

Decisions effective from the 12<sup>th</sup> August 2020 unless they are called in or are recommended to the Council for approval

## Cabinet

Minutes of a Virtual Meeting of the Cabinet held on Microsoft Teams on the **30<sup>th</sup> July 2020**.

### Present:

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

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

### Apologies:

Cllrs. Cornish, Ovenden.

### Also Present:

Cllrs. Anckorn, Burgess, Chilton, Harman, Hayward, Howard-Smith, Krause, Smith, Spain, Sparks, C Suddards, L Suddards, Turner, Walder.

### In attendance:

Director of Finance and Economy, 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, Head of Housing, Head of Corporate Property and Projects, Economic Development Manager, Environmental Contracts and Enforcement Manager, Principal Solicitor (Strategic Development), Environmental Protection and Licensing Team Leader, Team Leader – Spatial Planning, Senior Accountant (LF), Economic Development Officer, Senior Communications Officer, Member Services Manager (Operational).

Prior to the commencement of the meeting Members respected a period of silence for Councillor Alex Ward, one of the Borough Council Members for the Beaver Ward who had passed away recently.

## 20 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a Voluntary Announcement as Chairman of the Ashford Volunteer Centre.	24

## **21 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 25<sup>th</sup> June 2020 be approved and confirmed as a correct record.**

## **22 Leader's Announcements**

The Leader said that he had read with interest that the local media had been constantly been referring to developments at the Mojo Site in Sevington as a 'lorry park'. He wanted to place on record that this was not the intention of the Government. It would be used by the HMRC and DEFRA as a border control checkpoint, and it was important to make people aware of that misinformation. He and the Deputy Leader had had a very useful meeting earlier that day with Government officials and KCC and they wanted to ensure that this development did not adversely affect Ashford and its residents.

## **23 Financial Outturn 2019/20**

The Portfolio Holder introduced the report which presented the outturn revenue position for the General Fund and Housing Revenue Account for the 2019/20 financial year. It also presented the capital outturn for capital works and how these had been financed, the Collection Fund position, reserve transfers and a treasury management update. He also drew attention to the Tabled Paper which included an additional recommendation on Pavement Licensing and the correction of errors to Paragraph 4 of the report following the PDF conversion of the agenda.

The Portfolio Holder said that whilst 2019/20 was a typically good year in budgetary terms and reserves had been increased, he did not want to dwell for too long on this report as the financial year ended just as the effects of the coronavirus pandemic began to hit, which had presented well known challenges to the finances of the Council.

There was a lengthy debate about the proposed fee for Pavement Licensing, with some Members asking if, for the sake of a few hundred pounds, this could be waived given the current economic circumstances many small businesses in this sector found themselves in. It would be important to support businesses, and a zero fee for a short period of time would send out a good message to the sort of food and drink businesses that the Council wanted to survive and thrive around the Borough. It was explained that the proposed fee was a modest one of £100. The Council was not expecting a high number of new applications, however the fee would probably not even cover the administration and enforcement costs. It was also significantly less than the previous regime administered by KCC and the process would be much easier and more streamlined for businesses going forward. A concern was raised that a zero fee may also lead to a number of more spurious applications, all of which would place additional pressure on the team to administer. The Leader considered it was worth reiterating that businesses had already received a lot of support from the Government and the Council, but the Council had to be realistic on what it could

offer. On balance the Cabinet agreed to leave the recommendation on Pavement Licensing as it was.

In response to a question about the Council's current wider financial position, Members were advised that the forecast loss of income to the Council was somewhere in the region of £6m. At the present time, the Council had received just under £2m in funding from the Government in response to the effects of the pandemic. This had all been detailed in previous reports to the Cabinet and the wider context would be reported in full in the Cabinet's Medium Term Financial Plan report in the Autumn, prior to the Budget Scrutiny process.

**Resolved:**

- That (i) the financial outturn for 2019/20 be noted.**
- (ii) the Capital Outturn, Collection Fund position and Treasury Management update be noted.**
- (iii) the reserve movement transfers as per Table 5 of the report be approved.**

**Recommended:**

- That (i) delegations be given to the Head of Environment and Land Management to set fees and charges as necessary for external work provided by Aspire.**
- (ii) a fee of £100 be set for Pavement Licensing in accordance with the Business and Planning Act 2020.**

## **24 Recovery Plan 2020**

The Leader introduced the report which presented the Council's draft Recovery Plan 2020. The Plan set out the Council's approach to making a timely and successful recovery from the impact of the coronavirus pandemic. The Plan reflected the difficult and challenging times ahead and the opportunities that were arising as the Council recovered from the pandemic as an organisation and a local leader. He explained that Officers had worked extremely hard to pull this document together and it looked to embrace the recovery, but also to integrate that into building a stronger local economy, focus on the green agenda and a pledge to achieve carbon neutrality, and detail everything the Council was doing to provide a vibrant Borough for the future. The plan had been developed in consultation with a wide range of stakeholders and there would be strong control and monitoring mechanisms with a Monitoring and Advisory Board chaired by the Deputy Leader. This would be meeting bi-monthly and report to the Cabinet and Full Council regularly, as well as the Overview and Scrutiny Committee and meetings with Group Leaders.

The Deputy Leader said he wanted to speak in support of the Plan and draw out the importance of the work that was planned or already underway. The Plan included a series of very tangible benefits for the Borough, not least in terms of community

recovery. All would be aware of the community spirit demonstrated during the pandemic, but new partnerships would have to be created and it would be dangerous to assume that the positive energy to come out of the pandemic would continue without work. This was demonstrated by the community recovery projects set out in Section 6.2 of the Plan, for example the projects at Bockhanger and Beaver. He also drew particular attention to the support provided by the Lifeline service and the progress towards providing temporary accommodation at Henwood as well as the existing Christchurch House scheme.

Members asked about targets, priorities and performance indicators. It was explained there were a series of actions and Key Performance Indicators under each of the four themes in the Plan. The corporate suite of KPIs, which were monitored on a regular basis, had been embedded in to the Plan. It was a robust Plan with key measurements embedded and it would be coming back to Members on a quarterly basis. The Ward Member for Bockhanger considered that the Plan must have specific targets and measures against each individual priority action if those analysing the data, including residents, were to understand where the Council was in its recovery. This would be extremely important. The Head of Corporate Policy, Economic Development and Communications said she was pleased to advise that work had been done on action planning and setting KPI targets and milestones against every action in the Recovery Plan. This was a level of detail which was felt a little too much for this particular report, but she would be happy to share that with the Member concerned outside of the meeting.

On the community recovery section, a Member considered there were some “easy wins” around majoring on community facilities across the Borough. These could deliver income generation, equalities objectives, carbon reduction and job creation by way of units for start-up businesses, and there was a real opportunity for the Council to make a difference if this was specifically included in the Recovery Plan. The Leader responded that much was already happening by way of community facility improvements but they had to be realistic and it would not be possible to provide new facilities across the Borough as part of a Recovery Plan where the focus should be on helping to get the economy back on track. The Portfolio Holder for Culture, Leisure and Tourism advised that it was important to point out that community facilities and spaces were not just about physical buildings. Buildings were obviously vital, but the Council was also providing and investing in other community spaces including at some of the bigger projects at Victoria Park, Conningbrook Park and Discovery Park. It was important to note that projects such as these would live on in the community and for the Council. The Council provided a lot of advice to third parties and any groups that wanted to come forward with ideas on how they could form community groups and facilities would be welcomed.

A Member said he was concerned about an absence in the Plan of measures to address a possible second ‘spike’ of the virus later in 2020, or the possibility of a localised lockdown for Ashford or East Kent. The Leader responded that whilst it was difficult to make predictions about what would happen, there had been many discussions about second waves and localised outbreaks and they had certainly ‘hoped for the best, but planned for the worst’. The Council had its ACER Committee which could be re-convened at short notice and they continued to work closely with KCC and the Kent Resilience Forum (including the emergency services and the

Government) so there was no chance that the Council would be caught by surprise. The Head of Community Safety and Wellbeing advised that the Council's response work on Covid-19 had not stopped and would run alongside the Recovery Plan. She stated that the Council's Business Continuity Management Team continued to meet twice a week to address the ongoing Covid-19 situation. There were additional plans in place to deal with potential local lockdowns/outbreaks and response work was continuing separately behind the scenes.

A Member questioned why the report indicated that there were no negative equality impacts highlighted from the Covid-19 outbreak? The Head of Corporate Policy, Economic Development and Communications clarified that there were no negative equality impacts identified in terms of the actions included within the Recovery Plan. This assessment did not refer to the impact of the outbreak.

There was a discussion around potential 'digital exclusion' and the negative impact on the elderly, disabled, poor, or those in rural areas, of moving more services digitally, when those people did not have access to good quality broadband or may not have the necessary skills to participate. A Member considered there should be more reference to this in the Recovery Plan and she worried about the challenges and barriers that were potentially being placed in front of some people as everything moved towards a more digital age. The Leader said that whilst he sympathised with the comments made, he considered the Council was doing everything it could in this regard. There were reports later on this agenda about broadband and a Fibre to the Premises Supplementary Planning Document. This was a caring Council which had already led on things outside of this Plan like space standards, 'Changing Places' toilets for the disabled and being aware that digital solutions were not the panacea for all, so they had clearly demonstrated their commitment to inclusion and equalities. The Head of Corporate Policy, Economic Development and Communications advised that the Plan did also contain some design principles around meeting customer needs in the future and ensuring services were accessible for all, and these had been embedded in to the Plan.

The Portfolio Holder for Housing provided an update on some of the measures the General Fund was undertaking to support the Housing Revenue Account and its homelessness position in the current situation.

**Resolved:**

- That
- (i) delegated authority be given to the Chief Executive, in consultation with the relevant Portfolio Holder, and the Recovery and Monitoring Group, to vary the delivery plan programme in order to expedite a timely response to changing circumstances to support the recovery of local residents, communities and businesses.**
  - (ii) the Chief Executive be authorised, in consultation with the Leader of the Council and the relevant Portfolio Holder, to commence delivery of the Recovery Plan prior to it being recommended for adoption at Full Council in October.**

- (iii) **the reallocation of Business Rate Pool funding (Economic Growth) from the Town Centre framework projects to the focus on the economic recovery priorities within the Recovery Plan delivery, be noted.**
- (iv) **the long term ambition for the Borough be noted and agreed.**
- (v) **the Ashford Ambition Report (Shaping a Prosperous, Sustainable and Inclusive Future for the Borough in 2030 and Beyond) be noted as the evidence base for the forthcoming Corporate Plan.**

**Recommended:**

**That the Recovery Plan be adopted as the main strategic document of the Council for the next 18 months.**

## **25 Broadband Update**

The Portfolio Holder introduced the report which analysed the latest data on fixed and mobile telecommunications access within the Borough. It updated Members on the activities undertaken to attract investment and improve infrastructure within the Borough by private sector operators - in particular the implementation of Policy EMP6 within the Ashford Local Plan. The report also set out the potential areas to prioritise moving forward and the importance of broadband and telecommunications infrastructure within the Council's Recovery Plan. He particularly drew attention to Paragraphs 26 and 27 of the report which detailed the future priorities and risk assessment, and he thanked Officers for producing a terrific report.

**Resolved:**

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

## **26 Commercial Services Strategy**

The Leader introduced the report which advised that a Commercial Services Delivery Strategy was required to assist in addressing the financial challenges currently facing the Council, which had intensified as a result of the coronavirus pandemic. The strategy was intended to provide a consistent approach and approved guidance for Councillors and Officers to work within, and would be supported by an annual delivery plan, detailing specific work programmes and projects to help achieve the commercial service ambitions. These ambitions were designed to support the overall service delivery of the Council and were an integral part of the wider Recovery Plan. He advised of a correction to the report in that he would be the Portfolio Holder for Commercialisation rather than the Portfolio Holder for Finance and IT.

The Portfolio Holder for Finance and IT said the key to this would not be in process but very much in delivery and generating income. He thanked the Head of Environment and Land Management for producing such a good report.

**Resolved:**

**That (i) the contents of the report be noted.**

**(ii) the Commercial Services Delivery Strategy be adopted.**

## **27 Ashford Health and Wellbeing Partnership - Annual Report 2019/20**

The Portfolio Holder introduced the report which highlighted some of the Ashford Health and Wellbeing Partnership's activity during 2019/20 to improve the health and wellbeing of the Borough's residents. He outlined some of the highlights, including Ashford's smoking rate being more than halved in just one year which was a phenomenal achievement. There continued to be significant challenges, both now and in to the future, however these were recognised and the report showed the excellent work that was already happening and being driven forward by the Partnership. He wanted to recognise the work of Officers, Cabinet colleagues and partners for driving this agenda forward.

The Leader said the report was a positive one and it was worth dwelling on the reduction in smoking from 21.5% of adults in the Borough to 10.1%. Ultimately this was saving lives. In addition it was worth emphasising the One You Shop in Ashford Town Centre - a one of a kind facility which had already expanded once and had been so successful in dealing with a number of issues, including the aforementioned smoking reduction. The Council would also be investigating the possibilities of asking the One You Shop to assist where elderly residents were currently having problems accessing their GP practices remotely.

The Deputy Leader said that the point on digital access for consultations was well made. The NHS, through both GPs and the hospitals, were clearly going to make more use of electronic and remote consultations/appointments and whilst in his view this was the way forward and there were huge advantages to this in terms of efficiencies, there would also be a role for the One You Shop and others to help people understand those facilities.

A Member asked that, given the success of One You in the Town Centre, would it be desirable to roll similar facilities out to other areas of the town, perhaps based in existing Community Centres. Another Member suggested that perhaps some of the larger GP surgeries around the Borough could sub-contract a One You type service. The Leader responded that whilst he understood the sentiment, these were expensive facilities and the Council had to work in tandem with health professionals from the NHS and others and focus on its own recovery. Ashford already had the only facility of this type in the country and it involved an enormous amount of work, resources and commitment, so it may be unrealistic to expect more in other locations around the Borough. Caution also had to be guarded against taking on too many

responsibilities for health issues as the Borough Council. They could work with, facilitate and signpost, but they could not take on the roles and responsibilities of GP surgeries and the Health Authority in general. A Member said there were a number of people who were interested in getting the message of One You out across the Borough and it need not be an expensive exercise. It would be more about getting the parties together to devise a way of using existing resources and facilities. The Portfolio Holder reassured Members that this was a goal of the Partnership going forward.

**Resolved:**

- That (i) **the achievements made by the Ashford Health and Wellbeing Partnership in 2019/20 be noted.**
- (ii) **the changing sub-regional and regional health and wellbeing arrangements be noted.**
- (iii) **the work being undertaken by the Ashford Health and Wellbeing Partnership as part of the Council's Recovery Plan be noted.**

## **28 Fibre to the Premises Supplementary Planning Document (SPD) - Adoption**

The Portfolio Holder introduced the report which proposed adoption of a Fibre to the Premises SPD to provide advice and guidance for applications relevant to adopted Local Plan Policy EMP6 (*Promotion of Fibre to the Premises (FTTP)*) for the purposes of decision making on planning applications. Adoption had been recommended by the Local Plan and Planning Policy Task Group and the report summarised the comments received following the Council's consultation on the draft FTTP SPD, detailing the recommended response. He proposed a minor addition to the recommendation to Council to allow for minor editorial changes to be made to the document, and he wanted to particularly thank Councillor Callum Knowles for his previous input on this matter and the Officers involved in bring this forward.

**Resolved:**

**That the responses to the representations received and changes made to the SPD contained within Appendix 1 to the report be noted.**

**Recommended:**

**That the Fibre to the Premises Supplementary Planning Document as conatind at Appendix 2 to the report be adopted, with authority delegated to the Spatial Planning Manager, in consultation with the Portfolio Holder for Planning and Development, to make any minor changes of an editorial or clarification nature which in his opinion are required to finalise the document.**

## **29 Brook Village Envelope Boundary Map - Adoption**

The Portfolio Holder introduced the report which sought Cabinet approval to adopt the Brook Village Envelope Boundary as informal guidance for development management purposes. Officers had prepared a Village Envelope map of Brook to indicate where the Council currently considered the existing built up confines of Brook to be. The map would help clarify the written definition in the Local Plan for the purposes of decision making on planning applications. He emphasised recommendation (ii) which would allow for the construction of new development to be taken in to account.

### **Resolved:**

- That (i) the Village Envelope Boundary shown in the appendix to the report be adopted as informal guidance for development management purposes.**
- (ii) authority be delegated to the Spatial Planning Manager, following consultation with the Portfolio Holder for Planning and Development, to amend, where relevant, the Village Envelope Boundary to account for the construction of new development.**

## **30 Memorial Safety in Burial Grounds**

The Portfolio Holder introduced the report which explained that the existing policy and procedure for inspecting memorial headstones, in both open and closed cemeteries, had been reviewed in line with guidance issued by the Ministry of Justice and the Health and Safety Executive. The review had also considered data gathered during the inspection process. The report provided Members with an update on the present position, summarised the key findings of the reviewed risk assessment, and detailed proposed changes to the policy and procedures for the safe management of memorials in the Borough.

### **Resolved:**

- That (i) the current position with regard to memorial testing and inspection be noted.**
- (ii) the updated policy and operational procedures as set out in Appendix 1 to the report be adopted.**

## **31 Fees for Replacement Bins and Increases to Garden Waste Service Fees**

The Portfolio Holder introduced the report which provided information and options with respect of fees being applied for replacement waste and recycling containers (bins). It provided information with respect to garden waste service fees. The proposed increases and the proposed fees were set out in the report.

Members were concerned about particular examples of residents on low incomes whose bins were often damaged by no fault of their own (cross winds in a particular road for example) and who may not be able to afford a new bin. This could result in broken bins being dumped and rubbish being left out on the streets or fly-tipped. The Portfolio Holder explained that the focus was on residents who were using their existing bins for other purposes or giving them to relatives in other Districts, whilst asking for a new set of bins for free and the charge was intended to dissuade people from doing that. Of course if bins were stolen, or if they were damaged by the contractors, they would be replaced for free. Officers also did have discretion built in to these procedures. They would consider people's individual circumstances and would not be over-punitive in such cases.

**Recommended:**

- That (i) a fee be applied for supply of any new replacement collection containers, excluding garden waste and food waste containers.
- (ii) an incremental increase be applied over three successive financial years for the garden waste collection service.

### **32 Local Plan and Planning Policy Task Group – Notes of 27<sup>th</sup> May and 26<sup>th</sup> June 2020**

**Resolved:**

**That the Notes of the Meetings of the Local Plan and Planning Policy Task Group held on the 27<sup>th</sup> May and 26<sup>th</sup> June 2020, and the Housing Delivery Action Plan 2020 discussed at the 26<sup>th</sup> June Meeting, be received and noted.**

### **33 Economic Regeneration and Investment Board - Notes of 23<sup>rd</sup> June 2020**

**Resolved:**

**That the Notes of the Meeting of the Economic Regeneration and Investment Board held on the 23<sup>rd</sup> June 2020 be received and noted.**

### **34 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.**