

Cabinet

Minutes of a Virtual Meeting of the Cabinet held on Microsoft Teams on the **28th May 2020**.

Present:

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

Cllrs. Barrett, Bell, Buchanan, Clokie, Feacey, Forest, Pickering, Shorter.

Apology:

Cllr. Burgess.

In attendance:

Cllrs. Anckorn, Mrs Bell, Chilton, Cornish, Farrell, Harman, Hayward, Ledger, Mulholland, Ovenden, Spain, Sparks, Walder, Wright.

Chief Executive, Director of Finance and Economy, Head of Planning and Development, Head of Finance and IT, Head of Corporate Policy, Economic Development and Communications, Head of Personnel and Development, Head of Community Safety and Wellbeing, Head of Environment and Land Management, Head of Culture, Principal Solicitor (Strategic Development), Cultural Projects Manager, Economic Development Manager, Community Safety and Wellbeing Manager, Communications and Marketing Manager, Community Project Manager, Community Safety and Resilience Team Leader, Senior Accountant (LF), Community Safety Officer, Member Services Manager (Operational).

403 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 27th February 2020 be approved and confirmed as a correct record.

404 Leader's Announcements

The Leader said that he thought it was only right and proper that as a Cabinet they should thank the people of Ashford, and in particular the Voluntary Sector and the Council's own Officers, who were coming together at this time of crisis. He considered the Ashford Borough could be very proud about how it had united during the Covid-19 pandemic and the subsequent lockdown period. The Council had paid out some £30m in grants to local businesses in an extremely prompt manner, and

the Government had earlier that week released a further £1.4m to be paid out to smaller businesses. A team of Officers were already working to distribute those funds in a similar fashion. As people would know, he was not given to wildly throwing around plaudits and terms such as “awesome” etc., but he did think that Ashford could be rightly proud in terms of everyone involved in this effort and he wanted to express his thanks to those people. In his view the national statistics were showing that the efforts made in terms of social distancing etc. were starting to pay off.

405 Annual Pay Policy Statement (Including Review for 2020/21)

The Portfolio Holder introduced the report which advised that the Localism Act 2011 required the Council to publish an Annual Pay Policy Statement. The report reviewed the current statement, ensuring it was up to date and reflected the Council’s approach to pay. He advised that the Council also took the annual review as an opportunity to review the rates of the Ashford Living Wage Allowance and the Ashford Apprentice Wage Allowance. The report therefore provided recommendations on rates for the 2020/21 allowances.

Recommended:

- That (i) the updated Pay Policy Statement be approved.**
- (ii) the Ashford Living Wage Allowance be increased to £9.18 for 2020/21 and it be noted that due to recent unforeseen Cabinet meeting cancellations, the increase has been implemented using the Chief Executive’s delegations.**
- (iii) the Ashford Apprentice Wage Allowance be maintained at 15 pence per hour over the National Minimum Wage rate applicable to the age of the apprentice, and it be noted that due to recent unforeseen Cabinet meeting cancellations, this recommendation has been implemented using the Chief Executive’s delegations.**

406 Anti-Social Behaviour Policy

The Portfolio Holder for Community Safety and Wellbeing introduced the report which presented for approval the Ashford Borough Council Anti-Social Behaviour (ASB) Policy. The policy provided clarity on how the Council met its responsibilities under the Anti-Social Behaviour, Crime and Policing Act 2014.

The Deputy Leader said he strongly supported this policy and agreed that it was important that the Council continued to send the message that ASB would not be tolerated. The Council had recently invested in new deployable CCTV cameras which would be of great advantage to the Borough. They were very light and easily moveable to sites of ASB and should be easy to fix to street lamp posts. Work was ongoing with KCC to ensure this was done and the Council was in a position to feedback information to the Police.

Recommended:

That the Ashford Borough Council Anti-Social Behaviour Policy be approved.

407 Chilham Conservation Area Management Plan

The Portfolio Holder introduced the report which advised that Local Planning Authorities were obliged to designate, as Conservation Areas, any parts of their own area that were of special architectural or historic interest, the character and appearance of which it was desirable to preserve or enhance. There were 43 Conservation Areas in the Borough and the appraisals that supported them were mostly completed in the 1980s and 1990s. In the context of updated guidance on appraisals by Historic England, and the need to remain consistent with both the changing nature of Conservation Areas and with the National Planning Policy Framework in its requirement for an up to date evidence base, a programme of updating the appraisals continued. As part of the process, management plans for future preservation and enhancement were suggested based on a clear understanding of the qualities that gave an area its distinctiveness. Adoption of this Plan would provide solid evidence to support development management decisions, and enable better defence of the Council's case at planning appeals. The Portfolio Holder considered the content of the report, in terms of the research that had been undertaken and the consultation with the community, was outstanding.

Resolved:

That the content of the Chilham Conservation Area Management Plan be agreed.

Recommended:

That the Chilham Conservation Area Management Plan be adopted.

408 Ashford Local Cycling and Walking Infrastructure Plan (LCWIP) 2020 - 2029

The Portfolio Holder for Culture introduced the report which presented the Local Cycling and Walking Infrastructure Plan (LCWIP) 2020 – 2029, summarised its development and sought Cabinet approval for adoption. This would enable the Council to bid for appropriate funding from the Department for Transport (DfT) and other appropriate sources as it became available. The report also updated Members on consultation as part of the Council's adoption of the Ashford Cycling and Walking Strategy, which demonstrated strong support for this approach. The DfT also supported the strategy and the emerging Ashford LCWIP and had allocated £500,000 to help deliver those local plans. Both documents would inform actions which the Heads of Planning and Development and Culture, in consultation with their Portfolio Holders, would prioritise, monitor and review.

The Deputy Leader commended the report and the work that had gone in to producing it and considered that Ashford Town Centre would be a much better place

if more walking and cycling could be encouraged. He noted that KCC had been awarded £1.6m to spend on these types of projects, and one of the schemes highlighted in the press release had been Ashford's Community Cycling Scheme which had provided 50 refurbished bicycles for NHS workers at the William Harvey Hospital. He considered that the report would be a launchpad for an even more comprehensive walking and cycling network across the town centre, as well as cycle safety, working with schools, the education sector and the Community Forums and Councils in the urban area. Another Member said he understood that the KCC money was an initial tranche of a wider £8m for their Active Travel Plan and he asked what steps the Portfolio Holder had taken to ensure Ashford got the maximum possible from that fund? The Leader advised that there were already one or two schemes in the pipeline to make a bid for that money and the Portfolio Holder assured that discussions were ongoing with KCC. This obviously fell outside the remit of the report on this agenda, but would build on the good work within in.

Other Members wanted to applaud the depth of work undertaken by the Officers and the Portfolio Holder over a number of years in producing this report. It was recognised as a work in progress in the sense that the town had a number of cycleways and footpaths, but they didn't all necessarily join up, and one of the thrusts of the report was to start the journey to ensure a cohesive network for residents in the future.

A Member asked if there were any plans to look at the rural areas and Tenterden as she knew there was an appetite for such a plan there as well. Another Member asked about the decision not to include schools as 'strategic locations' and the rationale behind that. The Community Project Manager said that Officers had asked the same questions about schools when drawing up the strategy over a year ago and at that time the DfT had not included schools, but now they did. So, as the plan was a working document, it could now be reflected that schools were 'trip attractors' for staff, children and parents. This happened after the report was submitted last October, but would be reflected going forward. In terms of rural areas, the Portfolio Holder for Culture advised that the LCWIP was limited to the town area outlined on page 199 of the agenda, but he would be happy to share experiences with Tenterden Town Council and others who were interested.

Resolved:

- That (i) the Ashford Local Cycling and Walking Infrastructure Plan 2020 – 2029 be approved.**
- (ii) the outcome of the consultation for the Ashford Cycling and Walking Strategy 2019 – 2029 be noted.**
- (iii) delegated authority be granted to the Heads of Planning and Development and Culture, in consultation with their Portfolio Holders, to put in place all measures that will enable the effective delivery of the Ashford Local Cycling and Walking Infrastructure Plan and Ashford Cycling and Walking Strategy 2019 – 2029, developing action plans accordingly; and in consultation with the**

Director of Finance and Economy, and their Portfolio Holder, to allocate external spending that has or will be secured.

409 Financial Update Report – Impact of Covid-19 on the Council

The Portfolio Holder introduced the report which provided an update of the forecast impact that Covid-19 would have on the Council's financial position. He explained that the Council's base forecast allowed for a three month lockdown phase, a three month partially lifted restrictions phase, and a further three month period for confidence to return. The report detailed: - the direct additional expenditure for the initial response; the forecast reductions in service income; and the overall net impact on the collection of Council Tax and Business Rates. In addition it detailed how some of those losses were partially offset; and details of how the anticipated pressure on the General Fund budget would be supported via Project Funds and Reserves. He stressed that this report was a work in progress and would inevitably evolve as they moved through the phases, however it was an initial attempt to assess the impact promptly and transparently. He concluded that the report was a sobering one, and the Council did face a serious situation with regard to its financial strategy, but it was also testament to the Council's prudent financial planning in recent years that there were reserves available to assist at this time and help the Council withstand the current situation. He wanted to thank the Officers for their hard work in pulling this forecast together, as well as the speed they had paid out grants to affected businesses and individuals as mentioned earlier.

The Leader said he wanted to stress that this Council would not be alone in reporting this sort of financial position and where Council funded development works to enhance the Borough were being paused, that was precisely what it was - a pause to reassess rather than an abandonment. The Council had been on the cusp of delivering a number of projects that would be good for both the economy and job creation and they did not intend to lose that momentum. The Deputy Leader said he agreed with this position - it was right to take a pause on projects but also to stress that Ashford was 'open for business' in the right areas and at the right locations.

A Member asked whether the Council had considered seeking support via the Bellwin model and what the position was with such a scheme from the Government. He also asked about the House of Commons Housing Select Committee at which the Secretary of State had recently said that when determining any requests for financial support, commercial acquisitions would be taken into account and whether those assets could be used to 'bail out' Local Authorities, as opposed to direct financial support. He asked if any Cabinet Members had a view on that. The Portfolio Holder said that the focus was currently very much on the short term and the 'here and now' and dealing with the current situation in a way that would then allow for some recovery time. The Director of Finance and Economy explained that a Bellwin Scheme would primarily be to compensate Authorities for expenditure incurred during an emergency, and the focus for this Council had been more about a loss of income. They were continuing to lobby for support from Government about that loss, but of course any Bellwin type support scheme in the future would be helpful as well. The Leader said he knew that all Kent Districts were continuing to seek further

funding assistance, however they had to be realistic in that the Government had already seen an extraordinary strain on its finances. Under normal circumstances a Bellwin type scheme may help a particular Authority who had suffered an emergency or disaster, however in this case every Local Authority in the country would have been affected. In terms of the Council's commercial assets it was of course true that if the Council was in a worse state it may potentially have to look at disposing of some of those, but the reserves it had built up and the fact that the majority of assets it had purchased were making the Council money, meant that they were not currently in that position, although this would be kept under constant review. The Portfolio Holder for Regeneration and Corporate Property further advised that the next Cabinet meeting would be considering the Corporate Property Asset Management Strategy, and this would allow for an assessment of all of the Council's assets and identify those which may not be serving their intended purpose.

In response to questions about cost recovery from the Government and the indication that it would only be possible to claim back expenditure that Local Authorities had specifically been required to make and whether there was any danger of this Council issuing a Section 114 Notice, the Director of Finance and Economy explained that the Council had not made any assumptions in its forecasting about recovering costs so would not place itself on a difficult situation if these could not all be recovered. Due to its current position with reserves etc. the Council was definitely not in a position where it would be issuing a Section 114 Notice.

Resolved:

That the report and the emerging financial pressures arising from the Covid-19 pandemic be noted.

Recommended:

That (i) the following reserve allocations be earmarked to support the 2020/21 budget: -

- **General Fund Risk Reserve - £1m**
- **Project Fund - £3m**
- **Economic Resilience Reserve - £500,000**

(ii) all projects should be paused and reassessed.

(iii) Service Budgets be reviewed to identify controls on expenditure and identify savings opportunities.

(iv) all current reserve allocations be reviewed to determine priorities and protect levels of reserves to support the MTFP.

(v) corporate priorities be developed for a Recovery Delivery Plan.

410 Joint Transportation Board – Minutes of 3rd March 2020

Resolved:

That the Minutes of the Meeting of the Joint Transportation Board held on the 3rd March 2020 be received and noted.

411 Regeneration, Masterplanning and Project Co-Ordination Board – Notes of 29th January 2020

Resolved:

That the Notes of the Meeting of the Regeneration, Masterplanning and Project Co-Ordination Board held on the 29th January 2020 be approved and adopted.

412 Civic and Ceremonial Programme Board – Notes of 19th February 2020

Resolved:

That the Notes of the Meeting of the Civic and Ceremonial Programme Board held on the 19th February 2020 be received and noted.

413 Climate Change Advisory Committee - Notes of 6th February 2020

Resolved:

That the Notes of the Meeting of the Climate Change Advisory Committee held on the 6th February 2020 be received and noted.

414 Local Plan and Planning Policy Task Group – Notes of 15th January and 11th February 2020

Resolved:

That the Notes of the Meetings of the Local Plan and Planning Policy Task Group held on the 15th January and the 11th February 2020 be received and noted.

415 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.

416 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 item, namely “The Transfer of Ashford College to the East Kent College Group”, 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.

417 The Transfer of Ashford College to the East Kent College Group

The Leader introduced the exempt report which advised of the transfer of the Ashford College to the East Kent College Group.

Resolved:

That the delegated decision made by the Chief Executive, in consultation with the Leader, Portfolio Holders for Finance and IT and Regeneration and Corporate Property, and the Directors of Finance and Economy and Law and Governance, as set out in Section 9 of the exempt report, be noted.