



TRADING AND ENTERPRISE BOARD

Notice of a Meeting, to be held in the Committee Room 2 (Bad Münstereifel Room) -
Ashford Borough Council on **Thursday, 12th October, 2023 at 10.00 am.**

The Members of the Trading and Enterprise Board are:-

Councillor Betty (Chair).

Cllrs. Harman, Ovenden, Walder.

Observer: Councillor Bell.

Agenda

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1. **Apologies/Substitutes**

To receive Notification of Substitutes in accordance with Procedure Rule 1.2(c) and the Terms of Reference of this Board.

2. **Declarations of Interest**

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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**

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To approve the Minutes of the Meeting of this Board held on the 4th April 2023.

4. **Exclusion of the Public**

To consider passing the following resolution to exclude the press and public from the meeting:

That pursuant to Section 100A(4) of the Local Government Act 1972,

as amended, the public be excluded from the meeting during consideration of this item as it is likely that in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to 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.

5. **A Better Choice for Property Ltd - Portfolio Update**

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4th October 2023

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

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

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

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

A Member who declares an OSI in relation to any item will need to leave the meeting before the debate and vote on that item (unless a relevant Dispensation has been granted).

However, prior to leaving, the Member may address the Committee in the same way that a member of the public may do so.

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

- Membership of amenity societies, Town/Community/Parish Councils, residents' groups or other outside bodies that have expressed views or made representations, but the Member was not involved in compiling or making those views/representations, or
- Where a Member knows a person involved, but does not have a close association with that person, or
- Where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position.

[Note: Where an item would be likely to affect the financial position of a Member, relative, close associate, employer, etc.; OR where an item is an application made by a Member, relative, close associate, employer, etc., there is likely to be an OSI or in some cases a DPI. ALSO, holding a committee position/office within an amenity society or other outside body, or having any involvement in compiling/making views/representations by such a body, may give rise to a perception of bias and require the Member to take no part in any motion or vote.]

Advice to Members on Declarations of Interest:

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

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

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Trading and Enterprise Board

Minutes of a Meeting of the Trading and Enterprise Board held in Committee Room No. 1, Civic Centre, Tannery Lane, Ashford, on the **4th April 2023**.

Present:

Cllr. Shorter (Chairman for this Meeting)

Cllrs. Forest, Pickering

Apologies:

Cllrs. Bell, Ovenden.

Also Present:

Deputy Chief Executive, Director of Customer, Technology and Finance (in her Capacity as Director of A Better Choice for Property Ltd), Service Lead Finance, Commercial Development Manager (A Better Choice for Property Ltd), Operations Manager (A Better Choice for Property Ltd), Senior Member Services Officer.

373 Election of Chairman

Resolved:

That in the absence of the Chairman, Councillor Shorter be elected as Chairman for this Meeting of the Trading and Enterprise Board.

374 Declarations of Interest

Councillor	Interest	Minute No.
Forest	Made a Voluntary Announcement as he had sat on the Planning Committee on 15 June 2022 referred to in the report.	377
Shorter	Made a Voluntary Announcement as he had sat on the Planning Committee on 15 June 2022 referred to in the report.	377

375 Minutes

Resolved:

That the Minutes of the Meeting of the Board held on the 31st January 2023 be approved and confirmed as a correct record.

376 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.

377 A Better Choice for Property Ltd – Land at Charing

The Deputy Chief Executive introduced the confidential report which provided an update on the proposed purchase of the development site first presented to the Board in 2018.

An amendment to one of the recommendations was agreed to require a further report and construction plan once RIBA stage 4 had been reached. Following a lengthy discussion, the Board agreed the amended recommendations. The Board was mindful in its decision, ensuring that modelling had been updated and was reflective of the current economic environment.

Resolved:

- (i) That the TEB notes the progress of the project as outlined in the attached Company Board Report.**

Recommended:

That Cabinet

- a) Agree that the company continues to promote this scheme, subject to a new loan agreement being put in place with the Council and to planning approval being obtained by the Company in due course.**
- b) Agree to increase the funding allocated to the scheme to £21m (from £15.7m) with up to £400,000 to be drawn to complete**

works necessary to commence construction (e.g. Archaeology, Environmental mitigation, further planning submissions etc.), both to be set out in a new loan agreement for Development schemes between the Council and the Company in compliance with the Subsidy Control Act 2022.

- c) Require a further report and construction plan when the Company has reached a RIBA stage 4 and is ready to commence construction which will be independently reviewed.**
- d) Authorise 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.**

378 A Better Choice for Property Ltd – Portfolio Update

The Operations Manager (A Better Choice for Property Ltd) introduced the update, providing an overview of void times, rental income and arrears. The rental market was buoyant with demand for property in prime locations high.

Resolved:

That the update be received and noted.

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Agenda Item 5

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

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