



CABINET

Notice of a Meeting, to be held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, Kent TN23 1PL on **Thursday, 26th May, 2022 at 7.00 pm.**

The Members of the Cabinet are:-

Councillor Clarkson – Leader of the Council
Councillor Bartlett – Deputy Leader and Portfolio Holder for Port Health
Councillor Bell – Portfolio Holder for Planning and Development
Councillor Buchanan – Portfolio Holder for Housing
Councillor Feacey – Portfolio Holder for Community Safety and Wellbeing
Councillor Forest – Portfolio Holder for Environment and Land Management (including Sport and Leisure)
Councillor Iliffe – Portfolio Holder for Regeneration and Corporate Property
Councillor Pickering – Portfolio Holder for Human Resources and Customer Services
Councillor Shorter – Portfolio Holder for Finance and IT

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

Agenda

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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 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 alone, such as:

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, 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: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

Advice to Members on Declarations of Interest:

- (a) Government Guidance on DPI is available in DCLG's Guide for Councillors, at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution alongside the Council's Good Practice Protocol for Councillors dealing with Planning Matters. See <https://www.ashford.gov.uk/media/2098/z-word5-democratic-services-constitution-2019-constitution-of-abc-may-2019-part-5.pdf>
- (c) Where a Member declares a committee position or office within, or membership of, an outside body that has expressed views or made representations, this will be taken as a statement that the Member was not involved in compiling or making them and has retained an open mind on the item(s) in question. If this is not the case, the situation must be explained.

If any Member has any doubt about any interest which he/she may have in any item on this agenda, he/she should seek advice from the Director of Law and Governance and Monitoring Officer, or from other Solicitors in Legal and Democracy as early as possible, and in advance of the Meeting.

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Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **28th April 2022**.

Present:

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

Cllrs. Buchanan, Clokie, Feacey, Forest, Iliffe, Pickering, Shorter.

Apologies:

Cllr. Bell.

Also Present:

Cllr. Sparks

In attendance:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Assistant Director – HR, Customer Services, Communications and Digitalisation, Cultural Projects Manager, Communications and Marketing Manager, Member Services Manager.

379 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 31st March 2022 be approved and confirmed as a correct record.

380 Leader's Announcements

The Leader said there were a few matters he wanted to mention this evening. Firstly, he was sure that colleagues would be pleased to know that Eurotunnel's parent company had last week reported a 57% rise in revenues on its railway network in the first quarter of 2022. It was indicated that this was primarily down to an upturn in Eurostar passengers. The operator had seen a steady increase in traffic since the travel restrictions had been eased. This was clearly good news and they would be pressing for the restoration of the full Eurostar Services from Ashford International as soon as possible.

Secondly, in more disappointing news, the Government had announced earlier that day that all physical and documentary checks at Inland Port Health facilities were being postponed for a year, allegedly because of the current economic situation, which was adversely impacting on the cost of living. This was particularly disappointing for Ashford where they had only recently moved their Port Health staff into their new accommodation at Sevington and were geared up to start in earnest on the 1st July. This decision, without any serious consultation, now gave a number of very real challenges which would need to be worked through. However, as always, Ashford would rise to the challenge and embrace the opportunities presented, whilst awaiting a full understanding of the new direction announced today, and the wider implications.

Finally, on a very much happier note, the Leader wanted to draw attention to the Commonwealth of Nations Globe and showed a picture of it. The Globe, which sat atop a silver crown base resting on a blue and gold cushion, was unveiled at the Tower of London on the 14th April and paraded through the grounds. It would now remain on public display in the White Tower, before being moved to Buckingham Palace in readiness for the Beacon Lighting on Thursday the 2nd June. Over 2000 beacons would be lit in towns, villages and cities across the UK and in all the 54 Commonwealth capitals, in celebration of Her Majesty's 70 year reign. The Globe would feature in the lighting of the principal beacon by a senior member of the Royal Family at Buckingham Palace, although full details are a closely guarded secret. The Globe featured silver, gold, diamonds and platinum, designed to incorporate the four jubilee milestones of the Queen's reign and rocks collected from the tops of the UK's four highest peaks, (Mount Snowdon in Wales, Ben Nevis in Scotland, Slieve Donard in Northern Ireland and Scafell Pike in England) which had been fashioned into the base. The Globe was designed and commissioned by Bruno Peek - the Queen's pageant master who described it as "Beautifully made, totally unique". The Globe was about the size of a bowling ball and had been made by "Ottewill Silversmiths in Evegata Business Park and Artisan Village, Ashford. He thought this was something the Borough should be very proud of.

381 Pay Policy Statement – Annual Review

The Portfolio Holder introduced the report which advised of the requirement to publish an Annual Pay Policy Statement, ensuring it was up to date and reflected the Council's approach to pay. They also used this report to take the opportunity to review the Ashford Living Wage Allowance (ALWA) and the Ashford Apprenticeship Wage Allowance and this year's report highlighted the decision to consolidate the ALWA in to the pay scales as a longer term and more sustainable way to support the Council's lowest paid staff. It would also cement the Council's commitment to provide its lowest paid staff with a rate of pay that was better than the statutory National Living Wage rate. He thanked the Officers for the enormous amount of hard work they put in on the Council's pay structure.

Recommended:

That (i) the updated Pay Policy Statement be approved.

- (ii) **it be noted that the Ashford Apprentice Wage Allowance will increase to 20 pence per hour over the National Minimum Wage rate applicable to the age of the apprentice.**
- (iii) **it be noted that the Chief Executive had exercised her Urgent Matters Delegation to implement changes to the lower pay scales to address compression caused by the changes to the statutory living wage rates and to consolidate the Ashford Living Wage Allowance in to the pay scales.**

382 Transfer of Kiln Field (Tenterden) to Tenterden Town Council

The Portfolio Holder introduced the report which advised that Tenterden Town Council (TTC) had confirmed their wish to proceed with a freehold asset transfer and were agreeable to discussing terms to allow this to go ahead. The report therefore recommended that the proposed freehold asset transfer be approved. TTC would then request ABC to declare Kiln Field a Local Nature Reserve (LNR) and TTC would then have full forward control of the site, managed as a LNR.

Resolved:

- That**
- (i) **the freehold asset transfer of Kiln Field to Tenterden Town Council be agreed.**
 - (ii) **the application for designation of Kiln Field as a Local Nature Reserve be supported.**
 - (iii) **the Solicitor to the Council and Monitoring Officer be authorised to negotiate, finalise and complete all necessary legal agreements and other documents to give effect to the above.**

383 Member Training Panel – Annual Report 2021/22

The Portfolio Holder, and Chairman of the Panel, introduced the Annual Report of the Member Training Panel for 2021/22. He drew attention to the positive results of a recent internal audit which had produced four low priority recommendations, all of which had already been addressed. He thanked Officers for their resilience on Member training and ensuring it was kept on the radar at a difficult time during the pandemic.

Resolved:

That the Annual Report of the Member Training Panel for 2021/22 be received and noted.

384 Climate Change Advisory Committee – Notes of 24th March 2022

Resolved:

That the Notes of the Meeting of the Climate Change Advisory Committee held on the 24th March 2022 be received and noted.

385 Schedule of Key Decisions to be Taken

Resolved:

That the latest Schedule of Key Decisions as set out within the report be received and noted.

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Agenda Item 6



ASHFORD
BOROUGH COUNCIL

Agenda Item No:	6
Report To:	Cabinet
Date of Meeting:	26 th May 2022
Report Title:	Repton – land acquisition in the HRA
Report Author & Job Title:	Mark James – Development Partnership Manager Sharon Williams – Head of Housing
Portfolio Holder	Cllr. Paul Clokie – Portfolio Holder for Housing

Summary:

Housing services is pleased to report it has reached in principle an agreement with the development consortium on the Repton development in Ashford to buy a parcel of land. This land is earmarked in the section 106 (s106) agreement for the site to provide 'primary healthcare provision'. The Council's housing services team believes it can provide such a facility and deliver some affordable homes above that building.

This short report details to members the latest progress on this acquisition of the land parcel and discussions on bringing forward the healthcare element. Subject to planning permission, this purchase will have the potential benefit of the Borough Council delivering some affordable housing for those with either a particular healthcare need, as well as delivering in partnership with the health sector a meaningful healthcare premises for the locality.

Members will recall that the Council's ability to increase its affordable housing stock levels in the Housing Revenue Account (HRA) has been enhanced by the delegated authority to the Head of Housing (in consultation with the Head of Finance and IT and the portfolio holders for housing and finance and IT) to purchase land where openings arise. That authority was extended to include homes within s106 agreements in 2021, moves which see the Council perceived as forward-thinking among its peers and developers.

Fresh acquisitions are important when the Council has identified opportunities on all suitable land available to it.

Key Decision:	No
Significantly Affected Wards:	Repton alone at this time, though neighbouring wards may be involved once allocation criteria are agreed.
Recommendations:	The Cabinet is recommended to:-

- I. **Note the acquisition being made under the delegated authority of the Assistant Director - Housing**
- II. **Note Exempt Appendix B and note the acquisition price of the land**
- III. **Agree that the funding of £146,000 (£65,000 of which is a sustainable loan to be repaid by 2024) secured from the One Public Estate (OPE) is used to support a feasibility study to identify the facilities that could provide most benefit to the local community, and note that a further report will be presented to members when this work has been completed**

Policy Overview: Building on solid foundations: delivering affordable homes in Ashford – our delivery plan for 2019-2023

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

Reform of Housing Revenue Account (HRA) – Cabinet endorsed five key priorities for further spend, as a result of greater freedom within the HRA.

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

A Charter For Social Housing Residents – Social Housing White Paper 2020.

Financial Implications: The Council's HRA Business Plan was agreed by Cabinet members in December 2021 and agreed to be a robust plan that enables the Council's housing service to increase its housing stock as well as move towards the Corporate Plan goal of achieving carbon neutrality and deliver a management service befitting the Caring Ashford objective. The viability of individual acquisitions is assessed by officers on a site-by-site basis and fed into the Business Plan as a whole. In this instance there are no adverse impacts from the acquisition and proposed costs of building out a scheme on this piece of land, therefore the decision has been taken to proceed with the acquisition.

Legal Implications: The Council has power to acquire land and housing for purposes under part II of the Housing Act 1985 (the Act). Under Section 17 of the Act, the Council may for the purposes under Part II:

Text agreed by Principal Solicitors - Property & Projects and Strategic Development on 18/5/22

- acquire land to erect houses;
- acquire houses, or buildings which may be made suitable as houses together with associated land;

- acquire land to be used to provide facilities connected with housing accommodation;
- acquire land to carry out works to alter, enlarge, repair or improve an adjoining house.

Following the acquisition, Housing Services must satisfy any outstanding s106 requirement that may exist to deliver a primary healthcare facility, as part of any proposals for development of the site (as no planning permission exists for development of the site at present, the proposals will also be subject to planning permission being applied for and granted in due course).

The terms of acquisition will also need to be adhered to, and to that end the proposed Heads of Terms for acquisition will be the subject of legal advice before signing, and the purchase documentation will be similarly advised upon and negotiated as part of the due diligence to be carried out.

Equalities Impact Assessment:	See attached at Appendix A . The assessment does not identify any adverse impacts on any client group.
Data Protection Impact Assessment:	The impact on Data Protection will be assessed at the appropriate time.
Risk Assessment (Risk Appetite Statement):	Risk associated with HRA new-build projects is assessed fortnightly by officers within the appropriate teams involved in the projects. These meetings identify any implications for the sites being progressed both individually and as a whole within the HRA Business Plan. Further risk assessments are made on each individual project at the appropriate time.
Sustainability Implications:	The HRA Business Plan includes assumptions regarding the Council's ambition for carbon neutrality and the programme of 'de-carbonisation' of HRA stock. In addition to this each project and acquisition is individually assessed to include the potential costs and benefits of carbon neutrality. Any scheme delivered here would be no different.
Other Material Implications:	Design and construction standards will comply with Ashford spatial standards (complying with Residential Space and Layout SPD), Lifetime Homes (a standard the Council has set out for Registered Social Landlords). Any scheme will comply with Homes England capital funding guidance – available on gov.uk – section 9 finance
Exempt from Publication:	Yes, <u>Exempt Appendix B</u> This is not for publication by virtue of Paragraphs 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information
Contact:	<u>Mark James@ashford.gov.uk</u> – Tel: (01233) 330687

Report Title: Repton – Land acquisition in the HRA

Introduction and background

1. Further to previous cabinet reports, members will be aware that housing services is becoming adept at acquiring parcels of land that would be suitable for development. This is important as the Council has built or acquired (outside of its individual 'street purchase' acquisitions) around 500 homes since 2011 and therefore has either earmarked, utilised or ruled out the possibility of all land available to it within the Council's existing ownership. The Council retains its ambitions to continue to grow its HRA stock at pace.
2. The latest potential acquisition is a parcel of land within the popular Repton development that sits within an old s106 agreement and is assigned for 'healthcare provision'. The Council's proposed intervention promises to not only deliver some affordable homes in addition to a healthcare facility but will also unblock a stalled site.
3. Furthermore, this project will see strong collaboration between the local authority and partners in the healthcare sector that will deliver real benefits to residents in the borough. It is hoped that it may also set a precedent for future ways of working in partnership with healthcare colleagues and see Ashford leading the way.
4. Members may recall that the Council has previously delivered projects that have fused together the health and housing agendas, obtaining Care and Specialised Supported Housing (CASSH) funding and delivering projects to Housing our Ageing Population Panel for Innovation (HAPPI) standards, reflecting the design, lighting and central breakout areas that reduce the possibility of isolation and loneliness in those schemes. Farrow Court is the highest profile example of this, providing:
 - Dementia-friendly independent living accommodation
 - An Age UK day centre
 - Homes for adults with learning disabilities
 - Homes for those residents wanting to live independently into older age
 - Homebridge – temporary placements to avoid bed-blocking in hospitals through the provision of a room for those awaiting a care package or adaptations to their current property before returning home.
5. However, at Repton the healthcare provision has not been delivered and therefore Council officers have been meeting representatives of the development consortium who are building out Repton (Taylor Wimpey and Persimmon) for some time to discuss options for unblocking the stalled site. The ground work for this was overseen by the Assistant Director for Safety and Wellbeing but latterly this work has been under housing's stewardship.
6. It is worth pointing out that the linkages between local authorities and the healthcare sector are still very much in their infancy and it is probably fair to say that on both sides there is a degree of confusion as to who are the right

people to approach in order to progress specific parts of specific projects. This is a learning curve for all involved. However, it is a vitally important point as with work progressing on larger-scale developments – in the Ashford borough at Chilmington and in Folkestone and Hythe with Otterpool Park and with the proposed Garden City in Ebbsfleet – there will need to be much more co-ordination between the two sectors.

7. In this regard, Ashford is taking a central role. The Assistant Director for Safety and Wellbeing is representing not only Ashford Borough Council but local authorities across East Kent on the East Kent Estates Group (a Health and Care Partnership-led group, which has kindly taken the time to consider the Repton project in detail. It is also looking at how more effective working links can be forged between health and local government to better deliver important schemes.

Latest position

8. After a considerable hiatus the Repton project is beginning to move forward. An agreement has been reached to acquire the land from the development consortium at a price agreeable to all parties and reflecting significant compromise on all sides. This took a little negotiation as valuations for the land with purely a healthcare concern were at odds with the basic land valuation by the consortium. However, **exempt Appendix B** details the price reached. Heads of terms are now being agreed and the key detail of this is also included in the exempt appendix.
9. The Council thanks the development consortium for its time in the negotiations and for agreeing to 'dispose' of the land to enable the community aspects of this project to come forward.
10. In terms of the healthcare facility specifically, the 2007 s106 agreement is not overly prescriptive in terms of what must be brought forward. Several options could therefore be possible. Schedule 2, paragraph 4 of the Principal Agreement includes obligations to enable the delivery of a primary healthcare facility comprising "a building of 723 square metres (or such lesser area as may be agreed in writing by ABC) of gross internal floor space plus associated parking and landscaping such building being intended and designed for the provision of a range of medical consulting and healthcare facilities".
11. Additionally, the Council's housing services team believes that it will be possible to build around 15 flatted homes (subject to planning permission) above any healthcare facility.
12. It is important to state as housing service has done on occasions with other reports, that the purpose of this report is to purely update members and that it does not seek to utilise this report as a lobbying tool for any future planning application. The planning process is separate to this reporting structure and full consultation with planning through the pre-application process and any future application will be undertaken.
13. There are therefore two strands to progressing this project in the immediate term and a third which has already established its ground rules. Work needs to be undertaken to establish the feasibility of any healthcare facility and work

needs to be undertaken to establish the cohort of residents who may occupy any flats that are built for affordable rent on the site. The logistics of the finances delivering the site have also been considered but will be reassessed as work progresses to ensure the affordability of plans as they are scoped out. This work will reflect on the inclusion of include carbon neutrality measures and more in-depth detail about the building.

Healthcare strand

14. In terms of the healthcare facility the Council's housing services team has established a working group to discuss and deliver something meaningful. It is pleasing that so many colleagues from the healthcare sector and Kent County Council have taken an interest in looking at this aspect of the project.
15. Requirements for General Practice premises will continue to be assessed and defined as part of an overarching General Practice Strategy, this will consider areas of growth, service and workforce models and identify any commissioning requirements
16. However, despite the new homes that will be built within the borough there is not the projected need for a new practice based on the numbers of patients and appointments, given the level that existing practices are resourced at. Furthermore, the options for the utilisation of the space are being considered by healthcare partners, in the context of wider service planning.
17. The Council has One Public Estate (OPE) funding (£146,000, £65,000 of which is a sustainable loan to be paid back in 2024) available to look into the feasibility of delivery of various facets of the project – surveys assisting any building, or ascertaining the type of healthcare provision that is ultimately to be supplied. The benefits expected by One Public Estate are the new homes and the possibility of the delivery of new jobs – be they through the construction of the site, or that the facility results in new employment opportunities once it is established.
18. In addition to paragraphs **16 and 17**, doubt also exists as to whether the site is large enough to be a clinical diagnostic centre (known as a CDC). Furthermore, there are no plans for a full diagnostic hub service in the Ashford area currently, however there may be some diagnostic services that could form part of the model. While it is not helpful to speculate, nor raise expectations, many options are being considered for this possible brand new space and members should be reassured that all avenues are being investigated, including flexible use by primary and community health services, mental health services for people of different ages, a social prescribing model, a dentistry and other possibilities that would contribute towards the wellbeing of local residents. An options appraisal will need to be undertaken to evaluate the best use.
19. Social prescribing exists in Tenterden and the Council's housing services team has made contact with the service to investigate its benefits and reach. It is a mechanism for local organisations to refer people to link workers, who will offer a holistic approach to people's health and wellbeing. They connect people who may have multiple medical conditions, who may need mental health support, who may be isolated or lonely, or who may have complicated needs that affect their wellbeing to community groups and statutory services for practical and emotional support.

20. It is felt that the type of provision needs to be identified before the local community is consulted fully on the proposal and planning will also need to be reassured that the proposals that are put forward satisfy the requirements of the section 106 agreement so far as they are still extant.

Residential strand

21. The Council also needs to consider what the options are likely to be around the residential flats that will be provided on the site – and to be clear the housing element cannot be provided if the healthcare element is not delivered. Early viability work has focused on delivering 15 flats above the healthcare facility and that these could be used to house those with, for example, learning disabilities, or a cognitive impairment. Colleagues at Kent County Council have been willing participants in the established working group and continue to work with the Borough Council on identifying a suitable option that would be of benefit.

Finance strand

22. A third consideration is the financing of such a project and where it would 'sit' in the Council's financing structure. Legal advice obtained has stated that the acquisition can take place within the Council's HRA, and that the project can actually sit in the HRA or in the General Fund – as commercial rents can be charged in the HRA for elements other than the affordable homes. If the project sits in the HRA then there may need to be some correlation between those housed having the ability to benefit from the healthcare facility below. However, this is not thought to be restrictive in the search for a meaningful solution as ultimately the Council will be able to state that without the flats there would be no healthcare centre, and vice versa.
23. Viability work undertaken to date suggests that the project would cost in the region of £3.2m and while a commercial rent can be charged in the HRA, the healthcare part of this project is not one that the Council is seeking to reap vast financial reward from, indeed a minimal rent is necessary to entice any service provider potentially to the facility, perhaps out of existing premises. The viability work has sought to look at sensible payback periods based on the rental income from the residential properties. While it is obviously far too early to say what any provider may be charged for use of the healthcare facility, the rents charged are anticipated to be minimal but sufficient, ensuring that they are not subsidised by the remainder of the HRA.
24. The financial feasibility was completed early on in the project and will need to be reassessed in the light of the changes in the economic landscape.

Next steps

25. The next steps therefore are to:
 - Conclude the land acquisition with the development consortium
 - Identify the right healthcare provision by appropriately allocating the OPE funding to aid the relevant feasibility work.

- Continue to work with the relevant healthcare colleagues. The Development Partnership Manager and Assistant Director of Housing are leading on this project and, with the help of colleagues who sit on the East Kent Estates Group and our own Repton working group, are working to ensure that not only are they speaking to influencers and decision makers, but also fully understanding the pathways involved to delivering the scheme.
- From a commissioning perspective, the East Kent Independent Care Commissioning (ICC) team have agreed to act as the first contact point within the Clinical Commissioning Group structure and signpost to relevant officers where this is not the ICC.
- Reassessing the financial aspects of delivering the project before it is included in the HRA Business Plan.

Authority to proceed

26. Delegated authority was agreed in 2019 by Cabinet to give the Head of Housing (in consultation with the Head of Finance and IT and the portfolio holders for housing and finance and IT) the ability to acquire land up to the value of £5m within the HRA.

Due diligence

27. While this update is felt important to members as the project has strategic importance with regards unblocking a stalled site, the growth of the borough's population and the adequate provision of services that as the lead authority in Ashford the Borough Council must take the lead on, it is important to not unduly raise expectations. Provision has been made in the HRA Business Plan for the purchase of the site and a projection of £3.2m for total project costs. Once there is certainty on the type of provision and the project has moved towards pre-application planning advice, then the anticipated costs will be revisited and confirmed. The intention of the report is to highlight the will from all organisations involved to deliver a significant project providing much needed resources for the local community that all organisations involved can be proud of.
28. The Council has prudently looked at the financial implications of this acquisition to ensure that the price of this piece of land does not have a detrimental impact on the HRA Business Plan (**Exempt Appendix B** illustrates this). As would be expected, all factors have been assessed, including the number of homes it is possible to build on the site, proposed rental income, probable maintenance and repair costs and the expected grant subsidy. With the relevant officers satisfied that this site is a sensible acquisition, delegated authority has been agreed as per the constitution and moves to complete the deal are ongoing.

Corporate plan considerations

29. The building would naturally seek to be as low carbon in its delivery and operation as possible. The Council's ambition to be a Green Pioneer

underpins the work of the housing team. Furthermore, it understands its responsibilities in terms of emphasising that Ashford is a caring borough, and through its major construction framework it seeks to identify opportunities for small and medium sized enterprises (SMEs) in the construction sector, who will have the opportunity to contribute to the project delivery of this and other schemes coming forward in the Council's affordable homes programme.

Risks to the HRA Business Plan

30. The acquisition and proposed construction of this site in isolation does not pose any risk to the HRA Business Plan based on its individual feasibility. Though the project costs are estimated currently in the HRA Business Plan the project costs can be updated once more certainty is available on the type of provision.
31. With the acquisition not posing a threat to the viability of the Business plan, the acquisition will proceed as per the heads of terms, once agreed, with the input of colleagues in the healthcare sector, and stakeholders will be engaged at the appropriate points in the process.

Equalities Impact Assessment

32. Members are referred to the attached assessment at **Appendix A**. The assessment is undertaken considering the specific area the site sits in and the outcomes are listed in the report, which broadly cites no negative impacts.

Consultation Planned or Undertaken

33. A wide range of internal and external stakeholders will be consulted as plans are formulated and community consultation will begin once there is a firm proposal to put to residents and other interested groups. As always, housing services commits to undertaking this work ahead of any formal application being submitted to planning for consideration, upon which the community and other stakeholders have the opportunity to comment further. This process will take time but updates will be provided as matters progress.

Conclusion

34. The acquisition of this piece of land signifies not only the Council's ability to act quickly and decisively in the marketplace, but it shows that through the Council's HRA, solutions can be found to unblock stalled sites and deliver projects in partnership for the betterment of the community.
35. At the core of the project however, is the need to deliver the right homes in the right places and accelerate delivery in the HRA, increasing stock levels.
36. There are additional benefits of course to this project, working with colleagues in the health sector and also at the County Council, setting the tone for how

this work can continue in the borough on major strategic sites and any shared learning can be applied to other major projects in other borough of the county aiding delivery models here and further afield. This work will raise the bar when the Council considers how it has delivered on merging the health and housing agendas.

Portfolio Holder's Views

37. I am pleased to endorse this acquisition and for the Council to be working in partnership with other organisations to bring forward a suitable use for this stalled site. Though traditionally the sectors have not combined to deliver projects, it is refreshing to hear that all representatives of all organisations have indicated a will for the Repton project to come forward to provide a meaningful health resource for the local community.
38. Obviously as the borough grows, so do the needs of residents and we understand that there is a finite resource to deliver services from all organisations. However, working in partnership, sharing ideas, collaborating and talking will definitely help us link into the work of other sectors where appropriate and complete projects that have a real purpose. I am pleased that the HRA is looking at these types of opportunities and I look forward to seeing how plans progress.

Contact and Email

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40. Sharon Williams: Sharon.Williams@ashford.gov.uk

Equality Impact Assessment

Appendix A to May 2022 Cabinet report on Repton land acquisition

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

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

Public sector equality duty

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

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

Protected characteristics

4. The Equality Act 2010 sets out nine protected characteristics for the purpose of the equality duty:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership*
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation

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

Due regard

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

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

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

Case law principles

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

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

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

Lead officer:	Mark James
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Housing Development Note and endorse the acquisition being made under the delegated authority afforded to housing services under recommendation VII in the cabinet report agreed in December 2019 Note Exempt Appendix B and note the acquisition price of the land
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	26 th May 2022
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	Note and endorse the acquisition being made under the delegated authority afforded to housing services under recommendation VII in the cabinet report agreed in December 2019 Note Exempt Appendix B and note the acquisition price of the land
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	Building on solid foundations: delivering affordable homes in Ashford – our delivery plan for 2019-2023 Housing Strategy Framework Priority 1 – Improve the supply of affordable housing to meet local housing needs in urban and rural areas, and Housing Statement 2018-2023 Reform of Housing Revenue Account (HRA) – Cabinet endorsed five key priorities for further spend, as a result of greater freedom within the HRA. National Housing Strategy 2011 – delivering new homes under the affordable rent model. A Charter For Social Housing Residents – Social Housing White Paper 2020. A Guide to Developing Affordable Homes in Rural Communities (Kent Housing Group [KHG]) – February 2021
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? 	A range of internal and external stakeholders will be consulted as plans develop and a formal community consultation will be held in an agreed format in due course ahead of any application being submitted to planning. This will take time, given the complex nature of developing the feasibility for the healthcare element within the project but care will be taken to include all relevant stakeholders at all part of the process.

<ul style="list-style-type: none"> What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	
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Assess the relevance of the decision to people with different protected characteristics and assess the impact of the decision on people with different protected characteristics.

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

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

<p>Mitigating negative impact:</p> <p>Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>Where the assessment has been carried out above it is on the basis of both aspects of the development and some perceived ideas around the possible healthcare options discussed in the report. Obviously, as these plans progress, other groups may benefit from the proposals too, however, at a general level, the provision of a healthcare facility on the site will be a positive addition to the locality. It is likely that the scope of any facilities may be broad for all age groups and protected characteristics.</p>
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<p>Is the decision relevant to the aims of the equality duty?</p> <p>Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	N/A
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	N/A
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	N/A

<p>Conclusion:</p> <ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Due regard has been considered throughout this proposal to each protected group.</p> <p>No unlawful discrimination has arisen from the decision.</p> <p>The effect on the community will be positive due to the aims of the programme delivery. No adjustments required.</p> <p>The programme will be monitored by the report authors, in consultation with the relevant organisations involved in the Repton working group and there will be regular updates provided to ward members, the Portfolio Holder for Housing and Cabinet.</p>
<p>EIA completion date:</p>	<p>28th April 2022</p>

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

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Agenda Item No: 7

Report To: Cabinet

Date of Meeting: 26 May 2022

Report Title: Ashford Borough Council Equality Policy 2022-24

Report Author: Charlotte Hammersley
Job Title: Head of Policy and Performance

Portfolio Holder: Cllr. Clarkson, Leader of the Council and Councillor
Portfolio Holder for: Pickering, Portfolio Holder for HR and Customer Services.

Summary: This reports presents the draft Equality Policy 2022-24. The policy is a new one, bringing together the council's statutory responsibilities, equality objectives and areas of focus for the 2022-24 period. Together with the policy is an action plan which explains how we plan to deliver our equality objectives of a two-year period.

Key Decision: NO

Significantly Affected Wards: All

Recommendations: **To Recommend to Council:-**

- I. Adoption of the Equality Policy 2022-24 and associated action plan**
- II. Adoption of the International Holocaust Remembrance Alliance's (IHRA) working definition of anti-Semitism.**

Policy Overview: The Equality Act 2010 and Public Sector Equality Duty 2011 provide the legal framework that has informed the development of this policy.

The council's four equality objectives were developed and first adopted as part of the Recovery Plan before being reaffirmed in the Corporate Plan 2022-24. This policy sets out how we will deliver our objectives before the next formal review in 2024. The four adopted equality objectives are:

- 1) Improve our understanding of our diverse communities in all that we do.
- 2) Encourage all residents to have a say in the decisions that affect them and get involved in their local communities.

3) Deliver services and customer care to meet the needs of all our residents.

4) Deliver organisational change to enable a more inclusive and diverse workforce.

Financial Implications:

There is an action relating to delivering training during the lifetime of the policy. Whilst Member training could be covered by the dedicated Member training budget, some additional funding may be required to deliver training to staff.

Legal Implications:

“Adoption of the policy will assist the council in complying with its legal responsibilities as set out in the Equality Act 2010 and Public Sector Equality Duty 2011”, Principal Litigator, Legal Department.

Equalities Impact Assessment:

See Attached.

Data Protection Impact Assessment:

Not required as the policy does not propose any significant data processing or surveillance.

Risk Assessment (Risk Appetite Statement):

Having recently set its equalities objectives, the council is compliant with its responsibilities under the Equality Act 2010 and Public Sector Equality Duty. The adoption of a policy will assist the council in ensuring it maintains a low tolerance to the risks associated with this important compliance matter. The policy will ensure there is a focused approach to ensuring compliance with our legal obligations therefore reducing any risks associated with the council’s approach to equalities. Adoption of the policy is therefore within the council’s compliance risk appetite.

Sustainability Implications:

None.

Other Material Implications:

None.

Exempt from Publication:

NO

Background Papers:

None.

Contact:

charlotte.hammersley@ashford.gov.uk

Report Title: Ashford Borough Council Equality Policy 2022-24

Introduction and Background

1. The Council is governed by the Equality Act 2010 both as a service provider and as an employer. The key message or purpose of the Act is to ensure that everyone is treated equally in the workplace and has equal access to services. In any event, we are a caring borough and would always wish to have an approach that recognises equalities. In addition, under the Public Sector Equality Duty which came into effect in 2011, we must have due regard to:
 - Eliminating unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act.
 - Advancing equality of opportunity between people who share a protected characteristic and those who do not share it; and
 - Fostering good relations between people who share a protected characteristic and those who do not.
2. Under the duty we have specific requirements to publish information about how we comply with the duty each year and publish equality objectives every four years.
3. Our equality objectives were reviewed and adopted as part of the Corporate Plan 2022-24. Since then, work has been underway to ensure the objectives are supported by a clear policy and a set of actions. The policy and actions have been developed across services and a consultation with both the public and staff has taken place.

Proposal

Equality Policy and action plan

4. The council already has a strong track record as a caring borough and our Corporate Plan 2022-24 contains a variety of actions for improving services for local people under the Caring objective. A particular highlight in recent years was receiving a Diversity and Inclusion award from the Local Government Chronicle in 2020 for Diversity and Inclusion for our Syrian Resettlement Programme. In addition, there has been a real drive to increase the number of Changing Place facilities to help ensure that the borough is a welcoming place to all. The recent good news of the council securing additional funding from the government for Changing Places will support the continuation of this programme.

5. In developing the policy, an initial study was undertaken which set out demographic information about the borough population and workforce, an assessment against the Local Government Association Equality Framework and best practice from other authorities. From this study, the Health and Wellbeing Group developed a series of actions aimed at developing our approach over the next two years both for the borough and workforce populations.
6. The draft Equality Policy aims to put equalities at the heart of everything we do with an action plan aimed at improving access to services, our understanding of our diverse communities, inclusivity in decision making and for our workforce. The Policy together with an action plan explaining how we will do this is set out at Appendix A.

IHRA working definition of anti-Semitism

7. An action set out within the draft Equality Policy action plan under Objective One is for the council to adopt the International Holocaust Remembrance Alliance's (IHRA) working definition of anti-Semitism which states that:
8. *“Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*
9. The IHRA is made up of 35 member countries and aims to unite governments to promote and strengthen Holocaust education and research. The government together with approximately 120 councils have already adopted the definition. Adopting the IHRA definition is one part of the council's overall programme set out in the action plan but important in demonstrating our commitment to taking discrimination and ensuring that contemporary antisemitism is understood and recognised locally. This paper recommends adoption of this definition.

Equalities Impact Assessment

10. Members are referred to the attached Equality Impact Assessment. The draft Equality Policy and action plan are ultimately designed to have a positive impact.

Consultation Planned or Undertaken

11. The development of the policy was overseen by the council's Health and Wellbeing Group, chaired by the Chief Executive. All council services were consulted early on in the development of the policy to ensure that both the policy and action plan captured interventions that already demonstrate a positive impact as well as those that could assist with improving the council's approach over the next two years.
12. A public and staff consultation on the draft policy ran during March 2022 which was widely promoted through Ashford For You and other

communication channels including social media, the council's website and to staff through the Smarthub. The draft policy was also presented to the Ashford Access Group. The UK Nepal Friendship Group reviewed the policy and action plan and some amendments were made to policy and action plan working as a result.

13. There were a total of 10 individual responses received of which 6 were online, three by email and one by phone. Of those consultation responses received, there was broad support for the policy and action plan with all but one saying it would have a positive impact. There was also broad support for how the action plan would deliver the council's equality objectives, again with one exception.
14. Two key themes that emerged from the consultation responses were that the council must ensure that people with disabilities and learning difficulties can continue to access services easily and in ways that meet their specific requirements particularly where services are delivered digitally. In response, the close ties between this policy and the emerging IT, Digital and Communications Strategy have been highlighted and two additional actions have been included under Objective three of the Equality action plan ensuring that digital inclusion is at the heart of transformation.
15. Another key point emphasised through the consultation responses was that the council through its community leadership role could help promote the work of local groups for example, by sharing information on local initiatives on our social media platforms. Again this has been incorporated into the action plan. Other minor textual changes have also been made to the policy and action plan following the consultation to reflect comments received.

Other Options Considered

16. The council is not required to adopt an Equality Policy but in doing so, will ensure that its equality objectives, which are legally required, are effectively monitored and delivered.
17. The council is not required to adopt the IHRA's working definition of anti-Semitism.

Reasons for Supporting Option Recommended

18. Adopting the draft Equality Policy and associated action plan will provide a clear direction and set of actions for delivering its Equality Objectives.

Next Steps in Process

19. The implementation of the policy and action plan will be overseen by the council's Health and Wellbeing Group and subject to review in 2024.

Conclusion

20. The draft Equality Policy and action plan have been developed through a consultative approach and draws on information we have about the borough and its needs. There was a positive response to the public consultation and adoption of the policy and associated action plan will help ensure a clear programme of work to deliver our agreed Equality Objectives.

Portfolio Holder's Views

21. Ashford is a caring borough and the draft equality policy demonstrates our commitment and plan of action to ensure that, in accordance with the Equality Act 2010 and Public Sector Equality Duty, all individuals are treated fairly whether at work or when using our services or visiting us.

Contact and Email

22. Charlotte Hammersley, Head of Policy and Performance
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Ashford Borough Council

Draft Equality Policy 2022-24 for consultation

Policy Statement

1. **The Equality Act 2010** ('the Act') was brought into force to consolidate and harmonise existing legislation and strengthen the law to support equality and extend protection from discrimination.
2. As a public body, Ashford Borough Council ('the Council') is governed by the Act both as a provider of services and as an employer. The key message or purpose of the Act is to ensure that everyone is treated equally in the workplace and has equal access to services.
3. **The Public Sector Equality Duty** ('the Duty') came into effect in 2011 and sets out additional obligations on public bodies and others carrying out public functions. The obligations are to have due regard to:
 - Eliminating unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act.
 - Advancing equality of opportunity between people who share a protected characteristic and those who do not share it; and
 - Fostering good relations between people who share a protected characteristic and those who do not.
4. The Act brought together the existing public sector equality duties covering on race, disability and gender and extended the duty to the protected characteristics of:
 - Age
 - Disability
 - Gender Reassignment
 - Marriage and Civil Partnership
 - Pregnancy and Maternity
 - Race
 - Religion and Belief
 - Sex
 - Sexual Orientation
5. Public authorities also have specific duties. They must publish equality information at least once a year to show how they have complied with the equality duty and prepare and publish equality objectives every four years.
6. As well as a firm commitment to the Act and Duty, this policy reflects our values as a caring borough. It sets out our equality objectives which were first adopted in the council's 'Recovery Plan - July 2020' and seeks to reflect 'Our

Principles' in the 'Corporate Plan 2022-24'. It also includes an action plan for how we will deliver each objective to ensure there is a clear focus on improving equality and inclusion in our borough.

7. The council will ensure fairness, equality and professionalism in all its dealings and will not tolerate discrimination and indirect discrimination, harassment or victimisation on the basis of an individual's status or perceived status with regard to any of the protected characteristics set out in the Equality Act 2010.
8. We seek to understand what causes inequality and exclusion in the borough so that we can focus our resources on addressing them. Equality is about valuing a person 'as an equal' and treating people according to their needs and characteristics to achieve an equal or fair outcome – it's not necessarily about treating everyone the same. We recognise that some of our employees and service users may through their protected characteristics face additional challenges in workplace and service user capacities.
9. We are committed to tackling racist and religious hatred, xenophobia, homophobia, Transphobia, misogyny, dis-phobia and all forms of discrimination. In this we understand the value of Council leadership and association through support to educational work such as 'History Months' and Awareness Days.
10. We are an organisation committed to learning about equality, diversity and inclusion, directly from communities, our borough profile and training programme and will apply this learning to improve and adapt our practices to reflect our commitment.

Scope of the policy

11. *This policy applies to councillors and everyone who works for and with the council including temporary and permanent employees and contractors.*

Relationship with other existing policies

- *This policy has been formulated within the context of the overarching Recovery Plan, July 2020: <https://www.ashford.gov.uk/your-council/policies-and-strategies/recovery-plan/>*
- *This policy is related to the council's Customer Care Policy: <https://www.ashford.gov.uk/media/igefqyps/customer-care-policy.pdf>*
- *Corporate Plan 2022-2024*
- *Safeguarding Policy: <https://www.ashford.gov.uk/your-community/community-safety/safeguarding/>*
- *Draft IT, Digital and Communications Strategy*
- *Recruitment and employment policies and guidance.*

12. Our Equality Objectives were adopted as part of our Recovery Plan and have been reaffirmed in our Corporate Plan 2022-2024 adopted in December 2021 Our Corporate Plan explains 'Our Principles' which run through everything we do. In partnership with other agencies, we will promote and work to deliver policies that embed these principles.
13. This policy also has close links with our Safeguarding Policy which sets out how we work in partnership with a number of agencies to safeguard the welfare of children and vulnerable adults from abuse, neglect or exploitation.

Definitions

- **Diversity** refers to demographic differences of a group – often at team or organisational level. Often, diversity references protected characteristics in UK law: - age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, marriage and civil partnership.¹
- **Equality** means equal rights and opportunities are afforded to all. The 2010 Equality Act in the UK protects those with protected characteristics from direct and indirect discrimination in the workplace.²
- **Inclusion** is often defined as the extent to which everyone, regardless of their background, identity or circumstance, feels valued, accepted and supported to succeed.

Policy content

14. The Council adopted its equalities objectives in its Recovery Plan, July 2020. These objectives are being reaffirmed in the council's Corporate Plan to 2024.
15. The Corporate Plan sets 'Our Principles' which are:

We are supporting our staff to be ambitious, creative and trustworthy in all that they do to fulfil the council's ambition to be an effective and well-resourced organisation that will:

- Treat everyone **fairly and with respect**
- Understand and respond to the **needs of our communities** to ensure no one is disadvantaged
- Put the **customer at the heart** of everything we do and ensure our services are accessible

¹ Access factsheets at [www.cipd.co.uk/knowledge/practical-guidance-a-z/factsheets: disability and employment](http://www.cipd.co.uk/knowledge/practical-guidance-a-z/factsheets/disability-and-employment)

² Find out more about equality legislation at: www.legislation.gov.uk/ukpga/2010/15/section/4

- **Make the most of our assets** and **invest wisely** to ensure we live within our means
- All work towards achieving the objectives of being a **Green Pioneer** and **Caring Ashford**

16. Our equality objectives and why they are important to us are included in this policy. An action plan for how we will deliver our objectives is set out at Appendix A.

Equality Objective 1: Improve our understanding of our diverse communities in all that we do

17. Understanding the people that live and work in the borough and those that visit it, will help us to provide the right services in the right way. Not only does this lead to a better experience for our customers but it also ensures we are using the council's resources in the best possible way.

18. Much of our demographic data is based on the results of the Office for National Statistics 2011 Census and 2019 projections including information about gender, age, ethnicity, religion and disability. Data we have access to about sexual orientation and gender reassignment is more limited and based on information provided by the ONS for the South East and taken from National Surveys. The findings of the 2021 Census will be published in 2022 and will for the first time, include information about sexual orientation and gender. As an ONS partner for the Census we will continue to assist with the quality assurance process and look forward to the findings which will help us better understand the demographic profile of the borough. With a population projected to be around 135,000 by the start of 2022, growing to an estimated 156,256 by 2043, we do know that as our population grows, so will its diversity.

19. We aim to improve our understanding through the collection and analysis of quantitative and qualitative information to inform the decisions we take about service delivery. We will share our improved understanding of the needs of people with different characteristics within our communities to Members and officers through training and by bringing what we know together what we know in a Borough Profile. We use findings from consultations to understand how proposals may affect different people in different ways.

20. We want to build on the positive work during the council's response to the pandemic to maintain and strengthen the resilience of our communities; maintaining good relations with our partners and working together to understand where best to target interventions.

Equality Objective 2: Encourage all residents to have a say in the decisions that affect them and get involved in their local communities

Why this matters:

21. Greater participation in local democracy and communities, strengthens democracy, improves accountability and gives residents a chance to influence and shape decisions that affect their daily lives. Consultation provide the opportunity for people to have their say on how services are run and ensure we are targeting our resources in the right way. We want to further develop ways of engaging individuals and communities so that their voice is heard.
22. Throughout the pandemic, virtual or hybrid council meetings have fostered an inclusive democratic process which has been evidenced by the increased number of people attending meeting during this time. We are continuing with this approach as it provides great scope for inclusivity towards people who may have barriers to attending in person including disabilities or carer responsibilities. Increasing the ways that people can attend meetings could also help to attract a diverse councillor membership in the future.

Equality Objective 3: Deliver services and customer care to meet the needs of all our residents

Why this matters:

23. All our residents are equally important to us. Our Corporate Plan 2022-24 sets out an ambitious programme of projects and service improvements. Understanding the impacts of new initiatives or service changes on protected groups will enable us to define actions to reduce negative impacts and increase positive outcomes.
24. Within our Corporate Plan we demonstrate our commitment to being a caring borough that is a welcoming, safe place for all who live and work here, offering a high quality of life where everyone is valued and respected. We have been recognised for our contribution to the Syrian Resettlement Programme for which we won the Diversity and Inclusion award from the Local Government Chronicle in October 2020 and we will continue to help families from both Syria and Afghanistan integrate into their new communities.
25. In delivering our ambitions we must ensure we take opportunities for engaging with communities in projects and service design are not missed through the completion of considered and targeted Equality Impact Assessments. In keeping a record of how decisions are reached, it helps us to show we have considered the impact on service users of any decision we take and actions we take to ensure the needs of our community are met.
26. Accessibility will remain at the heart of our continuing digital journey. Our website is key to delivering this as we strive to make it as accessible as possible for people to use. Whilst our digital offer make services more accessible for the majority of people, we provide alternative solutions when this is not the case. For example we continue to offer pc's with assistance within the Civic Centre reception area.

Equality Objective 4: Deliver organisational change to enable a more inclusive and diverse workforce

Why this matters:

27. Everyone is entitled to a working environment that promotes dignity, equality and respect for all and we have policies in place and all staff are required to complete training to help create a welcoming environment. We are continuing to review our policies, provide safe and welcoming spaces and take suggestions from staff so that different view-points are heard.
28. Creating a culture of inclusivity will help to attract talent and increase the diversity of the organisation. A diverse organisation that is representative of the borough it serves, helps to ensure a broad range of experiences, ways of working and perspectives to inform the services we design and deliver. We recognise how important mandatory training in equalities, diversity and inclusion is for all our employees and Members in delivering organisational change.
29. New ways of working, including remote working, throughout the pandemic have shown us the great potential for making the council a more accessible and inclusive work place. We want to build on what we have learnt and ensure the positive impacts continue as we move towards a hybrid way of working.

Review of Policy

30. The council commit to undertaking formal review of this policy at least once every four years and communicate changes across the council. The next review date is 2024.

Draft Equality Policy Action Plan for consultation

Area of work:	Objective 1	Objective 2	Objective 3	Objective 4
Objectives to 2024:	Improve our understanding of our diverse communities in all that we do	Encourage all residents to have a say in the decisions that affect them and get involved in their local communities	Deliver services and customer care to meet the needs of all our residents	Deliver organisational change to enable a more inclusive and diverse workforce
We will:	<ul style="list-style-type: none"> a. Create and maintain a Borough Profile that brings together all the information we know about our communities. b. Embed equality analysis into service development, policy and strategy development to improve our understanding of implications for equality and diversity. c. Use equality monitoring questions when conducting consultations and give underrepresented groups a stronger voice. d. Adopt the working definition of antisemitism as defined by The International Holocaust Remembrance Alliance. e. Mark international Holocaust Memorial Day 	<ul style="list-style-type: none"> a. Improve our knowledge and enable groups in the borough that promote the protected characteristics and invite them to take part in consultations on issues potentially important to them. b. Use a different communications methods to reach as wide an audience as possible e.g. through use of video on the council's website and social media, Ashford for You magazine and through greater use of infographics. c. Ensure consultations and key information about our services are written in plain English with alternative languages 	<ul style="list-style-type: none"> a. Ensure that nobody is left behind as the council delivers its digital transformation programme through a strong emphasis on digital inclusion with alternative formats and ways of accessing services provided to those that need it most. b. Utilise technologies that make it as easy as possible for people to access online services, freeing up resources to assist those people that have alternative needs. c. Continue to demonstrate excellence in diversity and inclusion by helping refugees from Syria and Afghanistan integrate into their new communities. d. Include considered and targeted Equality Impact Assessments (EIA) within Cabinet reports clearly explaining how people may be impacted either positively or negatively and planned action to address these impacts. e. Where possible, assess the impact of decisions on socioeconomic inequality 	<ul style="list-style-type: none"> a. To ensure we have a comprehensive, high quality training programme that meets the identified needs of the organisation in a cost effective and accessible way b. Produce updated guidance on EIA completion and share across the organisation. c. Include unconscious bias training to foster a non-judgmental workforce demonstrates empathy and respect. d. Investigate and review equality related complaints made to the council to ensure compliance and that any lessons inform future service delivery. e. Appoint a Member and senior officer to the role of Equality and Inclusion and Armed Forces Champion

Draft Equality Policy Action Plan for consultation

	<p>annually to remember the millions of people murdered in the Holocaust under Nazi Persecution, and in the genocides which followed in Cambodia, Rwanda, Bosnia and Dafur. Each year we will explore relevant themes to help learn and remember lessons from the past.</p> <p>f. Seek the views of communities on what important 'days' should be marked and how. For example through a ceremony event or communication.</p> <p>g. Gather feedback from specific communities that have additional support, safety and safeguarding needs, on whether our housing meets their needs and use this to inform future housing schemes.</p>	<p>and adopt technologies that help people access our services independently. For example, using up-to-date methods for BSL translations services.</p> <p>d. Use technology we have invested in during the pandemic to continue to allow greater inclusivity at council meetings for Members, council officers and members of the public.</p> <p>e. Develop a Community Urban Room for the South of Ashford Garden Community to open up the planning system to a wider audience and use learning from the initiative to inform other sites.</p> <p>f. Promote the work of local groups and initiatives that support EDI through our wide social media reach.</p>	<p>as well as on the Equality Act protected characteristic groups.</p> <p>f. In addition to the nine protected characteristics, continue to consider the impact of proposed decisions and actions on Regular and Reserve members of all branches of the Armed Forces, Veterans and the families of those who serve.</p> <p>g. Support people who need extra equipment and space to allow them to use toilets safely and comfortably by continuing to provide Changing Place facilities. Ensure Changing Places are considered in the early stages of a project.</p> <p>h. Review the forms we use that ask for personal information to support people using gender-neutral titles.</p> <p>i. Make our website accessible to everyone by achieving compliance with the suggested actions in the Cabinet Office Accessibility Audit report and through regular compliance monitoring.</p> <p>j. Work collaboratively with agencies and the Voluntary and Community Sector to share knowledge and service delivery.</p> <p>k. Continue to comply with Local Plan requirements for wheelchair accessible and adaptable homes and increase the number of homes that have space for</p>	<p>f. Continue to support and promote remote working as one way of enabling a diverse workforce.</p> <p>g. Be an inclusive employer by making adaptations that make all feel welcome. For example, providing gender neutral toilets and supporting the use of personal names and pronouns.</p> <p>h. Ensure staff are aware how to identify hate crimes and how to report them.</p> <p>i. Always checking the equality and inclusion credentials of potential contractors carrying out services on our behalf as part of the council's procurement and tender evaluation documentation.</p> <p>j. Support staff that want to create staff-led networks that promote and provide peer support on diversity and inclusion in the workplace.</p> <p>k. Explore the creation of a quiet space within the Civic Centre for staff use.</p>
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Draft Equality Policy Action Plan for consultation

			<p>home-working, promoting inclusivity for people who cannot work in an office due to a disability.</p> <p>l. Offer translation access and utilise the skills of our multi lingual workforce to help overcome language barriers.</p> <p>m. Continue to include accessibility as a quality criterion when tendering for play area improvements.</p> <p>n. Use Census 2021 data to inform service planning and communication, including for minority communities.</p>	
<p>Success measures:</p>	<ul style="list-style-type: none"> • Equality data from Borough Profile/consultations used in EIAs. • % satisfied with housing meeting their requirements on new schemes. 	<ul style="list-style-type: none"> • Increased public participation at council meetings maintained • Increased participation of underrepresented groups in council-run consultations • Uptake of BSL translation service 	<ul style="list-style-type: none"> • Evidence of EIA implications considered in Annual Monitoring Report • Reduction in equality related complaints • % improvement in people saying 'the council understands the needs of its customers' • % improvement in people saying they feel they can influence the decisions that the council makes. 	<ul style="list-style-type: none"> • Managers and staff have access to learning and development that supports their needs • Completion of mandatory equality training by Members and officers • Increased diversity of the workforce that better reflects the borough profile • Staff survey results demonstrate a positive approach to equalities

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](#)

Lead officer:	Charlotte Hammersley
Decision maker:	Cabinet to recommend to Council
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	Equality Policy and Action plan
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	26 May Cabinet
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>To adopt the draft Equality Policy and associated action plan.</p> <p>The aim of the policy is set out a clear policy for how the council delivers its responsibilities under the Equality Act 2010 and Public Sector Equality Duty 2011. Together with policy is an action plan for delivery of the council's Equality Objectives. The expected outcomes are set out in the measures associated with the action plan.</p> <p>In addition to an overall improvement to the council's approach, specific measures of success associated with the action plan are:</p> <p>Objective 1)</p> <ul style="list-style-type: none"> • Equality data from Borough Profile/consultations used in EIAs. • % satisfied with housing meeting their requirements on new schemes. <p>Objective 2)</p> <ul style="list-style-type: none"> • Increased public participation at council meetings maintained • Increased participation of underrepresented groups in council-run consultations • Uptake of British Sign Language translation service <p>Objective 3)</p> <ul style="list-style-type: none"> • Evidence of EIA implications considered in Annual Monitoring Report • Reduction in equality related complaints • % improvement in people saying 'the council understands the needs of its customers' • % improvement in people saying they feel they can influence the decisions that the council makes. <p>Objective 4)</p> <ul style="list-style-type: none"> • Managers and staff have access to learning and development that supports their needs • Completion of mandatory equality training by Members and officers • Increased diversity of the workforce that better reflects the borough profile

	<p>Staff survey results demonstrate a positive approach to equalities</p>
<p>Information and research:</p> <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>In advance of the policy formation, a research study was conducted by the council's Policy Team which considered the council's demographic profile, current deliverables against the Local Government Association Equality Framework and best practice by other local authorities in delivering against the framework. The study made a series of recommendations which were then considered by the council's Health and Wellbeing Group to inform the development of the policy and action plan.</p> <p>The conclusions of the study were that population of Ashford encompasses various protected characteristics, but not to the extent of some other boroughs. Whilst Census 2021 data will provide a more accurate picture when realised, current information available provided a reliable basis upon which to make suggestions. The study found that there were various measures that ABC could implement or improve to greater enhance equalities in the borough. Overall, ABC appears to correspond most closely to level 2 ('achieving') of the four modules within the LGA's framework, with some level 1 resemblances. The policy aims to bring the council to an 'achieving level across the framework.</p>
<p>Consultation:</p> <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>All services were consulted during the development of the policy and assisted in the creation of the action plan. There was a public consultation and consultation with staff on the contents of the policy and associated action plan which was widely promoted including an article in the Ashford For You magazine which goes to every household in the borough.</p> <p>The results of the consultation demonstrated broad support in response to whether the policy would have a positive impact on the people of Ashford Borough. Respondents also agreed that the actions would contribute to the delivery of the individual Equality Objectives.</p> <p>There were some comments on specific text and these have been taken into account in the final draft being presented to Cabinet.</p> <p>The results did not reveal particular differences in views from people from protected characteristics but there were general comments from those who responded that services needed to be as accessible as possible in a variety of formats.</p>

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

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

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

Former service personnel		Positive
Service families	High	Positive

<p>Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.</p>	<p>The action plan associated with the Equality Policy is designed to improve Ashford Borough Council's approach.</p>
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<p>Is the decision relevant to the aims of the equality duty? Guidance on the aims can be found in the EHRC's Essential Guide, alongside fuller PSED Technical Guidance.</p>	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	Yes
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	Yes

<p>Conclusion:</p> <ul style="list-style-type: none"> • Consider how due regard has been had to the equality duty, from start to finish. • There should be no unlawful discrimination arising from the decision (see guidance above). • Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. • How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>The Public Sector Equality Duty has underpinned the development of the Ashford Borough Council Equality Policy. The proposed policy is in the spirit of the duty and is designed to have a positive impact on all protected characteristic groups. The implementation of the policy will be overseen by the council's Health and Wellbeing Group.</p>
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EIA completion date:	3 May 2022

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Greater Ashford Borough – Environment & Land Mapping Commission

NOTES of the meeting held at the Civic Centre, Ashford on 12 April 2022 at 1030

Commission Members

Neil Bell	Chair of Commission & ABC Portfolio Holder Planning & Development
Michael Bax	Weald of Kent Protection Society (WKPS)
Christine Drury	Campaign for the Protection of Rural England (CPRE)
Shona Johnstone	Homes England
Sandra Norval	Southern Water
Chris Reynolds	Kent Downs AONB
David Robey	KCC Elected Member & Deputy Portfolio Holder for Economic Development
Jeremy Smith	Kent Association of Local Councils (KALC)

Professional Advisers

Jeremy Baker	ABC Principal Solicitor & Deputy Monitoring Officer
Tracey Butler	ABC Head of Environment & Land Management
Daniel Carter	ABC Spatial Planning Manager (for Simon Cole)

Apologies

Noel Ovenden	Vice Chair of Commission & Leader of Ashford Independent Party & ABC Chair of Overview & Scrutiny
Peter Dowling	River Stour Internal Drainage Board
Nick Fenton	Kent Housing & Development Group
Jo James	Kent Invicta Chamber of Commerce (KICC)
Simon Cole	ABC Head of Planning & Development
Tom Marchant	KCC Head of Strategic Planning & Policy
Andrew Osborne	ABC Economic Development Manager
Jeff Simms	ABC Senior Communications Officer

Notes of the previous meeting

With the March meeting having been cancelled to allow for the two Working Groups to continue with their work and report back to the April meeting, the Notes of the previous meeting were from 8 February. These were agreed by the Commission members present.

Welcome & Chairman's Update

The Chair welcomed everyone to the meeting and said that a lot had been happening since the last full Commission meeting on 8 February. Both Working Groups had continued to meet, and both were due to give updates to today's meeting.

He stressed that the Chair's role was to try to ensure that the Commission delivered its targeted outcomes, and to make sure everything was on time and on target as part of that. He was aware that it was possible that some things might slip a little on time and that the outcomes might not be definitive, but it was important the Commission continued towards its goal and had as good as result as possible by December 2022.

Working Group 1 endorsed this and said that although the initial results of the consultation questionnaire had been received and were in the process of being collated and analysed (as far as possible), further consultation might need to be undertaken as a result of this. WG1 was confident, however, that trends were beginning to be determined, and that some details would be able to be fed into the mapping process, although an important element that was not yet being considered was climate change.

It was agreed that each Working Group should give some thought to climate change and consider what they might contribute in terms of consultation and mapping.

ABC's Head of Environment & Land Management advised that she was also researching and compiling a report on climate change for the Cabinet and that it would be made available to the Commission in due course.

Working Group 2 highlighted the importance of producing different maps for different scenarios, and used the example of a 'green network' map which would assist in helping to determine some climate change parameters.

WG2 also considered that both the consultation and the mapping processes would provide a list of opportunities and barriers/risks to development/infrastructure, etc.

Update from Working Group 1 on Consultation

Chris Reynolds reported back to the Commission on behalf of Working Group 1 and presented slides. A briefing and a questionnaire had been sent to all Parish Councils in February, to provide early sight of the consultation exercise in which they would be asked to participate. Electronic questionnaires were then sent to all Town, Parish & Community Councils and Urban Forums, with an initial completion deadline of the end of March. Extensions were granted to one or two councils/forums, where requested, and 30 responses had been received.

Collation and analysis were still being undertaken as the final extension date was close of play on 11 April, so there had been insufficient time to assess the results before today's meeting.

Early stage feedback on the responses to date included:

- On some questions (e.g. whether the overall character of the borough (i.e. its rural nature) should be protected) – there was 100% agreement from the respondents; or over 90% agreement (e.g. on limiting the expansion of Ashford, allowing villages to retain their individual character as settlements).
- Other questions were more complicated (e.g. dealing with individual characteristics and applying them to different areas across the borough). These questions will require further analysis, and WG1 will work on this and report back to the Commission on 10 May (next scheduled meeting).
- Some organisations felt that the questions were very geographically specific (e.g. the need for, and suitability of, areas for wetlands) and that the geography would determine different answers (for example local councils in different catchments: Stour, Beult and Rother).

Full results will be made available to the Commission in due course, but it was agreed that some of the identified distinctive 'characteristics' received through the consultation would be able to be mapped, although others might need greater consideration as the interdependent nature of some elements might create a 'domino effect' if decisions were made on the basis of what looked like obvious zonal areas.

Under this agenda item it had been intended that feedback would have been given to the Commission on the consultation with businesses and with housing developers, but with neither Jo James nor Nick Fenton present at the meeting, it was agreed these would either be circulated in between the meetings or presented to the next meeting.

Feedback from Working Group 2 on Definitions & Working Assumptions

Sandra Norval reported back to the Commission on the progress of Working Group 2 since the last Commission meeting on 8 February.

WG2 had used a matrix to assist them in determining the characteristics that, if mapped, would assist the Commission in creating a logical classification of all land in the borough of Ashford.

The matrix had assisted WG2 in determining the difference between ‘essential’ needs and ‘desirable’ elements, reflecting things important to a good and healthy lifestyle, but not necessarily needed for basic living.

The inclusion and positioning of each element had been discussed between the members of WG2, and the agreed results were put into a matrix that was presented to the Commission. (Attached to these Notes).

The high priority section of the matrix was regarded as both ‘essential’ (to define the area) and ‘easy to obtain’ (because it either already exists or it was possible to identify how to access it). It is anticipated that this section is extremely useful to the Commission.

Elements in the high priority section include:

- Demographic information (includes groups with specific housing needs)
- Elements that provide accessibility to areas (public transport, roads, stations)
- Provision of schools (capacity, growth potential)
- Biodiversity opportunities (net gain, carbon offsetting, tree planting, wetland potential)
- Buildings (types, character, density of homes)
- Infrastructure investment (essential to include, but possibly more difficult to obtain)
- Levelling up measures (Energy accessibility/affordability, skills/job opportunities, economic mobility). But are they able to be mapped?

There was some discussion about how easy data might be to obtain, and whether elements not in the public domain could be published at all. It was agreed that elements in the public domain should (where determined they would be of use) be included in the mapping; where there are elements not in the public domain, it should be indicated when they would be available.

It was also suggested and agreed that there should be input to the mapping exercise from the consultation exercise, and that the questionnaire will also provide an ‘evidence base’ and will lead to where Ashford wants to be in environmental terms.

Next Stages for the Commission

- (i) Any outstanding items:

The Professional Adviser and ABC Principal Solicitor & Deputy Monitoring Officer – Jeremy Baker - advised the Commission members that the Commission can highlight things to be taken into consideration (for mapping, zoning, etc.) if they are available, and that it is acceptable to use publicly accessible data bases. As much as possible the Commission needs to use publicly available data and evidence in order that the results of the Commission’s work can be publicly challenged and defended.

The Chair rounded up the discussion, highlighting the complexities of the Commission’s work and the dedication of the members of the Commission. There

had been discussions on issues which might appear straightforward but, on examination, were less than clear-cut - such as determining the differences between the objective and the subjective. On this basis, he suggested that various definitions still needed to be discussed and agreed, including subjects such as accessibility and sustainability, which would be important in the writing of the final report from the Commission to ensure the understanding of its readers.

(ii) Plans for future meetings

In terms of the next meeting (scheduled for 10 May), it was agreed that main purpose would be to check the progress of both working groups and to agree the layers that TMA would be requested to map. Unless there are other issues that require attendance in person, it is likely that the May meeting will be held virtually on Teams, with the following meeting (14 June) being held in person at the Civic Centre.

Circulation: 03-05-22

All Commission Members + Executive Leader of the Council

All Professional Advisors + Chief Executive

Secretariat:	Linda Stringer	ABC Senior Executive Assistant
	Jeff Simms	ABC Senior Communications Officer*
	Danny Sheppard	ABC Member Services Manager*
	Kirsty Hogarth	ABC Head of Secretariat

(* denotes not in attendance for meeting)

KH/ELMC/Notes 12-4-22

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**Notes of a Virtual Meeting of the
Ashford Strategic Delivery Board held on Microsoft Teams on
Friday 22nd April 2022 at 10.00am**

Present:

Board Members

Cllr Gerry Clarkson (Chairman) – Leader, ABC
Rt Hon Damian Green MP
Cllr Matthew Forest – Portfolio Holder for Culture, Tourism and Leisure, ABC
Cllr Nathan Iliffe – Portfolio Holder for Regeneration and Corporate Property, ABC
Mr David Brazier – Cabinet Member for Highways and Transport, KCC
Mr Derek Murphy – Cabinet Member for Economic Development, KCC
Simon Jones – Corporate Director - Growth, Environment and Transport, KCC
Tracey Kerly – Chief Executive, ABC
Paul Sayers - East Kent College
Richard Penn – Area Manager, Environment Agency
Shona Johnstone - Homes England

Non Board Members

David Smith, KCC
Rebecca Anderson, KCC
Matt Hogben, KCC
Ben Lockwood, ABC
Tracey Butler, ABC
Paul McKenner, ABC
Simon Cole, ABC
Charlotte Hammersley, ABC
Andrew Osborne, ABC
Jo Fox, ABC
Thomas Jenkins, ABC
Dean Spurrell, ABC
Linda Stringer, ABC
Danny Sheppard, ABC.

Apologies

Rebecca Spore, Victoria Thistlewood, SallyAnne Logan.

Item	Notes	Action
1.	Welcome The Chairman welcomed all those present to the Virtual meeting. He asked attendees to consider if they would like	

	to continue meeting virtually or revert to in person in the future. There was a preference for face to face meetings from those present.	CH/DSH
2.	Minutes of Previous Meeting – 15th October 2021 Noted.	
3.	Ashford College – Update on Capital Project Paul Sayers (PS) of East Kent College, gave a presentation updating on Phase 2 of the Ashford College development as well as the continuing progress at the College itself. The presentation included updates on: - the very positive OFSTED monitoring visit in January 2022; a positive visit from the Archbishop of Canterbury; investment in new engineering equipment with a focus on energy efficiency; working with others on the Newtown Works and Brompton projects; and a detailed update on Phases 2 (which would now include Phases 2A and 2B happening simultaneously as one £9m project with the building foundations already in place). The Chairman thanked PS for the presentation. He thought the fact at Phases 2A and 2B could happen together, with a view to full opening in September 2023, was splendid news. This was all pivotal in raising the skills levels in the Borough and supporting other developments coming forward. Tracey Kerly (TK) asked if there were any plans to phase opening if there was a delay in construction of one of the phases. PS said this is something they would be discussing with the contractors as part of their panel interviews as it was obviously be preferable if necessary.	
4.	Jasmin Vardimon David Smith (DSm) gave an update on the development of a new 29 unit estate at Henwood Industrial Estate, which included the new facility for the Jasmin Vardimon Dance Company. The focus was on occupation by cultural or creative industries and at present all 29 units were either sold or under offer – along with Jasmin Vardimon Dance Studio, this also included Kent Music and others. The only slight hiccup had been with UK Power Networks and their connection of the additional electricity capacity required. This was now due to be completed within the month. He advised that he would bring photos of the interiors and exteriors to the next meeting, once all	

	<p>decorating was complete.</p> <p>The Chairman said he was extremely pleased to hear of the developments. He hoped that the estate could be given a new name that would befit its connection to creativity and the arts. DS^m advised this was being looked in to, along with the naming of the new internal road to the facility which they were looking to name after someone with a musical background locally. Simon Jones (SJ) advised that they were also looking at installing some brown road signs on nearby roads to identify the location of this facility.</p> <p>TK asked if ABC could be provided with a schedule of the occupiers/leaseholders of the 29 units. It was confirmed that this would be done through the respective Property teams at KCC and ABC.</p>	
5.	<p>Project Green - Brompton</p> <p>The Chairman introduced this item and said the Borough had been extremely fortunate to attract the Brompton development in competition was larger northern cities. It was an extremely ambitious and exciting project, but thanks to the support of many agencies they had been successful so far.</p> <p>Paul McKenner (PMcK) gave a presentation updating on the project, including a CGI ‘walk-through’ of the proposed facility and surroundings as well as a television news interview with Will Butler-Adams, CEO of Brompton Bicycles. The presentation included: - the context of this project along with others happening in the town centre; the site location and constraints; the existing marshland and the development of a wetland solution and other flood mitigation measures including the added benefit of a 61 acre Country Park; development of cycle routes; potential site access from the highway; and an explanation and visuals of the three phases of the development. The presentation also focussed on the overall benefits of the project, not least in terms of jobs, ecology, environment, sustainability and a boost to Ashford’s visitor economy. The timescale for the development aimed at start on site in Spring 2023, completion of the first phase by Summer 2025 and then a year for Brompton to fit out the facility and transition their operations with a view to the first phase being fully open and up and running by 2026/27.</p>	

6.	<p>Newtown Works</p> <p>The Chairman advised that this project was currently at a delicate stage of the negotiations and therefore this would come back to a future meeting once final agreements had been reached. He assured that the project was proceeding at pace, including the due diligence around the Levelling-Up funding.</p>	PMcK
7.	<p>Project Updates</p> <p>The report enclosed with the agenda set out the latest position on progress in respect of the Priority Projects and the Watching Brief projects, for noting.</p>	
8.	<p>AOB – Shared Prosperity Fund</p> <p>Charlotte Hammersley (CH) advised that the Government had announced the allocation UK Share Prosperity Funding (UKSPF) the previous week and Ashford had been awarded just over £1m over three years. UKSPF sought to replace the EU structural funds and allow Local Authority led investment in the local community. She explained the criteria and process for spending the funding, including the setting up of a Local Investment Plan (LIP) where there would be a role for partners to play in properly directing this funding. CH said that recent consultation work and the Corporate Plan Delivery Plan stood ABC in good stead to understand what was needed and wanted locally and to shape the direction of the LIP and the spending of the funding.</p> <p>The Chairman advised that given current economic uncertainties and the cost of living crisis, he was considering ring-fencing the money generated from the £5 a year increase in Ashford’s proportion of the Council Tax for the next four years. This would be used to begin building a reserve to sit alongside the UKSPF funding, which could be spent in the Borough on aiding people having difficulties with the changing economic climate. This was an emerging idea and something he had to discuss further with Cabinet and Officer colleagues.</p> <p>Board Members welcomed the funding and proposed approach, but did have some concern over the potential level of bureaucracy involved. It was considered that this was an issue across Government funding streams and that Localism as a concept would only truly work if Local Authorities were given genuine autonomy to spend such funding. Damian Green (DG) said this was something he was cognisant of at a Government level and he was looking</p>	

	to compile a dossier of evidence of such micro-management from Whitehall. He encouraged anyone with any examples of this to pass them on to him.	
9.	<p>Dates of Future Meetings</p> <p>Friday 15th July 2022 Friday 21st October 2022 Friday 20th January 2023 Friday 21st April 2023</p> <p>All at 10am</p>	DSh

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