



## CABINET

Notice of a Meeting, to be held in the Civic Centre, Tannery Lane, Ashford, Kent TN23  
1PL on **Thursday, 27th October, 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 Safety and Wellbeing  
Councillor Bell – Portfolio Holder for Planning and Development  
Councillor Buchanan – Portfolio Holder for Housing  
Councillor Feacey – Portfolio Holder for Policy and Performance  
Councillor Forest – Portfolio Holder for Environment, Property and Recreation  
Councillor Iliffe – Portfolio Holder for Economic Development  
Councillor Pickering – Portfolio Holder for Human Resources and Customer Services  
Councillor Shorter – Portfolio Holder for Finance, IT and Digital

**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

	Page Nos.
1. <b>Apologies</b>	
2. <b>Declarations of Interest</b>	1 - 2
To declare any interests which fall under the following categories, as explained on the attached document:	
a) Disclosable Pecuniary Interests (DPI)	
b) Other Significant Interests (OSI)	
c) Voluntary Announcements of Other Interests	
See Agenda Item 2 for further details	
3. <b>Minutes</b>	3 - 8
To approve the Minutes of the Meeting of the Cabinet held on 29 <sup>th</sup> September 2022.	
4. <b>To Receive any Petitions</b>	
5. <b>Leader's Announcements</b>	

6.	<b>Medium Term Financial Plan</b>	9 - 32
7.	<b>Broadband Wayleaves</b>	33 - 40
8.	<b>Corporate Commercial Property Strategy - Annual Report</b>	41 - 66
9.	<b>Council Tax Base 2023/24</b>	67 - 74
10.	<b>Stodmarsh Update</b>	75 - 94
11.	<b>Greater Ashford Environment and Land Mapping Commission - Notes of 23rd August 2022</b>	95 - 100
	To receive and note.	
12.	<b>Trading and Enterprise Board - Minutes of 11th October 2022</b>	101 - 104
	To receive and note.	
13.	<b>Ashford Strategic Delivery Board Notes - 23rd September 2022</b>	105 - 108
	To receive and note.	
14.	<b>Climate Change Advisory Committee - Notes of 20th September 2022</b>	109 - 116
	To approve and adopt.	
15.	<b>Schedule of Key Decisions</b>	117 - 126
16.	<b>Items for Future Meetings</b>	

19 October 2022

---

Queries concerning this agenda? Please contact Member Services

Telephone: (01233) 330349 Email: [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)

Agendas, Reports and Minutes are available on: <https://www.ashford.moderngov.co.uk>

## Declarations of Interest (see also “Advice to Members” below)

- (a) **Disclosable Pecuniary Interests (DPI)** under the Localism Act 2011, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares a DPI in relation to any item will need to leave the meeting for that item (unless a relevant Dispensation has been granted).

- (b) **Other Significant Interests (OSI)** under the Kent Code of Conduct as adopted by the Council on 19 July 2012, relating to items on this agenda. The nature as well as the existence of any such interest must be declared, and the agenda item(s) to which it relates must be stated.

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted). However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

- (c) **Voluntary Announcements of Other Interests** not required to be disclosed under (a) and (b), i.e. announcements made for transparency reasons alone, such as:

- Membership of outside bodies that have made representations on agenda items, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: an effect on the financial position of a Member, relative, close associate, employer, etc; OR an application made by a Member, relative, close associate, employer, etc, would both probably constitute either an OSI or in some cases a DPI].

### **Advice to Members on Declarations of Interest:**

- (a) Government Guidance on DPI is available in DCLG’s Guide for Councillors, at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5962/2193362.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5962/2193362.pdf)
- (b) The Kent Code of Conduct was adopted by the Full Council on 19 July 2012, and a copy can be found in the Constitution at <http://www.ashford.gov.uk/part-5---codes-and-protocols>
- (c) If any Councillor has any doubt about the existence or nature of any DPI or OSI which he/she may have in any item on this agenda, he/she should seek advice from the Corporate Director (Law and Governance) and Monitoring Officer or from other Solicitors in Legal and Democratic Services as early as possible, and in advance of the Meeting.

This page is intentionally left blank

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **29<sup>th</sup> September 2022**.

### Present:

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

Cllrs. Bell, Buchanan, Feacey, Forest, Iliffe, Shorter.

### Apologies:

Cllr. Pickering.

### Also Present:

Cllrs. Burgess, Harman, Sparks, Wright.

### In attendance:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Director of Customer, Technology and Finance, Assistant Director of Planning and Development, Head of Economic Development, Service Lead – Finance, Economic Development Manager, Senior Governance and Data Protection Officer, Senior Communications Officer, Member Services Manager.

## 152 Minutes

### Resolved:

**That the Minutes of the Meeting of the Cabinet held on the 28<sup>th</sup> July 2022 be approved and confirmed as a correct record.**

## 153 Leader's Announcements

The Leader advised that a meeting of the ACER (Ashford Critical Emergency Resilience) group had taken place on 9<sup>th</sup> September. This had been chiefly to address various issues around the current economic situation. The meeting had agreed to form a Welfare Advisory Group, to be chaired by the Director of Customer, Technology and Finance, which would examine how the Council could assist residents and businesses in the current cost of living crisis. This work would be invaluable as the Council built its budget for 2023/24 and onwards.

## **154 Financial Monitoring – Quarter 1 Report**

The Portfolio Holder introduced the report and drew attention to the tabled papers which included a management response to the in-year deficit position. The report presented the Quarter 1 budget monitoring position which had been extended to the 31<sup>st</sup> July 2022. The current economic outlook and conditions had significantly changes since the budget was set and this was reflected within the report and the projections it contained. The forecast position to 31<sup>st</sup> March 2022 indicated an overall pressure on the General Fund of £1.7m, with a pressure in services of £1.2m. The Housing Revenue Account (HRA) was reporting a saving of £351,000. A full break down of movements was shown in the report. The report also provided an update on the Collection Fund, Treasury Management, Reserves and progress on savings identified in the 2022/23 budget. There were also a number of items in the ‘Other Items’ section of the report for the Cabinet to consider.

The Portfolio Holder drew particular attention to paragraph 49 of the report and the explanation around borrowing not coming forward from the Council’s Subsidiary Company – A Better Choice for Property Ltd. He said the reasons for this were clearly explained, but it was important to draw attention to them so they were not misconstrued.

### **Resolved:**

- That**
- (i) the Quarter 1 forecast position for the General Fund and the Housing Revenue Account be noted**
  - (ii) the Collection Fund position be noted.**
  - (iii) the Treasury Management position be noted.**
  - (iv) the provisional reserve allocations, as highlighted at Table 5 of the report, be noted.**
  - (v) the use of delegations under the ‘Other Items’ section of the report be noted.**

## **155 Performance Report – Quarter 1 2022/23**

The Portfolio Holder introduced the report which summarised performance against the Council’s updated suite of Key Performance Indicators reflecting the Corporate Plan 2022-24. He thanked the Officers involved for pulling together such a clear and detailed report.

### **Resolved:**

**That the performance data for Quarter 1 2022/23 be received and noted.**

## **156 Update on Broadband and Digital Infrastructure Improvements in the Ashford Borough**

The Portfolio Holder introduced the report which advised that the Council had been very pro-active in the approach to improving broadband and digital connectivity across the Borough for a number of years. Whilst KCC obviously led on this work, ABC had built a reputation as an organisation that providers and developers could work with. The report outlined the specific projects that Officers had been working on over the past 12 months and he thanked the report author and others for their hard work in this area.

### **Resolved:**

- That (i) **the content of the report and the broadband work undertaken in the past year be noted.**
- (ii) **it be noted that the delivery of broadband is a key priority in the Council's draft Corporate Plan.**

## **157 Graduate Planner Programme**

The Portfolio Holder introduced the report which advised that in recent years the Planning and Development Service had run a graduate planner programme which recruited graduates to work within the service on a fixed term, two-three year contract. The report set out the details of the programme and some of its recent successes.

Members welcomed the report and the programme. In an environment of resourcing and employment challenges across the sector, it was seen as a responsibility for all large organisations to help develop graduates and apprentices.

### **Resolved:**

**That the contents of the report and the success of the Graduate Planner Programme be noted.**

## **158 Joint Transportation Board – Minutes of 6<sup>th</sup> September 2022**

### **Resolved:**

**That the Minutes of the Meeting of the Joint Transportation Board held on the 6<sup>th</sup> September 2022 be received and noted.**

## **159 Trading and Enterprise Board – Minutes of 6<sup>th</sup> September 2022**

**Resolved:**

**That the Minutes of the Meeting of the Trading and Enterprise Board held on the 6<sup>th</sup> September 2022 be approved and adopted.**

## **160 Civic and Ceremonial Programme Board – Notes of 27<sup>th</sup> July 2022**

The Leader said he wanted to draw attention to the Platinum Jubilee Civic Awards that had taken place on Friday 23<sup>rd</sup> September. Staff had worked tirelessly to put on a very special evening which had provided an opportunity to recognise individuals who gave their time to do so much for the people of Ashford. The awards themselves had taken the form of a handmade crystal tree on a plinth of English oak, which had been a fitting tribute to Her Majesty the Queen in the year of her Green Canopy. Both the Leader and Chief Executive said it had been a joy to be present and a very humbling experience to meet the award recipients and their families and hear their stories.

**Resolved:**

**That the Notes of the Meeting of the Civic and Ceremonial Programme Board held on the 27<sup>th</sup> July 2022 be approved and adopted.**

## **161 Compliance and Enforcement Board – Notes of 26<sup>th</sup> July 2022**

**Resolved:**

**That the Notes of the Meeting of the Compliance and Enforcement Board held on the 26<sup>th</sup> July 2022 be received and noted.**

## **162 Climate Change Advisory Committee – Notes of 2<sup>nd</sup> August 2022**

The Portfolio Holder for Environment, Property and Recreation said he wanted to mention the 'Great Big Green Week 2022' which had launched the previous week and wanted to thank the Chairman of the Climate Change Advisory Committee, other Members and Officers who had been involved in the successful launch event in the Town Centre. It was vital area in which to engage residents and this had provided a good starting point.



**Resolved:**

**That the Notes of the Meeting of the Climate Change Advisory Committee held on the 2<sup>nd</sup> August 2022 be received and noted.**

## **163 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.**

---

Queries concerning these minutes? Please contact Member Services  
Telephone: (01233) 330349 Email: [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)  
Agendas, Reports and Minutes are available on: [www.ashford.moderngov.co.uk](http://www.ashford.moderngov.co.uk)

This page is intentionally left blank

# Agenda Item 6



ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:** 6  
**Report To:** Cabinet  
**Date of Meeting:** 27 October 2022  
**Report Title:** The Medium Term Financial Plan 2023 to 2028  
**Report Author & Job Title:** Lee Foreman  
Service Lead Finance  
**Portfolio Holder:** Cllr. Neil Shorter  
**Portfolio Holder for:** Finance & IT

**Summary:** This report presents the Medium Term Financial Plan (MTFP), a budget forecast including underlying assumptions, covering a five year period from 2023 to 2028 for the General Fund.

The Housing Revenue Account (HRA) is reported separately in the HRA Business Plan, which will be report to Cabinet in November 2022.

The Draft Budget is built using the assumptions in the MTFP and the Draft Budget will be reported to Cabinet in November 2022. However, it should be noted that this report is out of date already due to the significant volatility and uncertainty in the economy.

The MTFP was developed with economic data at the end of September before the mini budget was announced, and before it was then (mostly) reversed. Officers will endeavour to set the draft budget within the parameters of the MTFP but if material changes are necessary they will be reported within the draft budget report.

The MTFP presented highlights a £2.6m budget pressure for 2023/24, with a £10m cumulative pressure across the five year period. This forecast is likely to worsen with the latest indications that the public sector will be tasked with further efficiency targets to fund Government priorities, and start reducing Government debt incurred during the pandemic, and current cost of living crisis.

It will be necessary for the Council to identify significant savings moving forward to ensure it maintains its financial resilience, and deliver the priorities within the Corporate Plan, accepting a much narrower, affordable programme.

The Council has a good level of reserves but these should only be used to fund immediate, short term pressures.

**Key Decision:** YES

**Significantly** All

**Affected Wards:**

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

- I. Note the forecast and accept the underlying assumptions, noting economic volatility
- II. Note that 2023/24 Government funding allocation is forecast to be the same as last year, real term cut.
- III. Note the reserve position and support the proposed use of reserves to fund the 2023/24 budget deficit.
- IV. Delegate authority to the Deputy Chief Executive in consultation with the Portfolio Holder for Finance and IT to agree the Council's continued participation in the Kent Business Rates pool
- V. Support Management, in conjunction with members in developing a sound and robust schedule of savings to bridge the funding deficit highlighted within this report.

**Policy Overview:** This report is in line with the Council Policy to prepare and approve an annual budget and update and review the Council's finances with a five year plan.

**Financial Implications:** The Medium Term Financial Plan has been prepared alongside the Council's Corporate Plan 2022-2024, and includes future assumptions around inflationary movements and government levels of funding.

The Plan does include a number of risks and these are explored further throughout the report.

**Legal Implications:** Developing savings proposals will need to take account of the Council's statutory obligations to provide particular services.  
Text agreed by the Solicitor of the Council on 18/10/2022.

**Equalities Impact Assessment:** The assessment informs the Final Budget Report, which will be reported to February 2023 Cabinet. This report forms the basis of the Budget Setting process.

**Data Protection Impact Assessment:** No personal data used to build the plan.

**Risk Assessment (Risk Appetite Statement):** Risks are explored throughout this report and within the risk section. These risks are changing rapidly and in preparing this forecast and the speed of these changes mean that the forecast indicates a direction of travel.

There are many risks including,

- Government funding
- Uncertainty within the economy,
- Inflationary and interest rate risks.

The Medium Term Financial Plan is used to assess these risks and the impact they could have on the viability of the Council over the next five years.

The forecasts contained in this report will require the Council to make some difficult decisions to balance the budget in the medium term, these will need to be taken in a measured way balancing using reserves and reductions in service provision and increasing levels of council tax.

**Sustainability Implications:**

NA

**Other Material Implications:**

None

**Exempt from Publication:**

**NO**

**Contact:**

Lee.Foreman@ashford.gov.uk

## Report Title: The Medium Term Financial Plan 2023-2028

### Introduction

1. This report presents the Medium Term Financial Plan (MTFP/the Plan) for the period 2023 to 2028.
2. The plan considers how the Council can balance reconciling policy and performance within the resources available. This report sets out the context and provides an overview of the latest position in preparation of the detailed budget that will be presented to Cabinet and Council early 2023.
3. The report has been developed on current service activities, current understanding of future levels of government funding and key assumptions from government and professional advisory sources. As in previous years the government's announcement on the financial settlement will not be formalised until later in the year, when it is likely that the outcome will be to provide resources at 2022/23 levels, and therefore report that "no cuts have been made" overlooking the impact of inflation.
4. As reported last year, when the Council was one of 10% of Councils not to receive an increase in core spending power, despite the national average being 6.9% increase, with a 'roll over settlement' Ashford will be left to absorb inflationary pressures, resulting in significant real terms cuts to funding for a second consecutive year.
5. The Leader of the Council has previously written to the Government expressing concern over the 'real' cuts to funding although the response was disappointing. The Council will need to continue to feed into consultations around funding policy and continue to state our case.
6. The Draft Budget is built in conjunction with the MTFP and will be presented to Members at the November Cabinet.

### Council Priorities

7. In 2021 the Council adopted its new [Corporate Plan 2022-2024](#) which introduced "The Ashford Ambition" and provides strategic direction for the future and is the catalyst for delivering corporate priorities.
8. The Ashford Ambition is "to be a thriving, productive and inclusive borough in 2030 and beyond; a vital part of Kent and the South East where local businesses, social enterprises, communities and the public sector provide collective leadership to promote shared prosperity, happiness and wellbeing"
9. The Ashford Ambition is supported by three priority themes that are detailed below, the anticipated delivery outcomes are expanded upon at **Appendix A:-**
  - Green Pioneer
  - Caring Ashford
  - Targeted Growth

10. The new Corporate Plan has identified a number of strategic projects that will be supported and overseen by the Ashford Strategic Delivery Board and can be seen on page 17 of The Corporate Plan.
11. One of the significant projects is the redevelopment of Newtown Works and the Council is now the majority shareholder of the 'Ashford International Delivery Company' and will work with the other shareholder Quinn Estates Kent Ltd. to progress work on this exciting project.
12. The Newtown works project and development has been awarded £14.7m from the Government Levelling Up Fund following a successful application by the Council, and supports the overall viability of the scheme.
13. While the Corporate Plan very much sets the strategic direction for the Council to 2024, with many of the key projects running well beyond that date. However, the economic outlook has significantly changed since the inception of the new corporate plan, and the Council will need to re-focus on delivering essential services to the stakeholders and only the key strategic priorities. In delivering these services the Council need to ensure stakeholders are receiving value for money service but also understand the service level which is affordable, and what is and is not a statutory function.
14. For the 2023/24 budget the recommendation is to use the Economic Risk reserve to fund any residual budget deficits. This approach will allow time for management, in conjunction with the incoming administration to undertake a thorough and well considered piece of work to determine where the Council can make savings, or generate additional resources. The current administration has already started to assess measures to address the budget shortfall so that the incoming administration is well placed to make a measured approach to the economic situation evolving. This is detailed further in this report (paras 49-59). There will however be a need to focus on the core statutory responsibilities of the Council, and re-focus the ambition within Corporate Plan to target the 6 strategic priorities 'Super 6' that have been identified by the Council.

## **Current Position**

15. 2022/23 was supposed to be the year that the economy emerged from Covid and the 'lost years' were recovered as people returned to the high streets, developments progressed and things would start to look a little more positive.
16. However, during the build-up and subsequent Invasion of Ukraine by Russia in March 2022, the cost of energy significantly increased driving up inflation to 10.1% in July 2022. In response to rising inflation the Bank of England (BOE) Monetary Policy committee (MPC) have sharply increased borrowing costs with interest rates hitting 2.25% in September 2022 having been at 0.10% on 15 December 2021, further increases are also expected.
17. The significant increase in energy costs and subsequent rise in inflation has created a cost of living crises with government intervention capping energy costs to support households from further unaffordable rises.
18. However, the Council is not immune to the current financial crisis and reported to Cabinet in September a quarter one budget pressure of £1.7m, largely due to an increase in the number of people presenting as homeless increasing temporary accommodation costs, 13% (£385,000) increase in the waste collection contract, savings not being delivered as anticipated and loan

facilities extended to the Council's subsidiary company not coming forward as quickly as forecast.

19. In developing our medium and longer term plans the Council will need to have regard to the broader context in which we will be working. This includes:-
  - a. Inflation at higher levels than the 2% targeted by Government, which the Bank of England Monetary Policy Committee is targeted with delivering.
  - b. Further increases in interest rates, potential to 5% before coming back down over the medium term although, although this is a continually changing picture.
  - c. Ongoing geo-political tensions including the war in Ukraine, China Zero Covid Policy.
  - d. Continued cost of living crises and the impact this will have on residents within the borough, potentially increasing demand on welfare services and increasing levels of council tax and Housing arrears.
  - e. A decline in the use of fee paying services and income levels to the Council, such as Parking and Garden Waste income.
  - f. New Prime Minister and Chancellor who have changed the economic policy and introduced tax cuts that are yet to be fully funded, despite promises of no cuts to public spending, there is certainly no indication of additional funding to support inflationary pressure.
  - g. There is significant public debt from both the pandemic support packages and the energy support packages that will need to be funded at some stage.
  - h. Fair funding and Business Rates reform, these have been on the Government agenda for a while now but due to external factors are continually being delayed in favour of one year settlements and continuation of existing schemes.
  - i. New Home Bonus, this once very attractive building incentive scheme has been cut back to one year only settlements, and a consultation to replace the scheme has undertaken in July 2021 but not further information has been provided.
  - j. Uncertainty over Ashford Port Health service and what coverage and resource will be needed long term.
  - k. Possible recession and how this will impact the local and national economy.
  - l. Responding to the national and local climate change issues, and what can be done within financial constraints to deliver these objectives.
20. The lists above is not exhaustive but gives an indication of the uncertainty facing Local Government finances that will need considered. From looking at the new environment the only clear message is that the Council will continue to be financially challenged and will need to respond, as we have before in reviewing how we operate, to ensure that the Council remains financially resilient, and to ensure statutory services can be delivered over the longer term.
21. The areas above are covered in more detail in the Policy, Economic Outlook and Risk report at **Appendix B**.



## Medium Term Financial Plan, Savings and Reserves

### Key Assumptions

22. The Medium Term Financial Plan is based on a number of forward looking assumptions that are detailed at **Appendix C** with supporting narrative. However, it should be noted that these assumptions were developed towards the end of September (Pre Mini Budget), and given the volatility and uncertainty and in the economic outlook further consideration and some changes to the assumptions may be necessary as the draft budget is developed. **NB.** Members should be reassured that the Finance Team, Management Team and the Portfolio Holder are continuing to keep an eye on these factors.
23. There are other assumptions and considerations that were considered when formulating the MTFP and these are discussed below.
24. An allowance for the new refuse collection contract of £1.5m has been allowed for in the plan. This is an indicative figure and has upside and downside risk which will be confirmed once the new agreement is awarded.
25. An increase in budget of £80,000 has been added to the Monitoring Centre cost centre following a service review and regrading of Operator salaries.
26. The plan has allowed for the Council Tax increase for 2023/24 to be ring-fenced for one year to support the newly formed welfare advisory group.
27. It is anticipated that the rules around Council Tax increases will not change for 2023/24 therefore allowing the Council to raise Council Tax by 2% or £5 whichever is the greater without the need for a local referendum. For planning purposes the MTFP has assumed the maximum increase available to the Council in each year of the Plan which would result in a £5.00 increase for 2023/24, taking the average Band D property to £182.50, keeping Ashford as one of the lowest in Kent.
28. It is anticipated that the Council tax increase will add, subject to final tax base numbers circa £245,000 to the Councils budget. It should also be noted that when Government calculates grants to Local Authorities, it is always done on the basis that Council Tax revenue has been maximised, equally given the controls in place or limiting Council Tax increases, if you freeze for a year it is then incredibly difficult to catch up.
29. Assumptions for new properties have been based on information from the planning and visiting officer teams, looking at the number of properties under construction and taking a view on the delivery of sites with planning permission and allocated sites. It should be noted that the figures may differ from those in the emerging local plan but a lower figure is taken as historical data shows a lower level are usually completed than permitted. There is also downward pressure from developments that are captured by the Stodmarsh issue, although there is a plan to mitigate this in the future a pressure is still coming through where work cannot be commenced until the mitigation strategy is approved. These assumptions drive figures for growth in tax base which ultimately impacts upon Council Tax Yield, and previously the new homes bonus receipts, so possibly a future scheme.
30. Due to the delays in the reforms to local government finance we expect to see a one year settlement being agreed based on last year's settlement. Although

funding levels have not been formally reported to the Council as yet the following assumptions have been made:

- a. New Homes Bonus will continue for one year however, we do not expect to receive any legacy payments resulting from the allocation.
- b. The Business Rate retention scheme has been under review and a number of government consultations have happen over the last couple of years. Due to current priorities we have made the assumption that the business rate scheme will continue in its current form for the period of this plan, or that sufficient tapering will be introduced to protect the Council's position in the transitional stage.

#### Developing Future Income Streams

31. The Commercial Investment Strategy, comprises of three elements, Real Estate Investment, Loans to the Property Company and Strategic Investment.
32. The Medium Term Financial Plan includes income from projects that have been confirmed, such as investment in the Property Company, although given the current economic uncertainty the viability of projects will need to be reassessed. If projects are delayed then this will impact the net receipt to the Council and should be recognised as a risk to the forecast.
33. There is an expectation in the plan that the Council will earn £200,000 additional income per annum from commercial ventures.

#### MTFP Forecast

34. The MTFP for the period 2023/24 to 2027/28 is currently forecasting a £9.98m deficit over the period with £2.6m within 2023/24.
35. As discussed previously this MTFP is full of uncertainty and there is a distinct possibility that this forecast could change as we develop the draft budget.
36. It can be recognised though that the Council is faced with an incredibly challenging economic outlook which will need careful but robust action to close the budget gap. This will require difficult decisions to be made as we review our service provision and expenditure.
37. It is recommended that any residual budget gap identified following the completion of the Draft Budget be met from the Economic risk reserve. This will enable Management in conjunction with Portfolio Holders and the incoming administration to make decisions on what savings can, and need to be taken forward.
38. If over the next 18/24 months the deficit is not addressed then the Councils reserves and ability to address funding issues in the short term will diminish, and the Council could be put into a position of considering its long term financial sustainability and statutory requirement to deliver a balanced budget.

## Medium Term Financial Plan projections

	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000
Government Grant	(417)	(417)	(87)	(87)	(87)
Grants	0	0	0	0	0
Retained Business Rates	(7,502)	(7,983)	(8,174)	(8,418)	(8,660)
New Homes Bonus (100% transferred to Improvement & Project Fund)	(1,136)	0	0	0	0
Government Funding	(9,055)	(8,400)	(8,261)	(8,505)	(8,747)
Council Tax	(8,946)	(9,375)	(9,817)	(10,273)	(10,744)
Total Income Receipts (Including Specific Grants)	(47,046)	(48,162)	(48,611)	(48,961)	(49,343)
Base Budget Gross Expenditure	65,818	67,580	67,965	69,299	70,648
Net Interest and MRP costs	4,065	4,776	5,494	5,183	5,335
Company and Commercial income (excl. debt)	(2,367)	(4,015)	(4,919)	(5,220)	(4,689)
Ring fence Council Tax growth to reserves	300	(300)	0	0	0
Reserve Transfers	(162)	(568)	0	0	0
<b>BUDGET GAP</b>	<b>2,607</b>	<b>1,536</b>	<b>1,851</b>	<b>1,523</b>	<b>2,460</b>
<b>Cumulative GAP</b>	<b>2,607</b>	<b>4,143</b>	<b>5,994</b>	<b>7,517</b>	<b>9,977</b>

### Reserves Strategy

39. The Council holds a number of reserves to ensure it has enough money to respond to and cover future risks such as maintenance of assets, changes to government funding and prevailing economic conditions. Some reserves are identified to support the corporate plan priorities and promote economic growth with the borough and support the Climate Change agenda. If these reserves are diverted to balance the budget then the delivery of these priorities will be put into question.
40. Management in conjunction with Members will need to review the reserves available, and considering the emerging economic risks re-profile accordingly to support the Council's Net Revenue Budget position, risks present and emerging, and the growing asset base.
41. The Council holds a number of ring fenced reserves which need to be held separately for the specific purposes which are not shown.
42. The table below shows reserve levels as at 31 March 2022 and the forecasted position as at 31 March 2023 based on current commitments.

<b>Analysis of Revenue Reserves (non ring-fenced)</b>	<b>Balance at 31 March 2022</b>	<b>Balance at 31 March 2023</b>
	<b>£'000</b>	<b>£'000</b>
<b>Un-earmarked General Fund Reserve</b>	<b>2,562</b>	<b>2,562</b>
<b>Earmarked Reserves</b>		
Recovery Project Reserve (now including Victoria Park)	1,093	0
Climate Change Delivery Fund	2,000	1,920
Improvement Delivery Fund	3,000	1,750
Economic Growth and Risk Fund	8,345	5,406
Fund Future Expenditure (Risk, Legislation, Transformation)	6,104	6,020
Provide for Maintenance of Assets	4,932	4,182
<b>Provision for Discretionary Spend</b>	<b>25,474</b>	<b>19,278</b>
<b>Total Reserves Position</b>	<b>28,036</b>	<b>21,840</b>

43. The Council's reserves policy is to hold a minimum 15% of Net Budget Requirement as the un-earmarked General Fund Balance; this is around £2.5m.
44. The reserves are forecasted to drop by just over £6m during 2022/23 due to a number of large items being funded from reserves including:-
- £0.73m contribution towards Victoria Park Redevelopment
  - £1.25m of revenue to fund capital expenditure
  - £1.7m to fund forecasted 2022/23 deficit
  - £0.5m for continued support for Tenterden Leisure Centre
  - £0.75m pressure on Repairs and Renewals Reserve
45. This is a significant reduction in reserves for one year and highlights the need for the Council to be mindful when committing reserves, especially to projects that do not generate any direct income to the Council, or adds pressure for maintenance liabilities.
46. The Council makes an annual contribution of £600,000 to the Repairs and Renewals reserve from revenue, and although this adds pressure to the operational budget it is essential to carry out repairs and maintenance to the Council's General Fund (property & land) asset base of around £130m. The Capital plan also allows for £500,000 of external borrowing to be made.
47. The Council has a MTFP pressure of £2.6m next year and £10m over the life of the plan. There is capacity to fund the 2023/24 deficit from the Economic Growth and Risk Fund (Reserve). If this action is necessary reserves will fall below £20m, and £12m over the life of the plan if efficiencies are not delivered. Clearly this would be an unsustainable trajectory and would restrict the Council's ability to support corporate projects and priorities, and undermine the long term stability of the Council.

48. Future projects and priorities will need to be assessed and appropriate funding identified before they are approved. The following should be considered:
- Capital reserves will be utilised if available for capital projects.
  - Projects that generate a regular income above financing costs could attract borrowing for funding; a full business case would be required to access borrowing, giving regard to new restriction on borrowing for what could be classified as 'debt for yield'.
  - Projects outside of (a) and (b) will need to be consider alongside available reserves and staff resources. Grants and other external funding should also be considered to reduce the call on reserves. Grants should only be applied for to deliver approved projects, reducing Council liabilities.

## **Balancing the Budget Gap - Developing a core service offer**

49. The MTFP for the Council shows a cumulative deficit over the 5 years period with a significant pressure of £10m. Although the Council has sufficient reserves to fund this deficit, by not taking action the Council would be reducing its financial strength and be on an unsustainable trajectory.
50. The financial resources are also likely to come under further pressure with government policy now indicating that the public sector will be asked to find further efficiencies, as well as absorbing inflationary pressures, all in all resulting in real 'significant' cuts to funding.
51. To ensure that the Council maintains its strong financial standing and demonstrates sound financial management it will be necessary to explore all saving options within the Council and make some difficult choices between statutory and non-statutory services, and at what level can, and should be delivered going forward. It is therefore proposed that the Council develop a core service offer understanding what services, and to what standard are the minimum acceptable service levels and then seek to balance this delivery within the resources available.
52. In addition the breadth to the projects within the corporate plan will need to be reviewed and where resources have been allocated to deliver them they will need to be reviewed against this reviewed focus. This will seek to manage the use of reserves and also ensure that capital projects that rely on debt funding are sustainable.
53. It will be necessary to ensure any savings proposals are well considered, have Officer and Member support, have clear timeframes for delivery, and be pro-actively monitored against those timeframes and reported through to Management and Members accordingly.
54. To enable the above piece of work to be properly undertaken, it is proposed that the deficit for 2023/24 be earmarked from reserves, however, as savings are identified and realised, pre and post April 2023 the draw on reserves can be reduced.
55. Against this picture of tightening resources the policy for setting council tax should be considered. Government's funding strategy for local government in recent years has been to reduce central support and rely on increasing Council Tax to offset (partially) these reductions. Therefore; it is advised that the Council continues to increase Council Tax by the maximum permitted as per Government expectations.
56. The council should also continue to follow principles that have been instilled in recent years to strengthen financial resilience and generate opportunities.
57. This will be achieved through:
  - a. Cost Awareness – Controlling our costs
  - b. Income generation – Exploiting opportunities
  - c. Working smarter – Empowering staff through digital and transformation
58. Digital transformation will aspire to manage growth in demand within resources through smarter working.

59. The Investment Strategy and generating future income to support the underlying budget is being continuously reviewed.

## **Risks**

60. Members are reminded that the majority of the issues in this report are risks in themselves. There are a number of smaller risks to the MTFP that have not been mentioned in the report and an assessment of those risks are explored in this section.
61. The Council has been asked to reduce the number of staff it has employed for Ashford Port Health with a view to becoming operational late 2023. Currently DEFRA are supporting all the costs associated with Port Health, however if this support ends before the service is operational and recovering costs, then the risk of any deficits could fall on the Council.
62. All the assumptions within this report were at a point in time, and in the current climate things are changing daily so this information is instantly out of date. Therefore budgets will be built within the principles of the MTFP guidelines, but where changes are material budgets will be set and changes reported within draft budget to Cabinet.
63. The Stodmarsh position has been considered when looking at building within the Ashford area however, if the proposed mitigation is delayed, there could be a continued pause in development affecting planning income and also the tax base growth assumed within the plan.
64. Government funding reviews are continually being delayed and with latest commentary this could result in further cuts to Government funding. As information become available budgets will be updated but any specific announcements are not expected until later in the year.
65. There has been wide media coverage about the viability of Councils and the use of a S114 Notice. The Council is required by statute to deliver a balanced and deliverable budget annually. Whilst this version of the MTFP can be funded from reserves the current economic conditions could lead to an unsustainable long term financial position if the deficit is not properly addressed. In the event that the Council's S151 Statutory Officer had concern over the long term financial health of the Council then they would be legally required to issue as S114 notice to raise the concern with Government. It is the opinion of the S151 officer that at the moment the Council is not in this position but should affirmative action not be taken to find the necessary savings identified to address the MTFP deficit, then we could slowly move in that direction.

## **Consultation Planned or Undertaken**

66. The Draft Budget will be presented to the November 2022 Cabinet meeting and will request approval for the budget to be passed for budget consultation through the Overview & Scrutiny Task Group and externally (residents and businesses).
67. This consultation period will run in December and into January 2023 if necessary.

## **Next Steps in Process**

68. Management in conjunction with members need to start drawing up plans to deliver significant savings over the life of the MTFP.

69. The Draft Budget is prepared on the basis/and principles of the Medium Term Financial Plan and this is presented to members at Cabinet on 24 November. The recommendation will ask Cabinet to send the Draft Budget to consultation to the Overview & Scrutiny Task Group and the public including residents and businesses within the Borough.
70. The Final Budget will incorporate any agreed changes following the consultation period and any significant changes understood since the Draft Budget and will be reported and presented to Cabinet in February 2022 and this will then be recommended for approval to Council on 3 March 2023.

## **Conclusion**

71. Members are asked to consider and note this report along with assumptions made, accepting that there could be significant movement in assumptions due to the volatile economic conditions. Endorse the Reserves Strategy and delegate authority to the Deputy Chief Executive in consultation with the Portfolio Holder for Finance and IT to agree the Council's continued participation in the Kent Business Rates pool

## **Portfolio Holder's Views**

72. The speed at which the Economic condition have changed since a year ago, have seen the Council move from a sound financial position to one with significant risk and pressures that will need serious consideration over the short and medium term.
73. To address these significant challenges, Members and Senior Management will need to work closely to down re-focus the priorities for the Council, and strike the right balance between levels of statutory service provision and delivering the big priorities in the Corporate Plan.
74. All members from all parties need to understand the risks identified in this report, recognise, and support the difficult decisions that will need to be taken.

## **Contact and Email**

Lee Foreman

[Lee.Foreman@ashford.gov.uk](mailto:Lee.Foreman@ashford.gov.uk)



## **Corporate Plan 2022-2024**

### **Corporate Plan Priorities**

1. Page 5 of the Corporate Plan expands further on the Theme, Challenges, Objectives and Outcomes of each of the corporate priorities, Green Pioneer, Caring Ashford and Target Growth.
2. All the themes work towards the Ashford Ambition and are focused to making Ashford a successful and prosperous Borough to work, live and visit.

### **Green Pioneer – Delivery Outcomes**

- Homes are energy efficient and cheaper to heat. Renewable energy generation and consumption increases. Fewer local car journeys are made, air quality improves and residents are more active and healthy.
- Communities in urban and rural areas value, enjoy and respect the natural environment and the abundance of wildlife increases.
- A borough free of litter, where everyone takes responsibility for minimising the amount of waste they produce.

### **Caring Ashford – Delivery Outcomes**

- Communities feel safe and secure with easy access to locally led services designed with communities to meet their needs.
- Local people seek positive change for themselves and others through the development of their knowledge and skills, improving social inclusion and employability.
- The lives of people with the worst health and wellbeing outcomes are improved.
- Cultural activities and events bring communities together, increasing tolerance, respect and understanding.

### **Targeted Growth – Delivery Outcome**

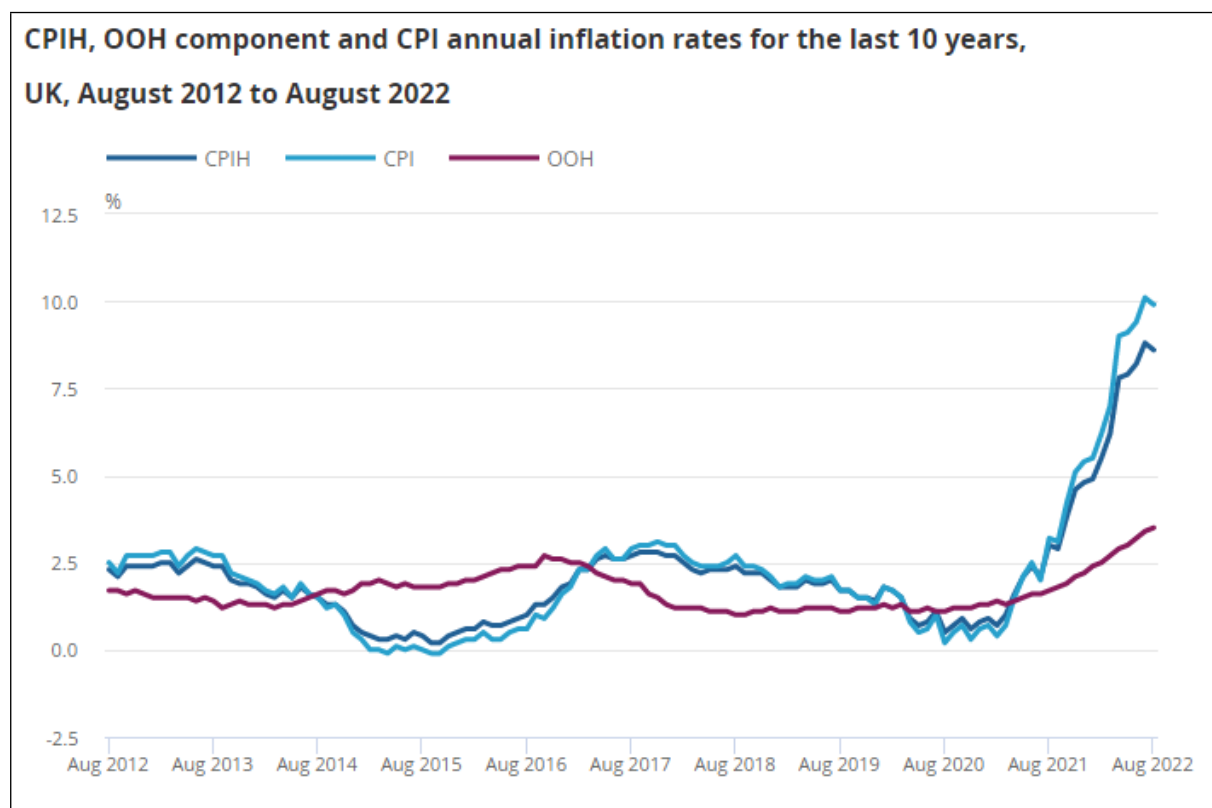
- The borough attracts and grows businesses and industries that are innovative and sustainable that benefit local employment and incomes.
- Fast, reliable digital connectivity is available across the whole borough so no one is disadvantaged in accessing online services or doing business.
- Local business survival rates improve - The borough is a 'year round' visitor destination renowned for offering quality visitor experiences.
- Our town centres are lively, safe places where people of all ages live, work and visit, coming together to enjoy events and activities.

## Policy, Economic Outlook and Risk

1. This appendix provides further details on the local and national policy decisions, and how the current inflationary and interest rate increases are impacting the Council.

### Inflation

2. The increase in inflation started towards the back end of 2021 as pandemic fiscal related stimulus come to an end and Russia started manoeuvring more troops to the Ukrainian border which caused energy prices to increase rapidly on the threat of war. These prices fuelled inflation and once the high energy prices become sustained costs started getting added to everyday items which caused inflation to keep rising and become embedded.
3. The high inflation environment has created a costs of living crises that has needed the Government to introduce a cap on energy bills although prices continue to squeeze household incomes across the board.
4. We need to appreciate the severity and speed of the changes which were totally unforeseen and have left individuals and the Council exposed to significant increases in costs.
5. The chart below represents the annual movement in CPI (Consumer Prices Index) since 2012, and clearly show the severity and speed at which the inflation has increased.



Source [Consumer price inflation, UK - Office for National Statistics](#)

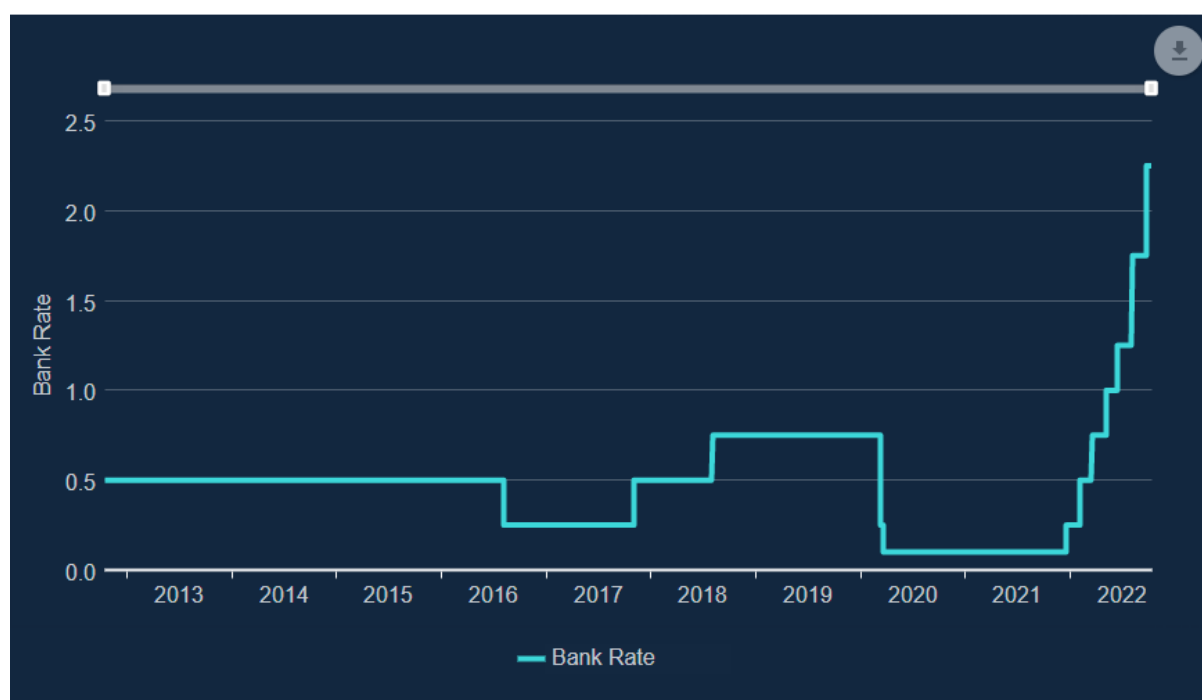
Source:- [Interest rates and Bank Rate | Bank of England](#)

6. Rising inflation directly and indirectly is already adding significant pressure to Council budgets. The most noticeable impact of direct inflation has been through the Council's refuse and recycling contract that had a contractual uplift of 13% in April 2022 adding an additional £385,000 to the 2022/23 budget. This is also common across all other smaller contracts which are seeing inflationary increases (above those budgeted for) as companies pass on costs to consumers, certainly where supplies are energy focused.
7. The Council is also experiencing significant increases in capital works costs as on top of inflationary pressures, there are continuing supply chain issues. This has driven up material costs considerably which are being priced into works. The Council needs to be mindful of this issue and consider the urgency and necessity of works, or options to reduce scope to bring the project within the original budget.
8. Rising inflation will also have an impact on the residents of the borough who will be looking at ways to save money, and in some instances have to make decisions over heating homes, or paying council tax and rent demands, which could lead to an increase in arrears owed to the Council.
9. There is concern, and already some indication that where households are looking to cut costs they are asking 'temporary guests/sofa surfers' to move on and are in some instances presenting as homeless, adding pressure to the Council's temporary accommodation budget.
10. With the potential of recession due to rising inflation and interest rates, there is also likely to be reduced demand for Council discretionary services, such as parking income, which still has not recovered to pre Covid levels, and environmental services such as garden waste bins and bulky refuse collections, the Council is already experiencing a decline in garage occupancy levels as people look to reduce costs.
11. Businesses around the town will also start to struggle as consumers look to cut back, especially within the Food and Beverage industry which was still recovering from the Pandemic. The Council has a number of units linked to this industry and given the economic climate there could be pressures on rent collection levels, and voids.
12. Overall rising inflation is non-discriminatory and will impact all businesses and residents within the Borough, including the Council, and we will all be tasked with tough challenges to do what is required, but against the backdrop of what is affordable.

## Interest rates

13. The Treasury Management Strategy for a number of years has been to maximise the benefits of short term borrowing rates with a view to taking longer term borrowing as rates started to climb, with the economic and professional guidance forecasting rises to 3% over a prolonged period. Although this strategy has been successful and has funded in year service pressures and help grow reserves, including the economic risk reserve.
14. However, in response to rising inflation as discussed above, the BOE have had to raise interest rates aggressively in an attempt to slow inflation. It is anticipated that further rate rises will happen to increase borrowing costs and reduce inflation by reducing people's disposable income levels and to stop us spending, thus fuelling inflation.
15. In addition to combatting inflation, political decisions and announcements have also created a spike in borrowing costs as UK bond prices increased as unfunded tax cuts were introduced. As a result of all the volatility both short term and long term interest rates have significantly increased.
16. The table below shows the sharp increase in interest rates which is used as a benchmark for the Council's short term borrowing costs with margins added for the duration of loans.

### Official Bank Rate



17. The Council's General Fund is forecasting an overall borrowing requirement of circa £131m for 2023/24 of which around £25m is forecast to be for new capital expenditure.
18. The budget has always allowed for a gradually purchasing programme of longer debt and the Council took £32m from the PWLB in July 2021 of which £17m related to the general fund. This leaves a forecasted short term borrowing requirement of circa £114m for 2023/24.

19. In relation to budgets it is anticipated within the MTFP (which was developed before the mini-budget and based on external guidance) that the average cost of short term borrowing would rise from circa £0.20% (estimate for 2022/23) to 2.65% for 2023/24, an increase of 1,325%, or in monetary terms an increase in interests costs of £24,500 per annum, per £1m of debt.
20. The assumed rates have increased the budget for borrowing from £1.03m in 2022/23 to £3.33m in 2023/24, an increase of £2.3m, and there is still considerable risk to this budget with the current market volatility. The forecasted rate will be reviewed as the draft budget is developed, but to highlight the risk a further 1% increase in base rate to say 3.65% would add a further pressure of £1.2m to the 2023/24 budget.
21. To give an indication of the uncertainty in the markets, borrowing rates are sometimes being priced multiple times in a day, and at one point long term rates moved up and then back down by 1% overnight, the Council needs to wait for the volatility to settle before making strategic decision over the borrowing portfolio.
22. In relation to new loans to third parties such as the property company, the structure of the funding facility allows the Council to take a risk free margin over prevailing borrowing costs. However, the increase in interest rate costs will challenge the viability of external projects and therefore borrowing may not come forward as planned, which could add pressure to the budget, as has been the case in 2022/23.
23. The Finance Team will continue to work with its professional advisors to review the strategies to best manage the Council's investment and borrowing portfolios.
24. On a minor positive, the Council's liquid cash is generating a slightly higher return although this is dwarfed by increased borrowing costs.

### **Government Policy – Local and National Context**

25. Following the removal of Boris Johnson as Prime Minister and the appointment of Liz Truss, the newly appointed Chancellor of the Exchequer (now removed) presented a 'mini-budget' that reversed planned tax rises and adopted a Trickle Down economic plan to grow the economy. However, economic markets reacted negatively and following 38 days of volatility he was replaced by Jeremy Hunt. The majority of the cuts have now been reversed and promises of protecting public expenditure have now turned to announcements that Government Departments will need to make spending cuts.
26. However, apart from the economic volatility, for Local Authorities the continual changes in policies further delay planned reforms to fair funding, and the potential for the Department of Levelling Up, Communities and Housing (DLUCH), to offer multiyear settlements to Local Councils. This constant deferral of reviewing funding reform creates uncertainty and has led to a succession of one year settlement deals, where new burden grants are made, but corresponding cuts to other grants leave the Council with the same total core spending power, just delivered in different grants, and ultimately with no additional funding for new burdens, not to mention no increases for inflation.
27. One of the biggest delays is to the reform of Business Rates, which after several years of discussion was abandoned, but still subject to new direction and review. Inadvertently this is positive for Ashford as we have a high level

of growth in the Borough which means we retain a greater share. However, financial modelling through our advisors forecasts a significant cut in resources once a baseline reset is complete. Any change is now not expected to 2025/26 but again this creates uncertainty for longer term planning.

28. Currently Ashford Borough Council is part of the Kent Pool for Business Rates that offers a number of benefits to the Council including benefiting from the business rate growth within the district. This arrangement is reviewed annually and this report asks for delegated responsibility for the Deputy Chief Executive in consultation with the Portfolio for Finance and IT to renew its membership if it continues to be advantageous for the Council.
29. New Homes Bonus funding is anticipated to continue to pay one year only settlements only, however this scheme is to be abolished and consultations took place in July 2021, again changes to Government has delayed the progression of a replacement system.
30. The other concern is around Government debt, the Government borrowed significant sums to support the Country through the Covid Pandemic and again has spent significant sums introducing the Energy Price cap. However, at some stage this debt will need to be repaid and it is possible that further cuts to departmental budgets, and in turn Local Government.
31. Liz Truss confirmed that there would be no cuts to public spending, but would make sure public spending is spent well, this could see money move around the system, but what is clear that there seems to be no indication of further funds being made available, in which case 'real' terms cuts allowing for inflation will need to be absorbed.
32. More locally the Council will bid fair well to its long term Leader Gerry Clarkson who has been providing political leadership for over 10 years. As with Central Government, a new Leader of the Council will have their own views on how services should be delivered moving forward.
33. Equally with local elections in May 2023, there is a possibility that the political composition of the Council could change and bring a change in strategic priorities and service delivery expectations.

### **Ashford Port Health**

34. In September 2020 DEFRA (Department for the Environment, Food and Rural Affairs) informed the Council that the Sevington Inland Border Facility (IBF) was being designated a Border Control Post and the Council would become responsible for carrying out various port health controls on behalf of the Government.
35. The original plan to appoint 125 people to this service and the Council delivered on this plan, however Government have continually delayed the opening and adjusted the remit of the authority. The Council has now been advised that 54 Officers will be necessary to fulfil the checks required.
36. Although the costs are currently being underwritten by Government, structural changes have been necessary to accommodate the proposed changes and central overheads were allocated accordingly.
37. The changes have already increased recharges back to the general fund and there is a risk that any further changes will result in more costs being

transferred back to the general fund. Once the service is up and running it is anticipated to be self-funding through the charging of fees.

### **Changes in demand for services**

38. With the Covid Pandemic and now the cost of living crises there is risk to the level of demand placed on services.
39. It is envisaged that the current economic conditions could increase the demand for Council Welfare services including, homelessness and revenues and benefits administration.
40. There could also be requests from the voluntary sector asking the Council to support initiatives to support vulnerable groups through food banks etc., as we did during the Covid pandemic, although that was largely passing through Government grants.
41. In relation to use of fee paying services, the Council could see a reduction in areas such as parking income, rental of garages and garden waste bins to name a few. The take up and usage of these facilities will need to be closely monitored to identify any downward trends so budgets can be adjusted accordingly. There is already some pressure coming through on garage income as units are being surrendered.

## Inflationary Assumptions

1. The table below shows the inflationary allowances used within the MTFP, followed by the key factors and risks from each are:-

	2023/24	2024/25	2025/26	2026/27	2027/28
Pay	5.700%	3.700%	2.700%	2.700%	2.700%
Contract	16.00%	5.00%	2.50%	3.00%	3.00%
Income	16.00%	5.00%	2.50%	3.00%	3.00%
CPI (consumer Price Index)	15.00%	4.00%	1.50%	2.00%	2.00%
RPI (Retail Price Index)	16.00%	5.00%	2.50%	3.00%	3.00%
Utilities	26.00%	15.00%	12.50%	13.00%	13.00%
Benefits	1.00%	1.00%	1.00%	1.00%	1.00%
CT increase	2.81%	2.74%	2.67%	2.60%	2.53%
Pension	4.00%	4.00%	4.00%	4.00%	4.00%
Bank of England Rate	2.50%	1.80%	1.75%	1.75%	1.75%
ST Borrowing	2.65%	1.95%	1.90%	1.90%	1.90%
LT Borrowing	3.30%	3.30%	3.30%	3.30%	3.30%
ST Investment	2.45%	1.75%	1.70%	1.70%	1.70%
LT Investment	5.00%	4.30%	4.25%	4.25%	4.25%
Company lending	4.80%	4.60%	4.60%	4.60%	4.60%

### Key factors and risks

2. **Pay** – the Council was awarded a 2% cost of living increase for 2022/23 which was broadly in line with the forecast within the previous MTFP. Pay is the largest expense to the Council and is forecast to be in the region of £19.7m for 2023/24 forecasting a 5% increase.
3. As the largest expense to the Council this is also the largest risk in terms of inflationary pressure. There is always a need to balance the pay award with market factors, including ensuring we are competitive in attracting and retaining staff. Consideration also needs to be given to the general labour market which is tight at the moment and the MTFP to ensure that any pay awards are affordable and sustainable.
4. To put the pay award risk into context, a 1% movement upwards in the pay award would add an additional £197,000 to the annual pay bill, equivalent to five Officers at SCP30 grade including on-costs.
5. **Contractual inflation** – this is generally follows CPI with a 1% wedge to allow for additional margins on shorter term contracts (effectively RPI). Contractual inflation does not inflate budgets for all small contracts where increase have been largely managed through finding efficiencies in service budgets in recent years, this approach is continuing to reduce growth and challenge budgets. However for significant contracts, such as the waste collection contract a contractual inflation allowance is applied.
6. For 2023/24 growth of circa £900,000 has been allowed for contractual inflation of which £636,000 is for the refuse collection contract. The allowance of 16% growth is not a direct forecast for 2023/24, but increased to allow for catch between the previous assumptions allowed for in the 2022/23 MTFP and actual rates that developed due to the rapidly changing economic conditions. This approach has also been used for Income, CPI, RPI and utility allowances.



7. **Borrowing** – The short term and long term interest were forecast in September and following recent fiscal events, will need revising upwards as the draft budget is developed.
8. Government Policies such as the Energy Support Scheme and the min-budget, although this is now likely to be reversed (in part), it is anticipated that inflation and subsequently interest rates are expected to rise more severely and then take longer to drop depending on the severity of any possible recession.
9. Commentary on inflation and interest rates are shown at **Appendix B**.

This page is intentionally left blank



**Agenda Item No:** 7

**Report To:** Cabinet

**Date of Meeting:** 27 October 2022

**Report Title:** Council Housing Broadband Wayleave Agreements

**Report Author:** Tom Jenkins (Economic Development Manager), David Green (Housing Assets Manager)

**Job Title:** Cllr. Neil Bell (Portfolio Holder for Planning and Development (incl Broadband)) and Cllr Andrew Buchanan (Portfolio Holder for Housing)

**Portfolio Holder:**

**Portfolio Holder for:**

**Summary:**

Officers are finalising flexible wayleave agreements which would grant access to the council's housing properties for the purposes of installing Fibre to the Premises (FTTP). As Openreach and Netomnia are rolling out FTTP across the Ashford Borough, thousands of the council's residential properties will be in scope for this infrastructure upgrade. To ensure we facilitate and support the wider FTTP rollout, officers are seeking to streamline the wayleave agreement process, reducing the amount of documents and therefore time spent agreeing terms.

The wayleave agreements will be bespoke documents with each company, which reflect key terms and obligations which the council would require to allow access to our housing estate. The agreements cover all housing within ABC's ownership which fall in scope of the current rollout plans within the Ashford Urban Area, with a view to adopting this approach for any future rollout in other parts of the borough. Officers are also proposing recovering inherent costs from providers in line with Government legislation. Ashford has not previously charged for digital infrastructure work, however, due to the volume of properties within scope and the officer hours required, it is proposed that charging a set fee would allow officers to provide an improved service to operators. This would ensure we can support the FTTP rollout to our residential properties leading to a better outcome for our tenants, the providers and officers.

**Key Decision:** YES

**Significantly Affected Wards:** All Wards

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

- I. **Approve the recommendation to adopt a flexible wayleave system for FTTP access to the council's residential properties**

- II. **Delegate authority to the Solicitor to the Council to approve the form of these agreements based on officers' recommendations (whether as deeds or ordinary agreements)**
- III. **Recommend to Full Council to agree the principle of recovering reasonable costs for the council's work on wayleaves and FTTP installation in the council's owned residential properties**
- IV. **Recommend to Full Council to delegate authority to the Assistant Director of Housing to approve the final costs level to be included in these wayleaves prior to them being signed**

**Policy Overview:**

Within the Ashford Borough Council Corporate Plan 2022-2024, the importance of improved digital infrastructure is highlighted in Objective TG2 under Targeted Growth "Enable the improvement of digital infrastructure to support the growing needs of business, voluntary sector and residents". The document explains that fast, reliable digital connectivity across the whole Borough is critical for businesses and residents to trade and access services. Some areas of the Borough are disadvantaged because of poor digital connectivity. A lack of digital connectivity can stifle innovation and business growth as well as create further digital exclusion.

The Ashford Local Plan (Adopted in February 2019) also identifies the importance of great telecommunications infrastructure through the adoption of Policy EMP6 – Promotion of Fibre to the Premises (FTTP).

**Financial Implications:**

Each of these strategic documents prioritise the requirement for improvements to the existing telecommunications infrastructure as well as future proofing where necessary. There are no foreseen financial implications. The main financial implications relate to officer time throughout the agreement process and once works start. Officers are also investigate the option of recovering costs incurred as detailed above, via provisions made in the Electronic Communications Code. The principle allows the above work to take place with no or minimal cost to the Local Authority. More detail is provided in the report.

**Legal Implications:**  
*Text agreed by  
 Principle Solicitor  
 (Property and  
 Projects) on  
 3/10/2022*

The template Wayleaves to be agreed with key providers need to comply with the relevant legislation as set out in Electronic Communications Code contained in Schedule 3A to the Communications Act 2003 as amended by the Digital Economy Act 2017. The legislation gives statutory rights to telecommunications operators to install, maintain and repair electronic communications apparatus over land and carry out works in connection with the installation of the apparatus, subject to agreements with landowners.

The council has statutory powers to enter into the Wayleaves set out in this report under the Digital Economy Act 2017 and the Electronic Communications Code, as well as under the Local Government Act 1972.

The options and implications for signing the Wayleaves (under hand or under seal) are set out in this report.

**Equalities Impact Assessment:** N/A

**Data Protection Impact Assessment:** The agreements relate to the council's properties and land ownership titles only. The council's data protection policies are in place and will be followed throughout the FTTP rollout to ABC's housing estate.

**Risk Assessment (Risk Appetite Statement):** The main key risks currently identified are:

- a. Lower levels of access will impact residents' employment opportunities where employers are increasingly likely to require them to work from home, particularly following the pandemic.
- b. Lower access impacts resident's levels of social inclusion and isolation from services, and have the potential to increase inequality.
- c. The Council's, residents and businesses digital transformation plans will be impacted by the levels of broadband and mobile access throughout the Borough.

**Sustainability Implications:** Improved digital connectivity can support the council's Green Pioneer ambitions to achieve net-zero by 2030. Faster and more stable internet connections ensure that residents can access services and work remotely leading to probable reductions in CO2 emissions.

**Other Material Implications:** N/A

**Exempt from Publication:** NO

**Background Papers:** N/A

**Contact:** tom.jenkins@ashford.gov.uk – Tel: (01233 330326)  
david.green@ashford.gov.uk – Tel: (01233 330484)

**Agenda Item No. 7**

**Report Title: Council Housing Broadband Wayleave Agreements**

## **Introduction and Background**

1. Officers from teams across the council have been working collaboratively on improvements to the digital infrastructure of the borough. One major workstream has been the creation of a flexible wayleave agreement which would grant access to the council's properties for the purposes of installing Fibre to the Premises (FTTP). As Openreach and Netomnia are rolling out FTTP across the Ashford Borough, thousands of our residential properties will be in scope for this infrastructure upgrade.
2. Through the Connectivity Portal by DCMS, the Government promote key interventions that local authorities can make to support the improvements of digital infrastructure. These include mapping public sector assets, encouraging the use of public sector land and assets and reaching access agreements with operators.
3. With the wider rollout of FTTP currently taking place in Ashford, the council has an opportunity to future-proof our residential properties and ensure our tenants have access to the best possible digital infrastructure. Faster and more secure broadband can improve residents' levels of social inclusion, reduce isolation from services and thus inequality.
4. Both the advice from Government and the feedback received directly by officers from Internet Service Providers clarifies that agreeing a flexible wayleave document, allowing access to the council's housing assets in particular, is important for the wider rollout. This is further supported by Kent County Council officers who are working with councils to draft a toolkit which can be used when agreeing such wayleave documents.
5. To that end officers are finalising wayleave documents with Netomnia and Openreach which seeks to allow access to the council's residential premises that fall under the scope of this rollout. Within the documents, mechanisms are in place to ensure the council retains full control and has oversight of the works at each property.

## **Ashford Borough Council Wayleave Overview**

6. The normal procedure for operators to access the council's properties would be to agree a wayleave for each individual property, at the point at which access was required. Each document needs to be reviewed individually before being agreed, signed and access to that property granted. Officers are proposing to streamline this process to increase efficiency and ensure the FTTP rollout to our housing stock can progress rapidly whilst still retaining oversight and control of key aspects of this work. The council will be able to allow access to its housing estate, by telecoms operators, under one agreement rather than thousands of individual ones.
7. Ashford Borough Council's approach to wayleave agreements would be to enable access to our housing stock by agreeing terms as quickly and easily as possible for both parties. To that end, we understand that many operators already have template agreements which they would seek to submit to any council in the UK. Officers in Legal and Housing can review different

templates that are received but have drafted key terms and obligations which would be required for inclusion. These terms and obligations ensure the operators meet the council's requirements with regards to legal and asset management matters.

8. The wayleave agreement documents cover many standard items but include: the rights and obligations of the operator, the council's obligations, matters relating to upgrades or moving the operator's equipment, termination and disputes, indemnity and costs. In addition the wayleaves will have a schedule of the properties which are covered by the agreement with an operator. This schedule will be updated as the operator progresses their rollout and more properties come into scope.

## **Costs**

9. In addition, Ashford Borough Council must comply with the new Electronic Communications Code (ECC) which, under the Digital Economy Act 2017, replaces previous legislation and requires public authorities to work with the telecommunications industry. The council is obliged by this legislation to work with the telecommunications industry in the deployment of telecommunication infrastructure, equipment and services. The ECC also acknowledges that this work requires resource and implicit costs. Therefore the council has the right to recover most associated costs from the providers. Ashford Borough Council is seeking to enable and support FTTP rollouts and so will identify a realistic level of costs which will be sought to be covered, without compromising the prospect of FTTP being installed. This will also form part of the wayleave agreements that the council would enter into.
10. The resource and cost implications relate to officer time. Officers in Housing and Legal are required to review, assess and negotiate the wayleave agreement, assess service packs (showing the proposed installation), initial and ongoing inspections of works at the properties and Building Control fees. These are costs that the council can reasonably recover as part of the wayleave process under the ECC.
11. In relation to costs, it is recommended that, in order to ensure access to our housing stock as quickly as possible in the Ashford Urban Area, the council continue to investigate a reasonable level of costs to be requested from the operators. This final cost figure would then be included in all flexible wayleaves moving forward and would apply to all operators equally.

## **Forms of Agreement**

12. The wayleave agreements will need to be agreed by Ashford Borough Council and the operator, however these could be signed as deeds or as simple agreements. Members are asked to consider these options and the proposed approach detailed below.
13. Generally in law, deeds differ from agreements in that, a deed is enforceable whether or not 'consideration' (i.e. money or value in some other form) is given for the obligations undertaken by the parties to it. By contrast, an ordinary contractual promise or agreement made for no consideration, is not enforceable.

14. Secondly, the limitation period for action to enforce an obligation arising under a deed is 12 years, double the period for action for breach of an agreement which is 6 years.
15. In relation to the wayleaves, the preferred option is that they be signed as a deed due to the large number of council properties involved and the obligations imposed on the operators in relation to council land affected by the wayleaves. Delegated authority could be given to the Assistant Director of Housing and the Director of Health and Wellbeing to agree the form and sign these wayleaves.

## **Proposal**

16. It is proposed that Ashford Borough Council adopts a system of flexible wayleaves to allow access to the housing under its ownership for the purposes of installing FTTP.
17. This proposal would set the council's preferred option to agree wayleaves in the form of deeds with operators. It would allow delegated authority to negotiate the wayleaves and approve or refuse these.
18. The proposal would also mean the council charges a set fee to cover the inherent reasonable costs associated with installing FTTP in our residential properties. This would allow officers to provide a quick and efficient service which providers would be positive about.
19. The proposal would allow delegated authority to evaluate the exact reasonable costs and set a standard fee for all providers seeking to install FTTP in the council's residential properties. This would allow the process to be better for both parties thus enabling a quicker rollout of FTTP locally.

## **Equalities Impact Assessment**

20. A fundamental priority in improving affordable reliable broadband and mobile access for residents within the Borough, is to reduce social exclusion and rural isolation. The aspiration to level up access across the Borough will look to reduce the current inequalities in access, highlighted by the Covid-19 pandemic.

## **Other Options Considered**

21. Officers have considered other options including not seeking a flexible wayleave approach. This would entail thousands of individual wayleave agreements being received over the coming years, leading to thousands of hours required by officers in the Housing and Legal teams to review these and agree them. The option to recover costs could also be impacted.
22. An alternative option has been considered to create the council's own template for wayleave agreements for FTTP in our housing properties. As detailed above, this could lead to further negotiation time with providers and could stall the rollout of FTTP to our properties. The option to recover costs would not be impacted.



## **Reasons for Supporting Option Recommended**

23. Agreeing flexible wayleaves for providers' access creates efficiencies in the council's processes. It would save officer time by reducing the number of documents that would need to be scrutinised and agreed.
24. This approach to wayleave agreements for the council's housing stock would support the wider FTTP rollout whilst not compromising on our requirements and obligations. The option to recover costs also ensures the council is not financially impacted by this work and can support providers to deliver FTTP more efficiently.

## **Next Steps in Process**

25. Members are asked to decide on the proposed approach for entering into these agreements.
26. If Members agree, officers will progress negotiations on the terms of wayleaves with operators, in particular identify the appropriate level for costs to be recovered and follow the approved procedure for signing these documents.

## **Conclusion**

27. Digital infrastructure improvements are important within the Government's agenda of Levelling Up the UK. Particularly infrastructure upgrades will help address social inclusion and reduce digital exclusion. Improved digital connectivity could also lead to reduced carbon emissions from fewer travel journeys. Overall this would enable the future-proofing of the Ashford Borough.
28. All parties including Government and operators agree that access to council housing will support the delivery of FTTP nationally. At a regional level KCC are keen to ensure councils can enter these types of agreement to support FTTP rollouts locally. A flexible approach to wayleaves for the purposes of FTTP rollouts is crucial to this being delivered.
29. Agreement from Members on how these wayleaves should be agreed will allow officers to finalise work on these agreements and ensure the council's properties are connected to FTTP as soon as possible.

## **Portfolio Holder's Views**

30. "One of the objectives in our Corporate Plan 2022-2024 is to enable the improvement of digital infrastructure to support the growing needs of business, voluntary sector and residents. We are looking forward to seeing fast, reliable digital connectivity available across the whole borough so no one is disadvantaged in accessing online services or doing business."  
Cllr Neil Bell, Portfolio Holder for Planning and Development

31. “It is important that the council seizes the opportunity to future-proof our residential properties and ensure we are championing digital inclusion among our tenants. Simplifying this wayleave process and ensuring faster broadband for our social housing is key to ensure the council is being efficient and to reducing isolation among our residents.”  
Cllr Andrew Buchanan, Portfolio Holder for Housing

## **Contact and Email**

32. Tom Jenkins, Economic Development Manager –  
tom.jenkins@ashford.gov.uk
33. David Green, Housing Assets Manager – david.green@ashford.gov.uk

# Agenda Item 8



ASHFORD  
BOROUGH COUNCIL

**Agenda Item No:** 8  
**Report To:** Cabinet  
**Date of Meeting:** 27<sup>th</sup> October 2022  
**Report Title:** Corporate Property Performance Annual Report 2021/22  
**Report Authors:** Eloise Duffy - Estates Manager  
Victoria Couper-Samways – Property Building Services &  
**Job Titles:** Facilities Manager  
Shaun Meyer – Senior Project Manager (Commercial)  
**Portfolio Holder:** Cllr. Matthew Forest, Environment Property & Recreation

**Summary:**

The report includes market update, revenue, and asset performance during the financial year 2021-2022, as well as the ongoing activities by Estates Surveyors to ensure positive progress for the next financial year and onwards. The report also identifies progress on the delivery of the Corporate Asset Management Strategy 2020-2024 and provides a summary of how the council's main commercial assets are performing.

**Key Decision:** YES

**Significantly Affected Wards:** All

**Recommendations:** To:-

- I. **Note the performance of the Council's corporate property portfolio during the financial year 2021/2022 as stated in the Corporate Property Income Schedule Appendix 1**
- II. **Note external factors affecting the commercial market conditions**
- III. **Authorise the Estates team to charge fees and to give delegated authority to the Assistant Director of Environment Property and Recreation to negotiate on these fees where necessary.**
- IV. **Authorise the charging of non-refundable deposits on Land Enquiries to cover administrative costs and officer time with the deposit being deducted from the consideration upon completion of the resulting transaction**
- V. **To support the implementation of new processes and procedures in line with best practice according to the Royal Institution of Chartered Surveyors (RICS)**

**Policy Overview:** Corporate Asset Management Strategy 2020-2024

<b>Financial Implications:</b>	The financial implications are detailed in the Corporate Property Income Schedule attached at <b>Appendix 1</b>
<b>Legal Implications:</b>	None apart from adding the new delegations to the Constitution. This has been reviewed by legal.
<b>Equalities Impact Assessment:</b>	Not applicable
<b>Data Protection Impact Assessment:</b>	Not applicable
<b>Risk Assessment (Risk Appetite Statement):</b>	The risks relating to each property are assessed at each transaction, as part of the letting and lease renewal process and where the tenants change.
<b>Sustainability Implications:</b>	This is reviewed, in line with ABC's Corporate Plan, as part of the wider Asset Management Strategy for the whole portfolio and when acquiring and disposing of assets.
<b>Other Material Implications:</b>	None
<b>Exempt from Publication:</b>	<b>YES. Appendices 1 and 4 which include commercially sensitive information.</b>  <b>Not For Publication by virtue of Paragraph 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</b>  <b>Appendix 1 – EXEMPT - Corporate Property Income Schedule 2021/ 2022</b> <b>Appendix 2 – Proposed table of Key Performance Indicators</b> <b>Appendix 3 – MEES Regulations</b> <b>Appendix 4 - EXEMPT – Individual Commercial Activity</b>
<b>Background Papers:</b>	None
<b>Contact:</b>	Eloise.Duffy@ashford.gov.uk – Tel: (01233) 330367

**Report Title:** Corporate Property Performance Annual Report 2021/22

**Introduction and Background**

1. The purpose of this report is to provide the Cabinet with an update on the annual progress of the council's asset portfolio. It includes details of proposed changes to the current action plan and seeks approval to instigate such amendments. The report includes market update, revenue, and asset performance during the financial year 2021-2022, as well as the ongoing activities by Estates Surveyors to ensure positive progress for the next financial year and onwards.
2. The Estates team manage the Council's diverse portfolio in line with the objectives linked to the Targeted Growth theme within the 'Corporate Plan 2022-2024, and more specifically in the 'Asset Management Strategy, 2020-2024'. This includes the ongoing management of the existing investment portfolio, to identify new opportunities, as well as identifying any land and buildings that are surplus to the Council's requirements.
3. Data management is key in managing the Council's assets. Estates and Property Building Services Officers have been working on delivering one digital platform to manage the Council's Estate. This will provide automated lease trigger dates and milestones such as lease end dates and rent reviews to ensure these are proactively managed in the future. Some areas of the system have already gone live which will be closely followed by this Team around the end of October this year.
4. A number of processes and procedures are being reviewed and implemented to ensure that Estates Services follow the guidance and standards set by the Royal Institution of Chartered Surveyors (RICS). The majority of the Estates Officers are Chartered Surveyors and promoting the RICS ethics and professional conduct is a professional requisite.
5. Processes and procedures will assist in the effective management of assets over both the short and long term. A robust process is followed when managing vacant units, marketing space, ongoing management when assets are occupied and also when tenants vacate their premises. An end of tenancy inspection is carried out but also a dilapidation survey to ensure that tenants yield up the premises in accordance with their lease terms. As a result, the risk of the council having to carry out repair works and pay and cover the associated costs is reduced.
6. There are several vacant units being marketed and there is a notable increase in demand for units from start-up businesses and independent operators opening and creating their own brands. It must be noted that there is a high level of uncertainty in the market with rising living costs, changes to the budget, increased interest rates and material and labour shortages being the main concern of interested parties.

7. Cradick's Retail Property Consultants have confirmed evidence of a recovering industry in favoured tourist towns but larger towns with an abundance of retail space remain difficult. Cradick's comment, *'We are seeing across the southeast that the larger premises in town centres remain harder to let, the size attracts a higher rent, but also higher business rates which cannot be altered by a landlord, and therefore remain a hindrance to getting these larger units occupied'*.
8. More occupiers look at towns and sites on a headline costs basis, as opposed to rental tone. This benefits the smaller towns with good footfall and moderate rents but the towns with an abundance of large units which were previously let to mult-nationals struggle. In terms of retail demand, most enquiries now are from food, beverage, leisure and experiential businesses. It is noted that on the larger retail and remaining vacant industrial units, positive discussions are being held with interested parties. Office interest remains stagnant and existing tenants have expressed their wish to downsize or vacate at their first opportunity.
9. Landlord and Tenant relations are important during such times in understanding tenant positions and working with those tenants to reduce potential risk of increasing vacancies. Although office demand remains low, there is more interest in the new to like-new condition suites with high specifications and in desirable locations (Class A office space). Recent positive interest has been consistent in the Food, Beverage, Leisure, and Beauty sector over the last quarter, but this is a sign of the structural changes taking place in the retail market where experiential leisure venues are in greater demand. In relation to the Industrial sector, demand is proving strong within the Borough. New lettings have been agreed across the portfolio and vacant units are being filled.
10. New lettings, lease renewals and disposals are negotiated with the aim to achieve 'Market Rent' and 'Market Value'. The Council does, of course, have a statutory duty to ensure, so far as reasonably possible, that public assets are not disposed at an undervalue without Secretary of State's approval when required. The purpose of the Council's policies and processes is to reflect changes and keep rental rates in line with the current market. It should be noted that at times social value and community benefits will outweigh the potential financial returns when considering the overall outcome.
11. Much of the day-to-day estates management activities include reviewing existing agreements which are in need of updating. Estates are able to review best usage, alternative uses and identify opportunities to optimise space and returns. Such actions include new lettings, review of lease terms and, where necessary, early lease surrenders. This is a key objective to support the delivery of services to the residents and visitors.
12. Regular tenant liaison meetings enable Estates officers to ensure lease terms are adhered to. More importantly it builds a positive landlord and tenant relationship, the benefits of which are experienced by both parties. Frequent

inspections of the condition and state of repair of the council's land and buildings improve the ability to manage the assets in a more efficient and effective way. Records are kept up-to-date and are more accurate. Following meetings with tenants operating at Elwick Place, it was identified that marketing agents were required to enhance business and custom opportunities, and they are now appointed.

13. The team have been proactively liaising with tenants in arrears to investigate reasons behind the non-payment of rent, service charges and/or insurance rent and to pursue for recovery wherever possible. The leases are reviewed to confirm the council's options, which may include the use of rent deposits and pursuing guarantors. There are other options to consider, and these can be identified upon further due diligence of the tenant's accounts, general market condition and performance of their businesses. Each case needs to be looked at individually but has the same general approach following the new Debt Recovery Process which is complementary to the Accounts Receivable process already in place. The first half of 2022/23 has provided an overall collection rate of rent at 78%. Due to the challenging economic climate, the percentage collection rate is likely to reduce with the ever-changing market, political decisions, and customer movement.
14. 25 March 2022 marked the end of the moratorium period that protected commercial tenants against action by landlords for non-payment of rent resulting from the Covid pandemic. Although the council are now able to revert to the use of normal methods to recover the sums owed from tenants, and/or regain possession of premises, it should be noted that there are several external factors that threaten the success of businesses. As such each case is reviewed on its own merits and actions agreed on how best to progress matters. Where arrears are occurring, the circumstances are reviewed every 6 weeks and appropriate actions agreed.
15. The period for 2021/2022, the expected rental amount was £4,517,642, the amount received was £3,889,931 with the sum owed to the council as a corporate landlord remaining high at £627,711. The percentage of rent received as a proportion of the expected rent was 86.1%.

#### **Performance, Objectives and Achievements:**

- There are a total of 388 non-residential assets under the General Fund equating to approx. 399,701 square feet of lettable space. **Appendix 1** provides a detailed property list.
- Of these assets, 337,580 square feet are let out under a form of legal agreement
- There are currently 22 vacant units/suites considered to be lettable space and are actively being marketed both in-house and/or with Estate Agents.
- The council achieved a total revenue of c. £3.9million in year 2021-2022, as shown in **Appendix 1**.
- The predicted revenue for the year 2022-2023 is £3.6 million.
- The outstanding rent debt for 2021/22 was c. £628,000 (this doesn't include arrears for previous years that are being proactively managed)

- Service charges will be demanded, and works will be carried out on communal areas where there are multiple tenants/occupiers
  - The property commercial (non HRA) portfolio is worth more than £134 million based on Wilks Head & Eve LLP, 'Summary of Value' for 2022-2023
  - The KPIs that are currently measurable indicate the following performance: -
    - Less vacant units
    - Increased revenue
    - debts/arrears owing to the Council are lower compared to previous year
16. The Estates Team are reviewing the service charge management and will be bringing more responsibility in-house to save on outsourced management costs. Service charge is an additional financial pressure on the council's tenant and it is important that this is managed to obtain the best possible price and cost which is reflective in the standards of services expected from multi-let assets. A review of existing service charges will take place by the end of the year for competitive pricing. During tenant liaison meetings, the repair and maintenance liabilities will be made clearer to both landlord and tenant.
17. In order to effectively manage and monitor the weaknesses, successes and achievements of the property portfolio. New key performance indicators (KPI) have been introduced and will be reviewed annually. The table of proposed KPI's is shown at **Appendix 2**. The performance indicators will clearly identify areas of success and areas that need attention. The KPI results will be reviewed and agreed to improve the value of the Council's assets. In parallel, the team are working to identify the best use of assets in order to optimise space and efficiency which involves the following: lease re-negotiations, lease restructures, deed of variations, surrenders and re-grants across the council's portfolio.
18. As a result of a number of statutory obligations and central government pledges, sub-groups of selected officers within the Property Department have formed to ensure targets are met. An example is The MEES Regulations which require a minimum energy efficiency standard to be met before properties in England and Wales can be let subject to certain criteria. Detailed requirements under the Standards can be found at **Appendix 3**. This creates further challenges in ensuring that all properties are compliant and meeting standards in order to be viable letting space.

## Proposal

19. Following recent monitoring of the workload it has been identified that by introducing and promoting professional fees and non-refundable deposits upon request to purchase council land, will assist with the removal of any non-productive enquiries.
20. The majority of the Estates officers are qualified Chartered Surveyors with one officer having the additional qualification as a Registered Valuer. It is therefore proposed and reasonable to charge professional fees on business tenancy negotiations, grant of licences and consents as well as Land Enquiry dealings. We therefore propose a standard rate, but it should be noted that some cases will be open to negotiation by the case officer dependent on



complexities and extended length of time expected on the case. In the event that a fee quote exceeds the standard rate, the Assistant Director of Environment, Property & Recreation is notified for comment.

21. Proposed Standard Rates

<b>Details of Commercial transaction / Dealings</b>	<b>£ per transaction</b> Minimum charge but dependent on time spent/complexity
New letting/lease agreements	<b>£250</b>
Consent to assign, sublet, underlet	<b>£250</b>
Consent for alteration	<b>£250</b>
Retrospective Consent for alteration	<b>£400</b>
Licences and Tenancies at Will	<b>£250</b>
Easements and surrenders	<b>£250</b>
Acquisition and disposal	<b>£250</b>
Charity, non-profit organisations upon evidence of accounts	<b>£0 - £50</b>

22. It should be noted that these fees are additional to those charged by legal services.

### **Equalities Impact Assessment**

23. No changes

### **Consultation Planned or Undertaken**

24. None

### **Other Options Considered**

25. Other options include either to continue not charging professional fees or considering an alternative minimum charge. The impact on the volume of enquiries should be noted if either of these options were chosen.

26. Consideration was given to continue not charging a non-refundable deposit on sales of council land. The risk of enquirers changing their mind or putting their request on hold increases. Estates Officers are not able to prioritise or be confident that enquiries received will proceed to completion.

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

27. Additional revenue

28. Ability to prioritise workload

29. To cover the costs of the council's in-house professional staff or the appointment of external surveyors when necessary.

## **Next Steps in Process**

30. To publicise the new charges
31. To progress with quoting professional fees on transactions where Estates are able to charge.

## **Conclusion**

32. The Council continues to achieve significant income from its diverse commercial property portfolio. The introduction of the new fees and the asset management system along with the proactive, collaborative approach to reviewing the Council's portfolio of assets will help the Estates Team to manage their time and the portfolio effectively and efficiently especially at a time of overall uncertainty in the market.

## **Portfolio Holder's Views**

33. It has been a challenging year being a corporate landlord for the Council. Throughout 2021/22 we have taken a balanced approach by supporting our tenants through these times, advising of grants available and collecting the rental income due. It is pleasing to note that Ashford is holding up well in the current climate and I am sure our diverse portfolio along with robust and flexible management of the assets, holds us in a strong position. This is required in order to generate the commercial income for the Borough Council to continue to deliver local services well for the residents of the Borough.

## **Contact and Email**

34. Eloise.Duffy@ashford .gov.uk

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

Document is Restricted

This page is intentionally left blank

	Strand of Work
1	<p><b>Property and Land enquiries</b></p> <p>Number of Enquiries (internal and external) sent to the general email inbox by the public and other service departments. To measure the timescale of response as well as completed enquiries, fees invoiced and payment received.</p>
2	<p><b>To achieve Market Rent and Market Value</b></p> <p>Review rents periodically and align with current market trends or as per the lease</p> <p>Lease renewals</p>
3	<p><b>Rate of Return</b></p> <p>Economic rate of return, measured against local and other nearby local authorities. Case officers to follow the valuation process.</p>
4	<p><b>To invoice, collect rent and manage debt</b></p> <p>To invoice all rent and collect rent. Percentage of rents to be collected [* invoiced] within 4 weeks of the due date.</p>
5	<p>To invoice and collect debt. Excluding special payment arrangements and arrears with solicitors and litigation cases (i.e.</p>
6	<p><b>Dilapidation</b></p> <p>In-house and external appointed agents within 1 month of expiry date</p>
	<p><b>Service Charges</b></p> <p>Invoiced and recouped</p>
	<p>To optimise use of the Council's Assets in accordance with the Asset Management Strategy</p>

7

<b>Asset Appraisal</b>	<b>Tenant turn around</b>
	<b>Break notices considered</b>
	<b>Letting and managing void spaces.</b>
	<b>Occupancy rating</b>

8	<p style="text-align: center;"><b>Void incidents recorded (i.e. fire/water/weather damage, break ins, vandalism)</b></p>
<p style="text-align: center;"><b>Property Database System, Abavus</b></p>	<p style="text-align: center;"><b>To upload and keep updating non-residential agreements (lease, licence, TAW, wayleaves, easements, side letters, Landlord consents)</b></p>

Detailed KPI
Number of enquiries.
Acknowledgement of receipt within 5 days
Substantive response within 30 days
Number of invoices raised and paid by external enquirers. Need to allow for appeal against being charged
Number of Rent Reviews due
Number of Rent Reviews completed
Number of Lease Renewals
Number of Lease Renewals. Aim LR completed within year of S25 Notice/S24 Notice where ABC tenant TAW exceeding 6 months. Leases to be negotiated.
Agreed rent/fee to be within 15% Under or over the ERV Unless other concessions/terms/benefits agreed in favour of ABC
Number of invoices paid in full within 30 days once received. Invoices raised by Finance, to meet quarterly. Allow for discrepancies in calculation and delays in payment. To collate data from external agents.
Amount of debt. To collate data from external agents
% change of debt amount from last recording. Overall collection of debt owed. Increased or decreased
To review all end of lease events where renewal not contemplated. Must allow for resource
Amount charged and recouped as a 90% to allow for appeals and miscalculations
Every 3 - 5 years (or as and when the Asset Management Strategy is reviewed) review of portfolio to identify assets to be appraised for it's usefulness, social value, higher rental receipts, optimisation, development purposes, alternative use.



Based on number of tenants vacating. Measured against whole comercial portfolio/all assets. To identify properties in less demand or problematic to let.

Amount of break notices due against how many considered whether to exercise or not. Measured as a %

To manage vacant units as per the vacant property procedure. How many vacant units are there and how many are being managed and reviewed under the asset appraisal process.

Number of assets occupied

% of assets occupied

Liabilities and costs incurred as a result of void management not recoverable by insurance

How many current and new agreements have been uploaded (either uploaded or monitored by Estates)

Performance Indicator/Target	Q1 (Apr - Jun)
Number	N/A
95%	N/A
80%	
80%	N/A
Number	N/A
Number	N/A
Number	N/A
Number	N/A
Number	N/A
70%	N/A
£	£
80%	%
£	£
%	%
95%	%
Charged, £ Recouped, £ _____ % recouped	Charged, £ Recouped, £ _____ % recouped
Number	N/A

Number	N/A
100%	N/A
Number of units differentiated between retail, office/shed, industrial, community (including land), agriculture	Retail _____ Office _____ Industrial ____ Community ____ Agriculture ____
Number of units occupied out of how many units in the portfolio at the time of review	Retail ____/____ Office ____/____ Industrial ____/____ Community ____/____ Agriculture ____/____
85%	Retail _____ Office _____ Industrial ____ Community ____ Agriculture ____

100%	N/A
Number	N/A

Summary notes
To be measured monthly
To be measured monthly
To be measured monthly
To be measured monthly
To be measured annually
To be measured annually
To be measured annually
To be measured annually
To be measured annually
£
%
%
Charged, £ Recouped, £ _____ % recouped

Retail \_\_\_\_\_  
Office \_\_\_\_\_  
Industrial \_\_\_\_  
Community \_\_\_\_  
Agriculture \_\_\_\_

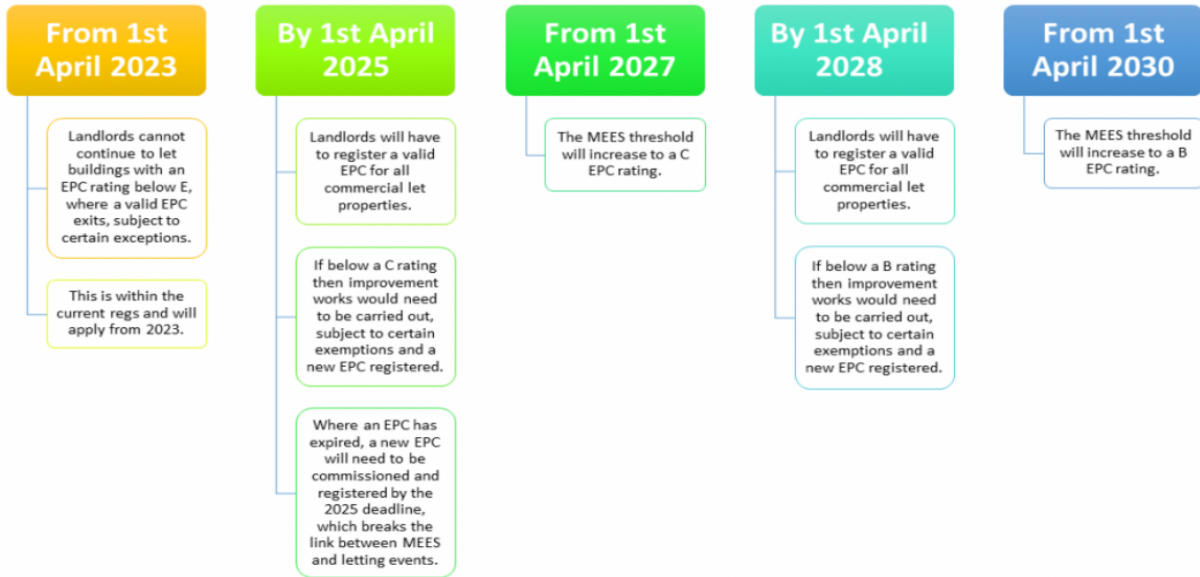
Retail \_\_\_\_/\_\_\_\_  
Office \_\_\_\_/\_\_\_\_  
Industrial \_\_\_\_/\_\_\_\_  
Community \_\_\_\_/\_\_\_\_  
Agriculture \_\_\_\_/\_\_\_\_

Retail \_\_\_\_\_  
Office \_\_\_\_\_  
Industrial \_\_\_\_  
Community \_\_\_\_  
Agriculture \_\_\_\_





## Appendix 3 – MEES Regulations



This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

**Agenda Item No:** 9  
**Report To:** Cabinet  
**Date of Meeting:** 27 October 2022  
**Report Title:** Council Tax Base 2023/24  
**Report Author:** Jo Stocks – Senior Accountant  
**Job Title:** Will Mackay – Accountant  
**Portfolio Holder:** Cllr. Neil Shorter  
**Portfolio Holder for:** Finance & IT



**Summary:** This Council is required to approve the tax base used to calculate the level of Council Tax for 2023/24. It is calculated with regard to the number of domestic properties (including a forecast of new properties), which are then converted to Band D equivalents.

The tax base has been calculated at 48,906 band D properties, an increase of 242 (or 0.50%) on the current year.

**Key Decision:** YES

**Significantly Affected Wards:** All

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

- I. **Agree the 2023/24 'Net' tax base of 48,906 Band D equivalent properties**
- II. **Note the possibility of further Cabinet and Council decisions being required, before the end of January, should any material change in the tax base be required, as a consequence of any further relevant funding announcements from government.**

**Policy Overview:** The Council Tax base is required to be set in accordance with the Local Authorities (Calculations of Tax Base) Regulations 2012

**Financial Implications:** The tax base will be used to calculate the level of Council Tax requirement, which will be recommended to the Council on 2 March 2023.

<b>Legal Implications:</b> <i>Text agreed by Principal Solicitor Contracts and Procurement on 19.10.22</i>	The process of setting the Council Tax base is governed by the Local Government Finance Act 1992 and detailed Regulations made under it, which collectively set out detailed requirements for how the calculation must be done.
<b>Equalities Impact Assessment:</b>	A full assessment is part of the final budget reported to Cabinet in February.
<b>Data Protection Impact Assessment:</b>	N/A
<b>Risk Assessment (Risk Appetite Statement):</b>	N/A
<b>Sustainability Implications:</b>	N/A
<b>Other Material Implications:</b>	None
<b>Exempt from Publication:</b>	<b>NO</b>
<b>Contact:</b>	jo.stocks@ashford.gov.uk – Tel: (01233) 330548

## Report Title: Council Tax Base 2023/24

### Introduction and Background

1. The Council Tax Base for 2023/24 and its distribution across parished and un-parished areas needs to be agreed.
2. By 31 January 2023, the Council as the 'billing authority' is required to notify its major precepting bodies (Kent County Council, Kent Police Authority and Kent and Medway Fire and Rescue Authority) and the parishes of the relevant council tax base for the 2023/24 financial year.
3. For 2023/24 the calculation includes changes to Parish boundaries as reported to the Selection and Constitution review committee on 29 September 2022. Further checking will be completed before billing has been finalised to ensure that properties have been allocated correctly.

### The Tax Base (adjusted for various allowances)

4. The Council has already submitted a tax base return to central government, this figure is 53,461 (2022/23 52,683), it is based on the number of properties on the valuation list as at 3 October 2022 and excludes provisions for new properties, Council Tax Reduction discounts, and allowances for non-collection.
5. The tax base calculation made in this report allows for new properties anticipated to be coming on to the Valuation List. It is forecast that 665 properties will be added to the valuation list (606 Band D equivalent) which is broadly in line with the assumption in the Medium Term Financial Plan.
6. In calculating the tax base the authority must also have regard to discounts, exemptions, premiums, non-collection, and appeals. For the purposes of this calculation 1.5% has been estimated for losses on collections and appeals, this was 1% in 2022/23, the increase is to take into account the economic effects of the 'cost of living crisis' on arrears levels.
7. For 2023/24 the tax base has been calculated at 48,906 (2021/22 was 48,664) as detailed at **Appendices A, B & C**.

### Implications and Risk Assessment

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

## **Next Steps in Process**

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

## **Conclusion**

10. The 2023/24 tax base is in line with the assumptions in the Medium Term Financial Plan, the calculation results in a tax base of 48,906 band D equivalent properties. This will be used in the detailed budget and council tax setting calculations.

## **Portfolio Holder's Views**

11. I recommend the tax base be set at 48,906 Band D equivalent properties.

## **Contact and Email**

12. Jo Stocks
13. [jo.stocks@ashford.gov.uk](mailto:jo.stocks@ashford.gov.uk)



## Appendix A

### TAXE BASE 2023/24 BAND D EQUIVALENTS

BAND	@	A	B	C	D	E	F	G	H	TOTAL
PARISH										
Aldington and Bonnington	0	19	29	111	87	85	161	156	3	651
Appledore	0	4	10	51	82	54	80	105	2	388
Bethersden	0	31	46	56	107	148	131	237	17	773
Biddenden	0	112	86	194	121	188	227	378	23	1,329
Bilsington	0	7	5	11	22	23	37	55	0	160
Boughton Aluph and Eastwell	0	10	68	98	235	269	280	132	10	1,102
Brabourne	0	7	18	52	129	172	145	102	10	635
Brook	0	0	1	5	20	58	36	38	0	158
Challock	0	6	9	20	73	85	167	168	14	542
Charing	0	85	108	177	182	230	290	310	12	1,394
Chilham	0	12	35	107	150	184	131	155	22	796
Crundale (PM)	0	1	3	7	13	14	18	38	2	96
Egerton	0	9	23	38	94	106	131	140	4	545
Godmersham	0	1	4	17	32	55	31	39	4	183
Great Chart with Singleton	0	99	362	674	850	433	253	123	8	2,802
Hastingleigh	0	3	2	5	26	12	31	35	4	118
High Halden	0	32	18	157	73	110	174	194	6	764
Hothfield	0	5	67	70	29	27	27	51	2	278
Kennington	0	90	584	990	855	513	729	65	4	3,830
Kenardington	0	3	1	23	9	20	20	33	4	113
Kingsnorth	0	14	295	835	1,189	1,161	1,114	111	3	4,722
Little Chart	0	4	3	11	19	21	17	56	6	137
Mersham	0	9	17	35	62	115	159	124	8	529
Molash	0	2	3	9	18	19	21	41	4	117
Newenden	0	1	1	13	17	17	26	35	2	112
Orlestone	0	5	21	205	135	66	165	46	4	647
Pluckley	0	7	11	67	75	66	97	184	6	513
Rolvenden	0	8	16	143	106	126	125	172	29	725
Ruckinge	0	10	9	21	28	94	107	76	2	347
Sevington	0	1	58	208	272	145	169	23	0	876
Shadoxhurst	0	22	17	65	60	161	187	76	0	588
Smarden	0	17	30	63	84	95	151	272	22	734
Smeeth	0	6	13	74	60	96	65	66	6	386
Sth Willesborough and Newtown	0	68	620	325	218	53	3	0	0	1,287
Stanhope	0	121	558	110	3	2	0	0	2	796
Stone	0	5	5	31	29	30	35	78	4	217
Tenterden (TC)	0	25	140	572	772	871	865	648	58	3,951
Warehorne	0	4	6	19	33	41	24	40	2	169
Westwell	0	7	11	35	84	147	91	137	8	520
Wittersham	0	15	18	94	57	123	99	142	19	567
Woodchurch	0	100	22	105	151	113	179	210	6	886
Wye with Hinxhill	0	33	92	163	223	170	239	156	22	1,098
Unparished Area	2	742	4,222	3,785	1,989	1,179	955	169	6	13,049
	<b>2</b>	<b>1,762</b>	<b>7,667</b>	<b>9,851</b>	<b>8,873</b>	<b>7,697</b>	<b>7,992</b>	<b>5,416</b>	<b>370</b>	<b>49,630</b>
Contributions in Lieu	0	0	0	0	20	0	0	0	0	20
Less 1% Provision	0	(26)	(115)	(148)	(133)	(115)	(120)	(81)	(6)	(744)
	<b>2</b>	<b>1,736</b>	<b>7,552</b>	<b>9,703</b>	<b>8,760</b>	<b>7,582</b>	<b>7,872</b>	<b>5,335</b>	<b>364</b>	<b>48,906</b>

Note: Discount for disabled are calculated by charging the band below. Band @ is the band given to Band A properties alleageable for this discount.

ANALYSIS OF PROPERTIES FOR WHOLE AUTHORITY 2023/24

	@ No.	A No.	B No.	C No.	D No.	E No.	F No.	G No.	H No.	TOTAL No.
Total Chargeable Dwellings	4	4,105	13,688	13,254	9,758	6,868	5,838	3,400	191	57,106
Of which:										
Full Charge	3	1,734	7,603	8,698	7,012	5,225	4,834	2,821	155	38,085
Single Persons Discount	0	2,064	5,496	4,122	2,359	1,414	853	444	21	16,773
Discount (Disregard Disc)	0	38	158	159	137	86	48	29	0	655
Discount (Disregard 2 Disc)	1	9	9	9	10	11	14	14	2	79
Class C	0	131	178	133	133	73	50	59	8	765
Full Charge on LT Empties	0	102	198	116	96	49	34	28	2	625
Premium on LT Empties @ 100%	0	24	42	14	4	8	3	3	3	101
Premium on LT Empties @ 200%	0	2	4	1	4	2	0	2	0	15
Premium on LT Empties @ 300%	0	1	0	2	3	0	2	0	0	8
<b>Total number of Properties</b>	<b>4</b>	<b>4,105</b>	<b>13,688</b>	<b>13,254</b>	<b>9,758</b>	<b>6,868</b>	<b>5,838</b>	<b>3,400</b>	<b>191</b>	<b>57,106</b>
Total Equivalent Number - CTB1	2	2,330	9,482	10,791	9,107	7,912	8,090	5,453	370	53,537
Adjust for Council Tax Support	0	(609)	(1,827)	(1,220)	(507)	(215)	(98)	(37)	0	(4,513)
New Properties	0	41	12	280	273	0	0	0	0	606
<b>Adjusted Band D equivalents</b>	<b>2</b>	<b>1,762</b>	<b>7,667</b>	<b>9,851</b>	<b>8,873</b>	<b>7,697</b>	<b>7,992</b>	<b>5,416</b>	<b>370</b>	<b>49,630</b>
Contributions in Lieu	0	0	0	0	20	0	0	0	0	20
Losses In Collection	0	(26)	(115)	(148)	(133)	(115)	(120)	(81)	(6)	(744)
<b>Tax base</b>	<b>2</b>	<b>1,736</b>	<b>7,552</b>	<b>9,703</b>	<b>8,760</b>	<b>7,582</b>	<b>7,872</b>	<b>5,335</b>	<b>364</b>	<b>48,906</b>

**TAX BASE 2023/24**  
**LOCAL TAX BASE (WHOLE/PART AREAS)**

LOCAL TAX BASE	WHOLE AREA	BAND D EQUIVALENT	NEW OCCUPATIONS	1% PROVISION	Less discounts Council Tax Support	LOCAL TAX BASE 2023/24
2022/23		52,845	734	(492)	(4,423)	48,664
	PARISH					
643	Aldington & Bonnington	697	3	(10)	(49)	641
364	Appledore	422	8	(6)	(41)	383
765	Bethersden	828	5	(12)	(59)	762
1,208	Biddenden	1,407	6	(20)	(83)	1,310
154	Bilsington	166	0	(2)	(6)	158
1,078	Boughton Aluph and Eastwell	1,153	1	(17)	(53)	1,084
620	Brabourne	651	3	(10)	(19)	625
153	Brook	158	5	(2)	(5)	156
548	Challock	552	2	(8)	(12)	534
1,404	Charing	1,533	5	(21)	(143)	1,374
773	Chilham	855	6	(12)	(65)	784
93	Crundale (PM)	95	1	(1)	(1)	94
532	Egerton	556	8	(8)	(20)	536
182	Godmersham	189	0	(3)	(6)	180
2,774	Great Chart with Singleton	2,943	65	(42)	(205)	2,761
117	Hastingleigh	121	0	(3)	(3)	116
834	High Halden	795	15	(11)	(48)	751
274	Hothfield	337	0	(4)	(60)	273
111	Kenardington	120	1	(2)	(10)	109
3,761	Kennington	4,190	39	(57)	(397)	3,775
4,623	Kingsnorth	4,790	119	(71)	(187)	4,651
137	Little Chart	139	0	(2)	(2)	135
651	Mersham	547	7	(8)	(23)	523
120	Molash	124	0	(2)	(6)	116
109	Newenden	116	0	(2)	(5)	109
625	Orlestone	688	10	(10)	(51)	637
499	Pluckley	534	10	(8)	(32)	504
718	Rolvenden	774	4	(11)	(53)	714
346	Ruckinge	364	1	(5)	(18)	342
564	Sevington	781	135	(13)	(40)	863
579	Shadoxhurst	626	1	(9)	(39)	579
704	Smarden	769	5	(11)	(40)	723
374	Smeeth	411	2	(6)	(28)	379
1,238	Sth Willesborough & Newtown	1,506	24	(19)	(243)	1,268
793	Stanhope	1,045	0	(12)	(249)	784
214	Stone	230	0	(3)	(14)	213
3,865	Tenterden (TC)	4,241	22	(59)	(313)	3,891
165	Warehome	175	2	(3)	(8)	166
514	Westwell	531	1	(8)	(11)	513
557	Wittersham	603	3	(9)	(37)	560
874	Woodchurch	953	6	(13)	(73)	873
1,092	Wye with Hinxhill	1,189	7	(16)	(98)	1,082
12,915	Unparished Area	14,653	74	(194)	(1,658)	12,875
48,664		53,557	606	(744)	(4,513)	48,906

This page is intentionally left blank



**Agenda Item No:** 10  
**Report To:** Cabinet  
**Date of Meeting:** 27 October 2022  
**Report Title:** Stodmarsh Update  
**Report Authors:** Daniel Carter – Spatial Planning Manager;  
**Job Title:** Paul Mckenner – Head of Strategic Projects  
**Portfolio Holder:** Cllr. Neil Bell – Portfolio Holder for Planning & Development  
**Portfolio Holder for:** Cllr. Neil Shorter – Portfolio Holder for Finance, IT & Digital

**Summary:** Since July 2020, certain planning applications (those providing overnight accommodation, including new housing) located within the Stour catchment and/or which discharge foul water into the catchment, have been caught by the Stodmarsh nutrient neutrality requirement. In essence, these applications have been put on hold until they can demonstrate nutrient neutrality.

In response to this issue, the Council has been working with Natural England, the Environment Agency and other affected East Kent districts to deliver a solution that will allow this hold to be removed.

This report provides an update on the progress of the catchment wide strategy, the Council's own strategic wetlands solution and recent updates from Government and Natural England on this issue.

The report follows and updates on the progress of the Council's response since the last Cabinet reports in March 2022 titled 'Stodmarsh Mitigation Framework' and in July 2021 titled 'A Nutrient Mitigation Strategy for the Stour Catchment in Ashford Borough'.

**Key Decision:** NO

**Significantly Affected Wards:** None.

Although wards affected (though not significantly) include those located wholly or partially in the Stour catchment: Aylesford & East Stour, Beaver, Bircholt, Bockhanger, Bybrook, Charing, Conningbrook & Little Burton Farm, Downs North, Downs West, Furley, Goat Lees, Godinton, Highfield, Kennington, Kingsnorth Village & Bridgefield, Mersham, Sevington with Finberry, Norman, Park Farm North, Park Farm South, Repton, Roman, Saxon Shore,

Singleton East, Singleton West, Stanhope, Upper Weald, Victoria, Washford, Weald Central, Weald North, Weald South, Willesborough, Wye with Hinxhill

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

- I. Note and support the work done to date by officers progressing new strategic wetlands in the borough, subject to planning permission being sought and obtained for them in due course;**
- II. Continue to recognise the urgency and importance of this project to the Council, subject to both planning permission and permitting approval;**
- III. Delegate authority to the Chief Executive, in consultation with the Portfolio Holders for Planning & Development and Finance, IT & Digital, to negotiate and agree the details of the commercial structure (including any joint venture) associated with the provision of new strategic wetlands in the borough and their delivery, management and maintenance;**
- IV. Authorise the Chief Executive to submit an expression of interest to DEFRA/Natural England/other Government bodies as appropriate, to receive funding in order to assist with the delivery/management/maintenance of the strategic wetlands; and**
- V. Authorise the Solicitor to the Council, in consultation with the Chief Executive, the Assistant Director of Planning & Development and the Head of Strategic Projects, to negotiate, finalise and enter into any funding, commercial or other legal agreements and documentation to implement the above.**

**Policy Overview:**

The Conservation of Habitats and Species Regulations 2017 (as amended) and recent case law have provided the legal framework for granting planning permissions for development that may have a significant impact on the internationally-protected habitats at Stodmarsh.

Legal advice sought by the Council has confirmed that this issue is a significant material consideration in determining planning applications.

Many housing applications in the Stour catchment have been unable to be determined. This 'hold' on granting permissions on affected sites will continue until a solution is found.

The Local Plan 2030 does not contain a specific policy for nutrient neutrality, as Natural England did not raise this as an

issue during the Local Plan preparation. However, Policy ENV1 is relevant to the wider issue of biodiversity and conserving the environment. This reinforces the importance of protecting the environment from the impacts of development.

**Financial Implications:**

It is expected that the cost of providing a wetland to allow residential planning permissions to be granted will be recovered from the developers affected, through the making of the necessary and proportionate payments for their developments' nutrient mitigation, and therefore over the longer term should be cost neutral to the council and should not be borne by the local tax payer.

The long term costs of maintaining the wetlands will either be recovered through annual charges levied against the properties built from the provision of the wetland, or through commuted sums charged to the developers to fund the cost of maintenance over a prescribed period, or a combination of both.

**Legal Implications:**  
*Text agreed by  
Principal Solicitor –  
Strategic  
Development on 19  
October 2022*

Under Retained EU Law in the U.K. following Brexit, all development proposals which could have a likely significant effect on the integrity of the Stodmarsh Lakes must demonstrate nutrient neutrality through mitigation measures which are legally secured. A strategic-level mitigation solution in the form of strategic wetlands will, together with appropriate Section 106 Obligations, enable this to be demonstrated, and paid for, by those developments which cannot achieve nutrient neutrality onsite, thus enabling the Council to adopt Appropriate Assessments and grant planning permissions for those developments. The Council has power to enter into property and commercial arrangements with landowners and to provide and maintain strategic wetlands, as set out in the recommendations.

**Equalities Impact Assessment:**

See Attached.

**Data Protection Impact Assessment:**

None

**Risk Assessment (Risk Appetite Statement):**

The risk of not promoting strategic wetlands includes that a number of allocated Local Plan sites will be unable to obtain planning permission for development, and development may then be promoted by others in areas of the borough where it has been considered unsuitable and/or unsustainable.

**Sustainability Implications:**

Natural based solutions, such as the creation of strategic wetlands, will provide the opportunity to provide multi-functional benefits – which in turn could help contribute to wider 'green' goals of the Council.

**Other Material  
Implications:**

The wider Stodmarsh 'issue' is a significant one for the Council and not something which the Council has faced before. Nor was it an issue raised by Natural England as part of the Council's Local Plan formulation, meaning no plan-led solution was or could be progressed.

As it stands, many planning permissions for new housing in large parts of the borough have been on hold for nearly two years – including several areas which are earmarked for significant new development up to 2030 in the Local Plan.

**Exempt from  
Publication:**

**NO**

**Background  
Papers:**

None

**Contact:**

[Daniel.carter@ashford.gov.uk](mailto:Daniel.carter@ashford.gov.uk) – Tel: (01233) 330238  
[Paul.mckenner@ashford.gov.uk](mailto:Paul.mckenner@ashford.gov.uk) – Tel: (01233) 330419



## Report Title: Stodmarsh Update

### Introduction and Background

1. In July 2020, Natural England issued Advice to the Local Planning Authorities located in the Stour catchment setting out the deteriorating water quality at the Stodmarsh Lakes.
2. The Advice pertains to development proposals which result in a net gain of overnight accommodation, e.g. housing, which is either located within the Stour catchment and/or discharges its foul water into a Wastewater Treatment Works located within the Stour catchment. This Advice covers part of the Ashford borough as well as parts of the districts of Canterbury, Folkestone & Hythe, and Maidstone.
3. In order for affected development proposals to progress through the planning system, they are required to demonstrate that they can deliver 'nutrient neutrality', to ensure that the development will not have an adverse impact on the integrity of the Stodmarsh Lakes.
4. The impact of the Advice has meant that, since issued, the Council have been unable to grant planning permission for new housing within the Stour catchment, unless the proposal can show it can achieve 'nutrient neutrality'.
5. Experience has shown that the ability to achieve neutrality often requires significant land areas and as such many housing proposals simply cannot progress.
6. Given the gravity of the situation, the Council has committed to responding to the wider Stodmarsh nutrient issue in a strategic way. This approach is deemed necessary given the significant spatial area affected, the complexities of finding a solution, the number of different organisations involved, and the practical implications arising from the issuing of the Advice. Doing so provides the best mechanism for releasing the current 'hold' on housing growth within the catchment.
7. As part of this strategic response, the Council has been proactively working to deliver a borough mitigation strategy, which will provide strategic mitigation within the borough, through the delivery of new strategic wetlands.
8. Progress on the Council's strategic response was previously presented to Members through Cabinet reports in July 2021 and March 2022. This report seeks to further update Members on the progression of this wider project. Members may find it helpful to refer to the previous Cabinet reports for more information on the context of the project so far.
9. Officers have continued to dedicate significant resources and time towards delivering a strategic solution for nutrient neutrality. For the purposes of this report, the work has been classified into 3 key strands; (1) the Council's

intention to deliver new strategic wetlands, (2) the involvement of the Council in the catchment wide mitigation strategy and (3) the national context and recent Government updates on nutrient neutrality. Each of these strands are discussed in detail below.

## **Strand 1: Update on Strategic wetlands**

10. The Council has actively been pursuing options to either acquire land or enter in to long-term arrangements with land owners for new strategic wetland areas within the Stour catchment. As part of this, discussions have focused on those areas of land which would deliver the greatest phosphorus and nitrogen gains.
11. To date, the Council's commitment to the delivery of new strategic wetlands has included securing a very significant capital budget allocation, the appointment of dedicated consultants, and creating a core officer team to progress the solution.
12. The Council have engaged with the Local Planning Authority (LPA) and have held pre-application discussions. As part of these emerging design discussions, the Council's project team for the planning application includes specialist engineers and also includes officers from Natural England and the Environment Agency.
13. Further detailed discussions have also been held with Southern Water. The Council will continue to work with its partners to shape the scheme, as part of the pre-application discussions, to develop a wetland solution which meets the criteria for both the planning and national permitting application process and delivers a solution that makes the best use of the land for nutrient mitigation purposes.
14. The Council has undertaken detailed technical due diligence, and has identified a site which meets the criteria and has been working collaboratively with the landowner to bring forward both a commercial agreement and the technical design for the wetland solution. There is now an agreement in principle with the landowner to bring forward a strategic wetland on this land.
15. The Council has made a commercial offer for the land in line with independent valuation advice and is discussing the finer details of the business model with the landowner. Solicitors have been instructed to finalise the negotiations with the landowner for a long term arrangement for the use of the land as wetlands (which may involve joint venture arrangements with the Council). This is the best opportunity to secure a site of the scale needed to deliver a solution for the Local Plan development. It is therefore proposed that a delegation is granted to the Chief Executive in conjunction with Portfolio Holders for Planning & Development and Finance, IT & Digital to agree and finalise the commercial structure (including any joint venture) with the landowner, and to the Solicitor to the Council to enter into the necessary legal agreements at the earliest opportunity.
16. Officers have continued to meet with the nominated Cabinet Members who are overseeing the strategic wetland solution so that all aware of the detailed proposal and are supportive of moving forward on this basis.

17. It is pleasing to report that the proposed site will provide sufficient nutrient mitigation to allow sustainable development planned through the Local Plan 2030 to come forward. Whilst details on the site are commercially sensitive at this stage, it should be noted that the proposed wetlands will seek to provide mitigation for up to 10,000 homes.

### **Releasing the current hold on affected housing developments**

18. The primary purpose of the strategic wetland is to provide off-site strategic nutrient mitigation which can then be tied to development proposals, currently unable to achieve nutrient neutrality on their own. The developers relying on the strategic mitigation would then be required to fund proportionately the delivery of the infrastructure, to pay back the money invested.
19. The strategic wetland is likely to come forward in phases, with phase 1 and phase 2 being the subject of a detailed planning application in the first instance. Current work suggests that this might provide enough strategic mitigation to release around 5,000 dwellings. Planning applications for phases 3 and 4 of the strategic wetland are expected to follow in 2024.
20. To accompany the strategic wetlands and provide clarity for developers on the process for their developments to rely upon it, the Council is also preparing a Stodmarsh Mitigation Supplementary Planning Document (SPD).
21. The draft SPD covers the following points:
- What information developers should submit as part of planning applications, which are required to demonstrate nutrient neutrality;
  - Details of the Council's nutrient mitigation hierarchy, which encourages developers to deliver mitigation on site, wherever feasible;
  - Information and relevant planning considerations for different types of nutrient mitigation; and
  - Details of the strategic nutrient mitigation, including how to "apply", the cost of nutrient mitigation, the payment mechanism, and some 'rules' around using the mitigation, in so far as it is tied to that specific development proposal.
22. The timescale for finalising the SPD depends, to some degree, on the conclusion of an agreement with the landowner, but officers are continuing to draft sections of the SPD, and will follow the requisite process, including public consultation. The SPD will also pass through Cabinet and Council for adoption.
23. As part of the planning permission for schemes relying on the borough mitigation strategy, there will be a need to impose a 'Grampian'-style condition/obligation, restricting occupancy of the dwellings until such time as the wetlands are fully established and operational (likely two summers to allow the reeds to grow sufficiently). Once the wetlands are operational, the need to impose such a condition on future proposals will fall away.

## **Timescales**

24. Based on the above, and subject to land being secured for the strategic wetland, it is anticipated that the Council will be in a position to submit a planning application for the first two phases in early 2023. Should planning approval be secured, phase 1 and phase 2 of the wetland would have planning permission in the summer of 2023.
25. Also in early 2023, the Council will issue a draft Supplementary Planning Document for consultation.
26. The Council and Natural England are in discussion around when the earliest opportunity might be to start issuing planning permissions for those schemes currently caught by the Stodmarsh issue (i.e. before the summer of 2023).
27. Officers are of the view that NE are likely to change their Advice on this matter. Natural England support the principle of securing a Council led strategic wetland, and are actively working in partnership to facilitate its delivery, and this could provide the certainty needed to start issuing planning permissions earlier.

## **Strand 2: Catchment wide strategy progress**

28. In tandem with the delivery of new strategic wetlands within the borough, officers have also been working with the other affected East Kent LPAs to deliver a catchment wide strategy, to respond to the issue in a strategic way.
29. As part of this strategic approach, the East Kent Authorities (including Ashford) have been working together on the strategic catchment-wide response to ensure that all the relevant elements associated with dealing with the wider Stodmarsh nutrient issue are addressed. The Council continues to be an active partner in delivering this co-ordinated response.
30. A number of principles underlying the borough mitigation strategy also underlie the principles of the emerging catchment wide strategy, such as prioritising on-site mitigation and encouraging larger sites to fully meet their nutrient budget through on-site measures. Therefore, work on the borough mitigation strategy, in particular lessons learnt, helps to contribute towards the preparation of the catchment wide strategy.
31. Kent County Council have adopted a strategic catchment co-ordinator role. They facilitate the discussions between the affected LPAs through regular meetings which includes representatives of Natural England, the Environment Agency and Southern Water.

## **Natural England funding**

32. Since the last Cabinet report on Stodmarsh in March 2022, Natural England have become significantly more involved in the development of the strategic mitigation across both the catchment and the country, recognising the scale and difficulties associated with the wider issue, and the need to remove impediments to otherwise sustainable housing proposals.

33. In July 2022, Natural England announced, following a Government Directive, that it would be seeking to deliver its own nutrient mitigation scheme. The scheme would run nationally, and would deliver strategic mitigation in areas affected by the nutrient neutrality requirement.
34. In areas which already have established nutrient mitigation platforms and/or were significantly progressed (such as ourselves), Natural England will work closely and in partnership with the catchment LPAs to help support the delivery of that strategic mitigation.
35. In October 2022, it was also announced that funding would be available to mitigation schemes within areas caught by nutrient neutrality. This includes borough specific proposals. The broad model currently being suggested is a contribution to the forward funding of any mitigation infrastructure with it then being paid back via developer contributions.
36. Details of the funding indicate that the money would be issued to the successful bidder through the means of a successful 'expression of interest' and this is reflected in the Recommendations set out in this report.
37. Any money secured would need to be spent by March 2023 which clearly fits with the progression of the Councils strategic wetland solution, as set out above. However the award, or not, of this funding does not determine whether the Council can continue to progress the strategic wetland solution, but if awarded, it will support the Council's ability to fund the wider project and help to de-risk it, as well as potentially lowering overall costs.

### **Strand 3: The national context of 'nutrient neutrality'**

38. The final strand of this report focuses on the national context of nutrient neutrality and recent Government announcements on the issue.
39. In March 2022, Natural England rolled out the nutrient neutrality advice to another 32 Local Planning Authorities, bringing the total up to 74 affected LPAs.
40. Given the extent and scale of the issue, Government are now becoming more involved. The following sections set out some of the key recent announcements made by the Government.
  - a) Updates to planning guidance
41. One of the most recent updates pertains to the publication of a Written Ministerial Statement (WMS) published in July, which sets out a number of key updates on nutrient neutrality. The WMS sets out:
  - Natural England have commenced work on a national nutrient mitigation scheme (see more details above);
  - Clarity regarding whether or not application for the approval of reserved matters and discharge of conditions are caught by the nutrient neutrality requirement;

- Updates to Planning Practice Guidance (PPG) regarding the approach for Housing Land Supply, in light of Natural England’s nutrient mitigation scheme; and
  - Updates to the PPG on the process of Appropriate Assessments and the Habitats Regulations.
42. The details of the proposed updates to the PPG have not yet been confirmed. However it is expected that the PPG updates will provide further clarity on the process of Appropriate Assessments and housing land supply calculations, with a view to providing more certainty on the deliverability of strategic mitigation, such as the borough mitigation strategy and wetlands, in light of Natural England’s announcement of a nutrient mitigation scheme. It is anticipated that these updates will be released in autumn 2022.
43. This is clearly a significant issue for the Council as only part of our borough is caught by the Advice. Large swathes of land, mainly in the southern and south western part of the borough, are not caught by the Advice and the Council are already seeing developers suggesting these areas should somehow ‘shoulder the burden’ of new housing to counter the lack of housing delivery that will occur because of the Stodmarsh constraint.
44. This is despite:
- the Advice being issued only one year after the Council’s Local Plan 2030 was adopted and the Council having no prior knowledge of any Stodmarsh issue as part of the Local Plan preparation (this meant no plan led solution to the problem has been able to progress),
  - that such an approach fails to acknowledge that the Advice covers the spatial parts of the borough which are the most sustainable, including capturing around 85% of the sites allocated in the Local Plan,
  - that the Council have progressed swiftly with an innovative solution, at great risk and expense to remove the impediment to housing delivery, (in this context the Stodmarsh constraint is a temporary one), and
  - that it cannot be sound planning to suggest that clearly more unsustainable locations of the borough (and evidenced as such) should be required to ‘over-compensate’ in this way, as that would not deliver ‘sustainable’ housing development as required by the National Planning Policy Framework (NPPF) itself.

b) Planning and Infrastructure Bill

45. During the announcement of the Growth Plan 2022 in September 2022, a new Planning & Infrastructure Bill was announced. The focus of the Bill is on reducing and removing the barriers to growth through the planning system, including the regulations and requirements for environmental issues, such as nutrient neutrality.
46. At this stage, no details of the Bill have been released, however it is possible that the new Bill could have an impact on the nutrient neutrality process. Further announcements and speeches given have focused on the importance of housebuilding to help sustain the economy and how the planning system can be expedited to boost housing supply.

47. Comments from the Prime Minister have also set out an intention to remove nutrient neutrality as a constraint on new development. However, details on whether this requirement will be removed are only light and no formal details have been released. Therefore, until such time as the details have been released, it is recommended that the Council continue to progress with its work on the promotion of strategic wetlands.

## **Proposal**

48. Members are asked to note the contents of the report and the progress made on strategic wetlands, the borough mitigation strategy and the catchment wide strategy.
49. Members are also asked, as explained above, to delegate powers to officers to agree, finalise and enter into the specific legal and commercial arrangements for the creation of the wetlands. Where possible the Council will also seek to bid for funding to support the delivery of its strategic wetlands, reducing the financial risk/cost to the Council.

## **Equalities Impact Assessment**

50. Members are referred to the attached Assessment.

## **Other Options Considered**

51. It is clear, following professional advice and the evidence presented to date, that a land based solution is needed in the borough in the form of new strategic wetlands to create sufficient phosphorus and nitrogen mitigation.
52. Accordingly, there are limited other options available to resolve the nutrient neutrality issue. In reality, the only likely alternative option is simply to wait for the Wastewater Treatment Works to be sufficiently upgraded. However, as previously discussed in the July 2021 and March 2022 Cabinet reports, this would further delay the current hold on granting planning permissions for affected developments, until the early 2030s at least.

## **Next Steps in Process**

53. The next steps include:
- Continue to engage with the landowner,
  - Continue to engage with the catchment-wide mitigation strategy, working with KCC, in its role as catchment co-ordinator, other affected Local Planning Authorities, the Environment Agency and Natural England,
  - Progress an expression of interest to DEFRA, and
  - Progress the Stodmarsh Supplementary Planning Document (SPD) in order to clearly set out to developers the process of nutrient neutrality and how to “apply” for nutrient mitigation from the strategic wetlands.

## Conclusion

54. As clearly illustrated above, the Council are committed to continue taking a proactive and innovative approach to deal with the impediment to housing delivery from nutrient neutrality, which was imposed on us without warning and outside of the Local Plan process. This will allow schemes which are otherwise sustainable in planning terms to progress.

## Portfolio Holder's Views

### Cllr N Bell

*I continue to support the progress that the Council has made in response to the nutrient neutrality issue. The challenge of nutrient neutrality should not be underestimated, however the Council have continued to make significant headway on this project by working proactively and pragmatically to deliver new strategic wetlands within the borough.*

*Alongside working with others on the catchment-wide strategy, the Council is doing all it can to remove this hold and to move forward as swiftly as possible. I therefore continue to strongly support the approach advocated in this report, to deliver our own strategic mitigation and work towards releasing otherwise sustainable development.*

### Cllr N Shorter

*The work that has been undertaken to date has been complex and interfacing with and involving many parties external to the council has been painfully time consuming. From a standing start I believe that the solution now being developed will provide a credible solution for the Stodmarsh issue and enable "business as normal" to return to the delivery of housing for the borough of Ashford in line with the Local Plan. This will be to the relief of developers large and small and those residents who are aware of the matter and its significance to Ashford and to the credit of all officers involved in the project."*

## Contact and Email

Daniel Carter – Spatial Planning Manager; [Daniel.carter@ashford.gov.uk](mailto:Daniel.carter@ashford.gov.uk) –  
Tel: (01233) 330238

Paul Mckenner – Head of Strategic Projects; [Paul.mckenner@ashford.gov.uk](mailto:Paul.mckenner@ashford.gov.uk)  
– Tel: (01233) 330419



# Equality Impact Assessment

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

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

## Public sector equality duty

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

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

## Protected characteristics

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

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

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

## Due regard

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

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

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

8. In terms of timing:

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

### Armed Forces Community

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

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

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

### Case law principles

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

- Decision-makers in public authorities must be aware of their duty to have 'due regard' to the equality duty and so EIA's must be attached to any relevant committee reports.
- Due regard is fulfilled before and at the time a particular policy is under consideration as well as at the time a decision is taken. Due regard involves a conscious approach and state of mind.
- A public authority cannot satisfy the duty by justifying a decision after it has been taken.
- The duty must be exercised in substance, with rigour and with an open mind in such a way that it influences the final decision.
- The duty is a non-delegable one. The duty will always remain the responsibility of the public authority.
- The duty is a continuing one so that it needs to be considered not only when a policy, for example, is being developed and agreed but also when it is implemented.
- It is good practice for those exercising public functions to keep an accurate record showing that they have actually considered the general duty and pondered relevant questions. Proper record keeping encourages transparency and will discipline those carrying out the relevant function to undertake the duty conscientiously.
- A public authority will need to consider whether it has sufficient information to assess the effects of the policy, or the way a function is being carried out, on the aims set out in the general equality duty.
- A public authority cannot avoid complying with the duty by claiming that it does not have enough resources to do so.

The Equality and Human Rights Commission has produced helpful guidance on "Meeting the Equality Duty in Policy and Decision-Making" (October 2014). It is available on the following link and report authors should read and follow this when developing or reporting on proposals for policy or

service development or change and other decisions likely to engage the equality duty. [Equality Duty in decision-making](#)

<b>Lead officer:</b>	Dan Carter Paul Mckenner
<b>Decision maker:</b>	Cabinet
<b>Decision:</b> <ul style="list-style-type: none"> <li>• Policy, project, service, contract</li> <li>• Review, change, new, stop</li> </ul>	<p>Note progress on the work done to date and continue to recognise the important of the project.</p> <p>Delegate authority to the Chief Executive, in consultation with relevant Portfolio Holders, to negotiate and agree the details of the commercial structure associated with the delivery of strategic wetlands.</p> <p>Authorise the Chief Executive to submit an Expression of Interest to DEFRA for funding to assist with the delivery/management/maintenance of strategic wetlands.</p>
<b>Date of decision:</b> The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	27/10/2022
<b>Summary of the proposed decision:</b> <ul style="list-style-type: none"> <li>• Aims and objectives</li> <li>• Key actions</li> <li>• Expected outcomes</li> <li>• Who will be affected and how?</li> <li>• How many people will be affected?</li> </ul>	<p>The aim of the borough and catchment nutrient mitigation strategies are to create a mechanism to enable affected development proposals which are required to demonstrate nutrient neutrality to come forward, if they cannot provide mitigation on-site.</p> <p>The borough nutrient mitigation strategy, and the strategic wetlands areas, created as a result of the strategy, will enable development, particularly housing, to lawfully be granted planning permission within the Stour catchment.</p> <p>It is proposed that authority is also delegated to the Chief Executive to negotiate and agree the details of the commercial structure associated with the provision of new strategic wetlands.</p> <p>This report seeks to authorise the Chief Executive to submit an expression of interest to DEFRA/Natural England for funding to assist with the delivery and management of the strategic wetlands.</p>
<b>Information and research:</b> <ul style="list-style-type: none"> <li>• Outline the information and research that has informed the decision.</li> <li>• Include sources and key findings.</li> </ul>	<p>Discussions have been held with the Environment Agency, Natural England, Kent County Council and other nutrient neutrality affected East Kent districts to prepare the catchment wide strategy.</p> <p>Discussions have been held with Natural England regarding the DEFRA/NE funding available for strategic mitigation and how the Council can submit an Expression of Interest for such funding.</p>

	A project group has also been established to work on delivering the strategic wetlands, including the commercial structure and arrangements that may be required.
<b>Consultation:</b> <ul style="list-style-type: none"> <li>• What specific consultation has occurred on this decision?</li> <li>• What were the results of the consultation?</li> <li>• Did the consultation analysis reveal any difference in views across the protected characteristics?</li> <li>• What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics?</li> </ul>	<p>No consultation undertaken. However discussions have been held with the Environment Agency, Natural England, Kent County Council and other East Kent districts affected by nutrient neutrality.</p> <p>The future stages of the strategy will include the publication of the final version of the strategy as well as the production of a Supplementary Planning Document. Consultation on the Supplementary Planning Document will be held in the future, and conclusions drawn in a separate Cabinet Report on the SPD and final borough Mitigation Strategy.</p>

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

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

<b>Protected characteristic</b>	<b>Relevance to Decision</b> High/Medium/Low/None	<b>Impact of Decision</b> <b>Positive</b> (Major/Minor) <b>Negative</b> (Major/Minor) <b>Neutral</b>
<u>AGE</u> Elderly	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Middle age	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Young adult	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Children	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>DISABILITY</u> Physical	Low	Positive – Minor

		(Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Mental	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Sensory	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>GENDER RE-ASSIGNMENT</u>	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>MARRIAGE/CIVIL PARTNERSHIP</u>	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>PREGNANCY/MATERNITY</u>	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>RACE</u>	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>RELIGION OR BELIEF</u>	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>SEX</u> Men	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Women	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>SEXUAL ORIENTATION</u>	Low	Positive – Minor

		(Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Former service personnel	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)
Service families	Low	Positive – Minor (Releasing the current hold on granting planning permissions will enable housing to come forward which will benefit all sections of the community)

<b>Mitigating negative impact:</b> Where any negative impact has been identified, outline the measures taken to mitigate against it.	N/A
---	-----

<b>Is the decision relevant to the aims of the equality duty?</b>	
Guidance on the aims can be found in the EHRC’s <a href="#">Essential Guide</a> , alongside fuller <a href="#">PSED Technical Guidance</a> .	
<b>Aim</b>	<b>Yes / No / N/A</b>
1) Eliminate discrimination, harassment and victimisation	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

<b>Conclusion:</b>	Officers have been working with Natural England, the Environment Agency, Kent County Council and other East Kent districts to prepare a catchment nutrient mitigation strategy.  Officers have also been working with Natural England and the Environment Agency to deliver a borough mitigation strategy and strategic wetlands. The strategic wetlands are important to
--------------------	---

<p>arising from the decision (see guidance above ).</p> <ul style="list-style-type: none"> <li>• Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified.</li> <li>• How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported?</li> </ul>	<p>help remove the current hold on granting planning permissions for housing development located within the Stour catchment, which is caught by the nutrient neutrality issue.</p> <p>The Council has considered the equalities act, however the recommendations and actions in the Cabinet Report are not specifically relevant to any of the protected characteristics.</p> <p>The recommendations in the Cabinet Report will help to progress part of the strategic response to remove the current hold on development, which will benefit the Stour catchment (and borough) as a whole. It is concluded that the steps proposed in this report do not constitute discrimination or other prohibited conduct, and do not prejudice equality of opportunity and good relations between persons who share a relevant protected characteristic and persons who do not share it.</p>
<p><b>EIA completion date:</b></p>	<p>18/10/2022</p>





## Greater Ashford Borough – Environment & Land Mapping Commission

### NOTES of the meeting held on Tuesday 23 August 2022 at the Civic Centre, Ashford, Kent TN23 1PL

#### **Present**

##### Commission Members

Neil Bell	Chair of Commission & ABC Portfolio Holder Planning & Development
Michael Bax	Weald of Kent Protection Society (WKPS)
Peter Dowling	River Stour Internal Drainage Board
Christine Drury	Campaign for the Protection of Rural England (CPRE)
Nick Fenton	Kent Housing & Development Group
Jo James	Kent Invicta Chamber of Commerce (KICC)
Shona Johnstone	Homes England
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
Daniel Carter	ABC Spatial Planning Manager
Simon Cole	ABC Head of Planning & Development

#### **Apologies**

Noel Ovenden	Vice Chair of Commission & Leader of Ashford Independent Party & ABC Chair of Overview & Scrutiny
Sandra Norval	Southern Water
Tracey Butler	ABC Director of Place, Space & Leisure
Tom Marchant	KCC Head of Strategic Planning & Policy
Andrew Osborne	ABC Economic Development Manager

## Notes of the Previous Meeting

The Notes of 14 June were agreed as a true record.

## Chairman's Brief Update

The Chairman welcomed everyone and reiterated that his role as Chair was to ensure that the work of the Commission was decided – and done - by the Commission itself, mainly within the Terms of Reference as set out in the original document produced by the Executive Leader of Ashford Borough Council.

He also raised the possibility of moving the September meeting from 13<sup>th</sup> to 20<sup>th</sup>, on the grounds that there would only be three weeks between the August and September meetings if it remained at the earlier date. Although this was agreed in principle, it has subsequently been overridden (see later paragraph).

## Working Group: Draft Report for discussion

The Working Group's draft report (Version iv) had been circulated along with the agenda and it was introduced (DR), giving an outline of its structure and saying that each member of the Working Group would present a section\*, although it was a joint effort by the four members of the group. [*\*NB: Sandra Norval had sent apologies as she was unwell and DR agreed to talk through the section on water*].

- (i) Section A: Recommendation to establish the Ashford Space for Nature Plan (CD)

The Working Group had developed of *Ashford Space for Nature Plan*, based, primarily, on the fact that Ashford as a borough has a great deal of green space, covering parks, agricultural land, wildlife and trees – all of which needs to be considered positively. It was emphasised that the concept is *not* about strategic gaps between villages and other settlements, but that it should include wetlands - with or without public accessibility – and that wildlife/nature is not always compatible with human activity/interest.

The proposals within *Space for Nature* should not be considered in isolation, however, as there are some important existing strategies (e.g. Ashford Green Corridors, AONB Management Plan, etc.) that should be examined to see where there is a 'fit' and to try to integrate the different strategies for maximum benefit. Two cases in point are the Open Spaces Strategy, and the health agenda which could be brought together under the *Space for Nature* 'banner'. Partnership working between various agencies would be required – e.g. ABC, Natural England and land owners.

(ii) Section B: Mapping Recommendations

It was agreed that specific mapping layers still needed to be finalised, but that the Working Group had met with ABC's in-house GIS Manager and agreed that, although there may need (at some point) to be a software update, the in-house GIS system exists and should be used by the Commission to facilitate their mapping recommendations.

(iii) Section C: Recommendations of Principle (CR)

These recommendations had been put forward by the Working Group – not within the original Terms of Reference of the Commission, but considered to be directions that can be set by ABC through planning policy, advisory notices, or by embedding into the contracting/procurement processes.

- Developing a plan for commercial sites, including the rural area, would be easy to map and assist in the rural economy.
- Limiting the expansion of Ashford town would assist in providing Ashford with a definitive boundary through the use of flexible green spaces and would be easy to map.
- Small scale development only in most villages with the recommendation to focus on starter homes for rent and/or purchase.
- Better design of housing developments is intended to improve the quality of house-building and include environmental initiatives – e.g. rainwater harvesting for new homes.
- The recommendation to split Grade 3 agricultural land into (a) and (b) categories was made as a proposal to assist in visual mapping and thereby assist in identifying sites for development or to be green spaces, etc
- Solar panels/roof tiles mandatory on all new buildings. This should include industrial buildings, and solar farms could be positioned only on the poorest land
- Recommendations were also made on improving the very centre of Ashford town and also maintaining the 'special character' of Tenterden with St Michael's and preserving the green gap between them and other settlements.
- Public Rights of Way were also raised as an existing anachronism; they are not fit-for-purpose in many areas and are not looked after. The Working Group would like to see a network of purpose-built routes for walkers, cyclists and riders – but to exclude motorised vehicles.

D. Water Recommendations (DR)

It was agreed that it was a fitting time to be raising many of these issues and that water – both supply and waste - (together with other infrastructure commodities, such as highways, energy and broadband provision) should be under consideration for forward-funding by some means (possibly developer contributions) and that infrastructure provision in Kent is particularly lagging behind other areas.

Eliminating surface water from sewers was agreed as one of the important elements, but it was also pointed out that agricultural detritus is an issue for many sewers).

The particular point on phosphate and nitrate solution being mainly dealt with by water treatment and not wetlands was agreed generally.

#### E. Strategic Recommendations

It was generally agreed that Regional Plans would help in joining up thinking from different disciplines, agencies, strategies, etc.

#### F. Presentational Recommendations

The essence of this section was to join together a number of issues under the heading of 'environment' – one example being using mapping techniques to capture/illustrate accessibility/connectivity via public transport, cycleways, etc.

It was also suggested that for the *Space for Nature* element, a strategic land availability assessment would be needed.

#### G. Implementation Recommendations

The detail of this was not discussed, but will need to be considered for the final report.

#### Further questions/responses raised during the meeting by Commission members

General points are included here; references to specific sections have been submitted separately, and in depth, to all members of the Commission so that the Working Group can consider the points and amend/add to the report where appropriate.

- Suggested that a section on background, context and terms of reference should be included in the report.
- Some indication of how the Commission's proposals could/should link in to the Local Plan should be given
- Detail how to link back in at strategic level
- Look to see how much of this can be combined with existing strategies
- Ensure that high standards are an integral part of the Commission's recommendations
- Need to note that water resources are often outside the borough

#### Next Steps

The report to be amended in line with confirmation on procedure for report (See Timetabling, below)

## Mapping Layers and Handling

It was agreed that the Working Group would have further discussions with the GIS Manager to ascertain the capabilities and capacity of the ABC in-house system and a comprehensive list of mapping proposals would be included in the final report.

## Timetabling

Timetabling for the report has now been clarified and is as follows:

- Report to be amended in line with Commissioners' comments and resubmitted to the full Commission for discussion at their meeting on Tuesday 11<sup>th</sup> October.
- If there are any final amendments/additions, these could be added following that meeting.
- If necessary, a Commission meeting could be held on 8<sup>th</sup> November (as originally timetabled) for 'final sign-off' by the Commission
- Agreed report to be submitted to the Office of the Executive Leader for consideration on (date to be agreed)
- The report will then progress to Full Council on Thursday 22<sup>nd</sup> December 2022.

Circulation: 25.8.22

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)

This page is intentionally left blank

## Trading and Enterprise Board

Minutes of a Meeting of the Trading and Enterprise Board held in Committee Room No.1 (Bad Münstereifel Room), Civic Centre, Tannery Lane, Ashford, on the **11<sup>th</sup> October 2022**.

### Present:

Cllr. Bell

Cllrs. Forest, Pickering, Shorter.

### Apologies:

Cllr. Ovenden, Director of Customer, Technology and Finance (in her Capacity as Director of A Better Choice for Property Ltd), Principal Solicitor (Property and Projects).

### Also Present:

Deputy Chief Executive, Service Lead for Finance (joined remotely), Commercial Development Manager (A Better Choice for Property Ltd), Operations Manager (A Better Choice for Property Ltd), Member Services Manager.

## 172 Declarations of Interest

Councillor	Interest	Minute No.
Shorter	Made a Voluntary Announcement as he was a Member of the ABC Planning Committee and would not take part in any detailed discussions on the design or planning application.	177

## 173 Minutes

### Resolved:

That the Minutes of the Meeting of the Board held on the 6<sup>th</sup> September 2022 be approved and confirmed as a correct record.

## 174 Exclusion of the Public

### Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the

following items, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to Paragraph 3 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **175 A Better Choice for Property Limited – Business Plan 2022-2027**

Prior to specific discussion on the Business Plan, Board Members raised the issue of communication between the Company and this Board. There was a desire for there to be some improvements here and a clearer flow of information. Whilst this did not have to be a formal process, it was important to get a “heads-up” on emerging issues with no surprises. The Commercial Development Manager (A Better Choice for Property Ltd) said he understood the point but was unsure where that responsibility would sit in the current Company structure. He was personally always happy to pick up the phone and have a conversation, but without a formal Managing Director or similar, there was not an obvious person to do this. The Board considered this was something to take back and discuss at Company Board level and hoped that this request would be taken in the spirit it was intended – a desire to work more closely together and for the TEB to be aware of issues and be able to assist where it could.

The Service Lead for Finance introduced the confidential report which presented the Board with the Company’s Business Plan for 2022-2027.

It was requested that, once the final Business Plan had been published, full details of the Company’s risk register could be shared with the Members of the TEB.

In response to a question, the Service Lead for Finance shared graphs displaying the impact of recent interest rate fluctuations.

### **Resolved:**

- That (i) **the Business Plan for A Better Choice for Property Ltd for 2022-2027 be agreed.**
- (ii) **the changes to the Company’s governance arrangements be noted.**

## **176 A Better Choice for Property Limited and A Better Choice for Property Development Limited – 2021/22 Statement of Accounts**

The Service Lead for Finance introduced the confidential report which presented the audited accounts for both Companies.



The Deputy Chief Executive requested that the two audit opinion reports be shared with TEB Members.

**Resolved:**

**That the audited accounts for A Better Choice for Property Limited and A Better Choice for Property Development Limited be received and noted.**

## **177 A Better Choice for Property Limited – Portfolio Update (including Update on Development Site)**

The confidential report provided a portfolio update from the Company on its activities, income, void levels and arrears for the period June to September 2022.

The Operations Manager (A Better Choice for Property Ltd) answered specific questions on the current performance of the Company in terms of its current rental portfolio and the current market in Ashford.

The Commercial Development Manager then gave a specific update on one of the major projects the Company was working on, details of which had last been reported to, and approved by, this Board in February 2022. A number of material factors had since arisen which had required a change in direction and the report set out the details of this with a request for the Board to endorse those changes. He ran through the revised proposal as outlined in the report in detail with Board Members.

The Deputy Chief Executive explained that the proposals has been reviewed by the Council's Fund Monitor who was broadly supportive of the proposals but did want a clearer understanding of the viability of the scheme. To enable this he considered a clear programme with a list of milestones and steps to be taken needed to be produced.

A Member said he did have some concerns about the level of scrutiny the Company Board was having on these proposals and asked for that concern to be recorded.

After a detailed discussion, the Board was clear in its desire to receive some sort of viability assessment and programme of milestones for the scheme. They asked the Commercial Development Manager to work with the Council's Fund Monitor to produce these documents, along with a comparison of the costs under old and new building regulations to demonstrate the difference between the various scenarios. It was agreed that these should be received to the Board's satisfaction before any further funding was released. Accordingly, the Chairman of this Board was given delegated powers to approve the final details of the proposal, subject to those documents being received to the satisfaction of Board Members. To facilitate this, an informal meeting of TEB Members would be convened to discuss the requested documents and ensure that Members are satisfied with them.

**Resolved:**

**That (i) the Portfolio update report be received and noted.**

- (ii) **authority to endorse the proposal as outlined in the project update report be delegated to the Chairman of the Trading and Enterprise Board, subject to the receipt of satisfactory viability assessments and programming information for the project. These to be discussed and agreed at an informal meeting of TEB Members.**

---

Queries concerning these minutes? Please contact Member Services  
Telephone: (01233) 330349 E-mail [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)  
Agendas, Reports and Minutes are available on: [www.ashford.moderngov.co.uk](http://www.ashford.moderngov.co.uk)

**Notes of a Virtual Meeting of the  
Ashford Strategic Delivery Board held on Microsoft Teams on  
Friday 23<sup>rd</sup> September 2022 at 10.00am**

**Present:**

**Board Members**

Cllr Gerry Clarkson (Chairman) – Leader, ABC  
Cllr Matthew Forest – Portfolio Holder for Culture, Tourism and Leisure, ABC  
Cllr N Shorter - Portfolio Holder for Finance, IT and Digital, ABC  
Cllr P Feacey - Portfolio Holder for Policy and Performance, ABC  
Cllr N Ovenden – Chair of the Overview & Scrutiny Committee, ABC  
Mr David Brazier – Cabinet Member for Highways and Transport, KCC  
Paul Sayers - East Kent College  
Richard Penn – Area Manager, Environment Agency

**Non Board Members**

David Smith, KCC  
Matt Smyth KCC  
Sandra Norvell, Southern Water  
Andy Adams, Southern Water  
Ben Lockwood, ABC  
Paul McKenner, ABC  
Simon Cole, ABC  
Charlotte Hammersley, ABC  
Andrew Osborne, ABC  
Jo Fox, ABC  
Anthony Baldock, ABC  
Dean Spurrell, ABC  
Clare Ricketts, ABC.

**Apologies**

Damian Green, Nathan Iliffe, Rebecca Spore, Simon Jones, Derek Murphy, Shona Johnstone, Tracey Kerly, Terry Mortimer, Tracey Butler, Maria Stevens.

<b>Item</b>	<b>Notes</b>	<b>Action</b>
1.	<b>Welcome</b>  The Chairman welcomed all those present to the meeting and gave a brief history of how the Board was formed in 2013 to include key stakeholders in discussions. During Covid, the meetings were held virtually, but now physical meetings were able to resume, it presented an opportunity	

	to press the reset button and embrace the projects currently ongoing in Ashford and the surrounding area. He welcomed Cllr Ovenden who had been invited to join the Board.	
2.	<b>Minutes of Previous Meeting – 22<sup>nd</sup> April 2022</b>  Noted.	
3.	<b>Ashford’s Super Six</b>  Andrew Osborne (AO) gave a presentation on the new six strategic projects that ABC would be delivering in collaboration with external partners. These were Newtown Works, Stodmarsh, Town Centre Reset, Ashford College phase 2, Project Green and South of Ashford Garden Community. All of the projects sat within the Corporate Plan and fitted inside the themes of Green Pioneer, Caring Ashford and Targeted Growth. The current aim for the Project Team was to brand and badge these six projects, and look to support others under this banner, as it was anticipated that over the next few years there would be additional projects to add to the Super 6.  The Chairman thanked AO for his presentation and acclaimed the success of the Big 8 projects that came before the Super 6. He recapitulated how Ashford were proactive in delivering strategic projects and worked effectively with central government and partners to bring them to fruition.  <b>The Board endorsed the Super 6 projects and supported the development of the new Ashford For campaign.</b>	
4.	<b>Newtown Works</b>  Paul Mckenner (PMcK) gave a presentation, which included a promotional video of the facilities for Ashford International Studios. The project was a mixed-use regeneration scheme and was expected to create 2000 jobs locally. There had been a successful Levelling Up funding bid, and the current focus was around the Locomotive Shed. Subject to negotiation and the completion of due diligence, it was anticipated that the ABC Development Company would purchase 65% of the Quinn Estates Newtown Works Development Company. A Project team had been established and they would assist in this process. Construction was expected to start on the site in August 2023 with completion estimated to be July 2025.	

	<p>The Chairman thanked PMcK for his presentation and spoke to the Board about the location of the Studio and the railway works past since its creation in the 1860's. He confirmed that Historic England had approved the works on the site, and this indicated that Ashford demonstrated a sensitive approach to the development, and were focussed on retaining the significant importance, where a number of people had sadly perished during a bombing of the railway works in WW2.</p>	
5.	<p><b>Stodmarsh Update</b></p> <p>Simon Cole (SC) gave a brief verbal update regarding Stodmarsh (a full update would be presented at the October Cabinet meeting). ABC continued to work alongside other Districts, KCC and Natural England to compile a nutrient mitigation strategy for the Stour catchment. A bid for Defra funding would be submitted in November, which would help to create new wetlands that in turn would provide nutrient mitigation in the short/medium term. Further formal changes to national planning policy and ministerial updates from central government were still expected, pertaining to the implications for housing land supply in nutrient constrained areas. The issue had been ongoing for two years, and Canterbury and Ashford had somewhat different issues to neighbouring LA's owing to greater housing developments. Work was now underway to produce a new SPD to pull all the issues together and set out developer requirements for nutrient neutrality.</p> <p>The Chairman noted that funding from central government was expected to be recouped over time and encouraged the Planning Team to be bold when forming the SPD.</p>	
6.	<p><b>Water Infrastructure and Use in the Borough</b></p> <p>Sandra Norval (SN) and Andy Adams (AA) from Southern Water attended the meeting and gave a comprehensive presentation covering Planning for Future Growth, Stodmarsh Investigation Report, Storm Overflows, Sustainable Development Plan, Nutrient Neutrality, Chilmington Green, Drainage and Wastewater Management Plans and Wastewater Catchments in the Stour.</p> <p>The Chairman thanked SN and AA for attending the meeting and for providing the crucial and informative update. He suggested a representative from Southern Water be enrolled on the ASDB, and SN agreed this would be beneficial and volunteered to.</p>	<p><b>CH</b></p>

7.	<p><b>Eurostar Update on latest position</b></p> <p>AO spoke about the decision by Eurostar to extend the closure of their Kent stations to and beyond 2023. They had cited challenges around border entry and exit points as one of the reasons for the extension. A meeting had been scheduled with Eurostar and Damian Green MP to discuss this in more detail, and AO would report back to the Board.</p>	<b>AO</b>
8.	<p><b>Project Updates</b></p> <p>Paul Sayers (PS) of East Kent College gave a verbal update on the construction works for phase 2 of the College, and funding had been secured to increase capacity. Since April 2020, the college intake had grown by 25%, which in turn correlated with jobs growth for Ashford. There had been some supply chain issues, and PS would provide more details on this at the next meeting.</p> <p>In response to a question asking if small to medium size local companies were engaging with the college in terms of work placements, PS confirmed this was the case and that the College had been working with the Chamber of Commerce to increase placements for 16/18 year olds and apprenticeships. He added that ABC were a great source of support for the College.</p> <p>The report enclosed with the agenda gave the latest position on progress in respect of the core projects, to be noted.</p>	
9.	<p><b>Dates of Future Meetings</b></p> <p>Friday 20<sup>th</sup> January 2023 Friday 21<sup>st</sup> April 2023</p> <p>All at 10am</p>	<b>DSh</b>

Queries concerning these minutes? Please contact Member Services  
Tel: 01233 330349 Email: [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)  
Agendas and Minutes are available on: <https://ashford.moderngov.co.uk>

## Climate Change Advisory Committee

Notes of a Virtual Meeting of the Climate Change Advisory Committee held on the 20<sup>th</sup> September 2022.

### Present:

Cllr. Barrett (Chair);  
Cllr. Feacey (Vice-Chair);

Cllrs. Blanford, Campkin, Ledger, Mulholland.

### Apologies:

Director of Place, Space & Leisure, Project Manager Carbon Neutrality.

### Also Present:

Cllrs. Forest, Nilsson, Wright.

Assistant Director of Environment, Property & Recreation, Climate Change Manager, Senior Climate Action Officer, Environmental Contracts and Enforcement Manager, Grounds Maintenance Operations Manager, Allotment & Service Support Officer, Housing Development & Regeneration Manager, Senior Member Services Officer.

## 1. Declaration of Interest

- 1.1 Cllr. Feacey made a Voluntary Announcement, as he was on the Management Committee of UK LPG, the Managing Director of Energyshift and was the Chairman of the Ashford Volunteer Centre.

## 2. Minutes of Previous Meeting

- 2.1 The Minutes of the Meeting held on 2<sup>nd</sup> August 2022 were agreed as an accurate record.
- 2.2 The Chair advised that the Solar Go item that had been discussed at the previous meeting, had been to the Council's Corporate Business Management meeting and the decision had been taken to not progress this project further. This was due to a number of factors including increased inflation, the fuel crisis and the potential for equalities to be affected by proceeding. The Vice-Chair confirmed that Cabinet had sought to set up a Welfare Advisory Group to address the cost of living crisis and assist with targeting those most vulnerable within the Borough. Further expenditure and support would be required as part of the next phase of the household support grant.

- 2.3 It was confirmed that the Portfolio Holder was kept abreast of the work of the Committee and all decisions on projects recommended to Cabinet were decided upon by Cabinet as a whole.

### 3. Climate Action Team Update

- 3.1 The Climate Change Manager introduced this item and gave verbal update to the Committee that covered the following subjects and points:

- International House & Julie Rose Stadium - funding had been secured from the Public Sector Low Carbon Skills Fund, which would be used to fund the decarbonisation plans for International House and Julie Rose Stadium. Floor plans and data had been sent to the consultant, surveys were awaited which would produce the decarbonisation plans for both sites.
- Ellingham Way - works had shifted slightly. The Senior Building & Project Surveyor would be leading on the re-roofing project. It was likely that more in-depth ways of decarbonising the building would be explored.
- Carlton Road - meter surveys had been completed with the details sent to UK Power Networks to look at power connections. This would take approximately 8 weeks therefore the project would not start until November/December. The original project outline intended for surplus energy to be sold back to the grid, however the sub-station was not available and it was too expensive to set up a new one. Instead investigations were underway into providing lower cost energy to tenants instead.
- UK Power Networks (UKPN) – there were widespread delays relating to UKPN and the capacity to take on new connections to the grid. This was widely known and was not Ashford centric but it was worth keeping in mind in relation to projects and potential knock-on delays.
- Stour Centre – the solar project was ongoing, it had been confirmed that solar arrays could power the Centre however more panels would be required than originally envisaged. This would be reported to PMG in October/November for sign off.
- Tenterden Leisure Centre – work on a bid was underway, with plans for a solar array and two air source heat pumps.
- Funding Opportunities – there were some new opportunities coming on stream, including;
  - ECO4 (Energy Company Obligation) which was a government energy efficiency scheme that was administered by Ofgem. It



would be a four year scheme running to March 2026, aiming to reduce fuel poverty and energy bills in the long term. A statement of intent to take part had already been issued and was on the Council's website. The scheme was on hold awaiting further guidance from the Government, work was being undertaken in the meantime to ascertain who would be undertaking the work on behalf of the Council etc.

- Sustainable Warmth Scheme – £1.6m had been allocated to the Council. There had been a few delays, however an advertising campaign had been carried out to inform the general public how to apply for this funding, with 22 referrals being received to date. An inter-authority agreement was required which was delaying the start of the work.
- Community Forum – work was underway in setting this up. It was hoped to be used as a public sounding board, sharing of information and best practice and to better understand the barriers for people. This is initially envisaged to be an online forum but there was some scope for an annual face to face event which they would explore further.

3.2 The Climate Change Manager advised that in terms of reporting to the Committee on progress they would align this with the action plan agreed in July and that reporting would be on a quarterly basis commencing at the next meeting of the Committee. She proposed sending a link to the master plan on a quarterly basis so the Committee could see what actions had been completed and keep tabs on areas of interest in advance of the meeting. The Climate Change Manager shared a graph with the Committee that details the Climate Action Plan 2022-24 Priority Attainment, this showed the percentage of work completed under each category and showed a positive direction of travel.

3.3 The Chair opened up the item for discussion and the following points were made:

- A Member requested clarification on the proposed works to Tenterden Leisure Centre. It was advised that works would be undertaken to remove the reliance on gas. The Portfolio Holder was due to be briefed on the works within the next few weeks and Officers advised that this would also be shared with the Committee.

- Issues with connections to the grid were acknowledged and it was questioned what troubleshooting processes were either in place or could be set up to reduce these? The Climate Change Manager advised that mapping work could be carried out to ascertain where connections were and this could be added as a layer on GIS mapping. When dealing with Council assets this process was turned on its head and therefore there could be instances, such as Carlton Road, where connections to the grid were not possible. The Housing Development & Regeneration Manager further advised that there were other options available at Carlton Road, such as supplying lower cost electricity to tenants, installation of electric vehicle charging points, supplying electricity to the Aspire Depot.
- The storage of electricity and the use of batteries for storage was discussed. The Housing Development & Regeneration Manager advised that nothing was being ruled out, however consideration needed to be given to the viability of batteries, including the ability to recycle.

**Resolved:**

**That:**

- (i) **The update be received and noted;**
- (ii) **Future updates on the Climate Action Plan 2022-24 will be provided on a quarterly basis**

## **4. Social Housing Decarbonisation Fund**

4.1 The Housing Development & Regeneration Manager introduced this item and gave a PowerPoint presentation which updated the Committee on the current status of the Social Housing Decarbonisation Fund and the work being undertaken by the Council in support of this bid. He highlighted several points to the Committee, including:

- Four out of five homes that will be lived in in 2050 had already been built.
- A fabric first approach would be taken to stop/reduce heat escaping properties. They would target the worst performing properties in the social housing stock and increase the EPC ratings of these to a C rating. There would still be room for improvement on these, and other properties in the future.
- Tenant engagement was vital throughout the project, as there would inevitably be disturbance to their homes whilst work was undertaken.

- Officers had been working with an 'Accelerator' Turner & Townsend to improve the Council's bid and had also been part of best practice seminars and gained a greater understanding of the process and the bid submitted.
- Of the Council's housing stock 1,200 properties were at or below an EPC rating of C. 745 units were the basis of the bid.
- E.ON had been engaged to deliver the programme and due to the size of the company they were confident that they could deliver by the June 2025 deadline.
- The Housing Revenue Account (HRA) had committed to undertaking these works, the extra money provided by the Fund would ensure that more could be done to bring the housing stock up to an EPC rating of C.

4.2 The Chair opened up the item for discussion and the following points were made:

- The works would commence in February 2023. There had been no further delays to the funding announced and the Housing Development & Regeneration Manager was confident that the work would commence on schedule.
- The fabric first approach would look at wall and loft insulation initially but for some properties this would not be enough, and then they would progress on to air source heat pumps and further measures to reach the EPC rating of C.
- Money could be drawn from the Fund monthly or quarterly, once the works were underway a decision would be made based upon the level of information required.
- Other Local Authorities had submitted bids to the Fund, some of these had been done as consortium bids. The Accelerator had confirmed that the bid submitted by the Council was considered large but also a quality bid, which had been reassuring.
- The Housing Development & Regeneration Manager gave some area specific examples of work that would be carried out as part of this project. This would incorporate the entirety of the Council's area not just one area of the Borough.

**Resolved:**

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

## 5. Water Savings on Allotments

- 5.1 The Allotment & Service Support Officer provided feedback on the proposal for borehole drilling on allotments. He had liaised with Dover Town Council who had undertaken similar works in April 2022 and confirmed that excluding the necessary surveys cost would be between £15,000 and £35,000. Given that there were 12 allotment sites to consider this would amount to a considerable sum. Further discussion was had between Officers and an alternative solution of rainwater capture was proposed. South East Water had offered to provide water butts for each plot, the delivery of those was in the process of being arranged but was envisaged this would occur during December 2022/January 2023.
- 5.2 There was considerable discussion regarding the use of IBCs to harvest rainwater. There were a number of considerations including the cost, cleaning to ensure there was no contamination and siting. Officers endeavoured to investigate this further.
- 5.3 Members questioned whether South East Water would extend the scheme to Parishes that had allotments. The Allotment & Service Support Officer advised that he would make Parishes aware of the scheme. A Member advised that South East Water also made water butts available to purchase at cost price.
- 5.4 It was questioned whether the free compost scheme would be made available again. Officer confirmed that they would liaise with Blaze Farm Compost regarding this.

### **Recommendation:**

**That Cabinet endorse the Aspire led pilot project to install large water collection containers (IBC's) in a specified Ashford Borough Council allotment to evaluate the effective role this project could play in reducing mains water usage by harnessing rain water and making it available to allotment users.**

## 6. Big Green Week

- 6.1 The Senior Climate Action Officer introduced the item and using a PowerPoint presentation gave an overview of the events taking place during Big Green Week, these included:
- Big Green Week Roadshow – this would take place on 24<sup>th</sup> September from 10am to 5pm in the town centre. This would be a fun filled information event sharing the answer to the question “What can I do to save the planet?”
  - River Clean – the Kentish Stour Countryside Project were leading on a river clean and litter pick along the Stour.

- Eco School Event – Singleton Environment Centre were hosting an invite only eco school event and teach meet. This would be focused on pond maintenance and biodiversity.
- Big Green Plant – this was taking place over four days in Victoria Park with an aim to plant 2,500 plants in the sensory garden.
- Big Lunch – Repton Community Centre would host a lunch focussing on food, highlighting sustainable choices and healthy living on 1<sup>st</sup> October from 11am to 2pm.

6.2 The Committee were encouraged by all the work that had gone into the Big Green Week and Officers undertook to make all Councillors and Parishes aware of the events taking place.

6.3 The Environmental Contracts and Enforcement Manager advised that there was a project “in train” to look at education surrounding littering from vehicles and what if any action could be taken to prosecute those doing this. Any action would require video evidence.

6.4 Engagement of schools in environmental projects was touched upon, with Members questioning the involvement of secondary schools in the Borough. The Senior Climate Action Officer advised that schools of all sizes were invited to be involved in projects, there were projects coming up that would target secondary schools however these had been delayed slightly.

**Resolved:**

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

## **7. Project and Reports Tracker**

**Resolved**

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

Queries concerning these minutes? Please contact Member Services:  
Telephone: 01233 330499 Email: [membersservices@ashford.gov.uk](mailto:membersservices@ashford.gov.uk)  
Agendas, Reports and Minutes are available on:  
[www.ashford.gov.uk/committees](http://www.ashford.gov.uk/committees)

This page is intentionally left blank

**Agenda Item No:** 15

**Report To:** CABINET

**Date:** 27<sup>TH</sup> OCTOBER 2022

**Report Title:** SCHEDULE OF KEY DECISIONS TO BE TAKEN

**Report Author and Job Title:** Danny Sheppard, Member Services Manager

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



<b>Summary:</b>	To set out the latest Schedule of Key Decisions to be taken by the Cabinet of Ashford Borough Council.
-----------------	--

**Key Decision:** NO

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

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

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

**Financial Implications:** Nil

**Legal Implications:** n/a

**Equalities Impact Assessment** n/a

**Other Material Implications:** Nil

**Exempt from publication:** No

**Background Papers:** None

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

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

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

Ashford Borough Council's Cabinet is made up of: - Councillors Gerry Clarkson; Paul Bartlett; Neil Bell; Andrew Buchanan; Peter Feacey; Matthew Forest; Nathan Iliffe; Alan Pickering; and Neil Shorter.

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

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>27<sup>th</sup> October 2022</b>					
Medium Term Financial Plan	<i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year's Budget process.</i>	Cllr Shorter	Lee Foreman	Open	29/10/21
Council Tax Base 2023/24	<i>To present for approval the estimated 2023/24 Council tax base calculation for the Borough and each parished area, on which the major preceptors and local Parish Councils will base their requirements.</i>	Cllr Shorter	Lee Foreman	Open	29/11/21



<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Broadband Wayleaves	<i>To update on standardised wayleave agreements and to seek a decision on whether the final wayleave documents should be sealed deeds or if delegated authority can be used for the Assistant Director of Housing to sign the final documents.</i>	Cllr Bell	Thomas Jenkins	Open	8/7/22
Corporate Commercial Property Strategy – Annual Report	<i>To advise of the revenue performance of the Council’s corporate property portfolio during the last financial period and to advise of proposals to increase profitability in the coming financial period.</i>	Cllr Forest	Eloise Duffy	Open	1/10/21
Stodmarsh Update	<i>To update the relevant progress since the last update in March 2022 (Cabinet) setting out how the Borough mitigation strategy is progressing and further details on the Council’s strategic wetland option.</i>	Cllr Bell	Daniel Carter/ Paul McKenner	Open	2/9/22
Asylum Dispersal	<i>To agree the Council’s position on Home Office Asylum &amp; Protection Transformation – Full Dispersal Regional Shares</i>	Cllrs Clarkson/ Buchanan	Anne Forbes	Open	23/9/22
<b>24<sup>th</sup> November 2022</b>					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance ‘snapshot’.</i>	Cllr Feacey	Tom Swain	Open	29/11/21

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Data Protection Policy	<i>To review the Council's Data Protection Policy Suite to ensure it remains relevant and fit for purpose, with amends made to reflect any changes to the legislative data protection landscape and any best practice guidance issued by the supervisory authority (ICO) since the policy was last reviewed.</i>	Cllr Feacey	Tom Swain	Open	30/6/22
Draft Budget 2023/24	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&amp;S Task Group and public consultation.</i>	Cllr Shorter	Lee Foreman	Open	29/11/21
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Shorter	Lee Foreman	Open	29/11/21
Brompton Development	<i>To update of the progress of the discussions with both Brompton and the Developer in bringing forward the proposed development including the setting up a of joint venture company.</i>	Cllr Iliffe	Paul McKenner	Open	28/7/22
Covert Surveillance Report		Cllr Clarkson	Samantha Clarke	Open	11/4/22

<b>Decision Item</b>	<b>Report Summary</b>	<b>Relevant Portfolio Holder</b>	<b>Report Author</b>	<b>Open or Exempt</b>	<b>Added to Schedule</b>
Right to Buy Lease Extensions Policy	<i>To set out the basis for introducing a non-statutory route to simplify the lease extension process and to set out the proposal to provide each Right to Buy applicant a lease of 125 years.</i>	Cllr Buchanan	Hazel Tillman	Open	14/9/22
Ashford Town Centre Reset – Phase One Actions	<i>To set out the results of the Town Centre Reset Project Handbook and seek endorsement of the four key intervention areas. The report will also set out an Action Plan for the Town Centre over the next few years and propose specific new interventions within the Town Centre.</i>	Cllr Iliffe	Andrew Osborne	Open	11/4/22
Port Health Service	<i>To propose a new staffing structure, outlining the resulting impact on staff, including redundancies and redeployments etc. It also will detail the consultation process and feedback from staff and the proposed timescales for implementation and the costs associated with the changes.</i>	Cllr Bartlett	Michelle Pecci/ Anthony Baldock	Open (Exempt Appendix)	26/9/22
Residents Survey Results	<i>To outline the results of a recent online survey to gather data relating to residents' broad opinion of Council services and engagement as well as their local area.</i>	Cllr Feacey	Charlotte Hammersley/Will Race	Open	26/9/22

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Pre-Application Advice – Revised Service and Charging Structure	<i>To set out the conclusions of a review and request approval for the scale and scope of pre-application charging, including criteria for seeking Planning Performance Agreements (PPAs) and establishing deliverable service response targets.</i>	Cllr Bell	Karen Fossett	Open	24/8/22
<b>15<sup>th</sup> December 2022</b>					
Housing Revenue Account (HRA) Business Plan 2022-2052 (including Financing and Affordable Homes Programme)	<i>To detail the financial position in the HRA and ask Members to agree Housing’s priorities for the next year.</i>	Cllr Buchanan	Sharon Williams/Mark James	Open (Exempt Appendix)	20/12/21
Infrastructure Funding Statement		Cllr Bell	Daniel Carter	Open	20/12/21
New Waste Contract		Cllr Forest	Tracey Butler	Open	5/1/22
<b>26<sup>th</sup> January 2023</b>					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Nic Stevens	Open (Exempt Appendix)	29/1/21

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>23<sup>rd</sup> February 2023</b>					
Revenue Budget 2023/24	<i>To present the draft revenue budget for 2023/24 to the Cabinet for recommendation to Council.</i>	Cllr Shorter	Lee Foreman	Open	28/2/22
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Lee Foreman	Open	28/2/22
Corporate Performance Report	<i>The report seeks to give Members and the Borough’s residents an overview of how the Council is performing. It seeks to do this in a transparent and easily-accessible manner, giving a key performance ‘snapshot’.</i>	Cllr Feacey	Tom Swain	Open	28/2/22
<b>30<sup>th</sup> March 2023</b>					
Annual Pay Policy Statement (including Review for 2023/24)	<i>A review of the annual Pay Policy Statement and Ashford Living Wage Allowance.</i>	Cllr Pickering	Michelle Pecci/ Joy Cross	Open	1/4/22
<b>27<sup>th</sup> April 2023</b>					
<b>May 2023</b>					
<b>NO MEETING DUE TO BOROUGH COUNCIL ELECTIONS</b>					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>25<sup>th</sup> June 2023</b>					
Corporate Plan Annual Report 2022/23	<i>To present the Annual Report 2022/23 highlighting performance against the Corporate Plan priorities.</i>	Cllr Clarkson/ Feacey	Tom Swain	Open	4/7/22
Final Outturn 2022/23	<i>Final budget outturn for previous financial year.</i>	Cllr Shorter	Lee Foreman	Open	4/7/22
Food Services Plan 2022/23	<i>To review the Council's Food Policy for delivering the Official Food Controls and to consider how they safeguard the public and support businesses To approve the plan in accordance with requirements set out in the Food Law Code of Practice.</i>	Cllr Bartlett	Linda Golightly	Open	21/2/22
<b>27<sup>th</sup> July 2023</b>					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Shorter	Nic Stevens	Open (Exempt Appendix)	30/7/21
<b>31<sup>st</sup> August 2023</b>					
<b>KEEP CLEAR FOR HOLIDAYS</b>					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
<b>28th September 2023</b>					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Shorter	Lee Foreman	Open	30/9/22
Corporate Performance Report	<i>The report seeks to give Members and the Borough's residents an overview of how the Council is performing. It seeks to do this in a transparent and easily-accessible manner, giving a key performance 'snapshot'.</i>	Cllr Feacey	Tom Swain	Open	30/9/22
Broadband and Digital Infrastructure Update	<i>To update on projects and initiatives to improve broadband in the Borough and outline the work that the team suggests can take place in the coming year.</i>	Cllr Bell	Thomas Jenkins	Open	30/9/22

***If you wish to contact a Report Author by email, unless stated otherwise, the addresses are;  
first name.surname@ashford.gov.uk***

19/10/22

This page is intentionally left blank