



CABINET

Notice of a Meeting, to be held in the Council Chamber - Ashford Borough Council on
Thursday, 25th January, 2024 at 7.00 pm.

The Members of the Cabinet are:-

Councillor Ovenden - Leader of the Council and Portfolio Holder for Prosperity and Resource

Councillor Campkin - Deputy Leader and Portfolio Holder for Climate, Environment and Transport

Councillor Barrett – Portfolio Holder for Homes and Homelessness

Councillor Betty – Portfolio Holder for Economic Growth and Investment

Councillor Harman – Portfolio Holder for Planning, Housing Delivery and Communication

Councillor Hayward – Portfolio Holder for Performance and Direction

Councillor Nilsson – Portfolio Holder for People and Services

Councillor Walder – Portfolio Holder for Recreation and Public Spaces

Councillor Wright – Portfolio Holder for Communities and Health

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. Apologies	
2. Declarations of Interest	5 - 6
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. Minutes	7 - 14
To approve the Minutes of the Meeting of the Cabinet held on the 30 th November 2023.	
4. To Receive any Petitions	

5.	Leader's Announcements	
6.	Revenues and Benefits Recommended Write Offs	15 - 24
7.	Financial Monitoring - Quarterly Report	25 - 48
8.	Tenant Engagement Strategy	49 - 78
9.	Temporary Accommodation Charging Policy	79 - 102
10.	Temporary Accommodation Placement Policy	103 - 130
11.	Tenant Pet Policy	131 - 144
12.	Joint Transportation Board - Minutes of 5th December 2023	145 - 150
	To receive and note.	
13.	Trading and Enterprise Board - Minutes of 28th November 2023	151 - 154
	To approve and adopt.	
14.	Ashford Strategic Delivery Board - Notes of 24th November 2023	155 - 160
	To receive and note.	
15.	Local Plan and Planning Policy Task Group - Notes of 29th November 2023	161 - 166
	To receive and note.	
16.	Schedule of Key Decisions	167 - 176
17.	Economic Regeneration and Investment Advisory Committee - Notes of 14th December 2023	177 - 180
	To receive and note.	
18.	Items for Future Meetings	

17 January 2024

Queries concerning this agenda? Please contact Member Services
 Telephone: 01233 330349 e-mail: 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
- (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

Agenda Item 3

CA

Published 5th December 2023

Decisions effective from the 13th December 2023 unless they are called in or are recommended to the Council for approval

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **30th November 2023**.

Present:

Cllr. Ovenden (Chair);
Cllr. Campkin (Vice-Chair);

Cllrs. Betty, Harman, Hayward, Walder, Wright.

Apologies:

Cllrs. Barrett, Nilsson, Dean, Gathern, Michael.

Also Present:

Cllrs. Bartlett, Mrs Bell, Bell, Brunger-Randall, Chilton, Feacey, Gauder, Ledger, Roden, Shilton, Spain, C Suddards.

In attendance:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Assistant Director of Housing, Assistant Director of HR, Customer Services, HR and Digitalisation, Head of Policy and Performance, Head of Economic Development, Service Lead – Finance, Development Partnership Manager, Economic Development Manager, Principal Solicitor (Strategic Development), Senior Accountant, Communications Officer, Member Services Manager.

222 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a Voluntary Announcement as Chairman of the Ashford Volunteer Centre.	226, 229
Wright	Made a Voluntary Announcement as a Trustee of Repton Connect Community Trust.	226, 229

223 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 26th October 2023 be approved and confirmed as a correct record.

224 Ashford Town Centre Market Review and 'Best of Kent' Market Motion

The Portfolio Holder introduced the report which considered the Motion put forward to Full Council by Cllr Spain to create a 'Best in Kent' market. It also set the context to existing markets operating in Ashford Town Centre, and other markets and shops that operated within the Borough and sold local produce. The report further set out initiatives undertaken by the Council previously within this area, and the potential opportunities moving forward. It concluded by seeking approval to set up a Members Task Group to investigate those opportunities (considering the opportunity inside the context of the Town Centre Reset) and to undertake the relevant due diligence to develop considered proposals that could be presented back to Cabinet.

The item was opened up to Members for questions/comments and the following points were raised: -

- The Task Group would be looking to engage external experts who had a knowledge of this area and experience of other markets in other areas and representatives of the existing local markets.
- There would be Ward Member representation at the Task Group Meetings.
- Any best practice or outcomes that might help markets be established in villages would be welcomed as it was known that many villages would like to establish their own markets.

Resolved:

That the setting up of a Members Task Group to investigate the opportunities for market activity in Ashford Town Centre, alongside the Town Centre Reset, be approved.

225 Performance Report – Quarter 2 2023/24

The Head of Policy and Performance introduced the report which summarised performance against the Council's suite of Key Performance Indicators reflecting the Corporate Plan 2022-24, for the Quarter 2 period 2023/24.

Resolved:

That the performance data for Quarter 2 2023/24 be received and noted.

226 Draft Budget 2024/25

The Leader drew attention to the tabled paper which updated the draft budget assumptions. He considered the situation looked a lot healthier following the

previous week's decision on International House, with a more reasonable draw on reserves to balance the budget.

The Senior Accountant introduced the report which sought Cabinet approval for the draft budget that would then form the basis of the budget scrutiny and consultation processes. The final budget would be reported to the February Cabinet for approval and recommendation to Full Council which would include the Council Tax and Rent setting recommendations. Following the decision on International House the previous week, the draft budget for 2024/25 now forecast a deficit of £890k. The deficit in the draft budget would be funded from reserves, which was a short term strategy while saving proposals were developed and implemented.

The draft budget would now be submitted to the Overview and Scrutiny Budget Task Group for review and the budget consultation process. The key service pressures and other risks to the delivery of this budget were explored within the report and outlined by the Senior Accountant. The report also included the Housing Revenue Account (HRA) draft budget which incorporated the assumptions used in the 30 year Business Plan which would be presented later at this meeting.

The item was opened up to Members for questions/comments and the following points were raised: -

- A Member said he thought there were a couple of opportunities which he hoped would be delved into in a bit more depth by the Budget Scrutiny Task Group. These were around the changes in Local Housing Allowance announced in the Autumn Statement and the potential for premium fees for fast-tracked planning applications.
- As issue had been raised by the Royal Kennel Club around provision for homeless people with dogs. Following a recent survey which they had commissioned by an organisation named StreetVet, an accredited scheme had been set up for properties which would take homeless people with dogs. Statistics showed that one in four homeless people had dogs and only 7% of those would consider giving up their pets in exchange for a home, however only 10% of hostels offering homeless accommodation were pet friendly. It would therefore be important for Ashford's facilities to make some sort of provision of homeless people with dogs. The Assistant Director of Housing said it was recognised that pets were part of people's families and played an important role in health and wellbeing. There were some difficulties when it came to shared facilities in places such as Christchurch House, however they did work with those in this position and looked at all options including boarding kennels, obtaining the necessary vaccinations and working with animal charities. In law, the animals were considered a possession and the Council had to take reasonable steps to protect people's possessions, so it was something that was on their radar and they continued to look to accommodate this wherever possible.
- The draft budget was based on the maximum possible Council Tax rise of 2.99%, with the possibility of increasing this further if the cap was raised. Whilst the budget deficit position was understood, with some of the changes

around New Homes Bonus and the Decarbonisation Fund which could be utilised by Housing Associations and new in house streamlined services, were there opportunities to limit Council Tax rises? Many people were choosing between eating and heating in their homes and the maximum increases from all preceptors of the Council Tax would put so much pressure on those families. Could further savings not be made from elsewhere? The Leader responded that since he had been a Councillor over the last 10 years the Council had always increased by the maximum of £5 (or 2.99%). This only referred to ABC's small proportion of the Council Tax bill. That actual figure was about 10 pence per week, and insignificant to a large proportion of the people who paid Council Tax, but the cumulative significance to the Council from the revenue this generated meant that more could go to assist the smaller percentage of people who really needed it. There was a legacy issue in that Ashford had not raised its Council Tax when it was not capped and, if they had, they would be around mid-range in Kent by now and not have a budget deficit. This was not a legacy he wanted to leave for future Councils, so there was a need to be balanced and realistic. If the cap was raised this would be considered at the time and brought to all Members at the relevant time.

- With Budget Scrutiny commencing on 11th December, a Member asked if the Medium Term Financial Plan Task Group would have to meet again before then to bring forward further information on the savings schedule. The Leader said that this draft budget was predicated on a draw from reserves so not reliant on future savings. The plan did need to be worked up for future years, but they were not time bound to bring something forward for this year's budget.

Resolved:

- That
- (i) **the draft budget for 2024/25, as set out in the report, be agreed for submission to the Overview and Scrutiny Committee's Budget Task Group for formal scrutiny and used for consultation.**
 - (ii) **a schedule of savings be developed together with the Management Team to reduce the funding deficit within the budget.**
 - (iii) **the draft Housing Revenue Account budget for 2024/25, at Section 2 to the report, be approved.**
 - (iv) **this report be used as the basis for budget consultation with the public, the business community, Parish Councils and staff.**

227 Housing Revenue Account (HRA) Business Plan 2023-2053

The Development Partnership Manager introduced the report which presented the latest annual report from both Housing and Finance, setting out the Business Plan to 2053. It had been compiled at against an extremely challenging background in the

context of the Social Housing (Regulation) Act, decarbonisation goals, the cost of living crisis and the Stodmarsh nutrient neutrality issues.

The Portfolio Holder was absent due to illness but he had asked that his thanks to the team for their hard work in pulling this plan together be recorded.

Resolved:

- That
- (i) **the priorities of the HRA, as set out in the Business Plan report, the updated Business Plan, and financial projections be agreed.**
 - (ii) **it be noted that the HRA Business Plan will be referred to Overview and Scrutiny (O&S) Budget Task Group, as part of the budget scrutiny process.**
 - (iii) **it be agreed that decisions for acquisitions will continue to be taken on a case-by-case basis within the existing delegations, by the Assistant Director for Housing, giving due regard to the HRA Business Plan and its priorities and subject to available funding.**
 - (iv) **it be agreed that given the positive impact street purchases will have on the overall programme at the current time, these will continue as set out in paragraphs 21 to 23 of the report.**
 - (v) **authority be delegated to the Solicitor to the Council and Monitoring Officer to negotiate, finalise and complete all necessary legal agreements and other documents to give effect to the above.**

Recommended:

That funding for the street purchases programme in 2023/24 of £2.5m be approved.

228 Ashford Borough Council RIPA Policy

The Portfolio Holder introduced the report which set out a newly drafted RIPA (Regulation of Investigatory Powers) policy which had been updated to reflect changes in legislation or practice. It had been drafted in conjunction with the Investigatory Powers Commissioner's Office, had been approved by them and now needed to be adopted by the Council and implemented. The current policy was out of date and all Authorising Officers stipulated within that policy had now left the Council's employment. The policy had also, at Appendix A to the report, introduced the Council Officers who could authorise applications under RIPA (once training had been undertaken) and all other post holders under the legislation, i.e. RIPA Monitoring Officer and Senior Responsible Officer. She thanked the Council's Principal Litigator for undertaking this far-reaching piece of work.

Recommended:

That the policy be approved and adopted.

229 Rural England Prosperity Fund Grants Policies

The Economic Development Manager introduced the report which advised that the Council has successfully secured funding from Defra's Rural England Prosperity Fund (REPF) which aimed to provide support to communities and businesses in rural areas of the Borough. Ashford's Government-approved REPF Plan set out four capital grant schemes to support our corporate aims and deliver on the of REPF objectives. Cabinet approved the REPF Community Amenities Grants policy in July and he outlined what had been done in that first phase. The three remaining grants schemes set out in the REPF Plan, for which Cabinet were asked to approve the respective policies, were: - Rural Green Business Grants; Rural EV Charge Points Grants; and Rural Place and Provenance Grants. The report gave more detail setting out the rationale and details for the above schemes, with £443,381 of REPF funds allocated across the proposed three grant schemes to March 2025. The report also provided an update to Cabinet on the Council's overall progress in relation to its UK Shared Prosperity Fund (UKSPF) and REPF Plans. Within this, Cabinet was also asked to approve in principle the issuing of a tender for the People and Skills activity outlined.

The item was opened up to Members for questions/comments and the following points were raised: -

- A Member said that he welcomed the proposals, but given that the Council had a good, democratically accountable Community Grants Panel where Members approved grants, could these grants not be approved by that Panel rather than being delegated to Officers? The Head of Policy and Performance responded that these grants were slightly different to the ones being approved by the Panel. They required more technical assessment from Officers, but the decisions would be made in consultation with Portfolio Holders. There was a timing issue and the grants did need to be turned around quite quickly – this may not fit in well with the timetable for the Panel meetings, or the length of time needed at individual meetings. The feeling of the Cabinet was there was some merit to the suggestion and they asked whether there was a way extra Panel meetings could be arranged with a list of filtered Officer recommendations to be approved by Members. The recommendations in the report did not preclude this, so they would agree this as written, but asked Officers to take this away and examine possibilities.
- The Defra definition of the word 'rural' had caused some disquiet and there was a concern that some areas that were more generally defined as 'rural' by the public may not be included. The approach of bringing this through a Member led Panel would assist in this.

Resolved:

- That
- (i) the content of the report and the work undertaken to date to deliver interventions set out in the UKSPF and REPF Plan be noted.
 - (ii) the Rural Green Business Grants Policy be approved.
 - (iii) the Rural EV Charging Points Grants Policy be approved.
 - (iv) the Rural Place and Provenance Grants Policy be approved.
 - (v) authority be delegated to the Chief Executive, in consultation with the Portfolio Holder, to approve minor amendments to the three policies where required.
 - (vi) authority be delegated to the s151 Officer to approve grants and administer the schemes.
 - (vii) the issuing of a tender for a provider to undertake the People and Skills activity outlined in Section 15 of the report be approved.
 - (viii) authority be delegated to Officers to make such changes to the grant terms and conditions as the Council's solicitors advise is appropriate.

230 In-House Repairs - Proposed Structure Changes

The Assistant Director of Housing introduced the report which outlined the revised structure within the Housing Service following the Cabinet endorsed proposal to bring the repairs service in-house. The report also made a recommendation to Full Council to approve the early release of pension, should the affected Post Holder not be able to be redeployed.

Resolved:

That the structure within the Housing Service, including the incoming team following the TUPE transfer, be noted and endorsed.

Recommended:

That the costs associated with the early release of Local Government Pension Scheme benefits in the event the Council is unable to redeploy the post holder (post Number 3141) resulting in the redundancy of this post, be approved.

231 Use of Chief Executive's Urgency Powers - Henwood

The Chief Executive introduced the report which notified Members of an additional pragmatic decision that had been taken about the previously agreed Henwood short-

stay accommodation facility. This was around entering into the construction contract as a matter of urgency to ensure that the scheme could still be brought forward in a timely manner, and not slip in the contractor's manufacturing schedule.

A Member advised that she had raised a matter with Officers in that the occupier of Unit 3 had requested an extension of the double yellow lines, due to the impact of this development on the turning circle for their vehicles.

Resolved:

- That**
- (i) it be noted that the Chief Executive has exercised her urgency powers to enter into the construction contract for this scheme as a matter of urgency, and that all relevant due diligence was undertaken by Officers to her satisfaction.**
 - (ii) it be agreed that fixed-term tenancies be issued for this scheme specifically to aid move-on (as outlined in paragraph 23 of the report).**
 - (iii) the land required for the scheme as shown edged red in Appendix B to the report, being no longer required for the purposes of a car park and open space, be appropriated for Housing purposes, specifically into the Housing Revenue Account under Section 122 of the Local Government Act 1972.**

232 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
Agendas, Reports and Minutes are available on: www.ashford.moderngov.co.uk



Agenda Item No:

Report To: CABINET

Date of Meeting: 25 January 2024

Report Title: Revenues & Benefits Recommended Write-Offs Schedule

Report Author: Nic Stevens

Job Title: Recovery Manager

Portfolio Holder: Cllr Noel Ovenden. Leader of the Council.

Summary: This report proposes the formal write off of £129,869.65. The proposals are in line with the Council's Revenues & Benefits Service Write Off Policy. The Deputy Chief Executive (Section 151 Officer) has been consulted along with Heads of Service for relevant areas.

Key Decision: No

Significantly Affected Wards: None

Recommendations: The Cabinet is recommended to:-

- I. Note the action that accounts totalling £22,859.14 have been written off under the delegated powers (Financial Regulations 11.1)
- II. Approve the write offs listed in the Exempt Appendices totalling £107,010.51

Policy Overview: The regular review and writing off of un-collectable debts is part of strong financial management.

Financial Implications: Provision for bad debts has been made in the final accounts to account for expected write-offs during the year.

Legal Implications: There are circumstances when it is appropriate to write off monies owed to the Council. Some of these are covered by statute or an instruction by the courts whereas other areas will be considered by local management, for example when residents abscond leaving debts. There are some debts that whilst are written off by ABC, could legally be pursued but the decision is a commercial and pragmatic one based on the likelihood of successful recovery further to the economic position of the debtor or known whereabouts or lack of. That said, just because a debt is written off, legally in some cases, action can be reinstated if further evidence comes to light that indicates that it is now in both the commercial and public

interest of ABC so long as the debt has not become statute barred.

Text agreed by Principal Litigator

Equalities Impact Assessment:

Not Required

Data Protection Impact Assessment:

Not required with the nature, scope, context and purposes of any necessary processing being in line with routine procedures

Risk Assessment (Risk Appetite Statement):

The write offs do not have an immediate financial effect on the current year's budget as the bad debt provision is greater than the write-off total. However, the making of that provision did have a cost implication at the time the provision was made.

Sustainability Implications:

Not Applicable

Other Material Implications:

Not Applicable

Exempt from Publication:

YES

Appendices Not For Publication by virtue of Paragraph 1 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

Background Papers:

-

Contact:

nicola.stevens@ashford.gov.uk Tel: (01233) 330446

Report Title: Revenues & Benefits Recommended Write-Offs Schedule

Introduction and Background

1. To advise Members of debts written-off and obtain approval to write off further individual debts of over £1,000.00 listed in the Exempt Appendices

Proposal / Current position

2. The write offs being recommended are in accordance with the Revenues & Benefits Service Write Off Policy. The Corporate Debt Policy is currently under review. Over recent years, due to the economic climate there has been a significant increase in Non-Domestic Rates (Business Rates) write offs, the majority of these relate to company insolvency.
3. Under delegated powers the Deputy Chief Executive (Section 151 Officer) has written off debts totalling £22,859.14 in column (a). Approval is sought for write off of debts totalling £107,010.51 in column (b).

Write off debt summary:-

	Value of debts written off under delegated powers	Value of debts recommended for write off (see attached appendices)	Provision for Bad Debt at 1.4.2023
	(a)	(b)	(c)
Council Tax	£13,720.99	£25,348.11	£317,695.19
Non Domestic Rates	£13.28	£67,330.05	£333,554.00
HB overpayment	£5,503.20	£14,332.35	£533,924.67
Sundry Debtors	£3,621.67	£0.00	£612,125.00
TOTAL	£22,859.14	£107,010.51	

Implications and Risk Assessment

The write offs do not have an immediate financial effect on the current year’s budget as the bad debt provision is greater than the write-off total. However, the making of that provision did have a cost implication at the time the provision was made.

Consultation Planned or Undertaken

The Deputy Chief Executive has been consulted along with Heads of Service for relevant areas.

Other Options Considered / Reasons for Supporting Option Recommended

Recovery options are considered throughout the process and all necessary efforts made to collect amounts due. There are circumstances when it is appropriate to write off monies owed to the Council, for example, some of which are covered by statute, bankruptcy, absconders who cannot be traced and when the amount is uneconomical to collect. That said, just because a debt is written off, in some cases

action can be reinstated if further evidence comes to light that indicates that it is now in both the commercial and public interest.

Next Steps in Process

Write off amounts in attached reports.

Conclusion

The Service's Write Off policy has been followed and in many cases a number of methods of recovery followed before the debts have been recommended for write off.

Portfolio Holder's Views

It is an important part of strong financial management to regularly review and write-off uncollectable debts. This is one of a regular series of reports to Cabinet where all reasonable and viable options to recover the debt had been pursued and would continue if possible in to the future.

Contact and Email

Nic Stevens

nic.stevens@ashford.gov.uk

Exempt Appendix
Revenues & Benefits Service Write Off Schedule
**The Exempt Appendix is Not for Publication by virtue of Paragraph 1 of
Schedule 12A of the Local Government Act 1972**

Guidance notes regarding reasons for write off and any subsequent action:

- Where accounts are in bankruptcy, liquidation, dissolved, in administration or there is a Debt Relief Order claims for the amounts due have been submitted to the Receivers, Liquidators or Administrators. Any amounts received will be written back on to the appropriate accounts. Where a company is “struck off” or there is a proposal to “strike off” this means a company has ceased to trade and comply with the requirements of Companies House i.e. submit company accounts and there is little chance of recovering any monies due.
- Where debtors have absconded “gone abroad” or “unable to trace” a report of confirmation has been obtained
- Where Action states “LO returned by EA” - the Enforcement Agent has returned the Liability Order as they are unable to collect the debt.
- Where action states “unable to attach to benefits” the debtor is not claiming state benefits in the UK or other attachments are in force.
- Where action states “Committal” the debtor has been taken to Court with an application to commit to prison.
- “Statute barred” means that the debt is unable to be recovered.
- Where action states “uneconomic to pursue” means that all recovery methods have been exhausted other than where legal costs are likely to outweigh any monies recovered.
- Company and Individual Voluntary Arrangements means that recovery action cannot legally proceed but there may be a partial payment of the debt.
- County Court Judgement (CCJ) obtained means recovery is now with the Court Enforcement Agent and if they cannot collect no further action can be taken.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank



Agenda Item No:

Report To: Cabinet

Date of Meeting: 25 January 2024

Report Title: Quarter Three - Financial Monitoring

Report Author: Jo Stocks
Job Title: Principal Accountant

Portfolio Holder: Cllr. Noel Ovenden – Leader of the Council
Portfolio Holder for: Prosperity & Resource

Summary: This report presents the forecast outturn for 2023/24 based on information available in quarter three, which ended on 31 December 2023.

The forecast position to 31 March 2024 indicates an overall pressure to the General Fund (GF) of £866,000, which is an increased pressure of £241,000 since the second quarter.

The key movements in the General Fund include:

- £290,000 additional pressure in Housing, largely due to homelessness and an increase in the number of people in Temporary Accommodation.
- £326,000 additional pressure in Environment, Property and Recreation, due to increased utility costs and reduction in rental income from Wilko going into administration.
- Treasury management activity is forecasting a net saving of £226,000 as returns on investments following quarter two results are stronger than originally forecast.

The Housing Revenue Account (HRA) is reporting additional pressures in the 2023/24 forecast of £566,000.

This report provides an update on the collection fund, treasury management, reserves, and progress on the corporate savings identified in the 2023/24 budget.

Key Decision: No

**Significantly
Affected
Wards:** None

Recommendations: The Cabinet is recommended to:-

- I. **Note the quarter three forecast position for the General Fund and the Housing Revenue Account**
- II. **Note the Collection Fund position**
- III. **Note the Capital Monitoring position**
- IV. **Note the Treasury Management position**
- V. **Note the provisional reserve allocations at Table 8 of this report.**

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

Financial Implications: The General Fund is reporting an overall pressure of £866,000 based on the current information we hold, as at quarter three budget monitoring.

An additional draw on reserves of £88,000 supports the outturn position, making the total forecast draw on reserves £2.7m for 2023/24. £1.5m was approved as part of the budget process.

The HRA are reporting an increase in the budgeted deficit of £566,000.

Legal Implications: N/A

Equalities Impact Assessment: A full assessment was undertaken as part of 2023/24 Final Budget Report.

Exempt from Publication: **No**

Contact: Jo.Stocks@ashford.gov.uk – Tel: (01233) 330548
Lee.foreman@ashford.gov.uk – Tel: (01233) 330509

Agenda Item No.

Report Title: Quarter Three Financial Monitoring

Introduction and Background

1. This report presents the forecast outturn position to 31 March 2024 based on information available as at 31 December 2023.
2. This report considers each area of the Council in more detail including the General Fund, Housing Revenue Account, Collection Fund (Council Tax and Business Rates), Capital Monitoring, Reserves, and Treasury Management. There is also an update on progress being made against the corporate savings, identified in the 2023/24 budget setting process.

Summary of General Fund Position

3. The current General Fund position is forecasting a deficit of £866,000, this is in addition to the reserves contribution of £1.5m that was built into the base budget
4. All new appointments continue to be reviewed and challenged, by both Management Team and Directors, to limit additional staffing costs, which is a significant budget area. There is also a need for careful consideration by budget managers to ensure that all spend is necessary and to make savings, where possible, to minimise the deficit
5. **Table 1**, shows the movement between the current budget and forecast outturn, and the variance between the quarter two and quarter three forecasts, at an Assistant Director/Head level. Further details of material movements in each Assistant Director/Head area are covered in the narrative section below.

Table 1 - General Fund Quarter Three Forecast as at 30 December 2023 projecting the year end position

General Fund Summary at Assistant Director Level	2023/24 Current Budget	2023/24 Forecast Outturn at Q3	2023/24 Forecast Outturn at Q2	2023/24 Forecast Variance	2023/24 Q2 to Q3 Movement
	£'000	£'000	£'000	£'000	£'000
Finance and IT	3,131	2,703	2,745	(428)	(42)
HR, Customer Services, Comms and Digitalisation	636	567	590	(69)	(23)
Housing	1,513	2,393	2,103	880	290
Port Health	0	(95)	(95)	(95)	0
Environmental Health	800	774	810	(26)	(36)
Environment, Property and Recreation	7,257	8,595	8,269	1,338	326
Planning and Development	2,564	2,762	2,714	198	48
Corporate Management Costs	1,016	879	883	(137)	(4)
Head of Development	0	0	0	0	0
Head of Economic Development	776	692	742	(84)	(50)
Head of Performance and Policy	1,665	1,680	1,659	15	21
Solicitor to The Council and Monitoring Officer	404	449	423	45	26
Total Service Expenditure	19,762	21,399	20,843	1,637	556
Capital Charges & Net Interest	(734)	(495)	(269)	239	(226)
Levies, Grants and Precepts	325	325	325	0	0
Contribution to Balances	(650)	(1,660)	(1,571)	(1,010)	(89)
Budget Requirement	18,703	19,569	19,328	866	241
Financing:					
Retained Business Rates	(7,502)	(7,502)	(7,502)	0	0
Government Grants	(517)	(517)	(517)	0	0
Rural Services Delivery Grant	(97)	(97)	(97)	0	0
New Homes Bonus	(1,662)	(1,662)	(1,662)	0	0
Council Tax	(8,925)	(8,925)	(8,925)	0	0
Total Movement	0	866	625	866	241

Summary of General Fund Movements at Assistant Director Level

Environment, Property and Recreation

6. Environment, Property and Recreation is reporting an additional pressure, in quarter three, of £326,000. Many of these pressures relate to the management of estates and facilities including a £107,000 increase in utility costs, and £44,000 reduction in rental income at the Civic Centre, as well as a reduction in rental income of £157,000, as a result of Wilko going into administration.

General Fund Housing

7. Housing have additional pressures of £290,000, largely attributable to a further increase Homelessness costs as numbers continue to increase.
8. The original budget allowed for an average of 153 households in temporary accommodation, however at 1 December 2023 there were 198 households in temporary accommodation.
9. Officers are continuing to monitor the situation and have developed a formal Temporary Accommodation Placement Policy (the report can be found elsewhere on the agenda to this Cabinet) to ensure that officers have the tools available to ensure that temporary accommodation is used in the best way to meet the needs of applicants, as far as is reasonably practicable.
10. **Cabinet are asked to note the General Fund position.**

Housing Revenue Account (HRA)

11. The Housing Revenue Account is forecasting an increase in expenditure of £566,000, compared to the second quarter, resulting in a pressure of £692,000 compared to the original budget.
12. A breakdown of the HRA variance is shown in **Table 2** below, with variance analysis following the table:

Table 2 – 2023/24 Housing Revenue Account Forecast Outturn Position (Quarter Three)

Housing Revenue Account	2023/24 Current Budget	2023/24 Forecast Outturn at Q3	2023/24 Forecast Outturn at Q2	2023/24 Forecast Variance	2023/24 Q2 to Q3 Movement
	£'000	£'000	£'000	£'000	£'000
Supervision and Management	6,532	6,932	6,881	400	51
Income	(30,347)	(30,685)	(30,685)	(338)	0
New Build	105	163	158	58	5
Other	19,521	18,450	18,901	(1,071)	(451)
Repairs and Maintenance	5,333	6,976	6,015	1,643	961
Net Revenue Expenditure	1,144	1,836	1,270	692	566
Capital Works - Decent Homes	4,906	3,916	4,368	(990)	(452)
Financed By:					
Contribution to/(from Major Repairs Reserve)	(3,787)	(3,787)	(3,787)	0	0
Revenue Contribution	(1,119)	(129)	(581)	990	452
Net Capital Expenditure	0	0	0	(0)	0
Total Net Expenditure	1,144	1,836	1,270	692	566

Other

13. Due to a reduction in capital major works expenditure (see paragraph 15 for further information) the revenue contribution to capital expenditure has been reduced by the same amount, £452,000.

Repairs and Maintenance

14. The additional, third quarter, pressure of £961,000 in Repairs is primarily due to the reconciliation of outstanding payments in the system, in relation to voids and responsive repairs, which was necessary to bring the service in-house. The increase in costs for responsive repairs is largely due to capital works being completed as part of the revenue repairs contract, leading to a saving in capital spend.

Capital

15. There is a further saving of £452,000 in major works, this is due to a significant amount of works being carried out as part of the revenue repairs and maintenance contract, as a result any saving in this area is offset by the subsequent increase in repairs revenue expenditure.
16. **Cabinet are asked to note the Housing Revenue Account position.**

Collection Fund Monitoring

Business Rates

17. Collection rates for NNDR are regularly monitored to gauge the potential impact of the current economic situation. **Table 3**, below compares collection rates, at the third quarter, for the past few years, including pre-Covid.

Table 3 – Business Rates Collection Rates

Quarter Three Collection Rates	Percentage Collected to date
2023/24	82.29%
2022/23	82.11%
2021/22	79.36%
2020/21	76.92%
2019/20	81.81%

18. At the end of December 2023, 82.29% (£42m) of rates billed for the year had been collected, the table above shows that collection rates are continuing to improve despite the current economic challenges, and are above pre-covid levels.
19. However, while this is good news, it is important to recognise the potential risks to this income, from the continuing economic pressures on businesses, which will not only impact on the ability of businesses to pay but may also result in a fall in the number of businesses overall. With high-profile businesses, such as Wilko going into administration this risk continues to be present and officers will continue to monitor the impact on income.
20. **Table 4**, below shows that the estimated “Business Rates Billed” is £893,000, lower than the second quarter estimate, leading to a forecast, in-year, deficit of £131,000.
21. This decrease in income is due to a number of successful appeals, which have led to a reduction in rateable value, and therefore the billed amount is lower than anticipated. In addition to this there is also £342,000 reduction in income as a result of additional empty property reliefs, than was forecast.
22. Including a prior year surplus of £1.3m, the overall deficit on the collection fund for business rates is forecast at £149,000 with Ashford’s share (40%) of that deficit being around £59,000.

Table 4 – Business Rate Summary

Collection Fund - Business Rates	Original Budget	Qtr 2 Outturn	Qtr 3 Outturn	Variance to Previous Quarter
	2023/24	2023/24	2023/24	2023/24
	£'000	£'000	£'001	£'000
Opening (Surplus)/Deficit	(1,238)	(1,238)	(1,238)	0
(Deficit) contributed by/Surplus distributed to Major Preceptors	926	926	926	0
Remaining Deficit/(Surplus) to be Contributed/(Distributed)	(312)	(312)	(312)	0
2023/24				
Amount of Business Rates to be paid to Major Preceptors	53,040	53,040	53,040	0
Amount of Business Rates Billed	(50,007)	(50,415)	(49,504)	911
Transitional Relief (Recovered)/Payable	(5,189)	(5,088)	(4,973)	115
Other Items Charged to the Collection Fund:				
Appeals and Rateable Value Reductions	1,465	1,331	1,346	15
Bad and Doubtful Debts	423	452	283	(169)
Renewable Energy	64	64	64	0
Cost of Collection	204	204	204	0
In year (Surplus)/Deficit	0	(411)	461	872
Overall (Surplus)/Deficit on Collection Fund	(312)	(724)	149	872

Council Tax

23. At the end of December 2023 85.4% (£88.9m) of rates billed for the year had been collected, **Table 5**, below compares this to the collection rates since before the pandemic.

Table 5 – Council Tax Collection Rates

Quarter Three Collection Rates	Percentage Collected to date
2023/24	85.40%
2022/23	85.57%
2021/22	85.37%
2020/21	85.40%
2019/20	86.11%

24. The in-year collection rate is in line with previous year, but is still a little lower than pre-Covid levels, where collection rates were 86.11%. Officers are continuing to monitor collection rates, in light of the continuing pressures on households, as a result of the continuing cost of living crisis.
25. **Table 6**, below shows the amount of council tax billed has increased, since second quarter, by £162,000, this is largely due to new properties brought into the Council Tax system and the VOA increasing the banding on a number of properties.
26. Overall, the collection fund for Council Tax is reporting a year-end deficit of £1.8m (£319,000 in year) of which Ashford's share would be around £168,000, based on current forecasts.

Table 6 - Council Tax Summary

	Original Forecast 2023/24 £'000	Quarter 2 2023/24 £'000	Quarter 3 2023/24 £'000	Variance to Previous Qtr £'000
Opening Deficit/(Surplus)	1,405	1,405	1,405	0
Surplus paid to Major Preceptors	43	43	43	0
2023/24				
Amount of Council Tax to be Paid to Major Preceptors	102,738	102,738	102,738	0
Amount of Council Tax Billed	(104,303)	(103,264)	(103,426)	(162)
In Year Write Offs and Bad Debt Provision Increase	1,565	1,006	1,007	1
In Year (Surplus)/Deficit	0	480	319	(161)
Overall (Surplus)/Deficit	1,448	1,928	1,767	(161)

Capital Monitoring

27. **Table 7**, below, illustrates the capital expenditure forecast for each approved capital project. Sources of funding do not form part of the figures shown in the table below, but will be detailed within the narrative for the individual projects.

Table 7 – 2023/24 Capital Expenditure Forecast Quarter Three, Projecting the Year End Position

Project Name	Total Approved Budget	Spend at 31/3/23	23/24 Forecast Spend	Future Forecast Spend	Total Spend	Project Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Place and Space						
Planned Minor Capital Works for General Fund Ass	2,000	500	500	1,000	2,000	0
Ellingham Roof	800	50		750	800	0
Victoria Park Fountain & Carpark	510	0	0	0	0	(510)
International House Works	2,080	113	1,681	406	2,200	120
Solar PV (various sites)	10,800	73	3,100	7,493	10,666	(134)
Solar PV Carlton Road	401	0	535		535	134
Stodmarsh	3,510	190	250	3,070	3,510	0
Civic Centre Relocation Phase 1	1,750	0	100	1,650	1,750	0
Newtown Works - Phase 1	87,273	4,162	8,636	74,475	87,273	0
Newtown Works - Phase 2	58,000		29,000	29,000	58,000	0
Single Grants Gateway Fund	300		75	225	300	0
Victoria Park Rejuvenation Project	4,169	2,549	1,620	0	4,169	0
Conningbrook Lakes Country Park development	2,353	143	50	2,160	2,353	0
Play Parks	1,100	954	0	146	1,100	0
Courtside/Pitchside	419	36	383	0	419	0
Housing Services						
Rough Sleepers Accommodation Programme	3,287	1,540	1,747	0	3,287	0
Customer Tech & IT						
Digital Transformation	650	179	30	441	650	0
HRA						
Programmed Works Including Disabled Adaptations	40,974	Ongoing	4,597	36,377	40,974	0
Henwood Temporary Accommodation	7,608	328	3,801	3,479	7,608	0
Play Areas	186		6	180	186	0
Street Purchases	27,500	Ongoing	2,500	25,000	27,500	0
Local Authority Housing Fund Homes	6,625		3,000	3,625	6,625	0
55 Mabledon (Piper Joinery)	7,045		0	7,045	7,045	0
Oakleigh House	13,064	634	100	12,330	13,064	0
Chapmans Close	640		320	320	640	0
Coneybeare	10,021	0	0	10,021	10,021	0
Tile Kiln	4,315	0	0	4,315	4,315	0
Infill Sites	1,300	0	0	1,300	1,300	0
Digitalisation	20	0	20	0	20	0
Heathside	1,075			1,075	1,075	0
Decarbonisation	19,373	12	4,175	15,186	19,373	0
Lifeline	222	0	54	168	222	0
Court Wurtin	109	63	46	0	109	0
Monypenny & Vicarage	11,246			11,246	11,246	0
Kent Wool Growers	39,100		4,100	35,000	39,100	0
Millview	1,175	10	75	1,090	1,175	0
Pym House	8,000			8,000	8,000	0
Repton Medical Centre	4,500			4,500	4,500	0
Hope House - High Halden	2,461		2,461	0	2,461	0

General Fund Capital

28. Civic Centre Relocation – Phases one and two (office move and relocation of Civic Suite), was approved by Full Council on 23 November 2023. Phase one is due to go out to tender in the New Year with works expected to commence in March/April 2024. Phase three (Civic Centre redevelopment) will require approval from Council, once officers have explored the options available.
29. Courtside and Pitchside – Work for 3G artificial pitch was completed and a 'Tenancy at Will' was signed, by the John Wallis Academy (24 November 2023). The final lease is due to be completed, and signed, by the end of February, which will terminate the Councils liability.

Housing Revenue Account (HRA) Capital

30. Stodmarsh continues to delay the HRA development programme, with the current economic climate affecting the feasibility of some projects, which have therefore been delayed.
31. Local Authority Housing Fund Homes - A further three Ukrainian/Afghanistan refugee properties have been purchased since quarter two, with partial funding from the Local Authority Housing Fund (LAHF). Two were four-bed properties of which Government will fund 50% of the purchase price and one was a two-bed property receiving 40% Government funding, plus each property receives an extra £20,000 for refurbishments costs. A further four properties under this scheme are in the process of being purchased.
32. Street Purchases – A further two properties have been purchased this year bringing the total to four. There is provision in the HRA Business Plan to purchase a total of 110 properties, up to March 2026, 50 of these units will be let on non-secure tenancies and used for temporary accommodation (TA), residents in these non-secure tenancies will then move-on to more secure tenancies. Funding for these will primarily be from 1-4-1 monies, (right to buy capital receipts from disposals), where available (40% can be put towards each property).
33. **Cabinet are asked to note the Capital Monitoring position.**

Reserves

34. This section of the report provides recommendations for reserve contributions, that were not identified as part of the budget setting process.
35. In quarter three, additional funding, from reserves, of £88,000 is anticipated.
36. This additional call on reserves is the result of a number of expenditure items, such as the Streetwise App, which will be funded by Safer Streets funding; there are also additional staffing costs relating to s106, which will be funded through the s106 reserve; £10,000 emergency grant was paid to Sk8side, in line with the council's "Funding and the Community Voluntary Sector Policy", however any future funding requests will need to be approved through the Council's approved grant scheme.
37. **Table 8**, below, illustrates the original budget position, a (net) £850,000 contribution from reserves, there is then an additional £1m of recommended reserves contributions to support services in year. The current General Fund deficit of £866,000 will also need to be funded from reserves, taking the total reserve contribution to £2.7m (£3.3m from reserves and a contribution of £600,000 to reserves).
38. **Cabinet are asked to note these proposals.**

Table 8 – Breakdown of Reserve Movements

	Suggested Reserve	Amount £
Budgeted Contribution To Reserves	Provide for maintenance of assets	(600,000)
Budgeted Contribution From Reserves	Provide for maintenance of assets	1,449,720
Total Budgeted Contribution (To)/From Reserves		849,720
Recommended Reserve Movement in year:		
Management fee to Freedom Leisure, in respect of Tenterden Leisure Centre	Economic Growth and Risk Fund	468,000
Tenterden Leisure Centre - Running costs for April	Economic Growth and Risk Fund	150,000
Tenterden Leisure Centre - Lease surrender costs	Economic Growth and Risk Fund	50,000
Tenterden Leisure Centre - Legal fees	Economic Growth and Risk Fund	25,500
To fund arts projects in respect of the South Ashford Garden Community	Required by Statute Reserves and other ring-fenced amounts	12,750
s106 officers - to be funded from reserves	Required by Statute Reserves and other ring-fenced amounts	63,990
Recommended Reserve Movement - Quarter 1		770,240
Tenterden Leisure Centre - Reduction in open book contribution	Economic Growth and Risk Fund	(14,220)
Repton Tree	Renewals Reserve	47,750
Property Condition Surveys	Renewals Reserve	58,864
Tenterden Leisure Centre - additional works	Renewals Reserve	20,341
Land Searches - to offset reduction in income	Land Search Reserve	38,560
Recommended Reserve Movement - Quarter 2		151,295
Strategic Planning - Grant Received from Homes England	Required by Statute Reserves and other ring-fenced amounts	8,240
s106 officers - to be funded from reserves	Required by Statute Reserves and other ring-fenced amounts	39,136
Funding for the Streetwise app - Ring-fenced Grant (Safer Streets Funding)	Required by Statute Reserves and other ring-fenced amounts	31,000
Emergency support for SK8Side	Economic Growth and Risk Fund	10,000
Recommended Reserve Movement - Quarter 3		88,376
Total Recommended Reserve Movement		1,009,911
Deficit to Be Funded From Reserve	Economic growth and risk fund	866,100
Total (To)/From Reserves		2,725,731

Treasury Management

39. The breakdown of the Capital Charges and Net Interest line, (as per **Table 1**) is shown below at **Table 9**.
40. This table shows the borrowing and investment budget, Minimum Revenue Provision (MRP) and depreciation. The MRP is a statutory payment the Council has to make to offset the costs of capital borrowing over the life of the associated asset.

Table 9 – Net Interest Summary

Treasury Management Table	2023/24 Current Budget	2023/24 Forecast Outturn at Q3	2023/24 Forecast Outturn at Q2	2023/24 Forecast Variance	Variance Q2 to Q3
	£'000	£'000			£'000
Interest payable	4,323	4,969	4,751	646	218
Interest receivable	(4,633)	(5,040)	(4,596)	(407)	(444)
Minimum revenue provision	1,719	1,719	1,719	0	0
Depreciation	(2,144)	(2,144)	(2,144)	0	0
Total Net Interest	(735)	(496)	(270)	239	(226)

Interest payable / Interest receivable

41. There has been a pressure on borrowing costs in the third quarter, with interest payable increasing by £218,000. Although the Bank of England has maintained interest rates at 5.25%, the local authority peer-to-peer market is showing elevated interest rates, this is due to demand heavily outweighing supply.
42. The expected interest received on the Council's liquid cash, which is placed in Money Market Funds (MMF), has increased by £155,000 as the yields on these funds have risen higher than the bank rate.
43. The strategic investments are forecasting increased dividend payments following quarter two results of £200,000 and the CCLA Property Fund is forecasting an increase of £89,000. It is important to note that these forecasts are based on the actual dividends received in the first two quarters, and changes in the market can have an effect on the anticipated returns for the remainder of the year.

Investment Capital Values

44. The capital value of strategic investments has increased by £400,000 since the last reporting. The investments are currently valued at £30.5m compared to an original investment value of £30.9m, representing a capital reduction of £400,000.
45. The strategic funds will continue to be monitored on a regular basis, in conjunction with the Council's Treasury Management advisors Arlingclose.

Liability benchmark

46. The liability benchmark is an important tool to shape the Council's strategic focus and decision-making. It is useful to help establish whether the Council is likely to be a long-term borrower, or long-term investor in the future. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans.
47. The liability benchmark reflects the Councils Capital Financing Requirement (CFR - the amount of debt the Council has, and plans to take out over the next 5 years). This liability benchmark is shown at **Appendix A**.
48. As can be seen from the graph the Council has a debt requirement of £285m, of which £144m relates to the HRA. The graph then breaks down the debt requirement into categories of debt, and the forecast repayment profile. The liability benchmark will be updated with capital plans.
49. Current investment balances, and borrowing portfolios are shown at **Appendix A**.
50. **Cabinet are asked to note the Treasury Management position.**

Savings to Be Identified

51. A report was taken to Overview and Scrutiny Committee on 11 July 2023, to update members on the current position of the saving schedule, recommended as part of the 2023/24 Budget Report, the update is provided at **Appendix B**.
52. To summarise the position, £1.6m of savings were identified, to close the budget gap. £200,000 of these savings were applied to the 2023/24 budget, leaving £1.4m to be achieved.
53. The savings from the move to International House have been revised and increased from £300,000 to £595,000, as a result the £1.4m target has been achieved. However, it is important that officers continue with plans to review specific service areas to ensure that other planned savings are also achieved. This is because, despite the good progress, there will be an ongoing requirement to make further savings, given the current economic conditions.

Portfolio Holder's Views

54. The cost of living crisis continues to be a challenge for both the council and residents alike, we have a statutory responsibility for Homelessness which continues to be an evolving pressure on the budget. The council is exploring options to proactively manage this risk going forward.
55. There are currently unfunded pressures of £866,000. Management will work hard to reduce this deficit over the remainder of the year.

Contact and Email

Jo Stocks – Jo.stocks@ashford.gov.uk
Lee Foreman - Lee.Foreman@ashford.gov.uk

Investment Portfolio at 31 December 2023

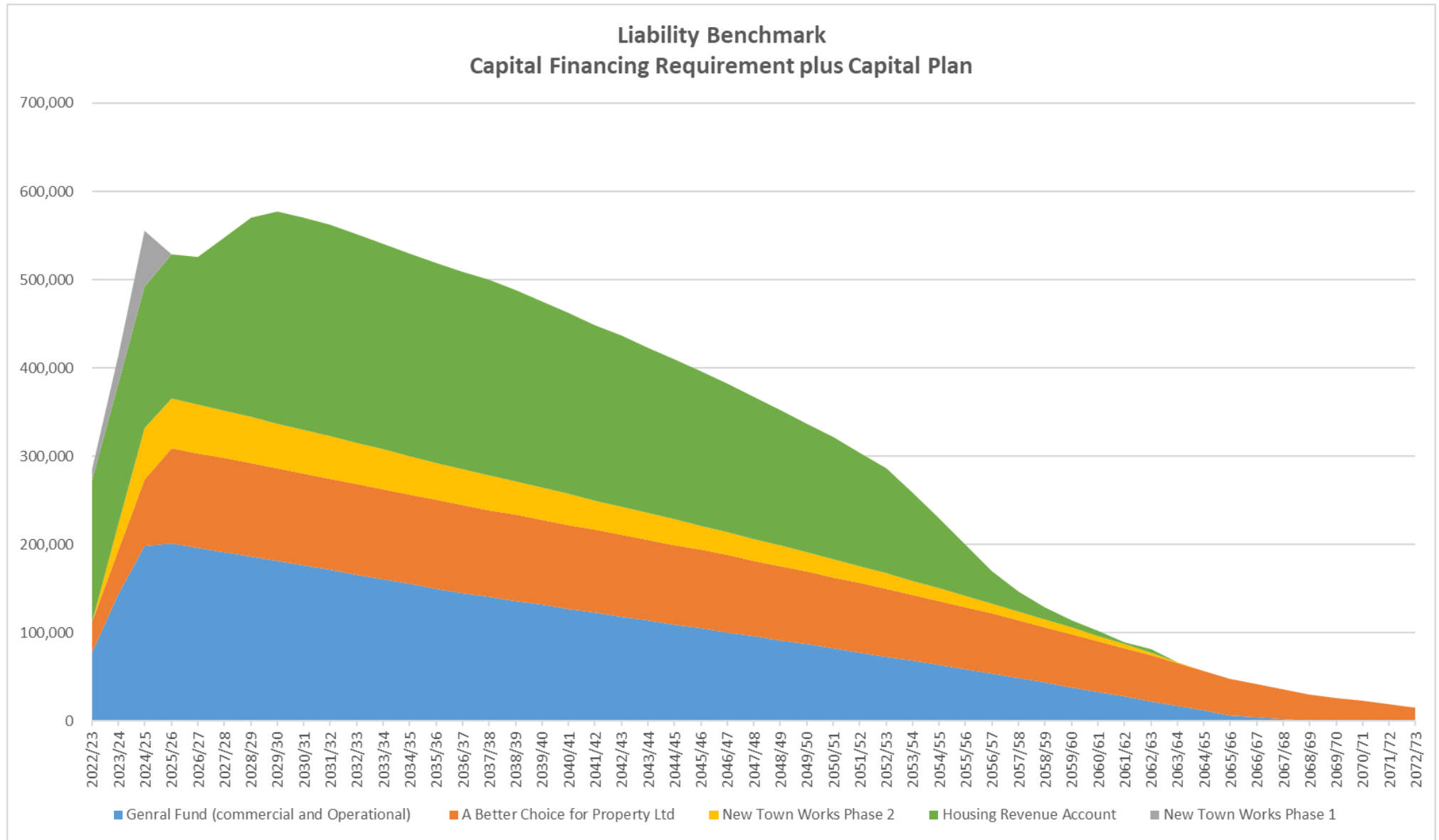
Counter Party	Deal Date	Rate %	Amount £	Fair Value £
Investment Accounts				
Goldman Sachs	Various		53,459	53,459
Payden Global MMF	Various	3.35%	3,000,000	2,926,375
Total Investment Accounts			3,053,459	2,979,835
Long Term Investments				
Property Investment				
A Better Choice for Property Ltd.***	Various	0.00%	991,907	2,674,623
CCLA Local Authority Property Fund	Various	5.51%	11,000,000	11,188,291
Equity Funds**				
Aegon Diversified Income Fund	13/05/2019	5.93%	5,500,000	4,989,203
CCLA Diversified Income Fund	Various	3.20%	3,000,000	2,924,583
Ninety One Diversified Income Fund	28/03/2019	4.35%	2,500,000	2,241,513
Schroder Income Maximiser	Various	7.03%	3,500,000	3,103,007
UBS Global Income Equity Fund	29/07/2019	9.51%	1,500,000	1,186,633
UBS Multi Asset Income Fund	Various	6.59%	3,000,000	2,272,791
Total Long Term Investments			30,991,907	30,580,645
Total Investment Portfolio			34,045,366	33,560,480
* Money Market Fund (MMF) are AAA rated deposit facilities which have variable rates of interest but have constant net asset values. Interest rates are shown at the time of producing this report.				
** Equity funds and the Property fund have variable rates of interest and also have fluctuating capital values, the amount stated is the current fair value.				
*** A Better Choice Of Property Ltd. is a solely owned subsidiary of ABC.				

Debt Portfolio as at 31 December 2023

Counterparty	Start Date	Rate %	Amount £	Maturity Date
Temporary Borrowing				
Vale of White Horse District Council	24/01/2023	4.00%	5,000,000	23/01/2024
Warwickshire Council Council	25/04/2023	4.40%	5,000,000	24/04/2024
West Yorkshire Combined Authority	25/04/2023	4.28%	8,000,000	04/01/2024
Oxfordshire County Council	27/04/2023	4.50%	5,000,000	23/04/2024
West Yorkshire Combined Authority	22/05/2023	4.40%	3,000,000	22/04/2024
West Yorkshire Combined Authority	24/05/2023	4.40%	4,000,000	22/04/2024
Oxfordshire County Council	19/06/2023	4.60%	5,000,000	24/04/2024
Fylde Borough Council	22/06/2023	4.55%	2,000,000	22/03/2024
Tendering District Council	05/07/2023	4.60%	5,000,000	05/01/2024
West Midlands Combined Authority	13/07/2023	4.05%	10,000,000	13/02/2024
West Midlands Combined Authority	01/08/2023	4.05%	10,000,000	01/02/2024
West Midlands Combined Authority	11/09/2023	4.00%	10,000,000	11/03/2024
East Suffolk Council - Woodbridge	27/09/2023	5.50%	5,000,000	29/04/2024
Crawley Borough Council	27/10/2023	5.35%	5,000,000	27/02/2024
Renfrewshire Council	01/11/2023	5.70%	6,000,000	01/08/2024
Middlesbrough Council B	14/12/2023	5.42%	3,000,000	17/01/2024
East Devon District Council	18/12/2023	5.40%	1,200,000	15/03/2024
Brentwood Borough Council	20/12/2023	5.50%	2,000,000	22/04/2024
Warwick District Council	20/12/2023	5.50%	3,000,000	20/03/2024
Tendring District Council	05/01/2024	5.70%	4,000,000	05/07/2024
North Hertfordshire District Council	17/01/2024	5.65%	2,000,000	17/04/2024
Warwickshire County Council	23/04/2024	5.50%	10,000,000	18/12/2024
Total Temporary Borrowing			113,200,000	
Long Term Borrowing				
Public Works Loan Board - HRA	various	various	110,964,150	various
Public Works Loan Board - GF	13/07/2021	1.56%	13,500,000	13/07/2041
Total Long Term Borrowing			124,464,150	
Grand Total Borrowing			237,664,150	

Detail of PWLB Loans Outstanding at 31 December 2023

Date of Advance	Loan Ref Number	Date of Repayment	Amount Outstanding £	Rate %
28/03/2012	499507	28/03/2024	3,000,000	2.70%
28/03/2012	499503	28/03/2025	3,000,000	2.82%
28/03/2012	499505	28/03/2026	1,000,000	2.92%
28/03/2012	499496	28/03/2027	1,000,000	3.01%
28/03/2012	499509	28/03/2028	2,000,000	3.08%
28/03/2012	499497	28/03/2029	2,000,000	3.15%
28/03/2012	499510	28/03/2030	2,000,000	3.21%
28/03/2012	499498	28/03/2031	8,000,000	3.26%
28/03/2012	499511	28/03/2032	9,000,000	3.30%
28/03/2012	499499	28/03/2033	10,000,000	3.34%
28/03/2012	499512	28/03/2034	11,000,000	3.37%
28/03/2012	499506	28/03/2035	12,000,000	3.40%
28/03/2012	499513	28/03/2036	9,000,000	3.42%
28/03/2012	499515	28/02/2037	16,713,000	3.44%
29/03/2011	498502	29/03/2061	5,951,150	5.26%
13/07/2021	374161	13/07/2041	15,300,000	1.56%
Total HRA Borrowing			110,964,150	
13/07/2021	374159	13/07/2041	13,500,000	1.56%
Total GF Borrowing			13,500,000	



Savings Plan Progress at Quarter Three 2023/24

Purpose of this note

1. This note updates members on the progress of the delivery of the savings schedule, included in the 2023/24 budget report.
2. As part of the report there was an undertaking for these savings to be reported to Cabinet.

Background

3. As part of the budget build process a series of budget savings were developed to achieve savings of £1.6m, to close the budget deficit gap. Savings of £200,000 were immediately identified and applied to the 2023/24 budget, and following discussions between officers and members, proposals for a further £1.4m were identified and developed into the following savings plan:-

Proposed Budget Savings for the 2023/24 financial year

Service	Savings	Target £'000	Achieved £'000	Comments
Corporate	Management Team and wider restructure	300	233	Based on reducing the size of MT, will require adjustments within team structures. Upfront costs may be required
Corporate	Proposal to move to International House	300	595	Net savings, including cost of moving to IH
Various	Review of service structures	505	745	Reviews still ongoing
Corporate	Administration review	150	0	Amalgamated into service reviews
Corporate	Enforcement review	65	0	Review underway
Policy & Performance	Reduction in Grants	100	30	Ongoing review to achieve target
		1,420	1,603	

4. Since the setting of the 2023/24 budget there have been further pressures to the budget including high inflation, interest rate rises, and continued cost of living crisis which is impacting services, all of which present a risk of the deficit increasing.
5. Many areas proposed different ways of delivering key services with greater collaborative working between departments. These plans often involve

changes to job descriptions and where consultation with staff has already happened these have now been described in some detail.

6. Progress against saving targets is described, in more detail, below.

Management Team and Wider Restructure

7. The requirement to review the Senior Leadership team of the Council had two main drivers. The first driver was the need to deliver substantial savings to help bridge the deficit which was forecast in the Medium Term Financial Plan. The second driver was the need to review and realign the senior leadership responsibilities given the changing nature of the Port Health Service model and a need to increase synergies and resilience within the remit of Environmental Health across the Council.
8. The proposed changes recognise the need to reduce overhead costs, but ensure the Senior Management structure continues to be responsive and integrated in its approach. These changes will achieve £233,000 in savings.
9. Following consultation, the proposed changes are:
 - a. Removing 2 posts from the current structure, the Assistant Director Port Health which is currently vacant and the Assistant Director Community Safety & Wellbeing
 - b. Corporate Director, responsible for Health and Wellbeing will be fully recharged to Port Health and will specialise in Environmental and Port Health, to provide resilience in this specialist professional area, where there are skill shortages nationwide
 - c. Corporate Director, responsible for HR, Customers, IT, Finance will now take on responsibility for Housing and therefore a proportion will be recharged to the HRA
 - d. The Housing Development and Regeneration Manager will become the Head of Development reflecting the strategic nature of the role.

Move to International House

10. The relocation of the Civic Centre to International House, Phase one and two, was agreed at an Extraordinary Council Meeting on 23 November 2023.
11. In February 2023, the initial savings target was £300,000. However, based on current data, as of 1 November 2023, an annual budget savings target of £595,000 (net of IH move costs) is now anticipated.
12. Future capital works on the Civic Centre have been avoided, to give a saving on financing of £676,000 per annum. As this is not a direct cashable saving it has not been included in the savings total presented, however this cost would have been added to the Medium Term Financial Plan, if the relocation did not get approval.

13. The Council is now looking to escalate phase three, which would see redevelopment of the site advanced, and a working group set up to shape the future plan for the Council Chamber.

Enforcement Review

1. Work continues on this review and a report will be with Directors for consideration in the next few weeks. The report will detail several options to achieve the required £65,000 savings, which could be phased through to 2024/25.

Review of Service Structures, Grants and Other Savings

14. Budget savings of £200,000 were achieved within the 2022/23 across services and the 2023/24 budgets were amended accordingly.
15. The Policy and Performance service was newly formed as part of the Senior Management Restructure in 2022. As part of this restructure the Funding and Partnership Officer joined the service from Culture. Now the service has been functioning for over one year, a number of new ways of working have been introduced that exploit synergies within the teams. This has resulted in efficiencies in working practices, with some processes digitalised. It was therefore decided that a new post would be created, Partnership and Scrutiny Manager and two other posts would be deleted, Scrutiny and Policy Officer and Funding and Partnership Officer. This will result in a saving of £40,000. Following consultation, the Funding and Partnership Officer has opted for voluntary redundancy and the Scrutiny and Policy Officer has taken up the newly created post.
16. By directly charging Project Management time to Capital for a specific post, within the Housing Team, a revenue saving of £75,000 is achievable in 2023/24.
17. The Environment, Property and Recreation service was created in April 2022. Due to a number of resignations in this service area it has created the opportunity to review and re-align roles rather than replace like for like.
18. In total eight posts have been deleted; one post has reduced by 14 hours per week. Two new Apprenticeship roles have been created, one to support the Leisure Contracts Officer, and the other, a Building and Facilities Apprentice, which is expected to be self-funding.
19. Six posts have been regraded to reflect increased diversity, responsibilities and additional requirements of their roles to support the restructure of the service.
20. Overall, there is a saving of £234,000 per year, which will be reduced to £88,000 per year if Cabinet agree the implementation of the Parks Foundation proposal, thereby increasing the establishment by three posts.

21. A review of Parking Services has achieved a saving of £149,626 by implementing the following changes:
 - a. Consolidate the two team leader posts to create one post of Team Leader (Parking Services). One post-holder has recently resigned
 - b. Reduce the number of CEO Senior posts from two to one, to manage the day-to-day operation of the parking enforcement function, and consider changing the job title to CEO Supervisor. One post-holder has taken up another role within the service
 - c. Following retirement, the Senior Operations Officer responsibilities are to be split between other existing posts within the Parking Service, and to others outside the Safety & Wellbeing Service
 - d. The Representatives and Appeals post is to be re-designated a Senior Representatives and Appeals Officer and the current Parking Officer to be re-designated a Representative and Appeals Officer
 - e. Reduce the number of CEOs from eight to seven. This would see the deletion of one vacant post from the establishment.
22. Within HR, Comms and Customer Services a number of vacant posts totalling £25,000 have been identified for removal from the budget. Other plans are being worked on to deliver the remainder of the savings (£55,000).
23. Removing Deputy Portfolio Holders will result in a saving of £30,000 in member allowances.
24. A saving of £20,000 has been achieved within Economic Development, as a result of bringing the Ashford For campaign in-house.
25. Planning and Development have realised savings of £117,750 as a result of a business support restructure which saw four administration and business support posts removed. Three of which were vacant, and one post was made redundant.

Conclusion

26. Further savings are still being worked on and will be detailed in the Outturn report.
27. The savings described above amount to £1,603,000, excluding the capital savings of the International House move, but including the £200,000 already built into the budget from the previous year.
28. The remainder of the savings required will be continually monitored and reported accordingly as information becomes available and is suitable for disclosure.

29. To date good progress is being made on delivering the savings identified which are expected to have minimal disruption to services and have in some cases enable the streamlining of service provision.
30. The savings will be delivered partly in 2023/24, and be fully applied to the 2024/25 budget build, given the worsening economic conditions for the Council, delivery of the £1.4m is likely to be only part of a bigger savings requirement once the medium term financial plan is completed. This will result in the need for the Council to make further tough decisions on what can and cannot be delivered.



Agenda Item No:

Report To: CABINET

Date of Meeting: 25th January 2024

Report Title: Tenant Engagement Strategy

Report Author: Joanne Burns
Job Title: Tenant Engagement Officer

Portfolio Holder: Cllr Bill Barrett
Portfolio Holder for: Housing

Summary: The report presents the Tenant Engagement Strategy of Ashford Borough Council. The strategy sets out a clear organisational approach and commitment to tenant engagement in the borough. It sets out an action plan for the Housing Service to ensure that we meet the needs of our tenants and Regulator of Social Housing standards.

Key Decision: No

Significantly Affected Wards: All Wards

Recommendations: **The Cabinet is recommended to approve Tenant Engagement Strategy for Ashford Borough Council**

Strategy Overview: The Social Housing (Regulation) Act 2023 sets regulatory requirements that all registered providers must adhere to, to drive improvements in the quality of housing and housing services for tenants. The Regulator of Social Housing has set standards and a Code of Practice for registered housing providers to ensure that they engage with tenants, taking their views into account in decision-making and about how their housing services are delivered.

The Strategy sets out the council's vision of "engagement before action" – involving our tenants by asking for their collaboration and input ahead of decisions being made about their housing service.

It presents our core commitments to improve communication and interaction with tenants, strengthen participation and empower our tenants, and be accountable and open to being challenged.

The strategy as presented will guide elected members, officers, and tenants in the role of the Engagement Team and the action plan to ensure the voice of tenants is heard. It

also ensures the Council has effective tenant engagement in place to meet its legislative and regulatory obligations.

Ashford Borough Council founded the Ashford Citizens Panel in 2023 seeking all residents' views and scrutiny, not just tenants living in our properties. It is our desire that our tenant involvement, driven by the engagement strategy, will help champion tenants within this wider remit.

Financial Implications:

The strategy and the rollout of its action plan will have relatively low financial and resource implications. Training is likely required to support engaged tenants and a variety of engagement communications and events are required.

Legal Implications:
*Text agreed by
Principal Litigator on
02/01/2024*

Although there is no statutory duty to have a Tenant Engagement Strategy, the adoption of one aids to guide Ashford Borough Council meet engagement standards set by the Regulator of Social Housing and set out to all officers, members, and the public how the authority will consider and deal with such matters. As such it appears pragmatic to maintain such a strategy, and from time to time review this when there is change to guidance, legislation or case law.

Equalities Impact Assessment:

See Attached

Data Protection Impact Assessment:

N/A

Risk Assessment (Risk Appetite Statement):

Although there is no statutory duty to have an engagement strategy, we do have a regulatory obligation under standards set by the Regulator for Social Housing to engage with and listen to tenants. A structured programme of engagement roll out ensures we can be held to account to make that happen. It is important to meet standards set by the Regulator, as it can take action against breaches.

The strategy sets out clear steps for how we will encourage and evolve tenant involvement in our housing service.

By not having a strategy we risk not considering the wider implications such as how decisions impact on our tenants.

Sustainability Implications:

None

Other Material Implications:

None

Exempt from Publication:

No

**Background
Papers:**

None

Contact:

joanne.burns@ashford.gov.uk – Tel: (01233 330573)

Report Title: Tenant Engagement Strategy

Introduction and Background

1. Tenant Engagement is a broad term used to describe working with tenants to co-produce effective services that meet a variety of needs. It is about empowering tenants, residents, and communities to work with their housing provider to achieve shared aims.
2. Informal engagement already occurs daily whenever we speak, meet, or communicate with our tenants. However, there is no formal framework of how to ensure they have an effective voice and provide opportunities for them to participate and influence their housing service.
3. The Council should work in partnership with tenants to actively listen and take their views into account during decision-making about how services are delivered. It is also imperative that the Council meets engagement standards set by the Regulator of Social Housing under the Social Housing (Regulations) Act 2023.
4. There are currently two Tenant Engagement Officers, but there is no overarching strategy for the authority for them to follow. Therefore, the Tenant Engagement Team and Housing have worked together to produce this.
5. The primary aim of the strategy is to demonstrate a clear organisational approach and commitment to tenant engagement within the borough. It sets out an action plan and the obligations of the Tenant Engagement Team and the Housing Service as a whole.
6. The purpose of this report is to present to Cabinet the council's Tenant Engagement Strategy and recommend for approval by the Council.
7. A draft strategy, as presented in Appendix 1 highlights the aims, commitments and actions proposed.

Proposal

8. The strategy clearly sets out the Council's commitment to tenant engagement as well identifying approaches for this to take place.
9. The strategy includes the following elements:
 - a. Sets out our vision and commitments;
 - b. Identifies our guiding principles;
 - c. Defines an action plan for rolling out effective engagement; and
 - d. Identifies ways for us to engage, and for tenants to engage with us.

10. The Chief Executive is appointed as having overall responsibility for the strategy with oversight being provided by Members.

Equalities Impact Assessment

11. Members are referred to the attached Equalities Impact Assessment.
12. We recognise that our tenants have a wide variety of backgrounds and characteristics. A key guiding principle of the strategy is inclusivity, so we aim to ensure engagement provides all groups of people an opportunity to be involved with their housing service as much or as little as they wish. Activities and projects will be designed and reviewed to meet the considerations of gender, age, sexuality, disability, and ethnicity.

Consultation Planned or Undertaken

13. The strategy has been developed in conjunction with the housing service, tenants and TPAS, a specialist in tenant engagement. A consultation was held with TPAS to bring together a focus group of tenants to discuss what is required for a new strategy. The findings and recommendations from those sessions have helped form our new vision, commitments and action plan set out in the strategy.

Other Options Considered

14. The Social Housing (Regulation) Act 2023 sets regulatory requirements that all social housing providers must adhere to drive improvements in the quality of housing and housing services for tenants. There is a requirement for all registered providers of housing to ensure that they take tenants' views into account in their decision-making about how landlord services are delivered.

Reasons for Supporting Option Recommended

15. The strategy will ensure a clear organisational approach and commitment to carrying out tenant engagement within the borough. It sets out an action plan for us to be accountable to all stakeholders.

Next Steps in Process

16. The strategy will be made available on the council's website in an easy-to-read and engaging format. Accessible formats and other language documents can be produced upon request.
17. Following the publication of the strategy, the Tenant Engagement Team will consult further with tenants to co-produce engagement and techniques mentioned in the action plan, such as scrutiny panels.

Conclusion

18. Adoption of the Tenant Engagement Strategy provides a clear direction and shows the commitment by the Council in ensuring tenants are included in

decision-making and given the opportunity to influence the housing services that we provide.

19. The strategy provides reassurance for all stakeholders that we will dedicate resources to engagement and fulfil engagement obligations set by the Regulator of Social Housing.

Portfolio Holder's Views

21. We are committed to improving the quality of life and the standard of homes of our tenants and leaseholders. By effectively engaging and collaborating we can work together to improve our housing service. The strategy provides a clear plan of action for our team to help residents become more involved, hold their landlord to account and drive positive changes. It provides reassurance for all stakeholders that we will dedicate resources to engagement and fulfil obligations set by the Regulator of Social Housing. I am personally very confident that by engaging with our tenants moving forwards more regularly and in a more in-depth manner this will allow us to improve the various services we provide.

Cllr Bill Barrett
Cabinet Member for Homes & Homelessness

Contact and Email

22. Joanne Burns, Tenant Engagement Officer
joanne.burns@ashford.gov.uk 01233 330573

Equality Impact Assessment

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

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

Public sector equality duty

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

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

Protected characteristics

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

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

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

Due regard

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

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

8. In terms of timing:

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

Armed Forces Community

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

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

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

Case law principles

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

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

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

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

Lead officer:	<p>Joanne Burns Tenant Engagement Officer</p> <p>Rebecca Smith Housing Operations Manager, Income and Neighbourhoods</p>
Decision maker:	<p>Cabinet</p>
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<p>The Cabinet is recommended to approve the Ashford Borough Council Tenant Engagement Strategy.</p>
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	<p>25th January 2024</p>
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>The purpose of this report is to present to Cabinet the Ashford Borough Council's strategy for tenant engagement for approval.</p> <p>The strategy sets out our intentions and vision for tenant engagement to ensure that we collaborate and consult with our tenants and make them the centre of decision-making. It also ensures that the Council meets the engagement standards set by the Regulator of Social Housing.</p> <p>All tenants will be offered the opportunity to be engage with their housing service.</p>
Information and research: <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>The Social Housing (Regulation) Act 2023 establishes regulatory requirements that social housing providers must adhere to drive improvements in the quality of housing and housing services. The Regulator of Social Housing sets consumer standards for landlords to be more accountable and engaged with their tenants.</p> <p>The strategy, as presented, will set out the Council's intention and vision to elected members, officers, and the housing service.</p>
Consultation: <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect 	<p>TPAS (a housing specialist) consultation took place to analyse tenant engagement and to re-invigorate and refocus our service. Focus groups consisting of tenants and housing staff were employed to help inform a new vision and commitments for tenant engagement.</p> <p>A difference in views about engagement across protected characteristics was not apparent. There is a desire from tenants in general to input into decisions that affect them and their housing service.</p> <p>The strategy includes actions to understand the protected characteristics of our tenants to ensure opportunities to engage are equal and to ensure that we understand who our</p>

people with different protected characteristics?	tenants are. It aims to promote inclusivity across engagement activities.
--	---

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

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

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

Service families	None	Positive
------------------	------	----------

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	There is no negative impact to mitigate in relation to this strategy as this is an overarching document.
---	--

Is the decision relevant to the aims of the equality duty? Guidance on the aims can be found in the EHRC’s Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	NA
2) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it	Yes
3) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it	Yes

Conclusion:	
<ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<ul style="list-style-type: none"> The due regard for equality has been considered throughout this report and no negative impacts are determined. There is no unlawful discrimination arising from this report. The proposal meets the aims of the equality duty. Monitoring will be completed through: <ul style="list-style-type: none"> tracking and publishing of results against the action plan customer and satisfaction surveys and feedback housing staff feedback
EIA completion date:	16 th January 2024

2024-
2027

Tenant Engagement Strategy

Version: 1.0

Date: 2nd January 2024

Review date: 1st September 2026

Table of Contents

01

Executive
Summary

02

Introduction

03

Background

04

Vision

05

Commitments

06

Guiding
Principles

07

Action Plan

12

How to get
involved

13

Involvement
Options

14

Conclusion

Executive Summary

Tenants should be able to influence how their home and housing services are managed. The voice of the tenant matters.

There has been a call for more accountability and transparency of the housing sector following the events of Grenfell Tower and high-profile cases involving disrepair. The Social Housing (Regulation) Act 2023 now sets regulatory requirements that all social housing providers must meet to drive improvements in the quality of housing and housing services for tenants.

From April 2024, the Regulator of Social Housing introduces new consumer standards and will provide a Code of Practice for landlords to follow. These strengthen the accountability of landlords to their tenants and fulfil the obligations set out by the Act.

A keystone of re-dressing any imbalance between tenant and landlord is tenant engagement. Our engagement strategy, detailed in this document, signals an approach to genuinely listening to what our residents say and ensuring that their input directly impacts how we manage their homes and services. We want to reassure tenants that we are not creating this strategy solely due to regulatory changes, but because it is something that should always be in place and influence everything we do.

This strategy sets out our intentions and vision for tenant engagement, for both tenants and leaseholders, and how we aim to enact that strategy.

Our vision is **Engagement Before Action**. A pledge to ensure that we collaborate and consult with our tenants and that they are at the centre of decision-making.

Three core commitments are key to ensuring we meet that vision:

- **Improve communication and interaction**
- **Strengthen engagement, participation and empower tenants**
- **Be accountable and open to being challenged**

Introduction

About ABC Housing

Our Housing service sits under the Caring Ashford tenet of our Corporate Plan. This is the long-term aim of providing welcoming and safe places and offering a high quality of life, where everyone is valued and respected. To enable homes that are affordable to local people on low incomes and ensure that homes and neighbourhoods in the borough meet the needs of local people of all ages, incomes, and abilities to live sustainably and safely.

Ashford Borough Council owns and manages some 5000 properties. This portfolio consists of a variety of property and ownership types, ranging from independent living schemes to leasehold properties. Our range of affordable housing options ensures that our diverse population of tenants and leaseholders have somewhere that they can call home.

About the Regulator of Social Housing

Providers of registered social housing in England are governed by the Regulator of Social Housing, which seeks to promote a housing sector that can deliver and maintain homes of appropriate quality to meet a variety of resident needs.

The Social Housing (Regulation) Act 2023 has provided extended powers to the Regulator to set standards for providers to achieve, and from April 2024 these standards as well as a Code of Practice will be published. Providers are expected to reach all standards and can be held accountable by their tenants and the Regulator for non-compliance.

One of the revised standards that the Regulator is setting is the Transparency, Influence and Accountability Standard. This states that landlords must be open with tenants and treat them with fairness and respect. Part of this standard directly refers to engagement with tenants, with registered providers required to take tenants' views into account in their decision-making and how their services are delivered.

Background

What is Tenant Engagement?

Tenant engagement has been defined by TPAS, who are experts in tenant engagement, as “being about working with tenants to co-produce effective services that meet a variety of needs... It’s about empowering tenants, residents, and communities to work with your organisation to achieve shared aims”.

Our engagement approach

The need to re-invigorate and refocus the engagement strategy of the service became evident in 2022. A consultation was held with TPAS to bring together a focus group of tenants and housing officers to discuss what is required for a new strategy. The findings and recommendations from those sessions have helped form our new vision and commitments set out in this document.

It was clear from the consultation that the lack of resources of dedicated engagement staff to drive the culture and training internally for engagement, as well as activities with tenants, limited the reach of any tenant involvement. Without sufficient mechanisms to evidence and scrutinise activities, engagement could not be recorded, lessons learned, and success promoted.

In 2023, the Housing service employed two full-time Tenant Engagement Officers, demonstrating the focus on re-energising our tenant involvement. They will drive forward the engagement strategy with our tenants and housing staff and ensure that we are fulfilling engagement obligations set out by the Regulator of Social Housing.

Ashford Borough Council founded the Ashford Citizens Panel in 2023 seeking all residents’ views and scrutiny, not just tenants living in our properties. It is our desire that our tenant involvement, driven by the engagement strategy, will help champion tenants within this wider remit.

An annual survey of tenant satisfaction now takes place and will form a part of a scrutiny package enabling our tenants and the Regulator to hold us to account on a variety of areas. Two specific survey questions will allow us to quantify and track how effective our engagement is. How satisfied tenants are with being informed and how satisfied they are that we listen to tenants’ views and act upon them.

Our Vision

Engagement *before* action. We want tenants to be at the centre of decision-making.



We want to ensure that the view of every tenant and leaseholder counts and that they have an effective voice.

Our residents must be at the heart of our Housing Service, and we must collaborate to drive positive changes in our communities and enhance what we do. We must consult with them *before* decisions are made.

”

**Engagement
before
action**

We will measure and monitor the quality and reach of our tenant engagement throughout the year to ensure that each contact provides value to both residents and our service.

Our Commitments

Our strategy's 3 commitments



We have three core commitments that are key to ensuring that we reach our vision of 'engagement before action' and to ensure that all engagement is effective, purposeful, and meaningful.



1 Improve communication and interaction

- We will look to reduce and remove barriers to engagement and provide engagement opportunities that are accessible to all
- We will actively listen and ensure our communications are clear
- We will facilitate discussions with residents to find solutions and help us to make better decisions



2 Strengthen engagement, participation and empower tenants

- We will create a supportive environment and encourage open and respectful communication
- We will collaboratively problem solve and encourage idea sharing
- We will acknowledge ideas and opinions and create a space where people feel valued and able to contribute



3 Be accountable and open to being challenged

- We will monitor the impact of our decisions and provide opportunities for people to challenge us
- We will welcome feedback, both positive and negative, to help improve our service
- We will be available to address issues that arise

Our Guiding Principles

Effective engagement to power positive communities.

Every engagement activity and contact we have with our tenants and leaseholders, no matter how large or small, will follow our guiding principles.



A positive culture across our Housing service and beyond is required to foster collaboration and trust with our tenants and their homes.

Action Plan

Performance goals to monitor and measure progress.

To ensure accountability and to track how our engagement strategy is progressing, we have set out specific actions with timescales for their completion. All 34 actions are driven by our '3 Core Commitments' and are underpinned by our guiding principles of engagement. Our action plan provides manageable, practical steps to ensure tenants feel informed and satisfied that we listen to their views and act upon them.

Tenant Engagement, along with Housing Management and tenants will review the list annually to scrutinise whether the actions have taken place and evaluate reasons why any have not. We will publish updates on our goal attainment to ensure that we are accountable for all that we do.

	Action	Core Commitment	Year 1	Year 2	Year 3
1	Share engagement strategy: externally with tenants and leaseholders, internally with Housing and Councillors	1 & 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Review existing engagement communication with tenants and leaseholders – Housing newsletters, emails, letters, webpages	1	<input type="checkbox"/>		
3	Agree annual budget for engagement work with Housing Management	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Promote culture internally of encouraging tenant and leaseholder input in the development of Housing services	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Action Plan

	Action	Core Commitment	Year 1	Year 2	Year 3
5	Develop tenant engagement area of website to provide information on engagement projects, how to get involved and Housing Newsletters	1	<input type="checkbox"/>		
6	Create an engagement framework for Housing services to ensure projects requiring tenant input and collaboration work are clearly defined	2	<input type="checkbox"/>		
7	Revise Housing webpages to improve customer journey and access to information	1	<input type="checkbox"/>		
8	Publicise opportunities for tenants and leaseholders to meet and engage with the Housing team and participate in community events	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Tenant profiling to increase understanding and to provide tailored services	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Write and agree Terms of Reference and policies for tenant and leaseholder groups to be set up to collaborate and scrutinise Housing services	2	<input type="checkbox"/>		
11	Create a variety of ways for tenants and leaseholders to get involved with Housing services—formal/informal/more in-depth/ad hoc	2	<input type="checkbox"/>		
12	Encourage sign-up to tenant and leaseholder groups to scrutinise Housing services	1 & 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Action Plan

Action	Core Commitment	Year 1	Year 2	Year 3	
13	Establish skills training programmes for those involved in our tenant and leaseholder groups in areas such as how to scrutinise effectively, computer and group meeting skills	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Set up and roll out key estate improvement groups with tenants and leaseholders - Estate Champions/Estate Mates to provide a valued voice for their area	3	<input type="checkbox"/>	<input type="checkbox"/>	
15	Implement a Repairs and Maintenance Scrutiny Panel with tenants, leaseholders, and Repairs Team	3	<input type="checkbox"/>		
16	Implement a Building Safety Working Group with tenants, leaseholders, and Asset Team	3		<input type="checkbox"/>	
17	Set up group with tenants and leaseholders to provide feedback and help influence draft reports, letters, and documents sent by Housing	1 & 2	<input type="checkbox"/>	<input type="checkbox"/>	
18	Identify and explore creation of special groups for underrepresented areas e.g. young mothers, senior citizens	2		<input type="checkbox"/>	<input type="checkbox"/>
19	Provide a variety of events for tenants and leaseholders to boost community involvement with Housing such as family fun days	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Action Plan

	Action	Core Commitment	Year 1	Year 2	Year 3
20	Develop Tenants Portal to offer opportunities to engage with Housing services and improve communication	1 & 2	<input type="checkbox"/>	<input type="checkbox"/>	
21	Update Tenant and Repairs handbooks to ensure relevant and easily accessible for tenants and leaseholders	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	Improve digital inclusion for tenants and leaseholders in accessing Housing information in a digital environment	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23	Improve Asset Team communication with tenants and leaseholders to ensure involvement and awareness of planned works	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24	Improve Developments Team communication with tenants and leaseholders to ensure awareness of new ABC housing developments and how to influence them	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25	Set up and implement Rate My Estate feedback for tenants and leaseholders for caretaking services in communal areas	3		<input type="checkbox"/>	<input type="checkbox"/>
26	Engage with young people living in our homes to provide support for issues relevant to them	2		<input type="checkbox"/>	<input type="checkbox"/>

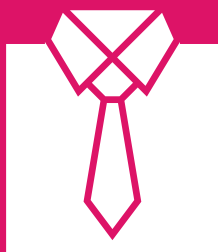
Action Plan

	Action	Core Commitment	Year 1	Year 2	Year 3
27	Continued engagement with Independent Living sites	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28	Review Housing policies and procedures to ensure relevant and up to date	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29	Regular publishing of actions taken, and lessons learnt on Housing complaints	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30	Promote successful projects and you said/we did with tenants and leaseholders to provide transparency	1 & 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31	Annual Housing Tenant Satisfaction Surveys implemented and improvement plans generated from results	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32	Drive implementation of client care satisfaction surveys to be issued at the conclusion of any matter such as repairs, anti-social behaviour, planned maintenance works, etc.	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
33	Utilise data and statistics from repairs and planned maintenance works to track performance and help drive improvements for tenants and leaseholders	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34	Review Engagement Strategy with management and tenant group every 3 years or when new legislation implemented	3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

How to Get Involved

We will provide a selection of ways for tenants and leaseholders to be involved and share their voice.

A range of engagement options will allow for residents to collaborate as much, or as little, as they wish. There will be options for those that are able to commit more time and become champions for their area, but also options for those that wish to get involved on an ad-hoc basis or only regarding specific areas of interest. All interactions with our tenants and leaseholders will help shape what we do.



Formal

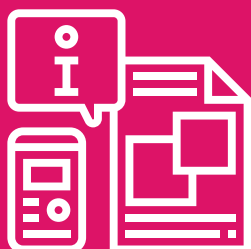
These will involve the most commitment from residents.

Groups will be set up to strategise, scrutinise and support projects.

Informal

Less time commitment is required.

A variety of ways to voice opinions and provide feedback.



Communication

For residents preferring to receive information and updates.

Options to participate as and when the tenant desires.

Involvement Options

A selection box of ways for everyone to get involved in engaging with their Housing service.

This menu of involvement options is not limited to those detailed below and will be developed over time as we gain a greater understanding of our what our tenants and leaseholders want.



Formal Meetings

- Scrutiny panels
- Focus groups
- Leaseholder panel
- Special interest groups
- Local meetings



Informal Engagement Activities

- Community events
- Satisfaction surveys
- Estate Walkabouts
- Rate My Estate
- Competitions
- Litter picks



Online Involvement

- Surveys
- Feedback forms
- Consultations
- Social media
- Tenants Portal



Publications and Updates

- Email updates
- Current and relevant webpages
- Newsletters
- Annual reports
- Survey feedback
- Reports and statistics



Activities and Tools

- Mystery shopping
- Workshops
- Staff presentations
- Training and support
- Community Heroes

Conclusion

The importance of a strategy to help lead our engagement cannot be underestimated, not only from a regulatory perspective, but also from our tenant's point of view. We must listen, understand and work together to improve our services and to make the homes, lives, and communities in the borough of Ashford, better.



Contact

Tenant Engagement
Ashford Borough Council
Tannery Lane, Ashford, Kent
TN23 1PL

www.ashford.gov.uk/tenant-engagement
tenant.contact@ashford.gov.uk
01233 330573

This page is intentionally left blank



ASHFORD
BOROUGH COUNCIL

Agenda Item No:

Report To: Cabinet

Date of Meeting: 25th January 2024

Report Title: Temporary Accommodation Charging Policy

Report Author: Ellen Black / Amanda Gill

Job Title: Allocation Manager / Service Improvement Manager

Portfolio Holder: Cllr. Bill Barrett

Portfolio Holder for: Housing

Summary:

This report introduced the Temporary Accommodation Charging Policy and seeks approval for its adoption. One of the key changes will be to review all rental charges to ensure the applicant is not having to top up the rent paid to the Council after the Temporary Accommodation Housing Benefit Subsidy (“Subsidy”) has been applied (saving the applicant money). The Council will also ensure that the rents are not set below the subsidy to ensure it maximises recovery of costs.

This policy will help the families and individuals (applicants) that are housed in temporary accommodation to understand how the Council will charge them.

The policy is to protect the applicant and the Council should a dispute arise. It should be noted that many applicants will be entitled to Housing Benefit (“HB”), and this will be applied directly from the Finance department to the rent account.

The Council understands that the families and individuals have found themselves in an unfortunate position and the Council needs to help and support them to move forward, securing a property in the future. This policy sets rents that will be affordable now and reflects rents in the lower end of the rental market (affordable).

The Council will review cases as they come forward and review under exceptional circumstances in some cases. These are highlighted in Section 13 of the policy document.

Key Decision: YES

Significantly Affected Wards: All

Recommendations: The Cabinet is recommended to:-

- I. Agree and adopt the policy in full as of 1st April 2024.

Policy Overview:

The authority places homeless households into temporary accommodation as part of the assistance owed to them under the Housing Act 1996. We set and charge rent based on a variety of factors, and this is a key part of managing the costs incurred by the authority.

A policy is needed to formally set out the authority's approach to setting the rents on all our temporary accommodation ("TA") stock.

The policy will require a review of all current temporary accommodation tenancies with the aim of setting rental amounts so that they match with the subsidy that the council is able to recoup. This ensures the applicant is not having to top up the rent to the Council if in receipt of Housing Benefit ("HB"). The Council will also ensure that the rents are not set below to ensure it maximises recovery of its costs.

Additionally, the policy will see the service charges (applied to any temporary accommodation with shared facilities or where ABC pay in the first instance) increase from £10 a week to £21 to enable the authority to recoup rising energy costs and to reflect a more realistic sum required to fund household bills in the future. These charges are not covered by the subsidy.

Financial Implications:

There is not expected to be any significant financial impact to the general fund as a whole because of implementing the policy. The only negative financial impact is expected to come from exceptional circumstances, this is estimated to be less than £2,000 per annum.

Legal Implications:

*Text agreed by
[Principal Solicitor]
on [08/12]*

The Council has a statutory duty under Part 7 Housing Act 1996 and also under Section 193 to secure accommodation for homeless applicants, firstly by investigating their entitlement. Where a full housing duty is accepted following investigation, the Council has a duty to provide accommodation for applicants who are homeless, eligible for assistance, have priority need and are not intentionally homeless. This is known as the "main housing duty". The main

housing duty includes a duty to provide temporary accommodation until such time as the duty is ended, either by an offer of settled accommodation or for another specified reason.

Under Section 206(2) of the 1996 Act, the Council is empowered to require applicants to pay such reasonable charges for accommodation secured under Part VII as it may determine. The sole limitation on such charges under the 1996 Act is that they be reasonable.

Equalities Impact Assessment:	See Attached
Data Protection Impact Assessment:	No impact known.
Risk Assessment (Risk Appetite Statement):	Not applicable
Sustainability Implications:	Not applicable
Other Material Implications:	This report does not impact on Environmental, Human Rights, Staffing or Community Safety Issues
Exempt from Publication:	NO
Background Papers:	N/A
Contact:	Amanda.gill@ashford.gov.uk – Tel: (01233 330405) <u>Ellen.black@ashford.gov.uk</u> – Tel: (01233 330809)

Report Title: Temporary Accommodation Charging Policy

Introduction and Background

1. The authority places homeless households into temporary accommodation as part of the assistance owed to them under the Housing Act 1996. We set and charge rent for temporary accommodation based on a variety of factors and this is a key part of managing costs incurred by the authority.
2. A policy is now needed to formally set out the authority's approach to setting the rents on all our temporary accommodation stock considering the increased expenditure on temporary accommodation due to:
 - a. Accommodation being used in higher quantity than ever before due to financial pressures facing households and landlords.
 - b. Providers of accommodation increasing nightly rates.
 - c. Movement into Temporary Accommodation exceeding the flow of movement out into the social and private sectors as demand outweighs supply.
 - d. Emerging increased demand from households that are too large to be accommodated into our standard temporary accommodation.
3. The overall aim of the policy is to ensure that rent charged for temporary accommodation:
 - a) is an affordable option to all;
 - b) does not disadvantage those in work;
4. The principles of the policy are to:
 - a) Comply with legislation and guidance and promote best practice;
 - b) Ensure consistency in the provision of services by providing staff training and implementing detailed procedures and agreed practices uniformly across the service;
 - c) Deliver good quality services which are efficient and adhere to the principles of equal opportunities.
 - d) Help towards the cost of operating temporary accommodation provision.
 - e) Recover income where possible.

Proposal

5. The policy will require a review of all current temporary accommodation tenancies to ensure they match directly with the subsidy that can be recouped by the Council. This avoids applicants having to make top-up payments to the Council but also increases income where the rents currently fall below the subsidy amount.
6. Additionally, the policy will see the service charges (applied to any temporary accommodation with shared facilities or where the Council is directly responsible in the first instance) increase from £10 a week to £21 to enable the authority to recoup rising energy costs that are reflected in the charges to the authority. The rate also reflects a realistic sum required to fund household bills in the future once the applicant leaves temporary accommodation. These are not recoverable through HB and must be paid by the applicant.
7. The intention is to align the temporary accommodation rental values with that of the subsidy that the Council can recoup. Currently our rental amounts are typically higher than the subsidy for one-bedroom units and lower for two- or three-bedroom units. By levelling these both at the subsidy level those in receipt of HB do not need top-up their rent and those working will be required to pay slightly less for the one bed properties. For those in 2-3 bed properties and in receipt of HB will not need to pay anymore should the rent increase as this will be fully recoverable from the subsidy. This leaves those in 2-3 bed properties that are working and not in receipt of HB. This group may need to pay a bit more. A financial assessment will be carried out for each of these households to ensure that the rental amount set is affordable based on their individual circumstances.
8. There is not expected to be any significant financial impact to the general fund as a whole because of implementing the policy. The only negative financial impact is expected to come from exceptional circumstances, this is estimated to be less than £2,000 per annum.
9. The Council (General Fund) is likely to see less bad debts from this policy change as most applicants will have their rents covered by HB, the only direct charge to the applicant in many cases will be the service charge which covers utility bills, such as electricity and water.
10. Based on the current profile of temporary accommodation as at 9th November 2023, implementation of the policy would see:
 - 146 units of accommodation will be subject to a decrease in their rent level, therefore the applicant will be paying less.
 - 37 units of accommodation will be subject to an increase in their rent level. Of these 29 are occupied by applicants claiming HB. These households will

experience no negative impact and all additional rent will be claimed through HB. The remaining 8 are occupied by those responsible for paying their own rent and they will need to increase their weekly rental payment to the Council, it should be noted that this will not increase above the subsidy which is deemed affordable.

- A service charge increase (£21 per week, an increase from £10 per week) that will apply to 72 units of accommodation (those that are occupying shared accommodation and / or where they do not pay their own utility bills), will offset the Council's costs for utilities relating to accommodation, this is expected to see around an additional £41,000 a year.

11. Officers will need to monitor the rent collection rates and seek to support and advise the applicants accordingly. Applicants will be given four weeks' notice of the change with an implementation date of 1st April 2024.
12. Once the policy has been approved by Council, officers will write to all applicants giving them at least four weeks' notice of the change. This letter will include advice on Housing Benefits and contact details of the teams should they require additional support or advice, including the welfare officers.

Equalities Impact Assessment

13. Members are referred to the attached Assessment.
14. We have analysed how this policy may affect people with protected characteristics either positively or negatively. There is no known impact either positive or negative for any of these groups.
15. The new policy will be monitored annually in terms of the financial impact and effectiveness of rent collection. Any changes to the policy will result in a review of this EIA.

Consultation Planned or Undertaken

16. No consultation planned with external stakeholders.
17. Comments have been sought from Finance, Legal and from the Portfolio Holder for Housing and are included in this report.
18. Four weeks' notice minimum will be given to applicants to notify them of the change.

Other Options Considered

19. There are no alternative options that can be considered, a policy is a requirement and will minimise the risk of a legal challenge.
20. Options in relation to charging have been considered and this option has been recommended as in many cases it reduces rent payable for the applicant with the Council reducing costs due to receiving the full subsidy. It also reflects the rents payable for affordable housing to prepare the applicant for future rental levels as they move on to accommodation.

Reasons for Supporting Option Recommended

21. The new policy levels out rents to match the Temporary Accommodation HB Subsidy and therefore in most cases there will be a positive or no impact to applicants. This change will also maximise rent in relation to temporary accommodation by maximising the subsidy claimable.
22. Service Charges will be increased to enable the Council to recover costs on a realistic basis. Although this is an additional cost to the applicant the service charge better reflects the amount payable for future accommodation.
23. Assuming ongoing effective rent collection activities, there is not expected to be any significant financial impact to the general fund as a whole because of implementing the policy. Due to matching rent levels to the subsidy amount Council debt levels are expected to decrease.
24. Whilst a small proportion of applicants are expected to be impacted negatively by the increase in charges, they are still lower than private sector charges (2011 LHA rates) and considered affordable. It is considered reasonable to expect that these increased rent and service charges are recoverable from applicants.

Next Steps in Process

25. If approved by Cabinet, Housing will identify all current temporary accommodation residents and advise them of the changes due in relation to their weekly rent and service charge amounts. At least four weeks' notice will be given of this change.
26. Housing and Revenues & Benefits will work together to review the rent account and payment systems that communicate to enable the collection of rent ensuring that all temporary accommodation rent charges are updated ready for go live on the 1st April 2024.
27. Letters to applicants will fully explain the changes, how their personal accounts will be affected and contacts for any questions or advice they may need.
28. Housing will monitor the impact of the changes after April 2024 and continue to support applicants and signpost to welfare interventions.

Conclusion

29. In conclusion, the adoption of the new Charging Policy is strongly recommended.
30. There is not expected to be any significant financial impact to the applicant or the Council as a whole because of implementing the policy.
31. There is not considered to be any significant legal impact if adequate notice is provided to applicants and affordability is considered when making placements into temporary accommodation.

Portfolio Holder's Views

32. Having considered the content of this new policy and the supporting documents, I support its introduction as it will enable a fair, consistent and affordable approach to rent setting activity.

Contact and Email

33. Amanda Gill, Service Improvement Manager
(amanda.gill@ashford.gov.uk) 01233 330405
34. Ellen Black, Allocation Manager
(ellen.black@ashford.gov.uk) 01233 330809

Equality Impact Assessment

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

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

Public sector equality duty

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

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

Protected characteristics

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

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

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

Due regard

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

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

8. In terms of timing:

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

Armed Forces Community

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

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

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

Case law principles

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

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

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

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

Lead officer:	Amanda Gill / Ellen Black
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<p>The decision requested from Cabinet is concerning adoption of a Charging Policy for temporary accommodation.</p> <p>The policy sits within Housing.</p> <p>This is a new policy.</p>
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	TBC
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>The policy will require a review of all current temporary accommodation tenancies with the aim of increasing or decreasing the current weekly rental amount so that it matches directly with the Temporary Accommodation Housing Benefit Subsidy (“subsidy”) that the council is able to recoup.</p> <p>Additionally, the policy will see the service charges (applied to any temporary accommodation with shared facilities or where ABC pay in the first instance) increase from £10 a week to £21 to enable the authority to recoup rising energy costs that are reflected in the charges to the authority.</p> <p>The financial implications of this are as follows:</p> <ul style="list-style-type: none"> • 146 units of accommodation will be subject to a decrease in their rent level. • 37 units of accommodation will be subject to an increase in their rent level. Of these 29 are occupied by households claiming Housing Benefit (“HB”). These households will experience no negative impact. The remaining 8 are occupied by those responsible for paying their own rent and they will need to increase their weekly rental payment to the Council. • There is no negative financial impact of the increase except for the risk associated with rent collection in relation to the 8 households who will be expected to cover the new higher rental amount. • The service charge increase will apply to 72 units of accommodation (those that are occupying shared accommodation and / or where they do not pay their own utility bills. • The above is as at 09/11/23 and is subject to change over time as the profile in temporary accommodation.

	<p>Officers will need to monitor the rent collection rates and seek to support and advise the customers accordingly. Applicants will be given four weeks' notice of the change.</p>
<p>Information and research:</p> <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>Other Options Considered</p> <p>There are no alternative options that can be considered. The Policy is a legal requirement that will minimise risk from challenge.</p> <p>A delay in implementation is not recommended as the rent alterations need to come into effect by 1st April 2023 so that the accounting process is simple and streamlined as possible due to the complexity of the task itself.</p> <p>Reasons for Supporting Option Recommended</p> <p>The new policy will limit the risk from legal challenge and provide a clear and robust framework for rent setting.</p> <p>The new policy will maximise rent and service charge collection in relation to temporary accommodation.</p> <p>Whilst a small proportion of customers are expected to be impacted negatively by the increase in charges, they are still lower than private sector charges and considered affordable. It is considered reasonable to expect that these increased rent and service charges are recoverable from customers.</p>
<p>Consultation:</p> <ul style="list-style-type: none"> • What specific consultation has occurred on this decision? • What were the results of the consultation? • Did the consultation analysis reveal any difference in views across the protected characteristics? • What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>Comments have been sought from Legal and from the Portfolio Holder for Housing and are included in the report to Cabinet.</p> <p>Four weeks' notice minimum will be given to customers to notify them of the change.</p> <p>In terms of who this decision and policy affects, our applicants are from diverse backgrounds.</p> <p>There is no anticipated negative impact on any persons in relation to their protected characteristics. The changes being proposed within the new policy will affect everyone equally regardless of their protected characteristics.</p> <p>The determining factor that will cause any negative impact is income which is not a protected characteristic.</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.

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

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	The impact is purely financial and not because of any protected characteristic. However, we will support our applicants as far as is practical as part of our standard rent collection activities.
---	---

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

Conclusion:	
<ul style="list-style-type: none"> Consider how due regard has been had to the equality duty, from start to finish. There should be no unlawful discrimination arising from the decision (see guidance above). Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>We have analysed how this policy may affect people with protected characteristics either positively or negatively. There is no known impact either positive or negative for any of these groups.</p> <p>Advice has been sought from Legal and no unlawful discrimination has been highlighted.</p> <p>This analysis of this policy via this document gives proper consideration and due regard to the needs of diverse groups.</p> <ul style="list-style-type: none"> There is no identified discrimination There is no variation of opportunity or access As there is no identified negative impact it neither fosters no hinders good relations. <p>There are no impacts to justify in relation to the Equality Act.</p> <p>The new policy will be monitored annually in terms of the financial impact and effectiveness of rent collection. Any changes to the policy will result in a review of this EIA.</p>
EIA completion date:	09/11/23

Policy:	Temporary Accommodation Charging Policy
Original Implementation Date:	Planned Implementation 01/04/24.



Control Schedule			
Policy Owner:	Sharon Williams		
Policy Author:	Amanda Gill		
Approved By:			
Approval Date:		Minute reference:	
Policy Review Due:		Review Cycle:	
EIA completed:	09/11/23	EIA Review Due:	09/11/24

Version Control				
Version	Date	Author	Comment	Approved by
1.0	09/11/23	AG	First Issue	AG

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

Contents

1. Policy Statement	2
2. Scope of the policy	2
3. Aims	3
4. Principles	3
5. Charging Policy	3
6. January 2011 LHA rates	5
7. Service Charges	5
8. Housing Needs Assessments	6
9. Affordability Assessment	6
10. Financial difficulties	7
11. Storage of possessions and pets	7
12. Damage to property/Fines	7
13. Special Provisions	7
14. Impact and measurement	8
15. Equalities Impact Assessment	8
16. Review of Policy	8

1. Policy Statement

The Housing Act 1996 places a statutory duty on local authorities to provide temporary accommodation for applicants during the period between initial application and decision to accept or reject the application and if accepted, until the conditions for discharging duty are met. The council has a right, under the same Act to make reasonable charge for the accommodation.

2. Scope of the policy

Ashford Borough Council is experiencing complex housing pressures that have impacted on the authority's ability to provide long term settled accommodation for applicants facing homelessness. In response to this voluminous demand, the council is seeking a formalised policy approach to support the charging process and provide a clear statement to applicants on what they need to pay for their accommodation. Ashford Borough Council will apply capped rental rates for this provision in line with the Temporary Accommodation Housing Benefit Subsidy ("Subsidy").

In summary the policy sets out the following:

- The mechanism of how charging is applied and processed to households placed in temporary accommodation.
- A formal approach to a fair charging regime for households recognising those in employment.
- The application of ineligible charges to the rent account and the liability of the applicant to make these payments.
- The mechanism covering robust suitability assessments for every placement to ensure regulatory compliance and affordability.
- The monitoring framework measuring the policy impacts.

3. Aims

The overall aim of the policy is to ensure that rent charged for temporary accommodation:

- is an affordable option to all.
- does not disadvantage those in work.

4. Principles

The principles of the policy are to:

- a) Comply with legislation and guidance and promote best practice;
- b) Ensure consistency in the provision of services by providing staff training and implementing detailed procedures and agreed practices uniformly across the service;
- c) Deliver good quality services which are efficient and adhere to the principles of equal opportunities.
- d) Help towards the cost of operating temporary accommodation provision.
- e) Recover income where possible.

5. Charging Policy

The proposed charging framework will reflect the government's subsidy payment regime which has been in place since 2010. The authority can claim a subsidy level which is equivalent to the January 2011 LHA rates, according to certain conditions set out in DWP Circular S1 2011 (Appendix 1)

For applicants who have been placed in Local Authority (LA) hostels such as Christchurch House and Christchurch Lodge that are owned by Ashford Borough Council and outside the Housing Revenue Account 100% subsidy may be claimed up to the agreed level of rent.

11	Hostels, <ul style="list-style-type: none"> Owned by LA, Outside HRA in England, In or outside HRA in Wales and Scotland. 	LA	HRA and/or Non HRA rent rebate	100% subsidy up to level of rent.	023 (non HRA in England & Wales and HRA in Scotland) or 060 (HRA in Wales)
----	---	----	--------------------------------	-----------------------------------	--

For applicants who are placed in non-self-contained leased homelessness accommodation, the maximum subsidy will be determined by using 90% of the January 2011 LHA rate for the size and location of the property.

3	Homelessness accommodation: <ul style="list-style-type: none"> Non self-contained, Leased to the LA, (Including hostels on a lease), Period up to 10 years, Outside HRA in England, In or outside HRA in Wales and Scotland. 	LA	Non HRA rent rebate in England, Non HRA or HRA rent rebate in Wales / Scotland	90% one bedroom LHA rate	012 & 013 (non HRA in Wales and HRA in Scotland. 056 & 057 (HRA Wales)
---	--	----	--	---------------------------------	--

For applicants who have been placed in self-contained licensed and short-term lease accommodation, the maximum subsidy will be determined by using 90% of the January 2011 LHA rate for the size and location of the property.

The same applies to those placed in council owned stock.

7	England Homelessness accommodation: <ul style="list-style-type: none"> Self-contained, Leased to the LA Period up to 10 years, Outside HRA. 	LA	Non HRA rent rebate in England	90% of appropriate LHA rate	014 & 015
---	--	----	--------------------------------	-----------------------------	-----------

For applicants placed into non-self-contained accommodation (board and lodging or licensed), the subsidy will be limited to the January 2011 one bedroom self-contained Local Housing Allowance (LHA) rate based on the location of the property.

1	Homelessness accommodation (excluding prevention cases):	LA or RSL	Non HRA rent rebate	One bedroom LHA rate	012 & 013 – LA landlord or
---	--	-----------	---------------------	----------------------	----------------------------

<ul style="list-style-type: none"> • Board and lodging (B&B). • Commercial hotels 		or Rent Allowance		104 & 105 – RSL
---	--	-------------------	--	-----------------

6. January 2011 LHA rates

	One bed	Two bed	Three Bed	Four bed
Ashford	£116.88	£144.23	£167.31	£225.00
90%	£105.19	£129.81	£150.58	£202.50
Medway	£109.62	£137.31	£155.77	£225.00
90%	£98.66	£123.58	£140.19	£202.50
Maidstone	£126.92	£155.77	£183.46	£230.77
90%	£114.23	£140.19	£165.11	£207.69
Folkestone and Hythe	£96.92	£126.92	£150.00	£196.15
90%	£87.23	£114.23	£135.00	£176.54
Dartford (North West Kent)	£121.15	£150.00	£173.08	£253.84
90%	£109.04	£135.00	£155.77	£228.46
Swale	£109.62	£137.31	£155.77	£225.00
90%	£98.66	£123.58	£140.19	£202.50

Where the applicant is eligible for Housing Benefit, this will cover the accommodation cost element up to the threshold of the government subsidy. Applicants placed into accommodation will be assisted to make a Housing Benefit claim. In addition, the applicant will be charged for costs that are ineligible under Housing Benefit e.g. heating, lighting, hot water and cooking facilities.

The Housing Benefit will be paid directly to the applicants rent account. Applicants who are not entitled to any Housing Benefit because they work and/or have 'excess income' will be asked to make an affordable contribution following the affordability assessment. It is expected that this will be up to the level that would have been covered had they been entitled to full Housing Benefit. In addition, the applicant will be charged the full costs of the ineligible charges e.g., heating, water and lighting.

7. Service Charges

A service charge is the name used to refer to ineligible charges if an applicant is entitled to full or partial housing benefit. The ineligible charges to be applied for 2023/24 are set out below.

Ineligible Charges: Heating, lighting, hot water

One Room/ self-contained: (flat rate) £3.00 per night or £21.00 per week.

8. Housing Needs Assessments

As part of the initial homelessness assessment and prior to placement into an accommodation, an assessment of the applicant's housing needs will be undertaken by the Housing Options Officer. This will include consideration of what accommodation would be suitable for the applicant and for each member of their household.

An assessment of the applicant's and household member's support needs will be holistic and comprehensive, and not limited to those needs which are most apparent or have been advised by a referral agency.

The assessment will consider:

- the size and type of accommodation required.
- any specific requirements for a household containing a disabled person or person with medical needs.
- location of accommodation
- the affordability of accommodation (using the income and expenditure form, and the affordability matrix)

The wishes and preferences of the applicant will also be considered and recorded in the assessment even if these cannot reasonably be met immediately.

9. Affordability Assessment

The Homelessness (Suitability of Accommodation) Order 1996 (SI 1996/3204) specifies that "in determining whether it would be, or would have been, reasonable for a person to occupy accommodation and in determining whether accommodation is suitable, a housing authority must take into account whether the accommodation is affordable, and in particular must take account of":

- (a) the financial resources available to that person, including, but not limited to, salary, fees and other remuneration.
- (b) savings and other capital sums which may be a source of income or might be available to meet accommodation expenses.
- (c) the costs in respect of the accommodation and payments which that person is required to make under a court order for the making of periodical payments to a spouse or former spouse, to or for the benefit of, a child and payments of child support maintenance required to be made under the Child Support Act 1991.
- (d) other reasonable living expenses.

The assessment of 'reasonable living expenses' will be undertaken based on an indefinite period of future occupation. This will have regard to the applicants' ability to meet the costs of their essentials, which includes food, clothing, utilities, transport and other essentials specific to the household's circumstances.

When making placements, a review of the affordability assessment will be undertaken by officers. This will be a refreshed assessment to ensure the housing needs assessment remains relevant and the identified accommodation is affordable for the household.

10. Financial difficulties

We will take reasonable steps to help applicants claim their full benefit entitlement and obtain debt and welfare benefit advice, where necessary. We will also consider requests for a reduction in accommodation charges if the person is struggling financially. Reasonable living expenses will be calculated on a case-by-case basis using the affordability assessment procedure.

We may also reduce the charge when inability to pay is unavoidable and not the applicant's fault. However, following a full assessment a person who can afford their daily living costs and housing costs will not receive a reduction in the charge.

11. Storage of possessions and pets

Few accommodation providers will accept pets. Storage and kennelling will be provided through a third-party agency. Subject to an affordability assessment, the cost associated with the safeguarding of personal possessions and pets will be recharged to the applicant.

12. Damage to property/Fines

Where the household wilfully causes damage or receives a fine for misuse of the temporary accommodation or associated property. The costs of repair will be recharged to the applicant.

13. Special Provisions

The charges will not be rigidly applied when providing accommodation to applicants, consideration will be given to any exceptional circumstances relating to the household.

Exceptional reasons could include (but not limited to):

- Travel expenses which are not reasonably covered.
- Severe financial hardship where debt advice has been sought and acted upon.

Reasons could justify a decision more favourable to the applicant than those detailed above. In those circumstances the amount charged should be reviewed and amended. These matters will be referred to the Assistant Director of Housing to consider.

14. Impact and measurement

The Council will monitor performance in charging and recovering of charges as follows:

- the total amount of emergency accommodation income due
- the total amount of accommodation charges collected.
- the amount of arrears, showing number of accounts and total arrears due the total number of review request on grounds of affordability of charges
- the number of exceptional circumstances payments / reductions, and monitoring of trends.
- the number of applicants evicted due to arrears. Evictions are only actioned in exceptional circumstances once all avenues of support and assistance have failed.

15. Equalities Impact Assessment

EIA attached.

16. Review of Policy

Policy to be reviewed yearly.

This page is intentionally left blank



Agenda Item No:

Report To: Cabinet

Date of Meeting: 25th January 2024

Report Title: Temporary Accommodation Placement Policy

Report Author: Ellen Black / Amanda Gill

Job Title: Allocation Manager / Service Improvement Manager

Portfolio Holder: Cllr. Bill Barrett

Portfolio Holder for: Housing

Summary:

This report introduced the Temporary Accommodation Placement Policy and seeks approval for its adoption, although not legally required it is important to help guide those involved through the process, including the applicant and the officers of the Council.

The introduction of this policy formalises the process the Council is following regarding the placement of those requiring temporary accommodation. This policy has been developed to inform and protect those families and individuals the requirement placements as well as protecting the Council from legal challenge.

This policy focuses on the allocations process, it does not include the discharge (move on accommodation). Information on this is covered in the Lettings Policy

Key Decision: YES

Significantly Affected Wards: All

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

Agree and adopt the policy in full as of 1st April 2024

Policy Overview:

The Housing Act 1996 places a statutory duty on local authorities to provide temporary accommodation for applicants during the period between initial application and decision to accept or reject the application and if accepted, until the conditions for discharging duty are met.

Ashford Borough Council is experiencing complex housing pressures that have impacted on the authority's ability to source and provide temporary accommodation and long term settled accommodation for applicants facing homelessness

and in response to this demand, the council is seeking a formalised policy approach to placements to:

- enable best use of temporary stock.
- ensure applicants needs are assessed and met as far as is reasonably practicable.
- Limit opportunity for legal challenge in relation to suitability of temporary accommodation

A policy is needed to formally set out the authority's approach to making placements into Temporary Accommodation.

It will detail how applicants will be prioritised for temporary accommodation in Ashford, and out of area.

This policy does not cover the council's approach to discharging its homelessness duty or the placement into permanent social housing as a secure or assured tenant.

Financial Implications:

There are no financial implications of implementing this policy.

Legal Implications:
*Text agreed by
Principal Litigator on
02/01/24*

Although there is no statutory duty to have a policy for Temporary Accommodation Placement, the adoption of a policy aims to guide would be applicants, officers, members, and the public on how the authority will consider and deal with such matters. As such it appears pragmatic to maintain such a policy, and from time to time review the policy when there is change to guidance, legislation, or case law.

Equalities Impact Assessment:

See Attached

There is no anticipated negative impact on any persons in relation to their protected characteristics. The changes being proposed within the new policy will affect everyone equally or in a positive way.

Data Protection Impact Assessment:

Not applicable

Risk Assessment (Risk Appetite Statement):

Not applicable

Sustainability Implications:	Not applicable
Other Material Implications:	This report does not impact on Environmental, Human Rights, Staffing or Community Safety Issues
Exempt from Publication:	NO
Background Papers:	N/A
Contact:	Amanda.gill@ashford.gov.uk – Tel: (01233 330405) <u>Ellen.black@ashford.gov.uk</u> – Tel: (01233 330809)

Report Title: Temporary Accommodation Placement Policy

Introduction and Background

1. The Housing Act 1996 places a statutory duty on local authorities to provide temporary accommodation for applicants during the period between initial application and decision to accept or reject the application and if accepted, until the conditions for discharging duty are met.
2. Ashford Borough Council is experiencing complex housing pressures that have impacted on the authority's ability to source and provide temporary accommodation and long term settled accommodation for applicants facing homelessness.
3. As at 1st December 2023 there are currently:
 - a. 198 households placed in temporary accommodation.
 - b. 22 households placed outside Ashford, 18 of those are families.
 - c. 43 households residing in shared type accommodation, 16 of those are families.
4. In response to this demand, the council is seeking a formalised policy approach to placements to:
 - enable best use of temporary stock.
 - ensure applicants needs are assessed and met as far as is reasonably practicable.
 - Limit opportunity for legal challenge in relation to suitability of temporary accommodation

Proposal

5. Although officers are already following the guideline below, the policy formally sets out:
 - a. The legal and regulatory framework that needs to be adhered to:
 - i. The Housing Act 1996 Part VII (as amended)
 - ii. The Children Act (s11)
 - iii. The Homelessness (Suitability of Accommodation) Order 2012
 - iv. Homelessness reduction Act 2017

v. Homelessness Code of Guidance

- b. The legislation requires officers to consider suitability of placement having regard to:
- i. Accessibility of the temporary accommodation location, including transport links to shops and local facilities (e.g., healthcare)
 - ii. Proximity of the temporary accommodation location (and distance to travel) to a place of current employment
 - iii. Proximity of the temporary accommodation location (and distance to travel) to schools, which children are currently attending.
 - iv. The significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household.
6. The policy will detail how applicants will be prioritised for temporary accommodation with emphasis on:
- a. Keeping applicants within Ashford wherever is reasonably practicable (external placements only being made where all other options have been exhausted)
 - b. Giving priority for temporary accommodation units within Ashford to those that have priority under the council's policy as set out in Section 8.
 - c. Providing self-contained accommodation for families with children wherever is reasonably practicable.
7. Section 6 of the policy addresses the process for a handling of refusals.
8. This policy does not cover the council's approach to discharging its homelessness duty or the placement into permanent social housing as a secure or assured tenant. This is covered in the Lettings Policy.

Equalities Impact Assessment

9. Members are referred to the attached Assessment.
10. There is no anticipated negative impact on any persons in relation to their protected characteristics. The changes being proposed within the new policy will affect everyone equally or in a positive way.
11. Those positively affected are as follows:

- a. Pregnant
- b. Children
- c. Young persons
- d. Those with physical, sensory, or mental health concerns

Consultation Planned or Undertaken

- 12. No consultation undertaken as we have already been operating in this way and we are formalising the approach.
- 13. Comments have been sought from Legal and from the Portfolio Holder for Housing and are included in this report.

Other Options Considered

- 14. There are no alternative options that can be considered. The Policy is a legal requirement that will protect the Council from risk.
- 15. A delay in implementation is not recommended as demand for temporary accommodation is growing steadily and the officers are actively having to source accommodation outside of the area and / or make placements that are not deemed to be robust to challenges of suitability. This leaves the authority open to legal challenge.

Reasons for Supporting Option Recommended

- 16. The new policy will provide a clear and robust framework for making placements, helping to guide applicants through the process, ensuring they understand what that process entails. It also protects the Council from legal challenge.
- 17. The new policy will formally set applicants needs as the priority when making placements and will be a positive step in terms of the service level being provided.

Next Steps in Process

- 18. All new placements from the date of its implementation will be subject to the criteria set out within the policy.
- 19. Current placements will not be subject to review but where suitability queries are raised these will be addressed by officers having regard to the policy.
- 20. Housing will monitor the impact of the changes after April 2024 and continue to support customers.

Conclusion

21. In conclusion, the adoption of the new Placement Policy is strongly recommended.
22. There is no anticipated negative financial or legal implication because of this policy.

Portfolio Holder's Views

23. Having considered the content of this new policy and the supporting documents, I support its introduction as it is needed, timely and will assist the Council to conduct its duties owed to homeless households set out under the legislation.

Contact and Email

24. Amanda Gill, Service Improvement Manager
(amanda.gill@ashford.gov.uk) 01233 330405
25. Ellen Black, Allocation Manager
(ellen.black@ashford.gov.uk) 01233 330809

Equality Impact Assessment

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

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

Public sector equality duty

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

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

Protected characteristics

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

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

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

Due regard

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

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

8. In terms of timing:

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

Armed Forces Community

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

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

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

Case law principles

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

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

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

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

Lead officer:	Amanda Gill / Ellen Black
Decision maker:	Cabinet
Decision: <ul style="list-style-type: none"> • Policy, project, service, contract • Review, change, new, stop 	<p>The decision requested from Cabinet is concerning adoption of a Placement Policy for temporary accommodation.</p> <p>The policy sits within Housing.</p> <p>This is a new policy.</p>
Date of decision: The date when the final decision is made. The EIA must be complete before this point and inform the final decision.	TBC
Summary of the proposed decision: <ul style="list-style-type: none"> • Aims and objectives • Key actions • Expected outcomes • Who will be affected and how? • How many people will be affected? 	<p>The policy considers the statutory requirements on local authorities in respect of the suitability of accommodation, including the suitability of Accommodation orders, the Homelessness code of guidance, and any supplementary guidance. It has been formulated having regard to the need to safeguard and promote the welfare of children, as required by section 11 of the Children Act 2004.</p> <p>It concerns all households that are placed into accommodation made under Section 188 & Section 202 of the Housing Act 1996, whilst investigations are conducted as well as when households are accepted as homeless under Section 193.</p> <p>The Homelessness Code of Guidance for Local Authorities, published by MHCLG states that housing authorities are advised to develop policies for the procurement and allocation of accommodation which will help ensure that suitability requirements, including the location of the accommodation, are met. This policy has taken the statutory guidance into account when making decisions about out of borough temporary accommodation placements.</p> <p>The purpose of this Policy is to clarify what the term 'reasonably practicable' usually means in terms of the suitability of offers made within and outside of the Ashford area. The guidance is intended to frame the decisions made in each individual case, having regard to the:</p> <ol style="list-style-type: none"> a) Accessibility of the TA location, including transport links to shops and local facilities (e.g., healthcare) b) Proximity of the TA location (and distance to travel) to a place of current employment c) Proximity of the TA location (and distance to travel) to schools, which children are currently attending

	<p>d) The significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household.</p> <p>The expected outcome is that we can achieving well-balanced fair decisions to customers in crisis who have to go into temporary accommodation and to make best use of stock doing so.</p> <p>We also wish to ensure officers are protected and have a framework when decisions making by guiding officers in the process and ensure consistency of approach.</p> <p>We make on average 500 placements annually and this policy would concern all households approaching us.</p>
<p>Information and research:</p> <ul style="list-style-type: none"> • Outline the information and research that has informed the decision. • Include sources and key findings. 	<p>There are currently 187 households in temporary accommodation of which 38 are in B&B style accommodation and 21 are outside Ashford.</p> <p>There is a duty to find a housing pathway so that the Council can discharge their legal duty to these households.</p> <p>Officers use Huume to log placements and to track activity / monitor these households more carefully via a dashboard.</p> <p>Profiles of our TA assist with forming decisions currently and we are moving to Procurement Framework very soon for consistency over the procurement of the TA that we use.</p> <p>The TA Officers must use this information to inform their decisions around placements so that they are made fairly, consistently and so that we make best use of stock at all times.</p> <p>The benefits of the policy will be:</p> <ul style="list-style-type: none"> • Perception among customers of fairness of the allocation of temporary accommodation • Audit to ensure the service can demonstrate a consistent approach with temporary accommodation placements. The Placement Policy is also an expectation of the TA Audit. • Enables us to sustain customers in accommodation by closely managing this area • Remove the pressure from homeless officers when making decisions as this provides a consistent approach • Provides applicants with an understanding on the considerations taken when an offer of accommodation has been made.

	<ul style="list-style-type: none"> Failure to provide good quality emergency temporary accommodation could leave the council exposed to legal challenge through judicial review <p>There are no alternative options that can be considered. The Policy is a requirement that will protect the Council from risk.</p>
<p>Consultation:</p> <ul style="list-style-type: none"> What specific consultation has occurred on this decision? What were the results of the consultation? Did the consultation analysis reveal any difference in views across the protected characteristics? What conclusions can be drawn from the analysis on how the decision will affect people with different protected characteristics? 	<p>No consultation planned with external stakeholders.</p> <p>Comments have been sought from Legal and from the Portfolio Holder for Housing and are included in the report to Cabinet.</p> <p>In terms of who this decision and policy affects, our customers are from diverse backgrounds.</p> <p>There is no anticipated negative impact on any persons in relation to their protected characteristics. The changes being proposed within the new policy will affect everyone equally or in a positive way.</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.

Protected characteristic	Relevance to Decision High/Medium/Low/None	Impact of Decision Positive (Major/Minor) Negative (Major/Minor) Neutral
<u>AGE</u> Elderly	None	Neutral
Middle age	None	Neutral
Young adult	High	Positive (Minor)
Children	High	Positive (Minor)
<u>DISABILITY</u> Physical	High	Positive (Minor)
Mental	High	Positive (Minor)
Sensory	High	Positive (Minor)
<u>GENDER RE-ASSIGNMENT</u>	None	Neutral

<u>MARRIAGE/CIVIL PARTNERSHIP</u>	None	Neutral
<u>PREGNANCY/MATERNITY</u>	High	Positive (Minor)
<u>RACE</u>	None	Neutral
<u>RELIGION OR BELIEF</u>	None	Neutral
<u>SEX</u> Men	None	Neutral
Women	None	Neutral
<u>SEXUAL ORIENTATION</u>	None	Neutral
<u>ARMED FORCES COMMUNITY</u> Regular/Reserve personnel	None	Neutral
Former service personnel	None	Neutral
Service families	None	Neutral

Mitigating negative impact: Where any negative impact has been identified, outline the measures taken to mitigate against it.	There is no anticipated negative impact. All cases awaiting placements need to be checked that they have a completed suitability questionnaire, and the content is considered when making the placement.
---	---

Is the decision relevant to the aims of the equality duty?	
Guidance on the aims can be found in the EHRC's Essential Guide , alongside fuller PSED Technical Guidance .	
Aim	Yes / No / N/A
1) Eliminate discrimination, harassment and victimisation	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

Conclusion: <ul style="list-style-type: none"> Consider how due regard has been had to the 	Age This policy presents a positive impact for young people and children as extra consideration is given to suitability based on their needs.
---	---

<p>equality duty, from start to finish.</p> <ul style="list-style-type: none"> • There should be no unlawful discrimination arising from the decision (see guidance above). • Advise on whether the proposal meets the aims of the equality duty or whether adjustments have been made or need to be made or whether any residual impacts are justified. • How will monitoring of the policy, procedure or decision and its implementation be undertaken and reported? 	<p>Marriage and Civil Partnership This policy doesn't address any difference that may be encountered in relation to people who are married or in a civil partnership.</p> <p>Race This policy doesn't address any difference that may be encountered in relation to race.</p> <p>Pregnancy and maternity This policy presents a positive impact for young people and children as extra consideration is given to suitability based on their needs and of the household.</p> <p>Religion and belief This policy doesn't address any difference that may be encountered in relation to Religion / belief.</p> <p>Sexual Orientation This policy doesn't address any difference that may be encountered in relation to sexual orientation.</p> <p>Gender This policy doesn't address any difference that may be encountered in relation to gender.</p> <p>Gender Reassignment This policy doesn't address any difference that may be encountered in relation to gender.</p> <p>Disability This policy does set out consideration for households that have health factors and that have care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Ashford.</p> <p>We have analysed how this policy may affect people with protected characteristics either positively or negatively. There is no known negative impact for any of these groups. There is a positive impact in that consideration will be given to placements that are not deemed suitable for certain groups identified in this EIA.</p> <p>Advice has been sought from Legal and no unlawful discrimination has been identified.</p> <p>This analysis of this policy via this document gives proper consideration and due regard to the needs of diverse groups.</p> <ul style="list-style-type: none"> • There is no identified discrimination • There is no variation of opportunity or access
--	--

	<ul style="list-style-type: none">• As there is no identified negative impact it neither fosters no hinders good relations. <p>There are no impacts to justify in relation to the Equality Act.</p> <p>The new policy will be monitored annually in terms of its impact. Any changes to the policy will result in a review of this EIA.</p>
EIA completion date:	02/01/24

Policy:	Temporary Accommodation Placement Policy
Original Implementation Date:	Planned Implementation 01/04/24.



Control Schedule			
Policy Owner:	Sharon Williams		
Policy Author:	Amanda Gill		
Approved By:			
Approval Date:		Minute reference:	
Policy Review Due:		Review Cycle:	
EIA completed:	02/01/24	EIA Review Due:	02/01/25

Version Control				
Version	Date	Author	Comment	Approved by
1.0	01/04/23	AG	First Issue	AG

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

Contents

1. Policy Statement	Error! Bookmark not defined.
2. Scope of the policy	2
3. Legal & Regulatory framework	3
4. Policy Details	4
5. Offers and Refusals	5
6. Suitability of Accommodation – Factors to consider	6
7. Criteria for prioritising placements inside/outside Ashford	7
8. Equality and diversity	10
9. Impact and measurement	11
10. Equalities Impact Assessment	11
11. Review of Policy	11
Appendix 1 – Minimum Size Criteria	12

1. Policy Statement

- 1.1. The Housing Act 1996 places a statutory duty on local authorities to provide interim accommodation for applicants during the period between initial application and decision to accept or reject the application and if accepted, until the conditions for discharging duty are met.
- 1.2. Ashford Borough Council seeks to accommodate homeless households in Ashford wherever practicable and will consider the circumstances of individual household needs and suitability of accommodation.
- 1.3. However, due to a shortage of affordable housing locally and rising rental costs, an increasing number of households are likely to be placed outside of Ashford.
- 1.4. Accommodation will only be procured outside of the area when all other reasonable options have been exhausted. An assessment will be carried out to determine the suitability of accommodation.

2. Scope of the policy

- 2.1. Ashford Borough Council is experiencing complex housing pressures that have impacted on the authority's ability to provide long term settled accommodation for applicants facing homelessness. In response to this voluminous demand, the council is seeking a formalised policy approach to temporary accommodation (TA) placements.

2.2. The policy and the associated guidance details how applicants will be prioritised for temporary accommodation in Ashford, and out of area. This policy does not cover the council's approach to discharging its homelessness duty or the placement into permanent social housing as a secure or assured tenant.

2.3. **Definitions** Homelessness applicant – This is a person who completes an application to be assessed as homeless. The definition of legally homeless is set out in Part VII of the 1996 Housing Act (as amended). This policy refers to a homelessness applicant as 'the applicant'

3. Legal & Regulatory framework

The Housing Act 1996 Part VII (as amended)

The Council has a legal duty to provide interim accommodation, if there is reason to believe that the applicant may be homeless, eligible for assistance and has a priority need under S188.

Housing Act 1996 (S208)

- A placing local authority should notify the host local authority when placing a homeless household in their area within 14 days of the accommodation being offered to the household.

The Children Act 2004 (s11)

- Local authorities have a particular duty under act to have regard to the need to safeguard and promote the welfare of children.

The Homelessness (Suitability of Accommodation) Order 2012

This sets out the following criteria: In determining whether accommodation is suitable for a person, the local housing authority must consider the location of the accommodation, including:

- a) where the accommodation is situated outside the district of the local housing authority, the distance of the accommodation from the district of the authority; the significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household;
- b) the proximity and accessibility of the accommodation to medical facilities and other support which:
 - are currently used by or provided to the person or members of the person's household; and
 - are essential to the well-being of the person or members of the person's household; and

- the proximity and accessibility of the accommodation to local services, amenities and transport.

Nzolameso V Westminster City Council 2015

The Supreme Court case judgment in Nzolameso v Westminster City Council 2015 had significant ramifications for local authorities, who are advised to adopt policies as to the procurement and allocation of temporary accommodation. Care should be taken to ensure that the policies reflect the obligations under section 208, the 2012 Order and the associated statutory guidance and under section 11 of the Children Act 2004.

Homelessness Reduction Act 2017

Section 206(1) provides that all accommodation provided under Part 7 of the 1996 Act must be suitable for the applicant and their household, and the suitability requirements under section 210 apply.

Homelessness Code of Guidance for Local Authorities

The code of guidance provides further information about the suitability of the location of accommodation. The code consolidates the existing legislation, case law and good practice.

4. Policy Details

4.1. The guidance is intended to frame the decisions made in each individual case, in respect of temporary accommodation (TA) placement, having regard to:

- a) Accessibility of the TA location, including transport links to shops and local facilities (e.g., healthcare)
- b) Proximity of the TA location (and distance to travel) to a place of current employment
- c) Proximity of the TA location (and distance to travel) to schools, which children are currently attending.
- d) The significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household.

4.2. The criteria above will be applied based on reasonableness in deciding whether an offer of TA is made inside or outside of the Ashford area. There will be locations near (but outside of) Ashford which are suitable and accessible to areas within Ashford. An offer of TA in a neighbouring local authority area may be suitable due to good transport links and the proximity to current places of employment, schools etc.

4.3. There are a substantial number of applicants who approach the Council seeking assistance who do not originate or have not recently been resident

within Ashford. It may not be reasonably practicable to provide TA to every applicant within the Ashford area, although this depends on current demand and where the household has been living recently. Every case will be considered individually based on risk and suitability, having regard to the criteria above. Whilst most households will be offered TA in Ashford, there is likely to be a significant number of households who will be placed in suitable accommodation outside of the Ashford area.

- 4.4. The Local Housing Allowance (LHA) is used to work out how much Housing Benefit a licensee will receive to pay their rent. LHA rates depend on who lives in the household, and the area they are making their claim in.
- 4.5. Due to the limited supply of affordable, suitable TA in Ashford, it may be necessary to procure accommodation out of area. Where possible, this accommodation will be in areas neighbouring Ashford. However, it may be necessary to secure accommodation further away. This will only be sourced when all other reasonable options have been exhausted.
- 4.6. The Council will notify the host local authority when placing a homeless household in their area within 14 days by completing a S208 notification.

5. Offers and Refusals

- 5.1. Homeless applicants who are housed under the interim duty to accommodate pursuant to Section 188 HA96 may be placed into accommodation with shared facilities. For urgent situations, B&B accommodation might be used, but in most circumstances for a short period only, until alternative accommodation can be found. For any out of hours placements, Bed & Breakfast accommodation will be used for an interim period until a full assessment can be made.
- 5.2. Wherever possible, the Council will avoid placing families with dependent children; pregnant women; and young people aged 16/17 in bed and breakfast accommodation. Where no other suitable accommodation exists and such placements are necessary, the Council will endeavour to move these households to more suitable accommodation within six weeks.
- 5.3. The council will seek to provide self-contained accommodation to families with children, but where this is not reasonably practicable at the time of a household need for interim accommodation, then TA with shared facilities may be provided/offered.
- 5.4. Where the council determines that applicants housed under Section 188 HA96 are not owed the main homelessness duty, they will be asked to leave following reasonable notice, after being notified of the decision. The reasonable notice period is generally 28 days (having regard to the need to safeguard and promote the welfare of any children in the family). The cessation of temporary accommodation will always be notified to Children's Services in cases where there are dependent children.
- 5.5. Applicants will be given one offer of suitable, interim, temporary accommodation and they will be asked to accept the offer within 24 hours.

There is no obligation upon the Council to enable applicants to view the accommodation prior to acceptance. In making the offer, the household's individual circumstances will be considered.

- 5.6. Where applicants refuse an offer of suitable emergency (interim) accommodation (which may be out of area) and the Council considers that the offer is suitable, applicants will not be offered further accommodation. The applicant will be required to make their own arrangements. There is no right of internal review against the suitability of accommodation offered to applicants under Section 188 HA96 (although applicants can apply for judicial review through the courts).
- 5.7. For applicants where the council has accepted a rehousing duty under section 193 HA96, (Section 193 duty) there is a right to request an internal review of the suitability decision, pursuant to Section 202 HA96. Where applicants (towards whom the council has accepted a S193 duty), refuse a suitable offer and submits a review request, they will only continue to be accommodated during the review period in exceptional circumstances. Each case will be considered on an individual basis, considering the overall merits of the review request, any new information or evidence that may affect the original decision, and the personal circumstances of the applicant and the potential impact of loss of accommodation.

6. Suitability of Accommodation – Factors to consider

- 6.1. In offering accommodation, the council will assess the suitability of the offer, using the following factors.
- a) **Location** – if suitable affordable accommodation is available in its area, applicants will be housed in Ashford, allowing them to maintain any established links with services and social/support networks. However, when there is a lack of suitable accommodation or there are higher priority households needing accommodation in Ashford, outside of Ashford placements will be used to meet the Council's housing duty. If no suitable accommodation is available in the Ashford, attempts will be made to source accommodation local to Ashford. If this is not available, the provision of accommodation further afield may have to be considered.
- b) **Size, condition and facilities** – accommodation must provide adequate space and room standards for the household and be fit to inhabit (See Appendix 1). Households in temporary accommodation will often be placed into units with 1 bedroom less than they would be entitled to on a permanent basis, with the expectation that the living room provides dual purpose as a living and sleeping area. In deciding on the fitness of the property, consideration should be given to the length of time needed to complete any necessary repairs and whether it is reasonable to complete these while the property is occupied. The quality of the decoration/furniture, the layout/type of accommodation, provision of parking and lack of access to a garden are extremely unlikely to affect a suitability decision and therefore reason for refusal.

- c) **Health factors** – the Council will consider health factors, such as ability to climb stairs, care and support provided by other statutory agencies or the need to access any specialist medical services that are only available in Ashford. If the applicant or a member of the resident household is citing medical grounds that were not identified during the initial assessment, the applicant will be asked to submit medical information. The key test in determining the impact of medical issues is whether the condition itself makes the housing offered unsuitable. Problems such as depression, asthma, diabetes, or back pain would not normally make a property unsuitable, as the problems would persist in any sort of accommodation. However, any medical problems will be reviewed in line with the Council's legislative duties.
- d) **Education** – the Council will consider any attendance at local schools and transport options. Some priority will be given to special educational needs and students who are close to taking public examinations in determining priority for placements in Ashford.
- e) **Employment** – the Council will consider the need of applicants, who are in paid employment, to reach their normal workplace from the accommodation that is secured. This will include having a regard to both travelling time and the costs associated with this travel.
- f) **Proximity to schools and services** - The Council will consider the proximity to schools, public transport, primary care services, and local services in the area in which the accommodation is located.
- g) **Safeguarding** - The Council will seek to identify the welfare of any children in the household, including any needs of the children and promote their welfare in making decisions on whether the offer is suitable.
- h) **Special circumstances** - The Council will consider any other reasons put forward by the applicant and come to an overall view about whether the offer is suitable.

7. Criteria for prioritising placements inside/outside Ashford

- 7.1. As several applicants are likely to be housed outside of Ashford, it will be increasingly necessary to make decisions about the suitability of out of area placements for individual households and balance these against the type and location of temporary accommodation that can be offered.
- 7.2. In some cases, housing out of area can be more sustainable for the household in the longer term, with lower rents allowing them to better meet their subsistence and household costs, and avoid rent arrears. Attempts will be made to find a suitable alternative as close as possible to where the household were previously living. Evidence of this search will be recorded.

- 7.3. If accommodation cannot be sourced in or immediately adjoining Ashford, the principal needs of the individual household must be acknowledged, including adults and children, and assessed both individually and collectively when determining the location of accommodation.
- 7.4. Written evidence and explanation will be recorded and given on a case-by-case basis when making out of area placements, acknowledging each household's collective and individual needs.
- 7.5. Households will be given sufficient time to decide on an out of area offer when no alternatives are available and thorough information regarding the proposed area must be provided. The time being given to decide on an out of area placement will be confirmed to the applicant and recorded. Time given will be on a case-by-case basis.
- 7.6. Priority for accommodation within, or in areas immediately adjoining Ashford will be given to:
- a) An applicant or a member of their household with a severe and enduring health condition requiring intensive and specialist medical treatment where a move from Ashford would disrupt that treatment and continuity of care.
 - b) An applicant or a member of their household who are in receipt of a significant package and range of health care options that cannot easily be transferred.
 - c) An applicant or a member of their household with a severe and enduring mental health problem who is receiving psychiatric treatment and aftercare provided by community mental health services and have an established support network where a transfer of care would severely impact on their wellbeing.
 - d) Applicants who have as part of their household a child registered on the Child Protection Register in Ashford, who are linked into local services, and where it is confirmed that a transfer to another area would adversely impact on their welfare.
 - e) Applicants who have as part of their household a child with special educational needs who is receiving education or educational support in Ashford, where change would be detrimental to their well-being.
 - f) An applicant or a member of their household who have a longstanding arrangement to provide care and support to another family member in Ashford who is not part of the resident household and would be likely to require statutory health and social support if the care ceased.

- g) An applicant or a member of their household who have a formal arrangement to receive housing related or other support, including addiction help or recovery, and where a move from Ashford would disrupt that support.
- h) Any other special circumstances will also be considered (including any particular needs of the children in the household not already identified in a) to g) above).

N.B. Whilst priority will be given for these placements, this is dependent on such accommodation being available.

7.7. When making placements outside of Ashford, consideration will be given to the following:

- a) Applicants who have as part of their household, a child or children who are enrolled in GCSE, AS, or A level courses or post 16 vocational qualifications (for example BTEC) in Ashford, with exams to be taken within the academic year. Wherever practicable, we will seek to place such households within 60 minutes' travelling distance of their school or college.
- b) An applicant or a member of their household who works for more than 16 hours a week will not be placed more than 90 minutes travelling distance, from the place of their employment. Consideration will also be given to the affordability of the travel arrangements needed to reach the place of employment. This will include women who are on maternity leave from employment.
- c) An applicant or a member of their household who is in higher or adult education, vocational or professional training, a recognised apprenticeship, self-employed with a business predominantly in Ashford, have a confirmed start date to commence employment in Ashford or are enrolled in an Ashford work readiness programme.
- d) Any other special circumstance will be considered (including and particular needs of the children in the household not already identified).

N.B. Efforts will be made to reduce the distance from Ashford to a minimum but the supply of accommodation at any point in time will vary considerably.

7.8. If placed outside of Ashford, the council will provide as much detail as possible about the area in which the accommodation is that they have been offered.

7.9. To support the transition to a new area, the council will check whether the family has any involvement with other services. Where no existing support has been identified, the council may offer support to people after their move for a reasonable period, on a case-by-case basis. This may include:

- a) Information about their new local area, for example details regarding local authority services, health services, access to places of worship, or the ethnic and religious make-up of that area
- b) Information on places where parents can get involved with community groups, social activities for their children, and other groups or networks of support
- c) Information on travel and transport, especially back to their home area.
- d) Identifying and arranging schools.
- e) Health, for example signing up with a local GP.
- f) Council links, for example Council Tax, electoral register.
- g) Welfare benefits.
- h) Removals and assistance with identifying appropriate storage.
- i) Financial assistance with immediate resettlement costs, possibly through Local Welfare Provision.

7.10. The package of support will be kept under review and amended as required to ensure the provision of appropriate support.

8. Equality and diversity

8.1. The Council has a statutory duty to have due regard to the need to promote disability, race & gender equality.

8.2. The Council will also be proactive about putting in place arrangements to ensure that they do not unfairly discriminate against individuals on the grounds of their age, religion, personal relations or living and caring arrangements, or whether they live in an urban or rural area. Equality will be integral to the way in which social care is prioritised and delivered.

9. Impact and measurement

- 9.1. The Housing Service Improvement Manager will monitor the outcomes of the policy to help assess the success of it.
- 9.2. The Council continuously monitors the number of households in temporary accommodation to ensure that budgetary pressures can be monitored and reported upon. The analysis of this data will be used to procure appropriate temporary accommodation to ensure that appropriate provision is made in respect of long-term housing options.

10. Equalities Impact Assessment

- 10.1. EIA attached.

11. Review of Policy

- 11.1. Policy to be reviewed yearly.
- 11.2. The Housing Service Improvement Manager will be responsible for overseeing the delivery and monitoring of this policy.
- 11.3. The Policy may also be reviewed at any time, in line with any relevant changes in legislation or Guidance issued by relevant Government.

Appendix 1 – Minimum Size Criteria

Accommodation must provide adequate space and room standards for the household and be fit to inhabit, containing no category 1 hazards within the meaning of the Housing Act 2004 Housing Health and Safety Rating System. Households in temporary accommodation will often be placed into units with less than they would be entitled to on a permanent basis, with the expectation that the living room provides dual purpose as a living and sleeping area.

Section 210 of the Housing Act 1996 requires that local authorities should have regard to Part 10 of the Housing Act 1985 and accommodation should not be statutorily overcrowded. Accommodation will vary in terms of the furniture and equipment provided. The Council are not obliged to provide furnished accommodation, and most will be unfurnished.

The following minimum size criteria apply although larger, *family sized shared accommodation* units in Council owned/managed accommodation might be considered differently on a short-term basis.

Studio or non-self-contained accommodation

- Single applicants
- Couples
- Lone parents with a child under 1 year

One bedroom accommodation

- Couples with 1 child over the age of 10 years (no upper age limit).
- Lone parent with a child aged over 10 and of the opposite sex to the parent.
- Couples with 2 children of the same sex (no upper age limit).
- Couples with 2 children of opposite sexes where both children are under the age of 10 years.
- Lone parents with 2 children of opposite sexes where 1 is over the age of 10 years.

Two-bedroom accommodation

- Couples with 2 children of opposite sexes where one is over the age of 10 years.
- Lone parent with 2 children of opposite sexes where both are aged over 10 years.

Three-bedroom accommodation

- Lone parent and couples with between 3 and 6 children

Four-bedroom accommodation

- Lone parent and couples with more than 6 children



Agenda Item No:

Report To: Cabinet

Date of Meeting: 25th of January 2024

Report Title: Housing Pet Policy

**Report Author &
Job Title:** Anthony Crossley
Neighbourhood Services Manager

**Portfolio Holder
Portfolio Holder for:** Cllr. Bill Barrett
Housing

Summary:

The Housing Neighbourhoods Services Team propose to introduce a pet policy for Council Housing (Appendix A).

Currently many households have pets and they are not currently required to notify the Council when introducing a pet to their home. For some households, such as sheltered housing are not permitted to have a pet. This policy is to formalise the process so the Council knows of the pets within properties but also to extend pet ownership to those that could benefit from having a pet, such as a single elderly person within sheltered housing.

The purpose of the new pet policy is to formalise arrangements for when and how it is possible to have pets as part of a household, helping to guide Housing Officers and the tenants through the process, and to give greater clarity to our tenants about their obligations when keeping pets in their home.

As part of the new pet policy, we are proposing to introduce and keep a record of a pet permission request, this will enable us to gather the information needed for the Neighbourhood Housing Officer to make a decision following an application.

The Council will not withhold approval unless there is a clear reason for doing so, such as an excesses number of pets. Decisions will be turned around in 14 working days.

It should be noted that pets already in the home will not be affected by this policy and current tenants can retain their pets. The Council will also permit residents to move their pets during a housing transfer/move within our stock.

Key Decision: NO

Significantly Affected Wards:	None
Recommendations:	The Cabinet is recommended to:-
Policy Overview:	I. To recommend the implementation and commencement of the Housing Pet Policy Social Housing (Regulation) Act 2024 - 2027
Financial Implications:	There are no financial implications from introducing this policy.
Legal Implications <i>Text agreed by Principal Litigator on 02.01.24</i>	Although there is no statutory duty to have a policy for Pets in Social Housing, the adoption of a policy aids to guide would be applicants, officers, members, and the public on how the authority will consider and deal with such matters. As such it appears pragmatic to maintain such a policy, and from time to time review the policy when there is change to guidance, legislation or case law.
Equalities Impact Assessment	See Attached
Other Material Implications:	None
Exempt from Publication:	NO
Background Papers:	None
Contact:	anthony.crossley@ashford.gov.uk – Tel: (01233 330464)

Report Title: Housing Pet Policy

Introduction and Background

1. The Council does not have a formal pet policy covering all tenanted properties. Those in the Council's general needs stock can own as many pets as they like and the Council does not hold any records of pets being held.
2. Those living in independent living properties are not currently allowed to have pets in their homes and this forms part of their tenancy agreement. If this policy is approved, their tenancy agreement will be amended. The policy aims to address this and provide the opportunity for our independent living scheme tenants to apply to home a pet.

Considerations around introducing a Housing Pet Policy

3. There has been a steady rise in pet ownership in recent years, in particular dogs with dog ownership in the UK rising to 11 million (29% of population) in 2023 from 10.1 million (26% of population) in 2020, Source: Pet Populations – PDSA.
4. We recognise that pet ownership can have a positive impact on a person(s) mental and physical well being because of the happiness and companionship it can bring the persons life.
5. The Neighbourhood Services Team have had an increased number of anti-social behaviour (ASB) reports about dogs barking, being intimidating and causing arguments between neighbours. There have been 10 reports so far in 2023. The policy will help the Council control the number of pets in a property and reduce reports related to ASB these are usually received due to noise or safety concerns.

Proposal – next steps

6. Following endorsement of the pet policy our existing tenancy agreements will be amended to state that tenants must seek permission before keeping pets in their home. This will formalise the process of having pets within the Council's Housing stock.
7. A formal policy and procedure will also help tenants who are planning a move or welcoming a new pet into their household to understand what is appropriate for the property under consideration or that they are bidding for.
8. This policy will not apply retrospectively for tenants that already have pets but will apply to any new pets the tenant may wish to home, requiring them to apply for permission, as per the policy and mended tenancy agreement.

9. Although the policy will not apply retrospectively the team will work to record pet ownership information to help with safeguarding of officers and tenants. This will be achieved through tenancy audits, visits to properties and during viewings. We will record the type and number of pets in our homes and whilst this will obviously change over time, it will be continually updated.
10. The team will identify where there are increasing reports of issues in relation to pets and anti social behaviour, which will help to safeguard staff and visitors when visiting the property. We can use this policy along with tenancy agreement to justify proportionate enforcement actions to target any pet related anti-social behaviour.
11. The Neighbourhood Services Team has reviewed pet homing for our customers taking into consideration recent Government legislation which encourages social housing landlords to be positive towards allowing their customers to home a pet.
12. Part of this agenda is to combat loneliness within some of our communities including for vulnerable people, allowing more tenants to own a pet within our properties.

Additional options considered but discarded

13. Continue without a housing pet policy, this is not good practice because it will deprive some of our most vulnerable tenants in our independent living schemes the opportunity of having a pet and experiencing the positive health and well being benefits that may bring...
14. There is a risk that without control of the number of pets in our properties ASB reports will rise impacting on the lives of those in the community as well as workloads of the team dealing with these reports.

Implications and Risk Assessment

15. If the policy is not adopted, it will continue to make it difficult for Housing to manage what type and amount of pets our tenants are homing. Without a Policy and the appropriate amendment to the tenancy agreements in place we may find it more difficult to enforce removal of the pet or indeed action against a tenancy. Whilst we work closely with the relevant agencies around pets and anti social behaviour, responsibility for action can fall to the Housing Service and we therefore require this policy to enable the desired enforcement.
16. Without a formal policy in place our current and future tenants in our independent living schemes will not be able to have a pet, which in turn may have a negative impact on their current or future mental and physical well-being because of loneliness. Both Central government and the NHS have acknowledged the health impacts of loneliness when people are able to have or care for a pet. This may be a contributing factor to more vulnerable tenants becoming unwell and therefore adding pressure to the NHS.

17. If a formal policy is not adopted the Housing Service will continue to offer an inconsistent, adhoc approach to whether it is appropriate for a pet to be in our accommodation. This would not be favourable, it would rely on professional judgement but may lead to challenge from tenants.

Equalities Impact Assessment

18. Completed and attached.

Consultation Planned or Undertaken

19. Informal consultation carried out through Dahlia Independent Living forum.

Reasons for Supporting Option Recommended

20. Potential improvements to mental and physical wellbeing of our tenants.
21. Helping to stop any animals under the Dangerous Animals Act 1976 being homed as pets in Council stock.
22. Having better oversight of which of our tenants' own pets, particularly dogs, will help us to deal with any reports of nuisance or anti-social behaviour caused by the animals more swiftly, therefore reducing the emotional harm or distress to victims.

Next Steps in Process

23. If Cabinet approves this policy and agrees to the recommendations, Housing will commence engagement with the Council's tenants.
24. Amend tenancy agreements in conjunction with Legal, adding a clause that instructs tenants to adhere to the pet policy. This will be shared with Moat Homes in respect of the PFI properties on Stanhope as they use and adhere to the tenancy agreements and policies used by Ashford Borough Council.
25. Implement the changes to start on 1st April 2024.

Conclusion

26. By introducing a Pet Policy the Council and tenants can expect to see the following benefits:
 - This policy will allow our tenants that reside in our independent living schemes to enjoy pet ownership for the first time. As highlighted earlier in this report, this will contribute to mental and physical well improvements for these tenants.
 - Help the Council to stop breeding of dogs in our tenants homes
 - Build a database of tenants who own cats/dogs..

- It will be a tool to support enforcement of our tenancy agreement against a tenant(s) if they allow their Pet(s) to cause a nuisance, damage to our properties or health and safety hazard to the surrounding community.

Portfolio Holder's Views

27. I welcome this report and support the implementation of the Housing Pet Policy. This policy supports all of our tenants in all of our HRA stock to own a pet(s) in a responsible, lawful and safe manner. It will also help residents in our independent living schemes to own a pet for the first time which may bring great benefits to their physical and mental wellbeing. This policy will also, through the use of the Neighbourhood Services Team, give us a policy foundation to provide oversight of pet ownership and to enforce cases where tenant's pets are causing distress to other residents.

Contact and Email

28. Anthony Crossley – anthony.crossley@ashford.gov.uk

Housing Pet Policy 2024 - 2027



Policy Statement

Ashford Borough Council Housing recognises that pet ownership can be very beneficial for the wellbeing of our tenants, improving mental health, reducing loneliness and can help maintain a healthy and active lifestyle.

This policy is for all our tenants to allow pets in all our properties whilst ensuring the wellbeing of every animal and the surrounding community.

The Council will liaise with the dog warden and animal welfare organisations to ensure the best possible advice, information and expertise are readily available to help tenants look after their pet.

This policy aims to make it clear what pets tenants can or cannot keep at their property and how we expect them and the tenants home to be looked after.

Can you afford a pet?

Looking after a dog or cat can involve a significant financial commitment, including food, equipment, vet bills and medicine. It has been estimated in recent years that the average annual spend can be around £1,183 on a pet dog and £1,028 on a cat. Allowing for an average lifespan of six to eighteen years, the total cost of pet ownership adds up.

Looking after your pet and home

Tenants should also consider how they will exercise their pet, what happens if they becomes unwell or are no longer able to look after it, holiday arrangements and the potential extra cleaning in the home.

Choosing a pet

When choosing a pet, we recommend that tenants seek a pet that needs rehoming from an animal shelter. This will help reduce third party breeding.

More information

For further information on the Animal Welfare Act and other advice about keeping pets go to www.rspca.org.uk

Permission for new tenants or new pets for existing tenants

We will give permission to a tenant to keep a pet if the property is suitable and they are able to take on the responsibilities of looking after the pet. We will also take into consideration whether the tenancy has been breached in any way, for example but not limited, rent arrears due to non-payment of rent, no access for urgent or mandatory

repair works, anti-social behaviour or not looking after the property as set out in the tenancy agreement.

Tenants who wish to have a pet in their home will be asked to complete a pet application form, this is for either a dog or cat and tenants will confirm and provide evidence that these animals have been neutered and microchipped.

We will usually give consent to changes tenants might need to make to their property suitable to accommodate your pet, such as a cat flap, as long as it is agreed that removal and making good the changes are undertaken by the tenant if changes are no longer required, the tenant moves away and the any changes do not affect fire safety. Tenants are not permitted to have a cat flap if a door to their property opens onto a communal hallway in a block of flats.

Permission for breeding or selling animals will not be allowed in any Ashford Council Housing property and appropriate tenancy enforcement will be undertaken if this behaviour is identified.

If a tenant wishes to temporarily foster or home a pet for a short period of time, they must speak with their Neighbourhood Housing Officer to discuss and ask for permission, which will always be confirmed in writing.

Existing tenants

The policy does not apply retrospectively for tenants who already own pets. Tenants will not be allowed to home more than the allowed number of pets when existing pets pass away.

If a tenant already has a pet that we are not aware of, we will expect to be notified by the tenant, and they will be asked to sign a pet contract and be expected to look after the pet according to this policy.

Pet ownership rules for dogs and cats

- Tenants may not breed animals or offer for sale any animal at the property. It is recommended that animals are neutered to prevent breeding.
- All dogs must wear a collar with ID tag and lead in any communal area.
- Dog fouling needs to be cleaned up straight away and disposed of appropriately.
- Tenants are responsible for ensuring their garden is secure.
- All cats and dogs must be microchipped, and the microchip number must be provided to Ashford Borough Council.
- All pets should have the appropriate vaccinations and be regularly treated for fleas and worms if appropriate.
- It is recommended that you purchase pet insurance for your cat or dog.
- Cat and dog flaps must not be installed without Councils prior consent.
- Dead pets must be buried or disposed of in a responsible and safe manner.

The following information will be requested on the pet application form:

- Breed, age, and sex of cat or dog.
- What veterinary practice the cat or dog is registered to.
- Who the primary and secondary carer of the pet will be.
- What type of home you live in.
- You will be asked to provide details on how you will provide care, exercise and training for your pet.
- Nominated person and contact details who will care for the pet in an emergency.
- You will need to provide the microchip number for your pet.
- You will be asked to provide insurance details for your pet if you have a policy.

Please see below to see how many cats or dogs can be homed in each type of property.

Property type*	Property size	Amount of pets
All general needs houses	One bed	One dog or one cat
	Two bed +	Up to two dogs and two cats
All general needs flats in a block	Any	One small** dog or one house cat
Temporary accommodation	Any	One small dog or one cat***
Dahlia independent living properties	Any	One small dog or one house cat

*Small dog would be no bigger than a Highland Terrier

**We cannot give permission for pets in any temporary accommodation that is owned by a third party. We can grant permission for pets in temporary accommodation owned by Ashford Borough Council where the living space is entirely self-contained (i.e. standard self-contained flat, house or maisonette)

Assistance dogs

We will make reasonable adjustments to enable tenants to have an assistance dog on a case-by-case basis.

Keeping an XL Bully dog

If you want to keep your XL Bully dog following the introduction of the new legislation in January 2024, you must apply for a Certificate of Exemption by 31 January 2024 and provide your Neighbourhood Housing Officer with the evidence of this for your house file records.

Useful link: [Apply for a Certificate of Exemption to keep an XL Bully dog - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Pets you do not need permission for

Ashford Borough Council tenants do not need permission to keep a reasonable number of caged house birds and small caged animals like hamsters, rabbits etc. However, breeding and selling is not permitted and if tenants are found to not be looking after their home well, we may prevent you from having any caged animals or birds. Any food stored outside for your pets must be in a sealed container to reduce the potential infestation of vermin.

Animals we will not give permission for

- Wild animals
- Livestock or farm animals
- Endangered species or any dogs identified in the Dangerous Dogs Act 1991, or any subsequent legislation. If a tenant is identified as owning a dangerous dog we will liaise with the tenant and the local authority and if the dog is put on the index of exempted dogs (IED) we may allow you to keep the dog in the property as long as you keep to the terms of the exemption certificate.

Withdrawing permission to keep a pet

We may withdraw permission for you to keep your pet if you are in breach of your tenancy agreement or this pet policy. If permission is withdrawn this will be confirmed in writing to you. You will be required to rehome your pet.

Nuisance behaviour caused by your pet

If it is identified that any animal living in a property is causing nuisance behaviour we will record it as an anti-social behaviour complaint. We will ask the tenant to quickly resolve any problems themselves. If a tenant fails to find a suitable resolution to the anti-social behaviour caused by their pet, we will consider withdrawing permission to keep the pet and start enforcement action for breach of tenancy in line with Council's Anti-Social Behaviour Policy.

The following are some examples of what we consider to be nuisance behaviour.

- Fouling in a communal staircase, walkways, courtyards or any communal area or dwelling including tenants own property. Tenants are responsible for cleaning up any mess immediately.
- Injuring or frightening anyone into thinking they might be injured.
- An animal out of control or a danger to other residents.
- Failing to keep a pet on a lead in all communal areas.
- Making a noise that causes or is likely to cause alarm, distress or harassment to others.
- Allowing an animal to cause damage to an Ashford Borough Council property.

- Failing to comply with the terms of any dog control notice or similar notice issues by the relevant authority.

Keeping a pet without permission being granted

If we have evidence that you are keeping a cat or dog without permission, we may consider taking the following actions:

- Request you apply for permission within 14 working days.
- Instigate relevant tenancy enforcement action if you fail to complete an application and/or your application is refused and you do not rehome your pet.
- Serve a Community Protection Warning Notice.
- Serve a Community Protection Notice.
- Instigate legal proceedings.

Appeal process

If you are not granted permission to have a pet or permission is withdrawn, you can request an appeal in writing to the Neighbourhood Services Manager within 14 days of your application being refused. Decision will be made within 14 days of receipt. If an appeal is not upheld, your pet will need to be rehomed within 14 days of receipt of the decision in writing, unless a different timescale is agreed with the Council.

Please write to:

Neighbourhood Services Manager
Ashford Borough Council
Tannery Lane
Ashford
Kent
TN23 1PL

Or email: customer.care@ashford.gov.uk marking your email for the attention of the Neighbourhood Services Manager.

Legal obligations

The Animal Welfare Act 2006 makes owners responsible for ensuring their animals welfare needs are met.

These include the need:

- For a suitable environment (place to live)
- For a suitable diet.
- To exhibit normal behaviour patterns.
- To be housed with or apart from other animals (if applicable).
- To be protected from pain, suffering, injury, and disease.
- Minimum age of pet ownership is 16 years.

Anyone who is cruel to an animal or does not provide for its welfare needs may be banned from owning animals, fined up to £20,000 and/or sent to prison.

Dog owners can be prosecuted if their dog attacks a person in their own home or in any public place. This includes any attack on assistance dogs.

Joint Transportation Board

Minutes of a Hybrid Meeting of the Joint Transportation Board held in Committee Room No. 2, Civic Centre, Tannery Lane, Ashford on the **5th December 2023**.

Present:

Cllr. Heyes (Chairman) - ABC
Mr. P Bartlett (Vice Chairman) - KCC

Cllrs. Gathern, Forest, Feacey, Michael -- ABC

Mr D Robey, Mr C Simkins – KCC

Mr G Cosgrove – KALC Representative

Apologies:

Mrs C Bell, Mr M Hill – KCC

Mrs C Drury – KALC

Also present

Cllrs. Chilton, Wright – ABC

Assistant Director Planning & Development; Principal Solicitor (Strategic Development); Safety and Wellbeing Manager; Parking Team Leader; Technical and Transport Officer; Member Services Officer; Member Services and Ombudsman Complaints Officer

In Attendance (virtually):

Cllrs. Joseph, Meaden – ABC

Highway Manager Ashford, Community Engagement Officer – KCC

239 Minutes

Resolved:

That the Minutes of the Meeting of this Board held on the 5th September 2023 be approved and confirmed as a correct record.

240 A28 dualling update report

The Assistant Director Planning and Development introduced the report and drew Members' attention to the key points. The Chairman opened up the item for discussion

and the following points/questions were raised:

- A Member commented that the A28 dualling delays affected residents in his ward because it was a blight on their ability to sell their properties. He was grateful to the Assistant Director of Planning and Development for his efforts to hold firm and adhere to the original plan.
- In response to a question about representations at any planning appeal by the developer, the Assistant Director Planning and Development said it was conceivable that the Planning Inspectorate might be amenable to receiving representations from local groups, including KCC Members for the area.
- A Member noted that the costs of the project would be rising but that the bond was for a fixed amount, which may lead to a funding shortfall. The Assistant Director Planning and Development concurred that this might be the case but that it was hard to know at this stage and therefore it was important to deliver the scheme as soon as possible. The onus at this point remained with the lead developer. In response to a comment about LEP funding, he explained that the developer had taken a decision previously not to make use of the LEP opportunity, which was regrettable in his view, and the large majority of this facility had now fallen away.
- The Portfolio Holder for Climate, Environment and Transport said that he was still committed to the dualling of the A28, but that he also wished to see the development of a cycle and walking network alongside the dualling project. The Assistant Director Planning and Development said the Council remained committed to providing good links between Chilmington and the Town Centre. He said consideration had been given to including additional cycling and walking links within the dualling scheme but that if this was not successful such links should be delivered independently of the A28 improvements.
- A KALC representative said that the lack of delivery of strategic roads in the area was putting local distribution roads under greater strain. He suggested that a circular ring road around the south of Ashford could provide a possible solution.
- There was a question about the potential timing of the scheme. The Assistant Director Planning and Development advised that the timeline from procurement to delivery would be in the region of 18 months to two years. He estimated that 400 occupations at Chilmington Green could be reached early in 2024. However, the main question remained over the delivery of the bond by the developer and any subsequent Council response. He suggested that he should provide an update to a future JTB meeting, when more details were known.
- A KCC Board Member advised that the KCC Walking and Cycling Strategy was currently out for consultation, closing on 10th January 2024, and this would be a vehicle for commenting on additional routes required for Ashford.
- A Member noted that there were plans for providing a non-segregated pedestrian and cycle route either side of the dual carriageway. She asked whether there was now a case for making this a segregated route, in view of the increasing use of electric bicycles.

- A KCC Board Member asked about the progress on the planning appeal. The Assistant Director Planning and Development said he understood that the Planning Inspectorate was currently considering the issue and he speculated that more concrete information could be available by early to mid-January.
- A Member asked about the planning application for a McDonalds outlet on the tank roundabout. He asked for assurance that there would be no consequences to the free flow of traffic on the A28 when the new outlet was open. The Assistant Director Planning and Development said that he was reassured by the fact that KCC had not raised any concerns with planning officers on this point. However, he would have to check the file for this particular application to provide more detailed information.
- It was agreed that if there was any further substantive information available on this item, the Assistant Director Planning and Development would liaise with the Chair with a view to providing an update to a future meeting.

Resolved

That the report be received and noted and an update report be provided to a future Board meeting.

241 Parking restriction times in the town centre and residential zones

The Chairman introduced this item and suggested that parking restriction times, currently up to 10pm in the town centre, could be considered excessive and he questioned whether the restrictions should be stopped at an earlier time to allow for more on-street parking in the evenings. He asked the Safety and Wellbeing Manager to provide more information on the Council's Parking Strategy.

The Safety and Wellbeing Manager explained that there was currently a cross-party working group to consider the Parking Strategy. The aim of the Strategy was to support sustainable business growth in the town, to provide safe and convenient car parks and on-street parking, to provide customer-focused service and consider best use of council land. This was also an ideal time to reconsider and refresh residential parking zones, which had now been in place for over 20 years. The aim is to provide a draft strategy to Cabinet in March 2024, followed by a period of public consultation before formal sign off.

A KCC Board Member advised that the Parking Strategy had been recently discussed at the Central Forum and officers had been invited to attend the next Forum meeting on 8th January with feedback. The Member said he would report back to the next JTB Board meeting.

Resolved

That the report be received and noted.

242 Highway Works Programme update report

The Highway Manager – Ashford introduced this item. The Chairman opened up the

item for discussion and the following questions/points were raised:

- A Member asked a number of questions relating to highways issues within his Ward. The Highway Manager – Ashford explained that these issues were not on the current highways works programme, and any new enquiries/reports should be raised via the online reporting process. It may be that the team was already aware of some of the issues, but the correct process was to log any new issues online.
- A KALC rep raised the issue of dangerous layout and occurrences at the A2070 Finberry Park junction. He also noted motorists turning right out of the McDonalds road. He mentioned that the cycling instructions in the area appeared to be inconsistent, and he asked whether the traffic lights at the Inland Border Facility could be triggered instead of timed. The Highway Manager – Ashford replied that these were National Highways networks matters and any reports/issues should be directed to their online reporting system.
- A Member asked about the Strategy Report provided at Appendix F. The Highway Manager – Ashford said that she would seek more information on this report and feedback to the Member concerned offline.
- A Member pointed out that the lane system at Drivers Roundabout was confusing and created dangerous conditions. He questioned whether enforcement cameras could be introduced. The Highway Manager – Ashford advised that there were no plans to install camera enforcement at the roundabout at present.
- A Member asked for clarification over who was responsible for clearing wet leaves on the footpath to Eureka. It was not clear whether this was KCC and ABC. The Highway Manager – Ashford replied that this was a Public Rights of Way issue. The Member asked her to make arrangements for someone from that team to contact him.
- A Member asked whether the bus gates were currently operational, and, if so, when had this commenced. He also asked whether the cameras detected motorists driving on the wrong side of the road when coming out of Sackville Crescent. The Highway Manager – Ashford said she would have to ask colleagues for more information on this and feedback to the Member concerned offline.

Resolved

That the report be received and noted.

243 Parking and Waiting Restrictions update report

The Technical and Transport Officer introduced this item and drew attention to the key points within the report. The Chairman opened up the item for discussion and the following questions/points were raised:

- A Member noted that cars were generally becoming larger and asked whether there were plans to increase the size of parking bays. He also asked about provision of electric vehicle charging points for taxi use. The Technical and

Transport Officer advised that the size of parking bays could be discussed at the next Parking Strategy meeting, but he pointed out that bigger parking bays would result in a smaller number of bays available. Regarding a charging point for electric taxis, there was currently only one electric taxi in Ashford but the Technical and Transport officer was liaising with KCC in relation to the possibility of installing a fast EVCP at the taxi feeder rank.

Resolved

That the report be received and noted.

244 Ashford HGV Enforcement update report

The Parking Team Leader introduced this report and highlighted the main points. The Chairman opened up the item for discussion and the following questions/points were raised:

- A Member noted point 5 in the report and said he thought that the varying times were confusing for HGV drivers. The Parking Team Leader replied that variable times were desirable so that the visits of the enforcement contractor were not predictable. The Safety and Wellbeing Manager advised that the order was in place at all times overnight, but that enforcement visits were varied.
- A KCC Board Member asked whether there were any plans to increase HGV parking locally. The Parking Team Leader said she was not aware of any plans and added that a number of companies were using the pre-booking facility to ensure parking for their drivers at the Ashford Truckstop so they could avoid road-side parking. A Member pointed out that there were only restrictions on certain roads.
- A Member asked whether parking restrictions were suspended during Operation Brock and the Parking Team Leader replied that this was not the case. Restrictions had been suspended during Operation Stack, but they were kept in place for Operation Brock.

Resolved

That the report be received and noted.

Queries concerning these Minutes? Please contact Member Services:
Telephone: 01233 330349 Email: membersservices@ashford.gov.uk
Agendas, Reports and Minutes are available on: <https://ashford.moderngov.co.uk>

This page is intentionally left blank

Trading and Enterprise Board

Minutes of a Meeting of the Trading and Enterprise Board held in the Council Chamber, Civic Centre, Tannery Lane, Ashford, on the **28th November 2023**.

Present:

Cllr. Betty (Chair)

Cllrs. Harman, Ovenden, Walder.

Apologies:

Corporate Director of Housing, Customer, Technology and Finance (in her Capacity as Director of A Better Choice for Property Ltd), Communications and Marketing Manager.

Also Present:

Cllr. Feacey (in his capacity as Chair of Ashford International Development Company).

Deputy Chief Executive, Head of Economic Development, Head of Strategic Projects (in his capacity as Director of Ashford International Development Company), Service Lead Finance, Commercial Development Manager (A Better Choice for Property Ltd), Operations Manager (A Better Choice for Property Ltd), Principal Solicitor (Property and Projects), Member Services Manager.

Huw Evans, Matt Spry – Quinn Estates.

211 Minutes

Resolved:

That the Minutes of the Meeting of the Board held on the 12th October 2023 be approved and confirmed as a correct record.

212 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.

213 Ashford International Development Company (AIDC) – Progress Report

The Head of Strategic Projects and Matt Spry of Quinn Estates introduced the exempt report which provided an update on plans for the Ashford International Studios/Newtown Works site. Drone footage of the site was shown and progress made to date was outlined together with a number of recommendations for this Board to agree to be passed to the Cabinet/Council.

During the debate, Officers responded to a number of questions on: - enabling works; residential units; the college and studios proposals; the planning process and nutrient neutrality; design and build costs; and the wider issues around the Levelling Up Funding that had been secured for the site. It was noted that with regard to recommendation (iii) an increase of a further £122k bring the total to £944k had been proposed by AIDC.

Recommended:

- That
- (i) Councillor Betty, (as Chairman of the Trading and Enterprise Board), be appointed to represent the Council at Shareholder Meetings of the Ashford International Development Company.**
 - (ii) the above Member be delegated authority to approve amendments to the scheme design outlined in the report and any other minor amendments to the design or specifications to the project, subject to planning permission and/or listed building consent as applicable being sought and obtained in due course. More material or significant amendments should come back to this Board and/or the Cabinet.**
 - (iii) the release of an early advance of infrastructure funding for the redevelopment of the residential element of the scheme to the value of £0.944m, be noted.**
 - (iv) the proposed variation to the Development Loan Agreement for further funding of £210k for the design changes now required be noted and approved, and the initial project milestone dates for the residential phase be amended to March 2024 from April 2023.**
 - (v) it be agreed that working capital of £47,500 be provided to reduce immediate pressure on the Company.**

- (vi) **the Solicitor to the Council and Monitoring Officer be authorised to complete all necessary legal documents to give effect to the above.**

214 A Better Choice for Property Ltd – Drawdown of Equity Funding

The Deputy Chief Executive introduced the report which outlined the annual review of Council equity to be invested into A Better Choice for Property Ltd (based on 20% of net interest receivable by the Council from the Property Company).

Resolved:

That the drawdown of funding and subsequent share issue of 47,642 shares, with a value of £1 per share, be endorsed.

215 A Better Choice for Property Ltd – Portfolio Update

The Operations Manager (A Better Choice for Property Ltd), introduced the report which provided an update on the property portfolio, encompassing rental income, void levels and arrears for the period of August to November 2023. He advised that a review of rental levels was due in January/February 2024. He advised that the rental market remained buoyant with all units currently full and arrears remained extremely low.

Officers advised that the Property Company would be giving a presentation to all Members prior to the 14th December Full Council Meeting, providing details of the operation, objectives and activities of the Company. Members said this was welcomed.

Resolved:

That the update be received and noted.

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

This page is intentionally left blank

Notes of a Meeting of the Ashford Strategic Delivery Board held in the Council Chamber, Civic Centre, Ashford on Friday 24th November 2023 at 10.00am

Present:

Board Members

Cllr Noel Ovenden (Chairman) – Leader, ABC
 Damian Green MP
 Cllr Steve Campkin – Deputy Leader and Portfolio Holder for Climate, Environment and Transport, ABC
 Cllr Simon Betty - Portfolio Holder for Economic Growth and Investment, ABC
 Cllr Linda Harman – Portfolio Holder for Planning, Housing Delivery and Communication, ABC
 Mr Neil Baker – Cabinet Member for Highways and Transport, KCC
 Tracey Kerly – Chief Executive, ABC
 Shona Johnstone – Homes England
 Catherine Adamson – Southern Water (attended remotely).

Non Board Members

Cllr Peter Feacey, ABC
 David Smith, KCC
 Colin Finch, KCC
 Rebecca Anderson, KCC (attended remotely)
 Ben Lockwood, ABC
 Tracey Butler, ABC
 Simon Cole, ABC
 Charlotte Hammersley, ABC
 Andrew Osborne, ABC
 Paul McKenner, ABC
 Shaun Meyer, ABC
 Jeff Sims, ABC
 Danny Sheppard, ABC

Apologies

Cllr Kate Walder, Cllr Neil Bell, Paul Sayers,

Item	Notes	Action
1.	<p>Welcome</p> <p>The Chairman welcomed all those present to the first Ashford Strategic Delivery Board meeting of the new Council Administration.</p>	

2.	<p>Notes of Previous Meeting – 21st April 2023</p> <p>Noted.</p>	
3.	<p>Eurostar</p> <p>Andrew Osborne (AO) gave a presentation on Eurostar and the campaign to bring international services back to Ashford. This included: - the background and history; the current situation (no stops in Kent until at least 2025); the challenges; what this meant for Ashford; what was happening and actions to date; and next steps. AO hoped this demonstrated the amount of work that was going on behind the scenes to make both the market/promotional and economic cases and ABC continued to work closely with KCC on this. The Council also continued to support the 'Bring Back Eurostar Services' petition which was now approaching 40,000 signatures along with the KCC business survey which had 500 completions to date and they were hoping to double this by the end of the year.</p> <p>Damian Green MP (DG) advised that he had raised this issue in Parliament back in October and was in dialogue with the Rail Minister, Huw Merriman. There were additional factors to consider around border control and potential competitors to Eurostar and he considered there were certainly more discussions to be had on this with all involved parties, including other companies potentially interested in providing international rail services.</p> <p>In response to a question, AO advised that Mark Welch at KCC was compiling a heat map showing where the business survey responses were coming from and he could supply that information to Simon Finch at KCC. All would continue to push the survey and petition around the county through Kent Leaders, Local Authorities and business and community leaders. It was recognised as a Kent wide issue.</p>	AO
4.	<p>Ashford Town Centre Reset</p> <p>AO then gave a presentation updating on progress with the Ashford Town Centre Reset, following Cabinet approval of the Reset Plan in 2022. This was the underlying activity to improve the existing town centre, alongside the work on some of the key strategic sites and there was a lot going on. The presentation included: - types of action; key intervention areas including the 'T' area; funding streams; temporary public realm schemes; highway works by KCC (shared space and Lower High Street resurfacing); the Ashford's Festival and Events Framework (including Ashford</p>	

	<p>Unframed, the Ashford Food and Drink Festival, Create Music Village and Carnival of the Baubles); and the wider plan for action, including current additional project activity and future projects. Tomorrow (25th November), would see the 2023 Carnival of the Baubles – a really popular and inclusive community event and all were encouraged to attend.</p> <p>Shaun Meyer (SM) gave a more specific update on one of the key priority strategic projects – Park Mall. This was seen as one of the sites that would be a catalyst for wider redevelopment and regeneration of the town centre. The current shopping centre was facing significant challenges with increasing voids (including the recent departure of Wilkos) and increasing maintenance issues. The Council had held a long term to redevelop Park Mall and this had been included within its Corporate Plan. This project was in its early stages and redevelopment proposals would be shared in the coming year.</p>	
5.	<p>Stodmarsh Update</p> <p>Simon Cole (SC) and Paul McKenner (PM) gave an update presentation on Stodmarsh and Nutrient Neutrality. This included: - the context for Ashford including its effect on the upcoming Local Plan; Ashford’s approach to nutrient mitigation; an update on strategic wetlands site progression across various potential sites; wider Government intervention and their stated aims; ABC communication with Government; and the pause on ABC delivery of strategic nutrient neutrality solutions as a result. ABC would continue to examine cost effective nutrient neutrality solutions within its ownership including retrofitting and smaller locally delivered benefits. SC further updated on what this meant for planning applications</p> <p>The Chairman said that the recent Government announcement of £100m funding towards this, whilst welcomed, should be put in the context of 74 Local Authorities across the Council affected by nutrient neutrality. He still saw this as very much a national issue on which Government needed to lead on finding a solution. DG agreed. He said that it was legislative change that was required and there was no timescale on this at present. He was personally disappointed there had been no mention of the issue in the recent King’s speech.</p> <p>A catchment wide bid had been submitted to Defra on the particular issue at Stodmarsh. KCC was still awaiting a reply and would make enquiries of Ministers and feed back</p>	

	on a timetable when known.	DS (KCC)
6.	<p>Brompton</p> <p>PM gave an update presentation on Brompton Bikes and Project Green. This included: - the background to Brompton's plans to build their revolutionary bike factory in Ashford; the site location; the importance of flood mitigation measures; design visuals; ABC involvement; and the timetable going forward including planning and the Country Park.</p> <p>PM advised there had initially been discussions with KCC to fund the junction improvements. ABC was also looking at alternative routes of funding. Neil Baker (NB) said that as a newly appointed KCC Cabinet Member, he was unaware of previous discussions on this and would ask for an update.</p>	NB (KCC)
7.	<p>Newtown Works</p> <p>PM gave a presentation, in his capacity as a Director of the Ashford International Development Company (AIDC) providing an update on plans for the Ashford International Studios/Newtown Works site. Drone footage of the site was shown and progress made to date was outlined. The update included: - a site timeline and overview; details of the 2020 planning application currently being delivered; ABC investment and Levelling Up Funding; removal of roof and strip out of existing sheds; archaeology; drainage works; Section 278 works; detailed design; sales and lettings; the film studio element; work with the college; nutrient neutrality impacts; and the proposed design changes and revised planning application.</p> <p>AO advised that they were likely to need to put a project adjustment request in on the Levelling Up Funding element as there were likely to be changes to the project from what was initially put forward. This would need to come to DG as it would need his support before it went to DLUHC and the Minister.</p>	
8.	<p>Project Updates</p> <p>The report enclosed with the agenda gave the latest position on progress in respect of the core projects.</p> <p>These were noted.</p>	

9.	Date of Future Meetings Friday 15 th March 2024, 10am.	
----	---	--

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

This page is intentionally left blank

Ashford Borough Council: Local Plan & Planning Policy Task Group

Notes of a Virtual Meeting of the Local Plan & Planning Policy Task Group held on Microsoft Teams on **29 November 2023**.

Present:

Cllr Bartlett (Chair)
Cllr Ledger (Vice-Chair)

Cllrs Betty, Blanford, Hallett, Harman (ex-Officio), Meaden, Roden and Spain.

Also present:

Cllrs Chilton, McGeever, Mulholland.

In attendance:

Spatial Planning Manager; Team Leader - Plan Making and Infrastructure;
Deputy Team Leader – Plan Making and Infrastructure; Planning Officer;
Developer Contributions Monitoring Officer; Monitoring Support Officer; Principal Solicitor - Strategic Development; Senior Planning and Development Lawyer;
Member Services Officer.

1 Apologies and substitutions

- 1.1. Apologies had been received from Cllrs Michael and Walder, and from the Housing Development and Partnership Manager. In accordance with Procedure Rule 1.2(c), the substitute in attendance for Cllr Michael was Cllr Betty.

2. Declarations of Interest

- 2.1 Cllr Bartlett declared that he was a Member of Kent County Council.
- 2.2 Cllr Chilton declared that he was a director of a Planning consultancy but that it did not operate in Kent.

3. Notes of the last Meeting

3.1 Resolved

The Notes of the meeting of 27 September 2023 were received and noted.

4. Levelling up and Regeneration Act 2023

- 4.1 The Spatial Planning Manager explained that this was an update on progress, and drew Members' attention to the tables as a useful reference. The main intention of the Act was to speed up the Local Plan process and decision-making. A new NPPF was expected shortly, which would be relevant. The formulation of the new Local Plan for Ashford would continue under the transitional arrangements.
- 4.2. The item was opened up for discussion and questions.
- 4.3 The Chair expressed a concern as to whether local policies would be at risk, particularly those which helped address the differing needs across the diversity of type of development across the borough. The borough-wide design code would have flexibility in scope and breadth to recognise those differences, but the Spatial Planning Manager felt there would likely be challenges to elements of customisation, arising from the short timetable to achieve and approve future Plans.
- 4.4 A Member asked for reassurance that there would be recognition of the conservation areas in the borough, particularly in respect of the town centre. It was thought that national planning policies could be an advantage to the preservation of historical architecture, and help to simplify other decision-making processes.
- 4.5 A Member asked for consideration to be given to recreating a town centre shop-front policy, to prevent empty units from visual deterioration. The Chair added that measures to have consistency and a pleasant visual aspect when businesses were re-let could be included. A Member suggested this could be an aspect of the Design Code.
- 4.4 A Member asked if the influence of Neighbourhood Plans on the Local Plan would be affected. It was thought that the reduced timetable for the formulation of future Plans, and the scheduling of Neighbourhood Plan reviews, might cause some issues. For the Plan formulation in progress, which would be operational until 2041, any Neighbourhood Plan in date until 2030 would be taken into consideration.

Resolved

The Local Plan and Planning Policy Task Group:

- (i) Noted the contents of the report and Appendix 1; and**
- (ii) Noted that further reports on the more detailed aspects of the Levelling Up and Regeneration Act and any future versions of the NPPF would be brought to the Task Group in due course.**

5. Duty to Co-operate

- 5.1 The Deputy Team Leader – Plan Making and Infrastructure gave an overview of the report, stating that this is a legal requirement and our evidence will be tested. The team had good knowledge and understanding of cross-boundary matters. The Duty could be resource-heavy when preparing a Local Plan, so co-operation was focussed on strategic matters. The move to ‘duty to align’ instead was likely to be less challenging.
- 5.2 In response to a Member question, the Spatial Planning Manager listed a number of topics that required co-operation as standard, mentioning others that may become relevant. Another Member mentioned that developments close to boundaries often resulted in displaced or increased traffic in adjacent villages.
- 5.3. A Member asked for consideration of national infrastructure within the borough, and whether there could be an offset for carbon credits across Kent boroughs. The Spatial Planning Manager believed this to be relevant and within the scope of co-operation; all topic policies would be brought to the Group in future.

Resolved

The Local Plan and Planning Policy Task Group

- i. noted the contents of the report and acknowledged the importance of the ‘duty to cooperate’ for local plan making; and**
- ii. requested a regular (6-monthly) update to the Local Plan & Planning Policy Task Group for:**
 - a) relevant Duty to Cooperate issues to be listed and dealt with as part of the Local Plan 2041, and**
 - b) an update on the relevant Duty to Cooperate issues being addressed by neighbouring authorities as part of their Local Plan preparation, and**
 - c) highlighting any policy changes and/or noteworthy cases concerning the Duty to Cooperate elsewhere in the country, where these may have implications for the Local Plan Review.**

6. Ashford Skyline Assessment

- 6.1 The Team Leader – Plan Making and Infrastructure confirmed there were no updates to the report presented.

- 6.2 A Member suggested that perhaps the town centre boundary should be extended to include the Newtown film studio and Matalan sites. He felt there were pocketed areas where the skyline could be higher, and that such tower developments should be of excellent quality, offering facilities that supported and strengthened communities. The Team Leader – Plan Making and Infrastructure confirmed that the illustrative map showed the boundaries of the town centre as depicted on the Local Plan, but that this did not preclude consideration of peripheral sites as well.
- 6.3 Another Member mentioned that mixed use was an important aspect of densification, as was easy access to all floors, and the consideration of planting in the created heat islands, shading and other thermal impacts of glass reflection.
- 6.4 The Chair had concerns regarding the fire risk that the charging of e-scooters and mobility vehicles created in blocks of flats.
- 6.5 A Member felt that the affordability of flats could be detrimentally affected by building higher. He had concerns under Permitted Development Rights regarding the ease of conversion of houses into flats and sufficient noise insulation between dwellings. He asked for a design guide for shared spaces which encouraged community, and an amendment to the map in Appendix 1 where the four areas of the reset would lie. (post-meeting note: the amended map was provided to the Task Group by email on 1 December).
- 6.6 The Team Leader – Plan Making and Infrastructure stated that the recommendation was at this stage a high-level contextual assessment and that future detail would be debated and decided.
- 6.7 A Member asked for occupation information for the new flats in the town centre, and asked for careful consideration of the conversion of listed buildings into flats, as well as sensitivity regarding height versus location, and conversion of retail units into dwellings.

Resolved:

The Local Plan and Planning Policy Task Group:

- **noted the content of the report;**
- **agreed that officers should commence work to produce a Skyline Assessment that will provide evidence to inform a range of important Council projects; and**
- **that the conclusions of the assessment would be reported back to Task Group at the relevant time; for instance, when projects were being discussed and the findings of the assessment were related.**

7. Tenterden Neighbourhood Plan

- 7.1 The Team Leader – Plan Making and Infrastructure confirmed that there were no updates to the report presented.

Resolved

The Local Plan and Planning Policy Task Group agreed to:

- The letter in Appendix 1 being submitted to Tenterden Town Council and the appointed Examiner as a representation on the Regulation 16 Tenterden Neighbourhood Plan Review 2023; and
- Delegate authority to officers in consultation with the Assistant Director of Planning & Development, Portfolio Holder for Planning, Housing Delivery & Communication, and the Chairman of the Local Plan & Planning Policy Task Group to incorporate any additional comments made by Members at the meeting into a final response for submission to Tenterden Neighbourhood Plan Group.

8. Infrastructure Funding Statement (IFS) 2022-2023

- 8.1 The Team Leader – Plan Making and Infrastructure confirmed that there were no updates to the report presented.
- 8.2 A Member asked for clarification on two instances of financial detail. It was agreed that these were presentational issues which could be revised in future statements.

Resolved

The Local Plan and Planning Policy Task Group:

- Noted the content of the appended IFS;
- Agreed to delegate authority to the Chair of the Local Plan and Planning Policy Task Group, Portfolio Holder for Planning, Housing Delivery & Communication and the Assistant Director of Planning and Development, to make or approve changes to the Infrastructure Funding Statement (for the avoidance of doubt including additions, amendments and deletions) as he/she sees fit;
- Agreed to the approved/amended IFS being published on the Council's website.

9. Member Tracker

- 9.1 The Spatial Planning Manager updated Members on the recent Call for Sites (CFS) response, which had resulted in a number of submissions that are currently being assessed. The analysed information would be published into the public domain early in 2024, and begin to inform the housing strategy for the draft Local Plan.
- 9.2 Highlighted issues for the Tracker included a shop-front policy, information regarding the change to Permitted Development Rights to convert a single domestic property into flats as contained in the Government's Autumn Statement, and conservation area protection considerations. The Spatial Planning Manager also committed to drafting a CFS process note for the January meeting.

10. Date and time of the next meeting

- 10.1 31 January 2024, at 2pm, via TEAMS.

Councillor Bartlett
Chairman – Local Plan & Planning Policy Task Group

Queries concerning these minutes? Please contact
membersservices@ashford.gov.uk
Agendas, Reports and Minutes are available on: www.ashford.moderngov.co.uk



Agenda Item No:

Report To: CABINET

Date: 25TH JANUARY 2024

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.

Summary:	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 Noel Ovenden; Steve Campkin; Bill Barrett; Simon Betty; Linda Harman; Heather Hayward; Dawnie Nilsson; Kate Walder; and Liz Wright.

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, five clear days before the decision at <https://ashford.moderngov.co.uk>

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
25th January 2024					
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Ovenden	Nic Stevens	Open (Exempt Appendix)	27/1/23
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Ovenden	Lee Foreman	Open	24/2/23
Tenant Engagement Strategy	<i>To approve a Strategy to ensure a clear organisational approach and commitment to tenant engagement within the Borough. The strategy will set out an action plan and the obligations of the Tenant Engagement Team and other teams in the Housing Service as a whole.</i>	Cllr Barrett	Rebecca Smith	Open	17/10/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Temporary Accommodation Charging Policy	<i>To obtain Cabinet approval for the adoption of the new Temporary Accommodation Charging Policy.</i>	Cllr Barrett	Amanda Gill	Open	20/9/23
Temporary Accommodation Placement Policy	<i>To obtain Cabinet approval for the adoption of the new Temporary Accommodation Placement Policy.</i>	Cllr Barrett	Amanda Gill	Open	20/9/23
Tenant Pet Policy	<i>To gain the endorsement to implement the Housing Pet Policy 2023. The policy includes all housing stock but excludes temporary accommodation.</i>	Cllr Barrett	Anthony Crossley	Open	20/11/23
22nd February 2024					
Revenue Budget 2024/25	<i>To present the draft revenue budget for 2024/25 to the Cabinet for recommendation to Council.</i>	Cllr Ovenden	Lee Foreman	Open	24/2/23
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 Ovenden/ Hayward	Tom Swain	Open	24/2/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Parks Foundation	<i>To present feedback from consultation and a roadmap of the charity registration process alongside a risk-benefit analysis and Equalities Impact Assessment of creating a Parks Foundation.</i>	Cllr Walder	James Laidlaw	Open	24/11/23
Tenterden Leisure Centre Procurement	<i>To set out the approach and framework of the TLC procurement so it is agreed before the tender documentation is published and we embark on the 12 month procurement exercise.</i>	Cllr Walder	Shaun Meyer	Open	30/11/23
Corporate Asbestos Management Policy, Procedure and Management Plan	<i>To seek approval for the revised Asbestos Management Policy, Procedure and Plan.</i>	Cllr Betty	Victoria Couper-Samways	Open	14/6/23
Renewal of LASER Contract for the Supply of Gas and Electricity	<i>To set out the different options open to the Council when it comes to the procurement of utilities and whether or not it should enter in to a new LASER agreement so that it can continue to procure gas and electricity through the LASER framework until 30 September 2028.</i>	Cllr Betty	Victoria Couper-Samways	Open	4/12/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Roof Replacement, Thermal Upgrade and PV Installation at Ellingham Industrial Estate	<i>To seek additional funding approval for the inclusion of solar panels.</i>	Cllr Betty	Lee Craker	Open	31/1/24
21st March 2024					
Annual Pay Policy Statement (including Review for 2024/25)	<i>A review of the annual Pay Policy Statement.</i>	Cllr Nilsson	Michelle Pecci/ Joy Cross	Open	31/3/23
Parking Strategy		Cllr Campkin	Alison Oates	Open	1/12/22
Annual Tenant Satisfaction Survey Results and Action Plans for Housing		Cllr Barrett	Joanne Burns	Open	21/12/23
25th April 2024					
30th May 2024					

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
27th June 2024					
Corporate Plan Annual Report 2023/24	<i>To present the Annual Report 2023/24 highlighting performance against the Corporate Plan priorities.</i>	Cllr Ovenden/ Hayward	Tom Swain	Open	30/6/23
Final Outturn 2023/24	<i>Final budget outturn for previous financial year.</i>	Cllr Ovenden	Lee Foreman	Open	30/6/23
25th July 2024					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report</i>	Cllr Ovenden	Lee Foreman	Open	30/9/22
Revenues & Benefits Recommended Write-Offs Schedule	<i>Proposed formal write-off of debts</i>	Cllr Ovenden	Nic Stevens	Open (Exempt Appendix)	30/7/22
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 Betty	Paul McKenner	Open	28/7/22
Corporate Plan		Cllr Ovenden	Charlotte Hammersley/ Jennifer Shaw	Open	13/12/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
29 th August 2024					
KEEP CLEAR FOR HOLIDAYS					
26th September 2024					
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 Hayward	Tom Swain	Open	2/10/23
Update on Levelling Up Funding and Newtown Works Development	<i>To update on the progress in drawing down the Levelling Up Funding, the works undertaken to date, the current programme for the development and the risks for the project.</i>	Cllr Betty	Andrew Osborne	Open	2/10/23
Allocations Policy		Cllr Barrett	Amanda Gill	Open	20/9/23
31 st October 2024					
Financial Monitoring – Quarterly Report	<i>Quarterly budget monitoring report.</i>	Cllr Ovenden	Lee Foreman	Open	27/10/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Council Tax Base 2025/26	<i>To present for approval the estimated 2025/26 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 Ovenden	Jo Stocks	Open	27/10/23
Medium Term Financial Plan	<i>To ask Cabinet to note the Medium Term Financial Plan ahead of this year's Budget process.</i>	Cllr Ovenden	Lee Foreman	Open	27/10/23
Annual Commercial Property Update - 2023/24	<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 Betty	Eloise Duffy	Open	27/10/23
Housing Revenue Account (HRA) Business Plan 2024 - 2054 (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 Barrett	Jo Stocks/Mark James	Open (Exempt Appendix)	27/10/23
28th November 2024					
Corporate Performance Report	<i>To give Members and residents an overview of how the council is performing with a key performance 'snapshot'.</i>	Cllr Ovenden/ Hayward	Tom Swain	Open	1/12/23

Decision Item	Report Summary	Relevant Portfolio Holder	Report Author	Open or Exempt	Added to Schedule
Draft Budget 2025/26	<i>To present the preliminary draft service budget and outline MTFP for the purposes of subsequent formal scrutiny by the O&S Task Group and public consultation.</i>	Cllr Ovenden	Lee Foreman	Open	1/12/23
19th December 2024					

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

16/1/24

This page is intentionally left blank

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank