

Ashford Borough Council

Minutes of a Virtual Meeting of the Ashford Borough Council held on Microsoft Teams on the 15th April 2021.

Present:

His Worshipful the Mayor, Councillor J S Link (Chairman);

Cllrs. Anckorn, Barrett, Bartlett, Mrs Bell, Bell, Blanford, Buchanan, Burgess, Campkin, Chilton, Clarkson, Clokie, Farrell, Feacey, Forest, Harman, Hayward, B Heyes, T Heyes, Howard, Howard-Smith, Iliffe, Knowles, Krause, Ledger, Michael, Mulholland, Ovenden, Pauley, Rogers, Shorter, Spain, Sparks, L Suddards, Turner, Walder, Webb, Wedgbury, White, Wright.

Prior to the commencement of the meeting, His Worshipful the Mayor said a few words of tribute to the Duke of Edinburgh who had passed away the previous week. He then asked Members to respect a period of silence. The Reverend John Emmott then said prayers.

Apologies:

Cllrs. Cornish, Pickering, C Suddards.

In Attendance:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Head of Culture, Tourism and Leisure, Executive Research Officer to the Leader of the Council, Civic Engagement Officer, Member Services Manager (Operational).

299 Exempt or Confidential Items

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of Exempt or Confidential information. There were none.

300 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 4th March 2021 be approved and confirmed as a correct record.

301 Announcements

(a) The Mayor

The Mayor said that first and foremost, he wanted to say how pleased he was to be back with everyone this evening as Chairman of this Full Council meeting. He was also happy

to report that his long awaited hip operation had been successful and he had been a good boy and followed the excellent example of the Leader by doing his exercises regularly! He wanted to thank everyone for their good wishes for a speedy recovery – the messages had been greatly received and he was delighted to be getting around once more. At the last Full Council meeting his Deputy had taken the Chair, and he wanted to thank Councillor Callum Knowles for stepping in.

It was difficult to believe that they had been fighting the COVID virus for over one year now and with the incredible work in rolling out the vaccine they may just be able to begin easing their way back to a more normal way of life. However, they should not let this moment pass without remembering and reflecting on the many family, friends and loved ones that had lost their lives during this most dreadful of times. Their hearts went out to each one and to all of those who continued to suffer.

It had, indeed, been a challenging year, but the limited times that he had been able to venture out into the communities across the Borough had been inspirational. Together with his wife, Jill, they had experienced the community spirit at events such as Egerton's Battle of Britain Ceremony and the humbling presentation of one of the Council's Ashford Achieve Award winners. Accompanied by the High Sheriff, they visited Ashford's Cinnamon Spice Restaurant, where the owner (even now) continued to provide free meals and support to the area. This was just one of the many examples of those who had given their all during the pandemic. Then they had embarked on a series of visits to meet and talk to the volunteers, owners and supporters of a number of the Borough's local attractions and businesses. This included a superb trip on the wonderful Kent and East Sussex Railway in Tenterden, where their team had been working hard to continue to provide a service. Then the enlightening visit to Green Farm in Shadoxhurst with their outreach and charity work woven into their business – it had been a bit of a difficult year but also a rather special one.

He and the Mayoress had also met up with their three charities, understanding their needs and sharing time with the teams and their clients. He was pleased that through the Members' Grant Scheme, these worthy charities had been helped with funding towards their projects, giving them the opportunity to move forward as they emerged from the pandemic. All of these communities, charities, businesses and individuals were making such a big difference across this great Borough and he was so proud of them all. The diversity of their skills, their passion and their dedication to the people they served and worked alongside was a credit to them all. Therefore, he wanted to thank all of them for their commitment in changing lives and making a difference across the Ashford Borough.

This would be his final Full Council before the Annual Meeting when he would hand over the Chains of Office to the next Mayor. So he thought he would finish by letting everyone know that he was planning 'The Mayor of Ashford's Sunday Service' - a special small gathering at St Mildred's Church, Tenterden. It was scheduled for Sunday 2nd May and would give him the chance to give thanks for his time in office – not quite a year! As the restrictions continued, he had ensured that this ceremony would be streamed live so that those who would have normally been with him could enjoy the occasion from the comfort of their own home.

In conclusion, as some may know, the Council's long serving Member Services Manager Keith Fearon was retiring the following week. Keith had worked for Ashford Borough Council for more than 35 years and had provided immaculate service and advice for a long list of Elected Members, and indeed Mayors, since 1986. They would all miss his sage advice and friendship and he was sure that colleagues would join him in wishing Keith well for a long and happy retirement.

(b) Leader of the Council

The Leader said that he wanted to take a few minutes to update colleagues on just a few points of interest because he was mindful that they were in the election purdah period and would therefore be respectful of this and restrict his comments to factual matters only.

He was pleased to report that Ashford had again been confirmed as the highest recycling Local Authority in Kent. The latest figures published by DEFRA showed that Ashford's recycling rate remained comfortably above the national target of 50%. The overall figure for Ashford (54.2%) placed them 48th in the entire country, 16th in the South East of England and top in Kent. Ashford's continued improvement could be attributed to a number of factors, but the most important was the residents who had actually engaged so much with recycling. They had strong contract management and excellent delivery by Biffa. This was something that all should be very proud of indeed.

The Leader wanted to say that as they now began to come out of Lockdown, it was right to reflect on how tragic it had been that so many had lost loved ones and friends to this dreadful disease. He knew that Ashford had handled the pandemic well and the team spirit had been very evident. Council colleagues had worked tirelessly with many partner organisations and volunteers - be they organised groups or individuals – and they could take pride in a job well done. Now however they had to face a number of challenges, not least of which was to promote the Borough's economic and social recovery. One particular aspect would be the creation of meaningful employment for the people of Ashford. As of the end of February 2021, the total unemployment for Ashford was at 6.1% (4725) which was in line with the Kent figure of 6.1% and slightly under the national figure 6.5%. Unemployment for the 18-24 age group however, was at 11.2% (990) which was 1.5% above the Kent average of 9.7% and 2.2% above the national average figure of 9%. It was clear therefore that they had much to do to encourage and incentivise more meaningful jobs and more apprenticeships for the Borough's young people.

He said he had been pleased to learn earlier that day that the Council would be able to undertake an additional road-cleansing programme for a number of the Borough's designated A roads. This programme would be undertaken over the next eight-week period and the cost would be funded by Ministry of Housing, Communities and Local Government. This was in recognition of the additional heavy use of the Borough's roads following the EU Transition and where there had been additional litter irresponsibly deposited along those routes.

302 Audit Committee – 16th March 2021

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 16th March 2021 be received and noted.

303 Appointments Committee – 8th March and 24th March 2021

(a) Appointments Committee – 8th March 2021

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 8th March 2021 be received and noted.

(b) Appointments Committee – 24th March 2021

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 24th March 2021 be received and noted.

304 Questions by Members of which Notice Had Been Given

(a) Question from Councillor Michael to Councillor Clokie, Portfolio Holder for Corporate Property and Projects

“It is good news that all units at Elwick Place are now let. It has taken many months for this to be realised, and I ask whether the return on investment (net of direct and indirect costs) is in line with the original business case for making the investment, and if not, what is the projected return and pay-back period? On the question of investments, I ask Members to be updated on all investments with their projected returns, and that a document with the latest update is circulated to Members since this would be seen to be good open governance. Given the sale of Carlton Road units, going forward is the strategy to dispose of some existing investments to realise other investment opportunities or to reduce debt?”

Reply by Councillor Clokie

“Councillor Michael asks a question which I know is of interest to a number of colleagues now that the shops are becoming to come alive again. The coronavirus pandemic has had a devastating effect on the UK’s hospitality sector over the last 14 months or so. Before this, the sector had already been severely affected by the lack of corporate funding which resulted in a number of restaurant chains going in to administration. Despite this the Council has never lost faith in the sector and has continued our efforts

to attract local restaurants and leisure businesses, rather than national brands, to fill the remaining ten units. This work has continued against the backdrop of business uncertainty caused by Brexit, an accelerating decline in High Street retail, as well as the pandemic bombshell that has thrown the UK economy in to turmoil. It is pleasing therefore to report that the units are all now signed, although one has withdrawn due to health reasons and we wish that individual and their family well. Despite the declining restaurant market, the Council has been able to secure competitive rental values, but these have not met the original business plan. It is however pleasing to note that as the country continues to recover from the pandemic, we have seen increased demand for the units at Elwick Place. This is evident from a number already being open and ready for business. The reduction in rental values is partly offset against the reduction in payment to the developer which is therefore reflected in the overall capital spend for the project. The revenue budget has taken in to account the signed leases and this will be regularly reviewed as part of the overall management of the portfolio. It is expected that the Picturehouse will re-open on the 17th May following the next stage of the easing of the Lockdown and I am sure colleagues will be pleased to hear that. This will further enhance this fantastic facility in which the Council has invested. All of this will be reflected in the Annual Investment Report which is presented to the Cabinet each September on the performance of the Corporate Property portfolio for the previous financial year. The Head of Corporate Property and Projects, in liaison with Members of the Economic Regeneration and Investment Board, has taken the opportunity to realise capital receipts with the sale of a number of units at Carlton Road. These receipts, less the cost of the blocks themselves, have helped to replenish the Council's reserves. The Council has reviewed, and will continue to, all of its assets as part of its agreed Asset Management Strategy. The Council will consider the opportunity to dispose of assets which are either not economic, or where the receipt will be beneficial to the Council's financial position."

Supplementary Question by Councillor Bernard Heyes

"Does the Portfolio Holder have any concerns about the disposal of one of the units at Carlton Road. Will disposal of an individual unit not make the whole thing less attractive to an institutional investor and as a consequence will this make the other units worth less? What does the Portfolio Holder think about this situation?"

Reply by Councillor Clokie

"I am not sure I agree with the premise. The Council is quite happy to have the income from these units and if it is appropriate to sell one because it is not economic to maintain or retain, or the price being paid is such that it improves our financial position, then we would be right to take it."

(b) Question from Councillor Michael to Councillor Shorter, Portfolio Holder for Planning and Development

"I know that the Head of Planning and his team are working hard to find an answer to the Stodmarsh issue, but in the meantime a number of developments are put on hold, and this has been further exacerbated by pandemic regulations causing delays to developments that were able to proceed. I ask will this annual loss of housing number have to be made up within the present five-year land supply, i.e. increase numbers in

remaining years, or can they be amortised over a longer period; and what does this housing number loss mean for the Local Plan and its subsequent revisions?"

Reply by Councillor Shorter

"I thank Councillor Michael for his question. In essence this question relates to whether, and to what extent, the national "presumption" in favour of sustainable developments will be engaged because of Stodmarsh and/or COVID – i.e. will our Local Plan remain up to date and relevant given a lack of housing delivery? The final issue is whether a revised Local Plan will need to "catch up" any lost housing.

I would like to start by clarifying that those planning permissions that have already been given, can continue to be built out and as such there will be a delay in the net effect of this delay of being able to give planning permissions for proposals within the Stour Valley catchment area. So, it is important to note in responding to this query that the Council is already in a position where the presumption is engaged on account of the current and published 4.8 year Housing Land Supply figure, published in October 2020. In terms of the national test, there are two national tests that could lead to the presumption being engaged. The first is the Five Year Land Supply Test and the second is the Housing Delivery Test. Dealing with Five Year Land Supply Test first, this is largely about assuming a rate of housing delivery on a range of sites within the five year period. These sites are largely made up of existing applications and allocated sites, but can also include assumed housing windfall sites – sites not allocated within the published Local Plan. However it is worth noting that the supply figure is also impacted by how many houses are delivered in past years and the current year of assessment. This is the objective part of the assessment. If housing completions fall below the amount needed to keep parity with the Land Supply figure, the amount of supply you can rely on is reduced, and as with Councillor Michael's premise, the supply figure is worse. In this context, non-delivery because of Stodmarsh or COVID will impact the five year test results but we will not know this until the July figures are published at the earliest – that is the routine monitoring period that was reviewed last year and published in October. Indeed, there may even be a lag of a year because the actual impact of Stodmarsh and COVID may not present itself until then, given the time between securing permission and getting buildings on the ground. For now, the Council position remains at 4.8 years of Housing Land Supply. This is the published position and the context on which we invite decision makers to judge applications – that's either the Local Planning Authority or an Inspector. Unless changed by an appeal, this will remain our position. Our published position of 4.8 years Housing Land Supply doesn't assume a lack of housing delivery because of Stodmarsh or COVID, as there is nothing to suggest that the market won't catch up and deliver at a higher rate than traditionally is the case. There is no impediment, other than Stodmarsh, to not achieve this higher rate of housing delivery and we are content to continue to rely on the 4.8 year position until we need to change it because of either an appeal, or known housing completion figures. Turning to the Housing Delivery Test because although not mentioned in question, it is very relevant here. It is the other national test that could lead to the presumption being engaged. In practice this is a much more objective test – i.e. it relates to actual completions as opposed to assumptions about future sites. Falling below a certain amount of housing completions this year, would mean that we fall into the position of where the presumption would apply next year (July onwards). This is irrespective of whether we can achieve a five year supply or not, they are linked but they are also

separate tests. However, again, we will not have an answer to this until the Housing Monitoring is done, which will be in June or July to keep consistency with other years. Regarding the impact on a future Local Plan, in simple terms and as currently understood, any revised Local Plan would not need to “catch up” housing that wasn’t delivered as per meeting our housing need under what will be the past regime. The current regime, which the Plan will be assessed against, urges the Council to meet our nationally derived “top down” housing targets, provided by Government. This does not require us to look at past housing delivery and rectify any lack of delivery - in practice it has already been taken into account. However, the Plan cannot proceed at this time because of the Stodmarsh issue. At the moment this issue limits our ability to plan future sites. Broad locations as a solution to the Stodmarsh issue cannot be demonstrated so there is no plan led solution that can be progressed at this point. I thank Councillor Michael for his acknowledgement right at the beginning of his question about the efforts that the Planning team are undertaking at the time. I would just like to make the global point that Ashford Borough Council is not working in isolation. We are working with other Boroughs and Districts as well as other organisations outside of the Council on a broad approach to addressing the problem we have in front of us.”

Supplementary Question by Councillor Michael

“I would like to thank Councillor Shorter for answering my question so comprehensively and I have picked up all of the bits he said. The one supplementary question I have is that given the Stodmarsh issue, are we, or any other Councils, banding together to lobby the Government to make the point that we have some specific circumstances peculiar to us and that we need some lee-way on this so that we don’t get caught out with the presumption?”

Reply by Councillor Shorter

“Yes, I would like to reassure Councillor Michael, and other Councillors, that we are indeed addressing this beyond the local area and indeed the Leader raised this very matter at the Ashford Strategic Delivery Board last Autumn. The matter has been taken to the highest level and those communications continue, but I can’t discuss those in detail at this time.”
