stark Software</li> <li>Total GP</li> </ul>	<ul style="list-style-type: none"> <li>Corona</li> <li>Eon</li> <li>Total GP</li> <li>Stark Software</li> </ul>

LASER's current flexible frameworks have achieved significant cost avoidance for Ashford BC:

Description	Avoided Cost £/pa
<b>Lower Supplier Management Fees</b> - reduced fees from your gas and electricity suppliers compared to buying as a stand-alone customer.	£28,346
<b>Shaping Benefits</b> - aggregating the volumes of multiple customers flattens the overall usage profile, allowing our traders to purchase at a lower price.	£3,946
<b>Entire Market Pricing</b> - when LASER submits a bid to buy a block of energy, our suppliers are compelled to put this bid into the open market. This means we receive the lowest price anyone in the entire market is prepared to offer.	£1,942
<b>Flexibility of Trading</b> - our large energy purchase volumes mean we can buy larger blocks of energy over the market, which come at a discount to buying smaller blocks of energy.	£748
<b>Volume Tolerance</b> - LASER's volume tolerances apply at the aggregated customer level (rather than individual customer level) minimising the risk of load variance penalties.	£329
<b>LASER's purchasing performance</b> - the prices achieved by LASER for the period Oct 13 - Sep 17 are lower than the average market prices over this period.	£29,701
<b>Transparency of pricing</b> – LASER validates supplier's flexible prices and corrects any errors prior to opening bills being issued for each pricing period.	£5,315

In total, LASER's flexible frameworks **have reduced Ashford BC's energy spend by £70.3k** per annum. The new frameworks retain all the features and benefits of the existing frameworks in addition to a number of key enhancements with the new framework:

- **Lower supplier management fees** – reduced supplier management fees compares to the current frameworks (~20% lower).
- **Additional protections against supplier failure** – the option to switch between suppliers on the framework in the event of a supplier going out of business or materially breaching the terms of the contract.
- **Power and Gas purchase agreements** – additional options to generate revenue or reduce costs through customer owned or third-party owned generators.
- **Additional green energy options** – reduced costs and more options around purchasing green energy from suppliers.
- **Additional trading strategies** – the ability for LASER to amend and introduce new trading strategies to meet bespoke customer requirements.
- **Additional management information requirements** – increased requirements on suppliers to provide meaningful management information to customers.
- **Additional supplier Service Level Agreement requirements and enhanced KPIs**
- **Enhanced social value requirements**

## Next Steps

In order to maximise the window for making future energy purchases, and best manage market price volatility, we recommend that we receive your commitment to join the new frameworks by **31 March 2019**. Should you be unable to commit to the framework by this date, commitment can be provided subsequently. However, please note that LASER cannot commence forward purchases on behalf of your portfolio of sites until commitment is received. We would like to arrange a discussion with you regarding the process for 'signing up' to the new frameworks in order to understand your requirements and procurement process.



**Agenda Item No:** 12  
**Report To:** Cabinet  
**Date of Meeting:** 12<sup>th</sup> September 2019  
**Report Title:** Changes to Council's Administrative Structure – Cabinet Boards, Advisory Committees and Task Groups  
**Report Author & Job Title:** Danny Sheppard  
Member Services Manager (Operational)  
**Portfolio Holder** Cllr. Clarkson  
**Portfolio Holder for:** Leader of the Council

**Summary:** The Cabinet is responsible for the formation of Cabinet approved Boards, Advisory Committees and Task Groups. It is also responsible for approving the Terms of Reference of such Groups and determining the membership and appointment of the Chair.

This report advises of changes to the approved Groups and proposes the formation of three new Task Groups.

**Key Decision:** NO

**Significantly Affected Wards:** N/A

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

- I. Agree the proposed changes to the approved Cabinet Boards, Advisory Committees and Task Groups and the formation of the three new Task Groups as set out within the report.**
- II. Note that Terms of Reference for the three new Task Groups will be the subject of a further report at a later date.**

**Policy Overview:** To assist the work of the Cabinet and the wider work of the Council, the report is presented in accordance with the Constitutional requirement for the Cabinet to approve the formation of, and Terms of Reference for, Cabinet Groups.

**Financial Implications:** None directly through the formation of Boards, Advisory Committees or Task Groups.

**Legal Implications** Adoption of new Boards, Advisory Committees and Task Groups will require Constitutional amendments.

<b>Equalities Impact Assessment</b>	Not required because there are no impacts on those with protected characteristics stemming from the recommendations.
<b>Other Material Implications:</b>	NONE
<b>Exempt from Publication:</b>	<b>NO</b>
<b>Background Papers:</b>	NONE
<b>Contact:</b>	danny.sheppard@ashford.gov.uk – Tel: (01233) 330349

## Changes to Council's Administrative Structure – Cabinet Boards, Advisory Committees and Task Groups

### Introduction and Background

1. In line with a provision in the Council's Constitution, the Cabinet is required to approve changes to approved Cabinet Boards, Advisory Committees and Task Groups and the Terms of Reference of such Groups.
2. It will therefore be necessary to agree the changes outlined below in paragraphs 4 – 9 of the report. The Terms of Reference for the new Groups will follow at a later date by way of a further report.

### Proposal/Current Position

3. Various Cabinet Groups were set up following the election of the new Administration in May 2019. This report reflects changes put forward to tidy up the Council's Administrative Structure following the early months of the new Council Administration and the recent by-election for the Downs North Ward.

### Implications

4. Details of new and revised Groups are as follows:
  - (a) **Regeneration, Masterplanning and Project Co-Ordination Board** (formerly Ashford Town Centre Place Making Board) - same Terms of Reference with amended reporting lines as outlined in paragraph 5.
  - (b) **Victoria, Conningbrook and Discovery Parks Task Group** (formerly Victoria Park and Conningbrook Park Advisory Committee) – Membership and Terms of Reference otherwise unchanged.
  - (c) **Royal Military Canal Task Group** (formerly an Advisory Committee) – Membership and Terms of Reference otherwise unchanged.
  - (d) **Climate, Environment and Conservation Task Group** (formerly an Advisory Committee) – Membership and Terms of Reference otherwise unchanged.
  - (e) **Vicarage Lane and Multi-Storey Car Park Delivery Task Group** (new)
  - (f) **Cultural Centre Scoping Task Group** (new)
  - (g) **Integrated Transport Strategy Task Group (Road, Rail and Passenger)** (new)
  - (h) **Civic and Ceremonial Programme Board** (formerly Civic and Ceremonial Advisory Committee) - same Terms of Reference with updated membership as outlined in paragraph 9.
  - (i) **Public and Private Transport Advisory Committee** (formerly Strategic Transport Group) – Membership and Terms of Reference otherwise unchanged.
  - (j) The Multi-Purpose Arts and Conference Centre Advisory Committee has been disbanded.

5. **Regeneration, Masterplanning and Project Co-Ordination Board**

This Board will take on the existing role of the former Ashford Town Centre Place Making Board and will also receive minutes from the six Task Groups that sit underneath it (please see diagram below). It is anticipated that this Board will also have a specific delegation to receive requests for, and be able to allocate funding to, the five less affluent Borough Council Wards as identified in the Grant Thornton report. This funding will be allocated from the Infrastructure and Improvements Fund (Aylesford & East Stour, Beaver, Bockhanger, Norman and Stanhope). This will be the subject of a further report in due course. Membership of this Board will also increase to 10 Members to include Councillor Barrett (the Portfolio Holder for Housing).



6. **Vicarage Lane and Multi-Storey Car Park Delivery Task Group**

Membership – Cllr Clokie (Ch), Cllr Gideon (VCh), Cllr Barrett, Cllr Farrell – Detailed Terms of Reference to follow in due course.

7. **Cultural Centre Scoping Task Group**

Membership as per previous Multi-Purpose Arts and Conference Centre Advisory Committee – Cllr Clokie (Ch), Cllr Iliffe (VCh), Cllrs Heyes, Turner, Feacey (EO) – Detailed Terms of Reference to follow in due course.

8. **Integrated Transport Strategy Task Group (Rail, Road and Passenger)**

Membership – Cllr Gideon (Ch), Cllr Feacey (VCh), Cllr Heyes, AI Member TBC – Detailed Terms of Reference to follow in due course.

9. **Civic and Ceremonial Programme Board**

Membership – Cllr Clarkson (Ch), Cllr Dehnel (VCh), Cllrs Burgess, Ovenden, L Suddards, Mrs Webb (EO) – Detailed Terms of Reference to follow in due course.

## **Equalities Impact Assessment**

10. As this report relates to the organisation of Member appointed Groups within the organisation, there are no impacts on those with protected characteristics stemming from the recommendations.

## **Consultation Planned or Undertaken**

11. The proposals have been subject to consultation with the Leader of the Council and the Council's Management Team. All relevant Portfolio Holders, Members and Heads of Service will be consulted on the Terms of Reference documents in due course.

## **Next Steps in Process**

12. Once formally agreed the changes will be incorporated in to the Council's Constitution. New Terms of Reference will follow in due course and be subject of a further report.

## **Conclusion**

13. The Cabinet is recommended to: -
  - I. Agree the proposed changes to the approved Cabinet Boards, Advisory Committees and Task Groups and the formation of the three new Task Groups as set out within the report.
  - II. Note that Terms of Reference for the three new Task Groups will be the subject of a further report at a later date.

## **Portfolio Holder's Views**

14. To be given at the Meeting.

## **Contact and Email**

danny.sheppard@ashford.gov.uk – Tel: (01233) 330349

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## Information Technology and Digital Transformation Advisory Committee

Minutes of a Meeting of the Information Technology and Digital Transformation Advisory Committee held in Committee Room No. 2, Civic Centre, Tannery Lane, Ashford on 26<sup>th</sup> July 2019.

### Present:

Cllr. Knowles (Chairman);

Cllrs. Bell (ex officio), Forest, Knowles, Ovenden (for the first item), Pickering.

### Also Present:

Director of Finance and Economy (for the first item), Head of HR and Customer Services, Customer Service and Digital Project Manager, IT Operations Manager, National Management Trainee, Governance & Data Protection Officer, Member Services Officer.

Visarc – for the first item.

Prior to the commencement of the Meeting the Chairman advised that there had been a change to the order of the items.

The Ex-Officio Member advised that he had attended the Ashford Strategic Delivery Board that morning and drew the Committee's attention to the emerging Big 8, which would include Broadband and Carbon Neutrality.

## 1 Notes from the meeting held on 5<sup>th</sup> February 2019

- 1.1 The notes of the meeting held on the 5<sup>th</sup> February 2019 were agreed as a correct record.

## 2 Digital Partner Overview – Visarc

- 2.1 The Customer Service and Digital Project Manager introduced the item and advised that Visarc had been appointed as the Council's Digital Partner with a remit to review the structure and content of the Council's website.
- 2.2 The Visarc team introduced themselves and by way of a PowerPoint Presentation gave Members an overview of the company, its history and client base, the steps that they would undertake to assess the structure and content of the Council's website and highlighted some insights from the discovery stage of the process to date.
- 2.3 In response to questions from Members, the Visarc Team advised:

- Increasing the search-ability of the Council's website and particularly how it appears on Google searches would be part of the remit for Visarc. The design and structure required amending along with the search function on ashford.gov.uk.
- It would be possible to set expiry dates for pages, particularly for time-limited information. There would also be the ability to archive information.
- Heads of Service had been contacted to garner views on the level of information that was important to their services, there had been limited feedback to date. Follow up discussions were being scheduled for those that had responded to the initial survey.

2.4 The Customer Service and Digital Project Manager advised that user research had been undertaken earlier in the year, with engagement ongoing with Ashford Access surrounding accessibility of the website. The customer was fundamental in the process.

**Resolved:**

**That the progress to date be received and noted.**

### **3 Cyber Security**

- 3.1 The IT Operations Manager, using a PowerPoint Presentation, gave the Committee an overview of the cyber security landscape, including zero-day ransomware attacks at Local Authorities and the resulting issues from these, the security features the Council had in place to limit attacks with such software and awareness campaigns and tests that have been provided for both Officers and Councillors. A desktop exercise had also been carried out in conjunction with Zurich, which had gone to be replicated at other Local Authorities.
- 3.2 The Head of HR & Customer Services advised that there was an ongoing awareness campaign relating to Cyber Security and Management Team were increasingly aware of areas of potential vulnerability and the managing of those.
- 3.3 The IT Operations Manager drew attention to the new remote log in system used by staff, Duo, which used two-factor authentication. The rollout of this had been well received and was a significant improvement on the previous system. Additionally, GovRoam Phase 2 was being progressed, whereby when connecting to GovRoam at another Local Authority site the user would be automatically dropped onto their own Local Authority network.

**Resolved:**

**That the progress to date be received and noted.**

## 4 Digital Declaration

- 4.1 The National Management Trainee introduced the item. The Digital Declaration was aligned with the Digital Transformation Strategy adopted by Cabinet in November 2017, to better utilise the opportunities offered by technology and digital tools to promote more effective service delivery and cost saving for the council. He drew attention to the five principles that signatories were expected to commit to, which were detailed in full in the report. There was an expected commitment from both Service Managers and Councillors to be visible and accessible by tweeting, publishing blogs and to publish plans and lessons learnt.
- 4.2 The Committee welcomed the proposal and questioned how the progress on such a project would be measured. The Customer Service and Digital Project Manager advised that targets would be set and the data collected by the Customer Services Team would be assessed and utilised for this purpose.

### **Resolved:**

**That the report be received and noted.**

### **Recommendation:**

**That the IT & Digital Transformation Advisory Committee commends the Report to Cabinet and that the Council signs the Local Digital Declaration.**

## 5 Digital Action Plan

- 5.1 The Head of HR & Customer Services introduced the item and provided an update on the progress made since the publication of the original digital action plan. She was pleased to report that the websites accessibility score had increased from 60.3% to 95.4%, which demonstrated good progress and work in this area. The appointment of a Digital Officer to support the website in December 2018 had attributed to this. This role had been funded through a one-off allocation following the LGA Peer Review and this role and the support to the website would be reviewed in due course. She highlighted a potential risk arising due to a vacancy in the IT Service, this was being advertised and specialist recruitment agencies would be utilised should the usual methods not be forthcoming.
- 5.2 Further to the Committee's recommendation, a high profile launch of the 'Your Ashford' app had taken place in November 2018. There were currently 77 different services that could be accessed via the app and due to it being an in-house app with links to the Abavus platform Officers were able to troubleshoot and make amendments to the app following feedback. The IT Service had rolled out the single desk-top to support the roll-out of Skype for Business. The telephony aspect of Skype was being rolled out which would increase the ability for flexible working.

- 5.3 The Head of HR & Customer Services drew attention to the suggested focus for the IT & Digital Strategy 2020-2025, which included; the website, the replacement of the Planning and Building Control system, cloud migration, system rationalisation and broadband. Broadband was an enormous area and one that was linked to carbon neutrality and had been discussed at the Ashford Strategic Delivery Board earlier in the day.
- 5.4 The Chairman and Ex-Officio Member agreed that Broadband was a vital string in the Digital Strategy and would meet to discuss the thoughts of the Ashford Strategic Delivery Board, the announcement from Boris Johnson that there would additional funding to support this and the progress being made by Kent County Council on the matter outside of this meeting.

**Resolved:**

**That**

- (i) **The suggested focus for the IT & Digital Strategy 2020-2025 be supported,**
- (ii) **The report be received and noted.**

## **6 Modern.Gov & Councillors IT Provision – Update**

- 6.1 The Chairman expressed his gratitude for what he viewed as a seamless transition and roll out of iPads and Modern.Gov post election, and therefore he wished to put on note his thanks for all of the hard work and dedication of the Member Services Team in making this happen.
- 6.2 The Member Services Officer advised that following the election, all Members had been issued with iPad devices and the printing of agendas, save for Planning Committee, had ceased. It was noted that this was a time of transition and a survey had been sent to all Members to gain a better understanding of any issues that had been a barrier to using the system. There had been limited response to the survey with only two of the fourteen responses being broadly negative. She advised that the Member Services Team were available to assist with any queries that Members had with either the iPad or Modern.Gov, and to that end dedicated drop-in sessions had been arranged over the coming months. These sessions would be supported by both the Member Services Team and IT, with an experienced Councillor attending each session to pass on tips and tricks they had learnt from using the system as part of the Early Adopters Programme.
- 6.3 In response to a question, the Member Services Officer advised that the 'Web Library' section of Modern.Gov would be utilised for training documents, policies and useful information. She endeavoured to contact Members to ascertain what other information they felt should be hosted in the Web Library.

**Resolved:**

**That the progress to date be received and noted.**

## **7 Report Tracker & Future Meetings**

- 7.1 The Report Tracker was noted and the date of the next meeting was amended to 1<sup>st</sup> November 2019.

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## Local Plan & Planning Policy Task Group

Notes of a Meeting of the Local Plan & Planning Policy Task Group held on the 5<sup>th</sup> July 2019.

### Present:

Cllr. Bartlett (Chairman);  
Cllr. Shorter (Vice-Chairman);

Cllrs. Mrs Blanford, Clokie, Ledger, Michael, Spain, Walder.

### Apologies:

Cllrs Mrs Bell, Heyes.

Development Partnership Manager.

### Also Present:

Head of Planning Policy; Policy Planner; Head of Planning & Development; Planning Policy Officer; Graduate Planner; Graduate Planner; Principal Solicitor (Strategic Development); Member Services and Ombudsman Complaints Officer.

## 1 Election of Chairman and Vice-Chairman

- 1.1 Members appointed Cllr. Bartlett as Chairman and Cllr. Shorter as Vice-Chairman for this Task Group.

## 2 Declarations of Interest

- 2.1 Cllr. Shorter made a Voluntary Announcement as he knew a number of gypsy and traveller families, but he did not have a close friendship with any of them.

## 3 Notes of the Previous Meeting

- 3.1 The Notes of the Meeting held on 15<sup>th</sup> March 2019 were agreed as a correct record.

## 4 Gypsy and Traveller DPD

- 4.1 The Policy Planner introduced this item and highlighted the key points within the report. She explained the need for sites within the Borough, and the various options for meeting this need. She also outlined progress since the last meeting and the proposed next steps.
- 4.2 The Chairman opened up the item for discussion and the following questions/comments were raised:

- In response to a question, the Policy Planner explained that sustainability was an important factor in the location of gypsy and traveller sites. The same tests would apply to these sites as to bricks and mortar dwellings. However, suitable sustainable sites on the outskirts of the town did not always readily come forward.
- A Member asked whether new applications for planning permission would be required. The Policy Planner responded that this was the case for all new sites, but where it was proposed to develop on a site that was allocated in an adopted DPD, then the principle of development had already been established through the allocation.
- In response to a question, the Policy Planner advised that Planning Officers were currently liaising with Enforcement Officers to clarify the planning history of existing gypsy and traveller sites. She confirmed that there would be discussions between Officers and Parish Councils to understand better the challenges of existing and proposed sites. She said that Officers would report back to a future Task Group regarding the possible options for allocating any of these sites and Members would have the opportunity to provide input at that stage.
- A Member asked about the procedure in the event of a planning application coming forward before the DPD had been adopted. The Policy Planner responded that it had originally been intended to identify proposed gypsy and traveller sites in the Local Plan. However, to avoid delay, a decision had been taken to include safeguarding and windfall policies, and two specific sites in Biddenden and Westwell only, in the Plan and to identify additional allocations later through the DPD. The Head of Planning Policy advised that, at present, Planning Committee Members should consider each application on its own merits and that any emerging proposals through the DPD should not influence planning application decisions for the time being.
- In response to a question, the Policy Planner explained that the current safeguarding policy in the Local Plan stipulated that gypsy and traveller sites should be retained for that purpose only, and that this policy would be carried forward into the DPD.
- A Member asked about management organisations and the extent of their involvement in the running of a site. The Head of Planning Policy explained that a management organisation could take over the running of a site on behalf of the Council. However, the Council would need assurance that the organisation would run the site well and there would be a period of handover to ensure a smooth management transition. Housing and Legal staff would be involved in any discussions before any privately run site was supported by the Council..
- Members expressed concern at any prospect of significant expansion of the Chilmington site. They were concerned that newcomers might experience

problems settling into the site. The Head of Planning Policy replied that one of the options for consideration may be an additional site elsewhere in the Borough, of similar size to the Chilmington site, to provide for current need and to create some spare capacity. He said this option could be included in the consultation exercise, which would take place over the next few months.

- A Member said he wanted to see a definite timetable and conclusion to this project. The Head of Planning Policy said he intended to provide a draft DPD to the Task Group in September and seek Cabinet approval in October with a period of consultation to follow.
- A Member asked for more information about the length of time sites had been occupied. He requested that this information was included in future updates.
- In response to a question, the Policy Planner confirmed that any temporary sites allocated in the DPD would count towards the required number of pitches.
- A Member asked what would happen when more gypsy and traveller accommodation was required in future. The Head of Planning Policy said that the Local Plan or DPD would require amending.
- A Member raised concerns about including sites in the DPD which had current enforcement issues. The Policy Planner said that Officers worked closely with the Enforcement team. If a site was not suitable for inclusion in the DPD because of current enforcement action, it would be omitted.
- A Member asked for a definition of a pitch, which was provided by the Policy Planner. The Head of Planning Policy confirmed that that this could be included in the DPD.

## **Resolved**

**That the Local Plan & Planning Policy Task Group notes the progress made on preparing the Regulation 18 version of the Gypsy & Traveller Accommodation DPD and endorses the sequential approach outlined in the report as the basis for meeting at pace the remaining need for new pitches over the rest of the Plan period.**

## **5 Wye Village Envelope Exercise Update**

- 5.1 The Head of Planning Policy introduced this item and explained the key points within the report. He outlined the background of the exercise and the outcome of the assessment. The views of the Parish Council were appended to the report. He said the proposals would be submitted to Cabinet for approval in due course.

5.2 The Chairman opened up the item for discussion and the following questions/comments were raised:

- A Member asked about the differences between the village envelope drawn up by the Parish Council and the built-up confines as identified by Officers. The Head of Planning Policy said the only point of difference was the area covered by horticultural buildings on the land north of Occupation Road. He said that the village envelope exercise was a separate process from the on-going Wye3 Master Planning process and would not prejudice the consideration of the latter. A Member asked whether the Wye3 Master Planning exercise would supersede the confines/village envelope. The Head of Planning Policy explained that only new development constructed on the ground, or a formal review of the Neighbourhood Plan, would influence where the line was drawn. The proposed map reflected the current built-up confines prior to any further development.
- A Member noted that the confines cut across rear gardens, and questioned how it was possible to maintain consistency. The Head of Planning Policy said that the precise drawing of this line was not critical for a village such as Wye that was listed in policy HOU5 of the Local Plan and that Officers had tried to follow the Parish Council's proposed boundary in this particular area reasonably closely.
- The Head of Planning Policy said that the Parish Council had already put their views forward in the form of their report, from which the relevant extracts were appended to the agenda papers. He would report to Cabinet in September to seek formal adoption of the built-up confines boundary for development management purposes in the same way that had been done for other villages in April 2019.

## **Resolved**

**That the Local Plan & Planning Policy Task Group endorses the proposed village envelope boundary for Wye between Olantigh Road and Scotton Street included in the Appendix 2 to the report and recommends that the Cabinet adopts this boundary as informal guidance for development management purposes.**

## **6 Date of Next Meeting**

To be confirmed.

The Head of Planning Policy advised that the Policy Planner would be leaving before the next meeting. Members thanked her for all her hard work.

Councillor Bartlett  
Chairman – Local Plan & Planning Policy Task Group

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**Notes of a meeting of the  
Ashford Strategic Delivery Board  
Friday 26 July 2019 at 10.00am**

**Present:**

**Board Members**

Cllr Gerry Clarkson (Chairman) – Leader, ABC  
Rt Hon Damian Green MP  
Cllr Neil Bell – Portfolio Holder for Finance and IT, ABC  
Cllr Paul Clokie – Portfolio Holder for Regeneration and Corporate Property,  
ABC  
Cllr Neil Shorter – Portfolio Holder for Planning and Development, ABC  
Barbara Cooper – KCC, Director – Growth, Environment and Transport  
Paul Harwood - Highways England  
Chris Moore - Homes England  
Michael Claughton - Chairman, Ashford Access  
Tracey Kerly - ABC

**Non Board Members**

Cllr Peter Feacey, ABC  
Matthew Hogben, KCC  
David Smith, KCC,  
Rebecca Anderson, KCC  
Victoria Thistlewood, KCC  
Ben Lockwood, ABC  
Christina Fuller, ABC  
Len Mayatt, ABC  
Simon Cole, ABC  
Lorna Ford, ABC  
Charlotte Hammersley, ABC  
Dean Spurrell, ABC  
Abigail Moffatt, ABC  
Keith Fearon, ABC

**Also Present**

Mark Quinn, Guy Holloway, Piers Read (for item 2 only)  
Henry Pavey, Alan Hodson (for item 3 only)

**Apologies**

Mike Whiting, Mark Dance, Tim Naylor, Andrew Osborne, Rebecca Spore,  
Jonathan White

Item	Notes	Action
1.	<p><b>Welcome</b></p> <p>The Chairman welcomed all those present and in particular Michael Claughton, Chairman of Ashford Access who he had invited to join the Board.</p>	
2.	<p><b>Presentation – Newtown Works</b></p> <p>Mark Quinn explained that his company had acquired the former Newtown Works site, which was comprised of one of the longest listed buildings in the country and which had not been used for 30 years. He believed that the site was in a key strategic location next to HS1 and the International Station. He estimated that the proposals for the site could generate up to 2000 jobs.</p> <p>Guy Holloway, Architect, displayed a series of plans and drawings which showed the detailed proposals which included four sound stages, a hotel, commercial space, office accommodation and residential units.</p> <p>Piers Read, of the Creative District Improvement Company explained that his company looked to invest in areas which had creative potential. He said that 11% of the UK’s GDP was from this sector and there was an unmet demand for space for filming, and he believed that Ashford had the most potential in the UK. He gave details of the various companies which had expressed an interest in taking space. They would also be looking to work proactively with local colleges in terms of training suitable employees for the different types of employment which would be generated by the scheme.</p> <p>Mark Quinn further explained that that it was hoped that a planning application would be submitted in September. Subject to planning permission being granted he said he would like to see the development completed by the end 2021. Members of the Board considered that it would be important as part of the application to demonstrate possible alternative/future uses for the proposed sound stages.</p> <p>In response to a question, Mark Quinn explained that all of the work would take place at the same time and he did not foresee the need for any road closures associated with the development as most of the building work would take place within the overall site. Mark Quinn also agreed to engage</p>	

	<p>with Ashford Access in terms of disabled access and use of the proposed buildings.</p> <p>In conclusion, the Chairman thanked Mark Quinn and his team for their presentation.</p>	
3.	<p><b>Presentation – Chilmington and South of Ashford Garden Community</b></p> <p>Enclosed with the agenda was an update report on progress with these developments, together with 3 specific ‘asks’ for the Board to consider. These ‘asks’ were:-</p> <ol style="list-style-type: none"> <li>1. Chilmington Together Partnership Shared Vision Statement.</li> <li>2. Design Code Review</li> <li>3. A28 Bond Issue and Next Steps</li> </ol> <p>Ben Lockwood, Henry Pavey and Alan Hodson then gave a detailed presentation, copies of which were distributed at the meeting. The presentation gave an overview of the Chilmington development and highlighted the specific 3 ‘asks’ referred to above. In terms of the issue of community engagement it was considered important for elected members to be fully involved in any consultation exercises that were to be undertaken.</p> <p>With reference to house building on the site, Alan Hodson of Hodson Developments advised that the first house had now been completed and he believed that the scheme was scheduled to meet its targets for housing completion rates. S106 contributions had also been made to ABC and KCC.</p> <p>The Board then discussed in detail the issue of the delivery of the A28 improvement works scheme following the withdrawal of the SELEP funding and the options now available in terms of identifying a funding solution to take the project forward.</p> <p>The Board agreed and endorsed the 3 ‘asks’ as set out in the report and referred to above.</p>	ABC/KCC
4.	<p><b>Presentation – Conningbrook Country Park</b></p> <p>Len Mayatt (LM) gave a presentation of the current position in respect of the Masterplan for the Conningbrook Country Park. He gave details of the funding available and showed a series of plans which set out the proposed locations of the various aspects of the development which included:- the proposed pub/restaurant; artistic representations of the</p>	

	<p>proposed buildings; car parking; the high ropes activity; the current KCC depot site and the plans for the footbridge over the railway line from the adjoining housing site.</p> <p>The Chairman advised that the ABC Cabinet had approved the draft Masterplan for consultation and explained that the Cabinet did not wish to overburden the park with too many activities and therefore the initial proposal for a tennis centre had been removed from the plan. In terms of the KCC depot site, Rebecca Anderson said that KCC were looking at that site in both the short and long term. In the short term access for the sailing club and a temporary facility for changing could be provided. In the longer term, Barbara Cooper (BC) suggested that the KCC Property team work with LM to see whether a suitable use could be found for the depot site.</p> <p>In terms of the proposals for the railway bridge, LM said that he was in discussion with the architects, particularly in reference to the orientation of where the bridge would enter the park.</p> <p>LM also agreed to work with Ashford Access regarding the undertaking of a disability audit in terms of the proposals for the park.</p>	<p>KCC/ABC</p> <p>ABC</p>
<p>5.</p>	<p><b>Introduction to Emerging Strategic Projects</b></p> <p>The Chairman gave a presentation on the following emerging proposals for the new 'Big 8':-</p> <ul style="list-style-type: none"> <li>• Carbon Neutral before 2030</li> <li>• Chilmington and South of Ashford Garden Community</li> <li>• Ashford Town Centre Masterplanning</li> <li>• Strategic Parks (Victoria/Conningbrook/Discovery)</li> <li>• Vicarage Lane and Multi-Storey Car Park</li> <li>• Integrated Transport Strategy</li> <li>• Newtown Works</li> <li>• Cultural Centre ( theatre/art gallery/museum/conference)</li> </ul> <p>The Chairman also said that a watching brief would be maintained in terms of the existing projects and he also referred to work with Maidstone DC regarding the A20 Corridor.</p> <p>In terms of the carbon initiative, BC said that KCC, as part of an energy strategy, were looking at how this could be costed in terms of their assets and transportation. With reference to the Council's wish to develop an integrated transport plan,</p>	<p>ABC/KCC</p>

	<p>BC suggested that ABC work closely with KCC Officers and she also said that, being mindful of Brexit, it was important for the authorities to keep their channels of communication open.</p> <p>Damian Green MP drew attention to the new Prime Minister's initiative on broadband speed and suggested that ABC might wish to explore early involvement in the scheme, perhaps by being a pilot authority.</p>	ABC
6.	<p><b>Project Updates</b></p> <p>The Board noted the progress on current projects.</p>	
7.	<p><b>Next Meeting</b></p> <p>The next meeting would be held on Friday 25<sup>th</sup> October 2019 at 10.00am</p>	

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**Agenda Item No:** 16

**Report To:** CABINET

**Date:** 12<sup>TH</sup> SEPTEMBER 2019

**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.



<b>Summary:</b>	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:**

**Contacts:**

danny.sheppard@ashford.gov.uk – Tel: 01233 330349

**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; Paul Bartlett; Bill Barrett; Neil Bell; Andrew Buchanan; Paul Clokie; Peter Feacey; Jo Gideon; Alan Pickering; and Neil Shorter.

*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 <https://ashford.moderngov.co.uk>*

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>12<sup>th</sup> September 2019</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Bell	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 Bell	Will Train	Open	10/8/18
Corporate Commercial Property Strategy – 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 Clokie	Paul McKenner	Open	14/9/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Animal Licensing Policy	<i>To approve an animal licensing policy based on changes in legislative framework and responsibility.</i>	Cllr Gideon	Sheila Davison	Open	4/12/18
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 Shorter	Tim Naylor	Open	18/6/18
Leisure Procurement		Cllr Feacey	Christina Fuller	Exempt	14/8/19
LASER Energy Contract	<i>To identify the different options open to the Council when it comes to the procurement of utilities and explain the advantages of doing this; and to obtain Cabinet approval to enter into a new LASER contract so that the Council can continue to procure its utilities through the LASER consortium for the next 4 years.</i>	Cllr Clokie	Daniel Stone	Open	1/7/19
<b>10<sup>th</sup> October 2019</b>					
HRA Affordable Homes Programme Update, HRA Budget Report Update, and the Affordable Housing Delivery Plan	<i>To update members on the delivery of approved projects, seek approval for any new sites and reiterate the grant assumptions that have been made in the Business Plan to ensure we are maximising flexibility in our funding bids to Homes England, and making full use of right-to-buy receipts, while taking a holistic approach to delivery and enabling.</i>	Cllr Barrett	Mark James	Open	25/7/19

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Corporate Property and Projects Restructure	<i>To set out the new vision for the service to help make it more flexible and responsive to the needs of all its users. The restructure is to manage a corporate property resource who's focus will be on delivery a high quality and expansive service.</i>	Cllr Clokie	Paul McKenner	Open	18/7/19
Proposed Local Authority Lottery Scheme	<i>To seek members approval to undertake the necessary legal and project management tasks to develop and deliver a local authority lottery scheme.</i>	Cllr Feacey	Michelle Byrne	Open	8/7/19
Adoption of the WYE3 / WNP11 Masterplan	<i>To set out the revised and updated context for the draft masterplan and recommend whether the masterplan should now be adopted as it stands or whether additional amendments should be made.</i>	Cllr Shorter	Simon Cole	Open	23/5/19
Adoption of village envelope boundary maps – Wye and Warehorne	<i>To adopt the proposed village envelope boundaries for development management purposes.</i>	Cllr Shorter	Simon Cole	Open	9/7/19
<b>31<sup>st</sup> October 2019</b>					
Medium Term Financial Plan	<i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year's Budget process.</i>	Cllr Bell	Maria Stevens	Open	9/11/18

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>28<sup>th</sup> November 2019</b>					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Bell	Will Train	Open	9/11/18
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Bell	Maria Stevens	Open	9/11/18
Corporate Plan – Approval to Commence Consultation on Draft Corporate Plan 2020		Cllr Clarkson	Lorna Ford/ Jennifer Shaw	Open	11/3/19
Royal Military Canal		Cllr Feacey	Len Mayatt	Open	21/2/19
Draft Budget 2020/21	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&amp;S Task Group and public consultation.</i>	Cllr Bell	Maria Stevens	Open	7/12/18
Council Tax Base 2020/21	<i>To present for approval the estimated 2020/21 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 Bell	Maria Stevens	Open	7/12/18

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Housing Revenue Account (HRA) Business Plan 2019 – 2049	<i>An annual update of the HRA Business Plan financial projections. This report updates the position for the period 2019-49.</i>	Cllr Barrett	Sharon Williams	Open	7/12/18
Adoption of the Chilmington Public Art Strategy		Cllr Feacey	Chris Dixon	Open	26/6/19
Street Trading Policy Amendment		Cllr Gideon	Trevor Ford	Open	16/8/19
Statement of Licensing Policy		Cllr Gideon	Trevor Ford	Open	16/8/19
<b>19<sup>th</sup> December 2019</b>					
<b>30<sup>th</sup> January 2020</b>					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Bell	Nic Stevens	Open (Exempt Appendix)	11/1/19
Revenue Budget 2020/21	<i>To present the draft revenue budget for 2019/20 to the Cabinet for recommendation to Council.</i>	Cllr Bell	Maria Stevens	Open	15/2/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>27<sup>th</sup> February 2020</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Bell	Maria Stevens	Open	15/2/19
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 Bell	Will Train	Open	9/2/18
<b>26<sup>th</sup> March 2020</b>					
Annual Pay Policy Statement (Including Review for 2020/21)	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance</i>	Cllr Pickering	Michelle Pecci/ Joy Cross	Open	15/3/19
Corporate Plan - Report on Consultation Findings and Approval to Publish Corporate Plan 2020		Cllr Clarkson	Lorna Ford/ Jennifer Shaw	Open	11/3/19
<b>30<sup>th</sup> April 2020</b>					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
28 <sup>th</sup> May 2020					
25 <sup>th</sup> June 2020					
Final Outturn 2019/20	<i>Final budget outturn for previous financial year.</i>	Cllr Bell	Maria Stevens	Open	14/6/19
Corporate Performance Report (Quarter 4) and Annual Performance Report 2019/20	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot' and 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>	Cllr Bell	Will Train	Open	14/6/19

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
30 <sup>th</sup> July 2020					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Bell	Nic Stevens	Open (Exempt Appendix)	12/7/19
27 <sup>th</sup> August 2020					
<b>KEEP CLEAR FOR HOLIDAYS</b>					

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