



To the Members of the Borough Council

Dear Sir/Madam

You are hereby summoned to attend a Meeting of the Ashford Borough Council, to be held in the Civic Centre, Tannery Lane, Ashford, Kent, TN23 1PL on **Thursday, 2nd March, 2023 at 7.00 pm.**

Yours faithfully

A handwritten signature in black ink, appearing to read 'T W Mortimer'.

T W Mortimer
Solicitor to the Council and Monitoring Officer

Agenda

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| 1. | Apologies | |
| 2. | To consider whether any items should be dealt with in private because of the likely disclosure of Exempt or Confidential Information | |
| 3. | Declarations of Interest | 1 - 2 |
| | To declare any interests which fall under the following categories, as ex the attached document: | |
| | a) Disclosable Pecuniary Interests (DPI) | |
| | b) Other Significant Interests (OSI) | |
| | c) Voluntary Announcements of Other Interests | |
| | See agenda item 3 for further details | |
| 4. | To confirm the Minutes of the Council Meeting held on the 22nd December 2022 | 3 - 8 |
| 5. | To receive any announcements from the Mayor, Leader or other Members of the Cabinet | |
| 6. | To receive any petitions | |
| 7. | To receive any questions from, and provide answers to, the | |

public (being resident of the Borough) which in the opinion of the Mayor are relevant to the business of the Meeting

8. **To receive, consider and adopt the Minutes of the Meeting of the Licensing Committee held on 17th January 2023** 9 - 12
9. **To receive, consider and adopt the Minutes of the Meeting of the Regulatory Committee held on the 17th January 2023** 13 - 18
10. **To receive, consider and adopt the recommendations set out in the Minutes of the Meeting of the Cabinet held on the 23rd February 2023 (to follow) - with the following exception - The recommendations regarding the item 'Budget 2023/24' be deferred for consideration with Agenda Item No.11**
11. **To consider the recommendations of the Cabinet regarding the item 'Budget 2023/24' (which includes the adoption of the budget) and the report 'Council Tax 2023/24 Resolutions' and to determine the Borough Council's precept on the Collection Fund.**
12. **To receive the Minutes of the Meeting of the Standards Committee held on the 31st January 2023** 19 - 22
13. **Annual Report of the Council's Monitoring Officer 2022** 23 - 36
14. **Programme of Meetings 2023/24 and 2024/25** 37 - 42
15. **To consider Motions of which Notice has been given pursuant to Procedure Rule 11**
16. **Questions by Members of which Notice has been given pursuant to Procedure Rule 10**

NOTE: - If debate on any item included within this Agenda gives rise to the need to exclude the press and public due to the likelihood of Exempt or Confidential information being disclosed the following resolution may be proposed and seconded and if carried, the press and public will be requested to leave the meeting for the duration of the debate.

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of this item as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to the appropriate paragraphs of Schedule 12A to the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

22 February 2023

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Agenda Item 3

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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Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **22nd December 2022**.

Present:

Her Worshipful the Mayor, Cllr. J A Webb (Chairman);

Cllrs. Anckorn, Barrett, Bartlett, Blanford, Buchanan, Burgess, Campkin, Chilton, Cornish, Feacey, Forest, Hayward, B Heyes, Howard, Howard-Smith, Iliffe, Knowles, Krause, Ledger, Link, Meaden, Mulholland, Nilsson, Pickering, Rogers, Shorter, Spain, Sparks, C Suddards, Wedgbury, Wright

Also Present:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Member Services Manager.

Apologies:

Cllrs. Mrs Bell, Bell, Clarkson, Clokie, Farrell, Harman, Michael, Ovenden, Pauley, Smith, L Suddards, Turner, Walder.

Prior to the commencement of the meeting Members remained standing in respect of the late Mr Michael Pearson, the Town Mayor of Tenterden between 2002 and 2004, who had passed away recently. The Reverend Dr Sue Starkings then said prayers.

272 Exempt or Confidential Information

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. The Solicitor to the Council and Monitoring Officer advised that there were none.

273 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 20th October 2022 be approved and confirmed as a correct record,

274 Announcements

(a) The Mayor

The Mayor said as we reached the end of another challenging year, she felt that the 2020's would go down in history as the period that really tried the human race and tested its tolerance, understanding and patience! However, on a more positive note she

had again been privileged to attend some wonderful and emotive engagements during this Autumn and Winter.

She wanted to begin with the most poignant week of Remembrance - from the dedication of the Poppy Garden, the Armistice Day gathering, and culminating in a very well attended Remembrance Sunday Church Service at St Mary's followed by the Service of Remembrance at the War Memorial. The REME, Princess of Wales' Royal Regiment, the Royal British Legion, Cadet Forces, local organisations and their own Council team had all done the Borough proud. She said it was so humbling to see the community coming together at such times.

The Mayor said that congratulations also had to go to the superb AIMREC Ashford 180 celebrations, marking the 180th Anniversary of the arrival of the railway in Ashford. This had been an outstanding and professional exhibition and an incredible weekend of themed events. She had thoroughly enjoyed her tours and could not believe that some of the intricate models were made out of cardboard! Some may have noticed that her Civic Christmas Card this year had boasted one of the wonderful photographs of the locomotive in the snow, taken by the late local photographer Peter Green.

Over the past month her festive treats had included the lighting up of Warren Lodge which was great fun, a Christmas Coffee Morning at Willesborough Windmill, enjoying the various Christmas Concerts and in particular the beautiful voices of the Ashford Choral Society and her own 'Mayor's Choir' and the musical and magical repertoire at the Jean Mealham Pop In Centre, Woodchurch. However, for her, the young people of the Borough had been the stars on top of the Christmas Tree! Starting with the Finberry School Celebration, which had been declared as one of the few 'Microsoft Showcase Schools' in the world, and seeing how digital technology could transform education offering had been quite overwhelming for her and Councillor Forest. She had also been humbled by the Kumon Awards event and it had been a joy meeting so many talented and dedicated young people who were achieving over and above their age group. More recently there had been the Christmas Market and Carol Concert at the Singleton Environment Centre, where the pupils of John Wesley Primary had performed the most enchanting selection of seasonal favourites from around the globe. With the help of Santa it had been an incredible evening raising funds for her charity – Singleton Spaces.

The Mayor said she had listened to Councillors regarding climate change and the environment and this was why she had chosen Singleton Spaces as her charity. They were positive and creative and their teaching capacity was amazing. The workshops they put on for schools created a fun learning experience for the children, and indeed for any adults present, whilst at the same time educating children of the importance of protecting and caring for our fragile planet and its wildlife, flora and fauna. She therefore looked forward to all Councillors supporting this charity and attending events and putting their commitment to doing rather than just saying. So, one date for diaries was her Charity Civic Ball with Abba Chique on Saturday 25th March at London Beach Hotel, Tenterden. There would be a two course dinner with a lot of dancing and she urged everyone to join her.

The Mayor said she would like to take the opportunity to thank her colleagues and guests for accompanying her on many of her engagements - it had been a pleasure to spend time with them. She also wanted to thank the Officers for the support they had given her and all of the Councillors for their support over the past year and their

continued commitment to assist residents during the challenging months ahead. Additionally, she wanted to give special thanks to her Deputies, Larry and Sue, who had been outstanding and helped her massively during her year so far. Finally she wanted to thank the Mayor's Cadets and their Commanding Officers and families. She was immensely proud of each of them and they had supported her at many special occasions this year with professionalism and reverence.

In conclusion, the Mayor wanted to wish everyone a very Happy Christmas and a more settled and contented New Year. She invited all present to join her after the meeting for some refreshments and amazing wine that had been so kindly donated by Biddenden Vineyard and Sir George Jessel from his own vineyard. She also wanted to thank Sir George for his continuing support and sound advice.

(b) Deputy Leader of the Council

The Deputy Leader said that the Leader was extremely disappointed not to be present this evening at the final Council Meeting of this calendar year but he had passed on some messages which he would update Members on.

The Leader was pleased to report that on the 6th December, he had received the final report from the Greater Ashford Borough Environment and Land Mapping Commission. He wanted to take the opportunity to thank the members of the Commission for their professional input in to the examination of this important subject - having due regard to the Terms of Reference. This final report would now be the subject of detailed discussion and consideration regarding just how this work could meaningfully contribute to the effective good management of the Borough. This work, and the Commission's recommendations, would doubtless assist the Council in further strengthening the protection of its environment, as well as informing its continually evolving Corporate Plan and the ongoing iterations of its vital Local Plan. A hard copy of the Commission's final report had been made available to all Elected Members.

The Deputy Leader also announced the following changes to Member responsibilities in the Administration:

- Councillor Buchanan, the current Portfolio Holder for Housing, had been appointed to Chair the Climate Change Advisory Committee. This Committee had a role across all aspects of the Council's activities, and accordingly he would remain a Member of the Cabinet with a Portfolio for Climate Change.
- Councillor Barrett, the current Chair of the Climate Change Advisory Committee, had been appointed as the Portfolio Holder for Housing.

He advised that Brompton Bikes had now lodged their planning application, which had been validated, and sought a new factory as part of their proposed global headquarters' re-location to Ashford. The application would now be subject to the Authority's rigorous planning process to ensure it met the high standards upheld in this Borough.

The Leader had intended to make a summary slide presentation to go along with his report to Council (Item 14 on the Agenda), but unfortunately Covid had intervened to frustrate that opportunity. He hoped to make a final address to Full Council at its last meeting of this four-year term in March 2023.

Finally, the Deputy Leader said that whilst Christmas was a joyous time to join together with family and friends, he knew that there would be many this year who would be concerned about food, shelter, warmth and paying their bills. He was proud of the work the Council's Officers did in this regard and knew that this would need to continue in to 2023 as they responded to the cost of living crisis. He knew that if the Leader had been there he would want to wish everyone a Happy Christmas and healthy and Happy New Year.

275 Cabinet – 27th October, 24th November and 15th December 2022

(a) Cabinet – 27th October 2022

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 27th October 2022 be received and noted with the exception of Minute No. 198.**
- (ii) Minute No. 198 be approved and adopted.**

(b) Cabinet – 24th November 2022

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 24th November 2022 be received and noted with the exception of Minute Nos. 228 and 229**
- (ii) Minute Nos. 228 and 229 be approved and adopted.**

(c) Cabinet – 15th December 2022

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 15th December 2022 be received and noted with the exception of Minute No. 266**
- (ii) Minute No. 266 be approved and adopted.**

276 Audit Committee – 29th November 2022

Councillor Campkin asked for it to be recorded that some doubt had been expressed about the integrity of the External Audit Plan following a comment made by a Member at the Meeting, which pointed out errors in the report.

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 29th November 2022 be received and noted.

277 Appeals Committee – 7th December 2022

Resolved:

That the Minutes of the Meeting of the Appeals Committee held on the 7th December 2022 be received and noted.

278 Councillors Clokie and Smith – Request for Extension of Leave of Absence

The report considered a request for an extended period of absence for Councillors Clokie and Smith under the provisions of Sections 85 and 86 of the Local Government Act 1972.

Resolved:

That the request be granted and the periods of absence be extended to the 4th May 2023 for both Councillors.

279 A Decade of Challenges, Opportunities and Change

Resolved:

That the report be received and noted.

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Licensing Committee

Minutes of a Meeting of the Licensing Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **17th January 2023**.

Present:

Cllr. Howard (Chair);
Cllr. Krause (Vice-Chair);

Cllrs. Buchanan, Burgess, Feacey, Ledger, Michael, Walder, Wright.

Apologies:

Cllrs. Bartlett, Pickering, Rogers, Smith, L Suddards.

Also Present:

Environmental Protection and Licensing Team Leader, Principal Litigator, Senior Member Services Officer.

280 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was on the Management Committee of UK LPG.	282
	Made a 'Voluntary Announcement' as he was Chairman of the Ashford Volunteer Centre.	282
Walder	Made a 'Voluntary Announcement' as the owner of a Vineyard within the Borough. She did not take part in the discussion nor vote on this item.	282

281 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 20th January 2022 be approved and confirmed as a correct record.

282 Proposed Fee Levels for Gambling Act and Licensing Act Applications 2023/24

The Environmental Protection and Licensing Team Leader introduced the report which proposed fees for Gambling Act licences and notices for the financial year 2023/24 and he drew attention to the proposed fees contained within the report. Licensing Act fees relating to alcohol, late night refreshment and regulated entertainments were set nationally and not by the Licensing Authority.

Gambling Related Fees

The report recommended that the fees increased broadly in line with inflation, except where fees were at the statutory maximum as prescribed by regulation.

The Committee questioned how the inflation figure was calculated, the Environmental Protection and Licensing Team Leader advised that this equated to approximately 10% increase in inflation and 6% catch up, due to the time lapsed between the formation of the budget and the implementation of the fee increases (September 2022 to April 2023).

Recommended:

That (i) the proposed fees for gambling applications be approved.

RECOMMENDED GAMBLING RELATED LICENCE FEES FOR 2023/24

Premises Type	New Application (£)	Annual Fee (£)
New Small Casino	8000 (8000)	4962 (5000)
New Large Casino	10000 (10000)	10000 (10000)
Regional Casino	15000 (15000)	15000 (15000)
Bingo Club	2994 (3500)	933 (1000)
Betting Premises (excluding Tracks)	3000 (3000)	600 (600)
Tracks	2341 (2500)	933 (1000)
Family Entertainment Centres	2000 (2000)	750 (750)
Adult Gaming Centre	2000 (2000)	939 (1000)
Temporary Use Notices	259 (500)	N/A

	Application to Vary	Application to Transfer	Application for Re-Instatement	Application for Provisional Statement	Licence Application (provisional Statement holders)	Copy Licence	Notification of Change
	£	£	£	£	£	£	£
New Small Casino	3578 (4000)	1800 (1800)	1749 (1800)	8000 (8000)	3000 (3000)	25 (25)	50 (50)
New large Casino	4730 (5000)	2150 (2150)	2150 (2150)	10000 (10000)	5000 (5000)	25 (25)	50 (50)
Regional Casino	7500 (7500)	5629 (6500)	5629 (6500)	15000 (15000)	8000 (8000)	25 (25)	50 (50)
Bingo Club	1750 (1750)	1138 (1200)	1138 (1200)	2994 (3500)	1200 (1200)	25 (25)	50 (50)
Betting Premises (excluding Tracks)	1500 (1500)	1138 (1200)	1138 (1200)	2994 (3000)	1200 (1200)	25 (25)	50 (50)
Tracks	1250 (1250)	950 (950)	950 (950)	2341 (2500)	950 (950)	25 (25)	50 (50)
Family Entertainment Centres	1000 (1000)	950 (950)	950 (950)	2000 (2000)	950 (950)	25 (25)	50 (50)
Adult Gaming Centre	1000 (1000)	1138 (1200)	1138 (1200)	2000 (2000)	1200 (1200)	25 (25)	50 (50)
Temporary Use Notices	N/A	N/A	N/A	N/A	N/A	25 (25)	N/A

Ashford Borough Council's Licensing Authority proposes the following fees as shown in bold type in the table above. For ease of reference the maximum fees identified by DCMS that could be charged are shown in brackets.

- (ii) that the annual licensing summary in relation to the Licensing Act 2003 and Gambling Act 2005, at Appendix B to the report, be received and noted.

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Regulatory Committee

Minutes of a Meeting of the Regulatory Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **17th January 2023**.

Present:

Cllr. Howard (Chair);
Cllr. Krause (Vice-Chair);

Cllrs. Buchanan, Burgess, Feacey, Ledger, Michael, Walder, Wright.

Apologies:

Cllrs. Bartlett, Pickering, Rogers, Smith, L Suddards.

Also Present:

Environmental Protection and Licensing Team Leader, Principal Litigator, Senior Member Services Officer.

239 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was the owner of Energyshift Ltd who worked with members of the taxi trade.	284, 285
Walder	Made a 'Voluntary Announcement' as the owner of a Vineyard within the Borough.	

283 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 19th July 2022 be approved and confirmed as a correct record.

284 Proposed Fee Levels for Licensing Applications – 2023/24

The Environmental Protection and Licensing Team Leader introduced the report which proposed fees for licences for 2023/24 (excluding those previously proposed by the Licensing Committee). He advised that the setting of licensing fees generally allowed the Licensing Authority to recover the costs of processing licence applications, regulation and back office costs associated with the running of the licensing regime. The fees could not be set so as to be profit making and failure to set fees appropriately did open the Council up the legal challenge.

The Environmental Protection and Licensing Team Leader then drew attention to the proposed fees contained within the report.

Sex Establishment Fees

The report proposed that the grant fee be retained at the existing level, but the renewal and transfer fees would increase in line with inflation.

Hackney Carriage and Private Hire Fees

It was proposed that fees be increased generally above inflation with the exception of the vehicle licence fees which were one of the highest in Kent.

The operator fees, which were variable, were proposed to increase 19% above inflation for the 1-3 vehicle category. This increase was based upon a review of the current fees, benchmarking against other Kent authorities, rebalancing of the costs associated with enforcement, and the increased regulation on operators associated with the Department for Transport's statutory standards requirements for operators.

The transfer fees were proposed to increase 5% above inflation to rebalance this fee, which had been artificially kept low over a number of years to promote the replacement of vehicles to newer vehicles. The proposed increase would ensure appropriate cost recovery associated with this work.

Drivers licence fees were proposed to increase 7% above inflation to take into account the increased costs associated with driver regulation and rebalancing of the costs associated with enforcement. The Environmental Protection and Licensing Team Leader highlighted some of the hidden work associated with driver licensing that was not often seen by the public or Councillors. As part of the regulation of drivers there had been an increase in the level of checks and balances required in recent years. There were also a number of serious cases, which required immediate revocation of licenses, that were burdensome in terms of the work involved and potential Court appeals. Some examples of these immediate revocations, which would usually come to the attention of the Committee, included the following cases over the past year;

- 1x propositioning a passenger, a lone female child aged 16, for sex in lieu of payment of the fare.
- 1x verbal abuse towards vulnerable child passenger, smoking within vehicle, and linked safeguarding concerns surrounding leaving a child at a location which was not the school or the contracted drop off point.
- 1x drug driving, possession of drugs within licensed vehicle, failure to report arrest – with that particular case pending Court Appeal in 2023
- 1x relating to indecent images of children
- 1x allegation of sexual assault against a child.

In addition, Licensing Officers had also issued at least 21 separate sets of penalty points on drivers/operators licences for more minor matters ranging; speeding, unfit vehicles, driving on the pavement and the failure to behave in a civil or orderly manner.

Members questioned the increases in fees and whether these were proportionate and necessary given the potential burden these could place on drivers/operators. The Environmental Protection and Licensing Team Leader advised that the fees recommended for increase had all been assessed and there was a question of the balance of the cost verses the work undertaken to ensure that drivers and operators were conforming to the standards. By way of example, the frequency of DBS checks had increased to every six months from three yearly. Drivers and operators were aware of the increase in checks carried out and it was essential to ensure that this was reflected in the costs levied.

The Council had a scheme to promote the use of ultra-low emission vehicles, this was funded through Section 106 monies and was supported by the carbon reduction policy and equated to three years free of licensing charges. Whilst the concerns regarding air quality and the aims for more electric/low emissions vehicles was laudable, it is not considered possible to mandate such vehicles. It would be subject to legal challenge and there was no justifiable local need.

Scrap Metal Dealers Fees

The report recommended an increase in fees broadly in line with inflation.

Recommended:

That (i) that the sex establishment fees as given below be approved.

RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2023/24

	CURRENT FEES 2022/23	PROPOSED FEES 2023/24
Grant	£3499	£3499
Transfer	£334	£387
Renewal	£334	£387

(ii) that the Hackney Carriage, Private Hire and Operator applications licence fees as given below be approved for the purposes of public consultation.

**RECOMMENDED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES
2023/24**

	CURRENT FEES 2022/23	PROPOSED FEES 2023/24
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£74.00	£92.00
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£153.00	£190.00
Additional driver's licence (adding a licence)	£32.00	£37.00
Hackney Carriage Knowledge Test & Re-test	£61.00	£71.00
Replacement badge / Licence	£13.00	£15.00
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	£346 - New £305 - Renewal	£346 - New £305 - Renewal
Vehicle Plate Internal / External	£22.00	£26.00
Transfer of Vehicle Licence (with or without vehicle plate)	£38.00	£46.00
<i>Vehicle Inspection - Test Fee (set by contract)</i>	<i>£32.00</i>	<i>£32.00</i>
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	<i>No Charge</i>	<i>No Charge</i>
Private Hire Operators Licence - New or Renewal (for 5 years)	1-3 vehicles: £147 4-10 vehicles: £483 11-20 vehicles: £960	1-3 vehicles: £200 4-10 vehicles: £590 11-20 vehicles: £1114
To increase number of vehicles licensed during duration of Operators Licence	1-3 : £145.00 4-10 : £334.00 11-20 : £483.00	1-3 : £200.00 4-10 : £415.00 11-20 : £560.00
Fee for Returned (Bounced) Cheques	£18.00	£22.00

(iii) that the scrap metal site and collectors fees as given below be approved.

RECOMMENDED SCRAP METAL SITE AND COLLECTORS LICENSING FEES 2023/24

	CURRENT FEES 2022/23	PROPOSED FEES 2023/24
Grant Site Licence	£354	£411
Grant Collectors Licence	£237	£275
Renewal Site Licence	£237	£275
Renewal Collectors Licence	£118	£137
Variation	£89	£103
Replacement Licence	£12.50	£14.50

(iv) that the annual licensing summary, at Appendix D to the report, be received and noted.

285 Hackney Fare Tariff Review

The Environmental Protection and Licensing Team Leader introduced the report and advised that the Committee were asked to recommend a Hackney Carriage Fare Scale to Full Council, based on the information and evidence available to it. The fare scale was designed to protect the public from excessive fares and act as a maximum fare that could be charged. Drivers/proprietors were free to charge less or offer discounts, and this was actively encouraged.

As the Committee was aware the Council increased the maximum hackney fare scale by 3% in April 2022, and by a further 10% in August 2022 in light of the increased costs of operating a hackney vehicle – albeit much of that cost was made up of fuel increases. The Committee were now asked to consider the fare scale again, as part of the routine annual review. As part their consideration, the Committee noted that only a single member of the trade had responded to the consultation, seeking no change to current fare tariff. Fuel had reduced slightly in price, although remained relatively high, with that morning's fuel price comparison showing fuel at 172.9p (per litre of diesel) indicating that fuel for the same 10-mile fare was now 64p cheaper than when the Committee met in July 2022. This reduction equated to a 2.5% reduction in fares, however RPI had increased by 0.9% between quarter two, when the Committee last considered fares, and quarter three. Additionally car insurance premiums had increased by 5.8% for the same period.

There was some discussion surrounding communication with the taxi trade, and the different methods this took. A regular e-newsletter was sent to the trade providing updates as needed. The Taxi Forum had not been held in person since the Coronavirus Pandemic, as there had been no demand from the trade.

Recommended:

That the Hackney Carriage fare scale for 2023/24 as given in the table below be approved for the purpose of issuing a public notice.

PROPOSED FARES FOR 2023/24

(a) Fares for distance or time: Rate 1	£
If the distance does not exceed 465.5 yards, for the whole distance or for the first 148 seconds of waiting time	2.90
For each subsequent 142.7 yards or uncompleted part thereof	0.20
Or for each subsequent period of 45.5 seconds of waiting time or uncompleted part thereof	0.20
(b) Fares for certain times and days: Rate 2	
a) For each hire commenced between 00.00 and 07.00	1½ x Rate 1
b) For each hire undertaken on GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY or any other specifically declared Bank Holiday only.	1½ x Rate 1
(i) Fares for certain times and days: Rate 3	
c) For each hire undertaken on a CHRISTMAS DAY, BOXING DAY or NEW YEAR'S DAY	2 x Rate 1
When the holiday charge (b) or (c) is payable the Night Charge (a) is NOT payable.	
2 Miles - £7.30	
5 Miles - £14.70	
10 Miles - £27.10	
Extras - up to a maximum of £1.20	
(a) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
Note: For the purposes of counting the number of persons that the vehicle is licensed to carry, children under 10 years of age should each be counted as a person. A babe in arms should not be counted as a person.	
(b) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
(c) for perambulators	0.05
(d) for dogs	0.10

Queries concerning these minutes? Please contact Members Services
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Standards Committee

Minutes of a Meeting of the Standards Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **31st January 2023**.

Present:

Cllr. Mrs Bell (Chairman);
Cllr. Shorter (Vice-Chairman);

Cllrs. Chilton, Meaden, Ovenden, Pickering, Turner

Mrs C Vant – Independent Person.

Apologies:

Mr R Brasier – Parish Council Representative.

Also Present:

Solicitor to the Council and Monitoring Officer, Deputy Monitoring Officer, Member Services Manager.

291 Declarations of Interest

Councillor	Interest	Minute No.
Meaden	Made a 'Voluntary Announcement' as a Member of Chilham Parish Council.	293

292 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 24th January 2022 be approved and confirmed as a correct record.

293 Annual Report of the Council's Monitoring Officer 2022

The Monitoring Officer introduced his Annual Report for the calendar year 2022, which would be presented to the Council on the 2nd March 2023. The report assessed activity in probity and related governance matters, in particular in relation to formal complaints about alleged breaches of protocols and codes of conduct by Borough and Parish Councillors. The report also provided an opportunity to review the effectiveness of current procedures. These related to the calendar year 2022.

In addition, the report included data on Ombudsman complaints as these were also handled by, or on behalf of the Monitoring Officer. The relevant period for these related to the most recent data provided by the Ombudsman, namely 1st April 2021 to 31st March 2022.

With regard to Code of Conduct Complaints, following the significant increase at Parish Council level last year, the Monitoring Officer said he was pleased note a much more encouraging picture this year. There had been a considerable decrease in the number of formal complaints received from 23 in 2021 to 5 in 2022. All had resulted in 'no further action'. The registered formal complaints, including one from the previous year which had yet to be concluded due to the personal circumstances of the subject Member, were detailed at Table 1 on Page 9 of the report.

The Monitoring Officer advised that despite the fact that none of the complaints had justified further action, they did still require a considerable amount of work and 'pre-investigation'. The handling of these complaints had been undertaken within the current Legal Services budget, using vacancy savings which had allowed the work to be undertaken within reasonable timescales. In response to requests at the time of his previous report, the Monitoring Officer had included data on indicative costs incurred by the Council in dealing with such complaints in this year's report. In response to the significant growth in number of complaints at Parish Council level last year, he had held discussions with the Kent Association of Local Councils (KALC) to with a view to agreeing measures to minimise the incidence and cost of formal complaints. These discussions had been constructive and he was pleased to report that KALC had agreed to assist by taking a range of measures with their own member Councils including: - strengthening their own training offer to members; updating their website content including promotion of its services; promotion of internal procedures for resolving complaints which should not be taken through Code of Conduct procedures; and direct written communication with its member Councils about which matters should be resolved internally and which were genuine Code of Conduct matters for the District Monitoring Officer.

In terms of governance issues, the Kent Monitoring Officers Group continued to meet to consider the LGA's new Model Code of Conduct and "Guidance". A further report with a package of recommended amendments to the Kent Code and "Arrangements" would be presented to this Committee once that work was complete.

In relation to Ombudsman Complaints, the report advised that there had been 17 received by the Local Government Ombudsman (LGO), a similar number to 18 in the previous year. 3 of these complaints had been upheld (an increase from nil in the previous year), but none had raised direct probity issues which was the principle reason they were overseen by this Committee. In addition one complaint had been upheld by the Housing Ombudsman Service and another partly upheld. Details were provided in the table within the report

The Annual Report was then opened up to the Committee and the following responses were given to questions/comments: -

- Code of Conduct complaints did seem to 'spike' during the Covid-19 pandemic and the culture around virtual meetings, and had since returned to more expected levels which was an interesting point to note.
- Training in Code of Conduct issues would again be offered to Parish Councils as one of ABC's first sessions at the start of the four-year Council term in May 2023. In addition it was also proposed to run refresher training mid-term to help address turnover at Parish level. The role of KALC to support with ongoing training was also noted.
- Proposed changes to the current Kent Code were likely to be minor as the Kent Code had served its purpose reasonably well and was in many ways better than the LGA Model Code. Kent Monitoring Officers had identified a handful of fairly minor changes that were worth including and it had been timely to undertake a review alongside a review of the Arrangements. There would not be wholesale changes.

Resolved:

- That**
- (i) the Annual Report of the Monitoring Officer for 2022 be received, noted and forwarded to Full Council for approval.**
 - (ii) the Monitoring Officer report to a future meeting(s) of the Standards Committee in relation to the new LGA Model Code of Conduct and the review of Arrangements undertaken by Kent Monitoring Officers.**
 - (iii) the Monitoring Officer continue to hold regular meetings with KALC representatives to review the code complaint situation and the effectiveness of measures being taken to minimise the incidences of formal complaints and to agree the scope and content of possible 'refresher' code training mid-term following the 2023 elections.**

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**Standards Committee
31 JANUARY 2023**

**Council
2 MARCH 2023**

**Annual Report of the Council's
Monitoring Officer – 2022**

A. Introduction

1. The principal purpose of my Annual Report is to assess activity in probity and related governance matters, in particular in relation to formal complaints about alleged breaches of protocols and codes of conduct by borough and parish councillors. The report also provides an opportunity to review the effectiveness of current procedures. This report deals with the calendar year 2022 in relation to these matters.
2. The Council's current code of conduct for councillors was adopted on 20 July 2012 and has since been the subject of a number of amendments. This code is based on Localism Act principles and was developed as a collaborative project by Kent Monitoring Officers in consultation with task groups of councillors within individual councils. The vast majority of district and parish councils in Kent have adopted this "Kent Model Code of Conduct".
3. When it adopted the Code of Conduct in 2012, the Council also adopted new procedural "Arrangements" for handling code of conduct complaints. Again this was developed on a Kent-wide basis with the objective of simplifying procedures and removing unnecessary bureaucracy which had beset the previous standards regime.
4. The Council has also adopted a "Good Practice Protocol for Councillors Dealing with Planning Matters". This sets out detailed best practice rules for this specialist and sensitive area of the Council's work which go beyond the general rules set out in the code of conduct.
5. My Annual Report also includes data on Ombudsman complaints as these are also handled by or on behalf of the Monitoring Officer. The Standards Committee monitors any issues of probity raised in Ombudsman investigations. In terms of Ombudsman complaints the relevant period relates to the most recent data provided by the Ombudsman namely that for the period 1st April 2021 to 31 March 2022.

B. Code of Conduct Complaints 2022

6. Formal complaint activity in Ashford has been relatively low since adoption of the new code of conduct in 2012. For example, during 2016 no new formal complaints were submitted, whilst in previous years the few complaints made,

mainly at Parish Council level, had been resolved informally. No complaints had been taken to formal investigation and hearing up to the end of 2016. However the period since 2017 has been more challenging. Between early 2020, and mid 2021 various temporary national and local “lockdowns” were in place with most staff working remotely and councillor meetings taking place “virtually” up to May 2021. However this did not result in a reduction of formal or informal complaint activity. On the contrary the volume of informal complaint activity and requests for advice grew significantly at parish council level. In my report last year I reported that 23 complaints had been received but most had resulted in no further action following initial filtering decisions.

At the time of the report 5 complaints were noted as “final decision to be issued” Decisions were issued on these cases in 2022 and all resulted in ‘no further action’. Also last year’s Table 1 included an ongoing case from the previous year which has yet to be concluded due to the personal circumstances of the subject member (ABC/20/012). It is worth noting however, that in many of these cases, a significant volume of “pre-investigation” work is required in order to reach a “no further action” decision. Some decisions are therefore lengthy documents and the cost involved in cases reflects this reality.

7. The formal complaints received and registered in 2022 are set out in Table 1 below.
8. The handling of some of these complaints has been undertaken by an external specialist lawyer in view of staff vacancies and other pressing work priorities in legal services. This has been undertaken within the current legal services budget, using vacancy savings. This has allowed the work to be undertaken within reasonable timescales. At the time of my previous report, members asked that data on indicative costs incurred by the Council in dealing with such complaints be included. The average external cost incurred on a complaint has been £4000 plus an average of 3 hours per case on in-house handling and monitoring. Of the other complaints handled internally, all but one have been concluded without the need to incur investigation or determination costs. The average in house time commitment on each of these files was 10 hours.
9. At the time of my previous report in January 2022 – and in view of the very significant growth in numbers of complaints at parish council level – members also requested that discussions be held with the Kent Association of Local Councils with a view to agreeing measures to reduce the incidence and cost of formal complaints.
10. I am pleased to report that I raised this issue at a meeting of Kent Monitoring Officers and three senior Kent Monitoring Officers (including myself) met with the KALC Chief Executive and its Legal Adviser in August. The KALC has agreed to assist by taking a range of measures with their own member councils. These are:-
 - strengthening their own training offer to members
 - updating their website content including promotion of KALC services such as professional mediation and provision of a comprehensive package of “good governance” advice and documents.
 - Promotion of internal procedures for resolving complaints about parish council procedures, governance, staff performance etc which should not be taken through code of conduct procedures

- direct written communication with all member councils regarding “boundaries” between matters which should be resolved internally by parishes and matters which are legitimate code of conduct matters for the district Monitoring Officers.

In addition it has been agreed that regular meetings should take place between Kent Monitoring Officers and senior KALC representatives. The next meeting is scheduled to take place in March 2023.

11. It is too early to say whether any of the measures taken to date has had an impact but as can be seen from Table 1 below the number of formal complaints received has reduced significantly from last year. This will of course continue to be monitored. The volume of work involved in handling “informal complaints” (by which I mean contact with myself by members of the public and parish councillors regarding possible or proposed complaints) continues to be at a significant level. The challenge will always be (with the assistance of KALC where appropriate) to find solutions without resort to the formal complaint route.
12. Training also has an important role to play. In addition to the steps outlined above being taken by KALC with its member councils, members asked at the last meeting (Min.245 (iv)) that the Member Training Panel examine possibilities for further code training for parish councils. I can confirm that arrangements for post-election training have already been put in place and parish council representatives will be included. The Training Panel recognised the importance of this and also suggested that refresher training should be considered mid-term which would also help address councillor turnover at parish level. This is referred to in recommendation 3 below.

Table 1
Formal Code of Conduct Complaints Made
in 2022

No	Ashford BC -Complaint Reference	Council	Background (Allegation)	Action/Current Position
1	ABC/22/001	Chilham Parish Council	Bullying Dispute	Handled by external Deputy Monitoring Officer. Councillor resigned so no longer subject to code and no further action possible.
2	ABC/22/002	Rolvenden Parish Council	Alleged bias on involvement in planning decision (hostility and closed mind)	Bias/predetermination not a code of conduct issue but in event insufficient evidence. File closed.

3	ABC/22/003	Ashford Borough Council	Attendance at meeting where an alleged interest arose and was not declared.	Informal resolution by appropriate advice and agreement not to attend future meetings on the relevant subject.
4&5	ABC/22/004&005	Tenterden Town Council	(1) Alleged failure to declare interests at meetings of Town Council arising from relationships with interested parties on a particular decision (2) Alleged bullying at meeting.	Handled by external DMO. No further action as insufficient evidence that a relevant interest existed. Also a single incident of alleged aggressive behaviour at a meeting where feelings were running high did not merit formal investigation.
6.	ABC/22/006	Rolvenden Parish Council	Alleged improper use of position to secure own advantage.	Insufficient evidence provided despite requests to do so. File closed
7.	ABC/22/007	Bethersden Parish Council	Alleged improper use of position to secure personal advantage	No evidence provided despite requests to do so. File closed
8.	ABC/22/008	ABC	Alleged improper use of position as Councillor.	No evidence provided to date.

C. Other Relevant Governance Developments

13. The new Social Media Guidance Note for Councillors was adopted in May 2019. In addition a revised Councillor/Officer Working Relationship protocol was adopted clarifying standards of expected behaviours. Some training in relation to these protocols was provided following the elections in 2019 and I am pleased to say that noticeably fewer complaints (formal and informal) have related to social media usage since 2019.
14. In my last annual report I included an update on the review work of the national Committee on Standards in Public Life (CSPL). One of the CSPL's formal recommendations was that the Local Government Association should prepare an optional new Model Code of Conduct for Councillors in order to encourage greater consistency and higher standards. Following extensive consultation the LGA has published a new Model Code of Conduct and continues to publish "Guidance" on its code most recently in October 2022. Kent Monitoring Officers appointed a group of experienced Monitoring Officers to consider the LGA Code and Guidance and the group expanded its work to include a review of the "Arrangements" (ie: the detailed procedure for handling code complaints). This work will be concluded in the next couple of months and reports to individual Councils will follow with recommended amendments to the Kent Code and Arrangements.

D. Ombudsman Complaints 2021/22

15. Since April 2013, complaints about social housing have been dealt with by the Housing Ombudsman (HO) and not the Local Government Ombudsman (LGO).
16. For Members' information the analysis of the complaints resolved by the LGO in 2021/22 are attached (Appendix A). The LGO's Annual Letter and Report are also included in Appendix A.
17. The number of complaints received by the Ombudsman in 2021/22 (17) was similar to 2020/21 (18) However the number of complaints upheld in 20/21 was nil, whilst 3 were upheld in 2021/2. Also one was upheld by the Housing Ombudsman Service and another partly upheld. Details are provided in the Table below.
18. A new column was added to the Table of Ombudsman Complaints with effect from 19/20 giving information on action taken/lessons learned where relevant. This is consistent with the approach advocated by the Ombudsman which highlights the importance of using complaints to drive improvements.

E. Recommendations

1. That the Annual Report of the Monitoring Officer for 2022 be received and noted.

2. That the Monitoring Officer report to a future meeting(s) of the Standards Committee in relation to the new LGA Model Code of Conduct and the review of Arrangements undertaken by Kent Monitoring Officers.
3. That the Monitoring Officer continue to hold regular meetings with KALC representatives to review the code complaint situation and the effectiveness of measures being taken to minimise the incidence of formal complaints and to agree the scope and content of possible 'refresher' code training mid-term following the 2023 elections.

T W MORTIMER

Solicitor to the Council & Monitoring Officer January 2023

Appendix A – Analysis of Ombudsman Complaints

The Local Government Ombudsman investigates complaints about Council services to remedy personal injustice caused by maladministration (“fault”) or service failure.

Between 1st April 2021 and 31st March 2022 the Local Government Ombudsman (LGO) received a total of 17 complaints, with the following results:

No further investigation	12
Investigated	5

Of the 5 complaints investigated, 3 were upheld. In 2 cases the organisation satisfied the LGO that it had successfully implemented all the LGO’s recommendations. In the 3rd case the organisation provided a satisfactory remedy before the decision was reached by the Ombudsman.

The LGO contacted the Council about 9 complaints, seeking further information. Attached is a table providing details of these complaints and the outcome. In 4 of these cases the LGO did not pursue investigation of the complaint.

I have also attached the Ombudsman’s Annual Review letter 2021/22.

The LGO’s statistics focus on three key areas to help assess an organisation’s commitment to correcting errors in service delivery. These areas are: complaints upheld, compliance with recommendations and satisfactory remedy provided by the authority. The Annual Review letter gives further information on these key areas.

When the LGO has issued a report on a completed investigation, these are generally published in the Complaints Outcomes section of the LGO website www.lgo.org.uk. The published information does not name the complainant or any individual involved with the complaint. Each Council’s annual data is uploaded onto an interactive map, along with a copy of the Annual Review letter. Information can be found on decisions made about complaints against the Council, public reports issued by the LGO and the service improvements the Council has agreed to make as a result of LGO investigations (if any).

ABC Dept	Complaint details	Decision	LGO comment	Action taken by the Council/lessons learned
Planning & Devt	Complained that the Council failed to properly consider an application for prior approval for an agricultural building near his property. Mr X says the building is in an area of outstanding natural beauty and will impact on his outlook and value of his property	Not upheld: no maladministration	N/A	N/A
Revenues and Benefits	Complained that the council tax band of his home was too high	Closed after initial enquiries – out of jurisdiction	N/A	N/A
Planning & Devt	Complained that the Council failed to exercise its planning enforcement powers as promised before an unauthorised building gained immunity from enforcement action	Upheld: Maladministration and Injustice	<ul style="list-style-type: none"> • Apologise in writing to complainants for the failings identified; • Pay complainants £500 in recognition of the avoidable distress caused and the avoidable time and inconvenience in following up the issue with the Council; • Share with staff the final decision to remind staff of the importance of properly recording conversations with, and advice given to, the public. It will also remind staff of the need to corroborate through their own investigations, statements made by the public. 	Head of Planning and Development wrote letter of apology and arranged payment. He also emailed relevant staff to advise of decision of Ombudsman, and to draw attention to the Ombudsman recommendations and learning from this complaint to ensure this did not occur again.
Revs and Bens	Complained that the Council had not granted full council tax relief on a property he owned.	Closed after initial enquiries – no further action	N/A	N/A
Planning & Devt	Complained that the Council's records did not show that it properly considered how complainant was affected by a breach of planning control when it decided not to pursue enforcement action.	Upheld: maladministration and injustice	The Council to carry out a site visit and review its decision	Site visit undertaken and decision reviewed by officers with the same outcome.
Env Services	Complained about how the Council handled his complaint in relation to allotments	Upheld: No further action, satisfactory remedy provided by the organisation	N/A	New Manager and new Officer appointed to oversee this service

ABC Dept	Complaint details	Decision	LGO comment	Action taken by the Council/lessons learned
Parking Services	Complained because the Council issued a penalty charge notice for a parking contravention. Complainant said the Council's evidence was false.	Closed after initial enquiries – out of jurisdiction	N/A	N/A
Parking Services	Complained that the Council introduced an online virtual visitor parking permits without publicity and without consultation with the public. He also complained the Council did not tell him he could get a permit by telephone and told him twice that he had to use its online service.	Closed after initial enquiries – no further action.	N/A	N/A
Planning Enforcement	Complained that the Council failed to take appropriate enforcement action regarding a breach of planning control by his neighbour.	Not Upheld – No Maladministration	N/A	N/A

Housing Ombudsman Service

The Housing Ombudsman Service (HOS) looks at complaints about registered providers of social housing, including local authorities. The Local Government and Social Care Ombudsman considers complaints about local authorities' wider housing activities, for example in discharging their statutory duties in homelessness,, housing allocations, housing benefit and home improvement services.

The Housing Ombudsman does not provide local authorities with annual statistics in relation to complaints. However, details are included in this report for Members' information and to provide a full picture of complaints made against the Council in 2021-22.

During 2021-22, 2 cases were investigated by the HOS and the details are provided in the table below.

ABC Dept	Complaint details	Decision	LGO comment	Action taken by the Council/lessons learned
Housing	<p>Complained about:</p> <ul style="list-style-type: none"> -The Council's handling of reports of antisocial behaviour from their neighbour. -The Council's handling of the residents' request for a management move. -The related complaint handling. 	<p>Maladministration by the Council when handling the residents' reports of antisocial behaviour from their neighbour.</p> <p>No maladministration by the Council when handling the residents' request for a management move.</p> <p>Maladministration by the landlord when handling the residents' complaints.</p>	<p>a) Provide an apology to the residents for the service failures identified in this report.</p> <p>b) Pay the residents £550 in compensation made up of:</p> <ul style="list-style-type: none"> i. £300 for failing to deal with ASB reports appropriately and; ii. £250 for complaint handling failures. <p>c) Review the learning from the service issues identified in this report and let the Ombudsman know how it will ensure ASB complaints are handled in accordance with its ASB policy, going forward.</p>	<p>Undertake an independent review of our ASB policy and procedure and the implementation of the same, to include any necessary amendments and training to ensure that the aims and objectives are met and that instances of ASB are dealt with in an appropriate and timely manner. Housing is also committed to working with and taking advice and instruction from the Legal Services Team to ensure that where there is sufficient evidence that proactive legal action is properly considered and taken where appropriate to tackle ASB. The aim of this is to limit the longer term impact on those affected by the behaviour of others. Changes made will be communicated internally but officers will also ensure that they communicate and engage with residents and other agencies as widely as possible on their approach and what to expect from the Council's service when ASB is reported.</p>
Housing	<p>Complained about the way the Council ended his tenancy and the charges applied</p>	<p>No maladministration found concerning charges at the end of the tenancy</p> <p>Service failure found in the handling of the associated complaint.</p>	<p>Council to pay £75 compensation to the resident.</p>	<p>Head of Housing has overhauled measures for handling complaints within Housing. This will lead to improvements overall and minimise risk of an instance like this occurring again.</p>

20 July 2022

By email

Mrs Kerly
Chief Executive
Ashford Borough Council

Dear Mrs Kerly

Annual Review letter 2022

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Supporting complaint and service improvement

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

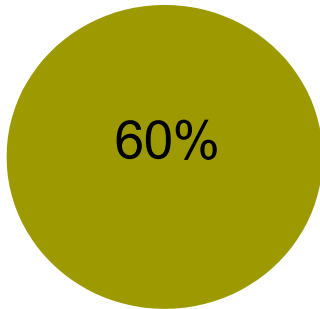
An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



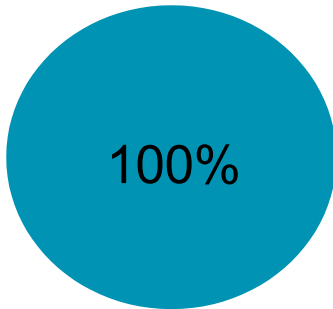
60% of complaints we investigated were upheld.

This compares to an average of **51%** in similar organisations.

3
upheld decisions

Statistics are based on a total of **5** investigations for the period between 1 April 2021 to 31 March 2022

Compliance with Ombudsman recommendations



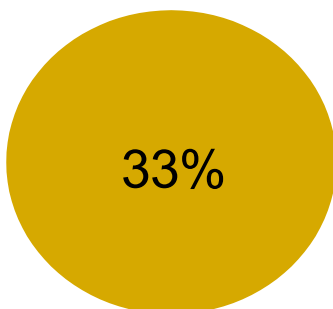
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **2** compliance outcomes for the period between 1 April 2021 to 31 March 2022

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the organisation



In **33%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **20%** in similar organisations.

1
satisfactory remedy decision

Statistics are based on a total of **3** upheld decisions for the period between 1 April 2021 to 31 March 2022



Agenda Item No:

Report To: Council

Date of Meeting: 2nd March 2023

Report Title: Programme of Meetings 2023/24 and 2024/25

Report Author & Job Title: Danny Sheppard – Member Services Manager

Portfolio Holder Cllr. Clarkson and Cllr Feacey
Portfolio Holder for: Leader of the Council and Policy and Performance

Summary:	To agree the programme of meetings for 2023/24 and 2024/25
-----------------	------------------------------------------------------------

Key Decision: NO

Significantly Affected Wards: None specifically

Recommendations: **The Council is asked to agree the programme of meetings for 2023/24 and 2024/25**

Policy Overview: The programme reflects the monthly Cabinet and Overview and Scrutiny cycle as agreed by the Council at its meeting on the 17th October 2019 (Minute No 191/10/19 refers). This generally provides for a Cabinet meeting on the last Thursday of every month and a monthly Planning Committee meeting every four/five weeks. Overview and Scrutiny meetings are programmed in line with the timetable for call-in of items from the Cabinet and will generally fall on the second Tuesday of the month.

Equalities Impact Assessment Not Required

Exempt from Publication: NO

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

DATES OF MEETINGS MAY 2023 - MAY 2024

Meetings are usually held at the Civic Centre and start at 7.00pm unless otherwise stated

MAY 2023

M 1 **BANK HOLIDAY**
 Tu 2
 W 3
 Th 4 **ABC ELECTIONS**
 F 5

 M 8 **BANK HOLIDAY**
 Tu 9
 W 10
 Th 11
 F 12

 M 15
 Tu 16
 W 17
 Th 18 Selection & CR
 F 19

M 22
 Tu 23
 W 24
 Th 25 Council
 F 26

 M 29 **BANK HOLIDAY**
 T 30
 W 31

JUNE 2023

Th 1
 F 2

 M 5
 Tu 6 Joint Transportation
 W 7 Planning
 Th 8
 F 9

M 12
 Tu 13 O&S
 W 14
 Th 15
 F 16

M 19
 T 20 Audit 5pm
 W 21
 Th 22
 F 23

M 26
 Tu 27
 W 28
 Th 29 Cabinet
 F 30

JULY 2023

M 3
 Tu 4
 W 5 Planning
 Th 6
 F 7

M 10
 Tu 11 O&S

W 12
 Th 13 JCC 2.30pm
 F 14

 M 17
 Tu 18
 W 19
 Th 20 Council
 F 21

M 24
 T 25
 W 26
 Th 27 Cabinet
 F 28

M 31

AUGUST 2023

Tu 1
 W 2
 Th 3
 F 4

 M 7
 Tu 8 O&S
 W 9 Planning
 Th 10
 F 11

M 14
 Tu 15
 W 16
 Th 17
 F 18

M 21
 Tu 22
 W 23
 Th 24
 F 25

M 28 **BANK HOLIDAY**
 Tu 29 TEB 10am
 W 30
 Th 31 Cabinet

SEPTEMBER 2023

F 1

 M 4
 Tu 5 Joint Transportation
 W 6 Planning
 Th 7
 F 8

M 11
 Tu 12 O&S
 W 13
 Th 14 JCC 2.30pm
 F 15

M 18
 Tu 19
 W 20
 Th 21
 F 22

M 25
 Tu 26
 W 27
 Th 28 Cabinet
 F 29

OCTOBER 2023

M 2
 Tu 3 Audit 5pm
 W 4 Planning
 Th 5
 F 6

M 9
 Tu 10 O&S
 W 11
 Th 12
 F 13

M 16
 Tu 17
 W 18
 Th 19 Council
 F 20

M 23
 Tu 24
 W 25
 Th 26 Cabinet
 F 27

M 30
 Tu 31

NOVEMBER 2023

W 1
 Th 2
 F 3

M 6
 Tu 7
 W 8 Planning
 Th 9 JCC 2.30pm
 F 10

M 13
 Tu 14 O&S
 W 15
 Th 16
 F 17

M 20
 Tu 21
 W 22
 Th 23
 F 24

M 27
 Tu 28 TEB 10am
 W 29
 Th 30 Cabinet

DECEMBER 2023

F 1
 M 4
 Tu 5 Joint Transportation
 W 6
 Th 7
 F 8
 M 11
 Tu 12 O&S
 W 13 Planning
 Th 14 Council
 F 15
 M 18
 Tu 19 Audit 5pm
 W 20
 Th 21 Cabinet
 F 22
 M 25 **CHRISTMAS DAY**
 Tu 26 **BOXING DAY**
 W 27 OFFICES CLOSED
 Th 28
 F 29

JANUARY 2024

M 1 **NEW YEAR'S DAY**
 Tu 2
 W 3
 Th 4
 F 5
 M 8
 Tu 9
 W 10
 Th 11 JCC 2.30pm
 F 12
 M 15
 Tu 16 Licensing/Regulatory
 10am/10.30am
 W 17 Planning
 Th 18
 F 19
 M 22
 Tu 23
 W 24
 Th 25 Cabinet
 F 26
 M 29
 Tu 30 Standards
 W 31

* No O&S meeting in January due to Budget Scrutiny

FEBRUARY 2024

Th 1
 F 2
 M 5
 Tu 6
 W 7
 Th 8

F 9
 M 12
 Tu 13 O&S
 W 14 Planning
 Th 15
 F 16
 M 19
 Tu 20
 W 21
 Th 22
 F 23
 M 26
 Tu 27 TEB 10am
 W 28
 Th 29 Cabinet

MARCH 2024

F 1
 M 4
 Tu 5 Joint Transportation
 W 6
 Th 7 Council (C Tax)
 F 8
 M 11
 Tu 12 O&S
 W 13 Planning
 Th 14 JCC 2.30pm
 F 15
 M 18
 Tu 19 Audit 5pm
 W 20
 Th 21 Cabinet
 F 22
 M 25
 Tu 26
 W 27
 Th 28
 F 29 **GOOD FRIDAY**

APRIL 2024


M 1 **EASTER MONDAY**
 Tu 2
 W 3
 Th 4
 F 5
 M 8
 Tu 9 O&S
 W 10
 Th 11
 F 12
 M 15
 Tu 16
 W 17 Planning
 Th 18
 F 19
 M 22
 Tu 23
 W 24
 Th 25 Cabinet
 F 26

M 29
 Tu 30

MAY 2024

W 1
 Th 2 **GENERAL?/PCC ELECTIONS**
 F 3
 M 6 **BANK HOLIDAY**
 Tu 7 Selection & CR
 W 8
 Th 9 JCC 2.30pm
 F 10
 M 13
 Tu 14 O&S
 W 15 Planning
 Th 16 Council
 F 17
 M 20
 Tu 21
 W 22
 Th 23
 F 24
 M 27 **BANK HOLIDAY**
 Tu 28 TEB 10am
 W 29
 Th 30 Cabinet
 F 31

KEY	
O&S	- Overview and Scrutiny
JCC	- Joint Consultative Committee

 School Holidays

DATES OF MEETINGS MAY 2024 - MAY 2025

Meetings are usually held at the Civic Centre and start at 7.00pm unless otherwise stated

MAY 2024

W 1
 Th 2 **GENERAL?/PCC ELECTIONS**
 F 3
 M 6 **BANK HOLIDAY**
 Tu 7 Selection & CR
 W 8
 Th 9 JCC 2.30pm
 F 10
 M 13
 Tu 14 O&S
 W 15 Planning
 Th 16 Council
 F 17

F 12
 M 15
 Tu 16
 W 17
 Th 18 Council
 F 19
 M 22
 T 23
 W 24
 Th 25 Cabinet
 F 26
 M 29
 Tu 30
 W 31

W 25
 Th 26 Cabinet
 F 27
 M 30

OCTOBER 2024

Tu 1 Audit 5pm
 W 2
 Th 3
 F 4
 M 7
 Tu 8 O&S
 W 9 Planning
 Th 10
 F 11

AUGUST 2024

M 20
 Tu 21
 W 22
 Th 23
 F 24
 M 27 **BANK HOLIDAY**
 Tu 28 TEB 10am
 W 29
 Th 30 Cabinet
 F 31

Th 1
 F 2
 M 5
 Tu 6
 W 7
 Th 8
 F 9
 M 12
 Tu 13 O&S
 W 14 Planning
 Th 15
 F 16

M 14
 Tu 15
 W 16
 Th 17 Council
 F 18
 M 21
 Tu 22
 W 23
 Th 24
 F 25

JUNE 2024

M 3
 Tu 4 Joint Transportation
 W 5
 Th 6
 F 7
 M 10
 Tu 11 O&S
 W 12 Planning
 Th 13
 F 14
 M 17
 T 18 Audit 5pm
 W 19
 Th 20
 F 21

M 19
 Tu 20
 W 21
 Th 22
 F 23
 M 26 **BANK HOLIDAY**
 Tu 27 TEB 10am
 W 28
 Th 29 Cabinet
 F 30

M 28
 Tu 29
 W 30
 Th 31 Cabinet

NOVEMBER 2024

F 1
 M 4
 Tu 5
 W 6
 Th 7
 F 8
 M 11
 Tu 12 O&S
 W 13 Planning
 Th 14 JCC 2.30pm
 F 15
 M 18
 Tu 19
 W 20
 Th 21
 F 22

SEPTEMBER 2024

M 24
 Tu 25
 W 26
 Th 27 Cabinet
 F 28

M 2
 Tu 3 Joint Transportation
 W 4
 Th 5
 F 6
 M 9
 Tu 10 O&S
 W 11 Planning
 Th 12 JCC 2.30pm
 F 13

M 25
 Tu 26 TEB 10am
 W 27
 Th 28 Cabinet
 F 29

JULY 2024

M 1
 Tu 2
 W 3
 Th 4
 F 5
 M 8
 Tu 9 O&S
 W 10 Planning
 Th 11 JCC 2.30pm

M 16
 Tu 17
 W 18
 Th 19
 F 20
 M 23
 Tu 24

DECEMBER 2024

M 2
 Tu 3 Joint Transportation
 W 4
 Th 5
 F 6

 M 9
 Tu 10 O&S
 W 11 Planning
 Th 12 Council
 F 15

 M 16
 Tu 17 Audit 5pm
 W 18
 Th 19 Cabinet
 F 20

M 23
 Tu 24
 W 25 **CHRISTMAS DAY**
 Th 26 **BOXING DAY**
 F 27 OFFICES CLOSED

M 30
 Tu 31

JANUARY 2025

W 1 **NEW YEAR'S DAY**
 Th 2
 F 3

M 6
 Tu 7
 W 8
 Th 9 JCC 2.30pm
 F 10

M 13
 Tu 14
 W 15 Planning
 Th 16
 F 17

M 20
 Tu 21 Licensing/Regulatory
 10am/10.30am
 W 22
 Th 23 Cabinet
 F 24

M 27
 Tu 28
 W 29
 Th 30
 F 31

* No O&S meeting in
 January due to Budget
 Scrutiny

FEBRUARY 2025

M 3
 Tu 4 Standards
 W 5
 Th 6
 F 7

 M 10

Tu 11 O&S
 W 12 Planning
 Th 13
 F 14

M 17
 Tu 18
 W 19
 Th 20
 F 21

 M 24
 Tu 25 TEB 10am
 W 26
 Th 27 Cabinet
 F 28

MARCH 2025

M 3
 Tu 4 Joint Transportation
 W 5
 Th 6 Council (C Tax)
 F 7

M 10
 Tu 11 O&S
 W 12 Planning
 Th 13 JCC 2.30pm
 F 14

M 17
 Tu 18 Audit 5pm
 W 19
 Th 20
 F 21

M 24
 Tu 25
 W 26
 Th 27 Cabinet
 F 28

M 31

APRIL 2025

Tu 1
 W 2
 Th 3
 F 4

M 7
 Tu 8 O&S
 W 9
 Th 10
 F 11

M 14
 Tu 15
 W 16 Planning
 Th 17
 F 18 **GOOD FRIDAY**

EASTER MONDAY

M 21
 Tu 22
 W 23
 Th 24 Cabinet
 F 25

 M 28
 Tu 29

W 30

MAY 2025

Th 1 **KCC ELECTIONS**
 F 2

M 5 **BANK HOLIDAY**
 Tu 6 Selection & CR
 W 7
 Th 8 JCC 2.30pm
 F 9

M 12
 Tu 13 O&S
 W 14 Planning
 Th 15 Council
 F 16

M 19
 Tu 20
 W 21
 Th 22
 F 23

M 26 **BANK HOLIDAY**
 Tu 27 TEB 10am
 W 28
 Th 29 Cabinet
 F 30


KEY

O&S

- Overview and
 Scrutiny

JCC

- Joint Consultative
 Committee

 School Holidays

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