

Ashford Borough Council

Minutes of a Meeting of the Ashford Borough Council held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **21st April 2022**.

Present:

His Worshipful the Mayor, Cllr. C K Knowles (Chairman);

Cllrs. Anckorn, Barrett, Bartlett, Mrs Bell, Brooks, Buchanan, Burgess, Campkin, Chilton, Clarkson, Farrell, Feacey, Forest, Harman, Hayward, B Heyes, T Heyes, Howard, Howard-Smith, Iliffe, Krause, Ledger, Link, Meaden, Michael, Nilsson, Pickering, Rogers, Shorter, Spain, Sparks, C Suddards, Turner, Walder, Webb, Wedgbury.

Also Present:

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Member Services Manager.

Apologies:

Cllrs. Bell, Blanford, Cornish, Mulholland, Ovenden, Pauley, Smith, L Suddards, Wright.

Prior to the commencement of the meeting Members remained standing in respect of the late Marion Bonar Martin who was the Borough Council Member for the Kennington Lees, Bybrook and Little Burton Farm Wards between 1976 and 1978 and 1999 and 2019, and an Honorary Alderman, who had passed away recently. His Worshipful the Mayor advised that the Borough Council Flag had been flown at half-mast at the Civic Centre today, in respect of Marion. The Member Services Manager then said prayers.

370 Exempt or Confidential Information

The Mayor asked whether any items should be dealt with in private because of the likely disclosure of exempt or confidential information. The Solicitor to the Council and Monitoring Officer advised that there were none.

371 Declarations of Interest

Councillor	Interest	Minute No.
Bartlett	Made a Voluntary announcement that he was a Member of Sevington Parish Council.	377

372 Minutes

Resolved:

That the Minutes of the Meeting of the Council held on the 3rd March 2022 be approved and confirmed as a correct record.

373 Announcements

(a) The Mayor

The Mayor welcomed everyone present and said it did not seem that long since they had all met together in March. The last month had really flown by and he and the Deputy Mayor had been busy around the Borough.

There were too many events to mention individually but there were two particular highlights involving young people that he wanted to mention. Firstly the Eco Kids afternoon where six or seven Primary Schools had attended the Council Chamber with the pupils giving their amazing commitment to recycling and ecological projects. Over the next month he was going to personally visit those schools, and others, to see what they were doing. The second had been another round of the Kumon Awards where he had presented a number of young people of the Borough with awards for their levels in Maths and English – many of whom for which English was not their family's first language.

He had also had the pleasure of attending an enlightening breakfast meeting with the Archbishop of Canterbury along with the Leader and other Council representatives that past week. The Archbishop was an incredible character and he had been very concerned and interested about what was going on in the Borough, especially in terms of business and commerce. He hoped that some ties had been forged and they would see more of him and his Office in the Borough.

The Mayor said he had also continued to open a number of new businesses and initiatives including Jay's Soul Food, the new Afro-Caribbean restaurant at the top of the town. As well as supplying great food, this was a particularly pleasing development as it had brought a building back in to the community that had been out of use for a long period and tidied up that part of the town.

He also wanted to thank all of those who had come to support him at recent events. The Beer and Pie tasting event at the Old Dairy Brewery where a good time was had by all, and also to those who had attended his Charity Ball that past weekend. There was pictorial evidence of many colleague Councillors enjoying themselves, which he said he would release in return for a donation to the Mayor's Charity!

The Mayor concluded by saying that he had a couple of props to display this evening. Firstly a shield won by his quiz team at the Royal Naval District Quiz last week. On a related note he was pleased to advise that thanks to the efforts of a number of people, they had been able to take the Ashford Branch of the Royal British Legion out of county control and back to Ashford. The first meeting of the newly reformed Ashford branch would be on the 9th May. This was extremely good news, particularly with regard to the social and welfare side for local veterans and their dependents. His second prop was his Ashford United scarf. He had been to a number of games recently and the "Nuts and Bolts" had reached the play-offs and were up for promotion. The last game of the regular season was this coming Saturday and the play-offs started on Tuesday 26th April. The Football Club had a wonderful facility, and they had been granted planning permission to provide even more. They were doing an amazing job with young people of the Borough and he urged everyone to get down and give them their support.

In terms of upcoming events, the Mayor said he wanted to draw attention to the last of his charity fundraising events on the 6th May at the Sinden Theatre, Tenterden – the Counterfeit Beatles and the wonderful Maddie Cole singing the hits of the 60s. He also invited everyone present to a drinks reception in the Committee Rooms after this meeting.

(b) Leader of the Council

The Leader said that he would like to take the opportunity to advise and update colleagues about a few matters of interest. Further to what the Mayor had said about the Archbishop of Canterbury, he had advised on his visit that Ashford was the largest Church of England Parish in the country which was an interesting fact he had previously been unaware of!

Since the last meeting, he was pleased to advise that residents had begun to move into the 31 first-class new homes built at Berry Place on the site of the former Poplars building on the corner of Kingsnorth Road and Beaver Road. This HRA built and managed scheme was completed at the end of February and provided dementia-friendly independent living accommodation, which adopted the principles and specification seen at Farrow Court, Danemore and East Stour Court. Next month the Council's HRA would also accept the handover of the newly built 17 high-quality homes at Halstow Way in South Ashford. These were a mix of 1-bed and 2-bed flats, as well as four stunning 3-bed duplex apartments. Homes England grant funding totaling £60,000 per home would enable the Council to set social rents for these tenants making them genuinely affordable housing - something all could be very proud of. This would take the number of homes the Council had built, or acquired through Section 106 agreements or off-plan, to over 500 homes since 2011, when the Localism Act gave the ability to build. Adding on-street purchases would bring the number up to over 600 homes.

Last month the Council had been awarded a grant of £174,300 from the Office for Low Emission Vehicles, to install on-street charging points and this work was now being actioned. Colleagues would also be aware that last Autumn the Council had been awarded £550,000 from the Home Office to make Ashford's streets safer, particularly for women and girls. Officers from Ashford Borough Council and Kent Police had been working to implement the varying aspects of the project and on Friday 29th April Matthew Scott, Kent Police Crime Commissioner, and Damian Green MP, would be visiting Ashford to see the work undertaken thus far. This would include the creation and launch of the Ashford Streetwise App, a network of Safe Spaces, new radios and additional CCTV in the Edinburgh Road Car Park and Elwick Place. More detailed information on this in briefings and releases were now being issued.

The Leader said that the Covid Pandemic had highlighted the importance of outside space and physical activity, especially for families and young children. In response the Council had funded a £1.1 million investment for three key play areas in Park Farm, Bockhanger and Kennington, and he wanted to congratulate those local residents who had also raised funding for those facilities. The Council was currently consulting with each area regarding the exact provision. Separately, a project to replace the Hunter Avenue play area in Willesborough had seen the addition of an outside gym, zip wire, and football goals and indeed the Mayor would be formally opening this facility the following Friday - the 29th April. Colleagues would also know that over £7 million had already been spent on the Stour Centre, with emphasis on the latest Techno-gym Apparatus and accessibility for all. The Centre now had a new Pool Pod Lift and a

Changing Places toilet for access for the disabled. He was therefore pleased to advise that at the end of last month they were also awarded £160,000 for more Changing Places toilets which would enable Ashford to add another four, including one to the Julie Rose Stadium, which is timely given that a new gym had been created there, and that further work was underway to renew the running track. A caring Ashford was only possible thanks to the support of the Borough's voluntary and charitable organisations, which was why they had launched the Ashford Community Lottery, allowing them to raise vital funds. The lottery would provide 60p from every £1 ticket sold to go directly to voluntary and charitable causes. Over 900 tickets had been sold since March, which at this early rate would generate over £25,000 per year.

The Leader said that given that the next Full Council Meeting would be just before the Queens Jubilee, he wanted to mention the three main events in Ashford which would celebrate Her Majesty's Platinum Jubilee, just five weeks away. The first would be the lighting of Ashford's Civic Memorial Beacon, along with over 2000 others across villages, towns and cities in the UK and all 54 Commonwealth capitals, on the evening of Thursday 2nd June. The second was the Mayor's Civic Thanksgiving Service at St Mary's on Friday 3rd June. The third event would be the unveiling and dedication of a Memorial to HMS Albacore – a minesweeper which had been adopted by the civil community of Ashford after the successful Warship Week National Savings campaign in February 1942. The Service of unveiling and dedication would be held in the Memorial Gardens on Saturday 4th June.

He was sure that all colleagues would be pleased to know that a convoy of some 30 fire engines, with special emergency equipment had left Ashford for Poland earlier that day. This was the second such convoy and he had been advised that a third would also leave Ashford in a couple of weeks' time. These Fire Aid Convoys were being arranged by the UK National Fire Chiefs in conjunction with the Home Office. Fire and Rescue Services from across the country had all donated firefighting equipment to help Ukraine's Fire and Rescue Service as they continued their life saving work in the most difficult conditions imaginable. Sadly, 100 fire stations and over 250 fire engines had been destroyed in Ukraine, with a number of Firefighters also tragically losing their lives as they battled to protect their country and its remaining population. More than 60 UK firefighters would join Fire Aid volunteers as part of the team driving the vehicles and equipment across Europe where it would be received by the Polish State Fire Service before being transferred to Ukraine.

The Leader said he would like to conclude on a very much lighter note. He and others often referred to Ashford as the most International Borough in the UK. It was not just that they had HS1 and the Channel Tunnel on their doorstep and now one of the largest Inland Port Health facilities, but believe it or not they were now working closely for the French and their democratic governance! Many may not realise, but they had set up and managed a Polling Station in Ashford at the Coachworks, for the French Presidential Elections on the 10th April and they would be doing so again this Sunday - 24th April. On the 5th June and the 19th June they would again be setting up and managing the Coachworks Polling Station for the French Legislative Elections. So on that final international note, he thought he would rest his case!

374 Cabinet – 31st March 2022

Resolved:

- That (i) the Minutes of the Meeting of the Cabinet held on the 31st March 2022 be received and noted with the exception of Minute No. 359
- (ii) Minute No. 359 be approved and adopted.

375 Audit Committee – 15th March 2022

Resolved:

That the Minutes of the Meeting of the Audit Committee held on the 15th March 2022 be received and noted.

376 Appointments Committee – 23rd March 2022

Resolved:

That the Minutes of the Meeting of the Appointments Committee held on the 23rd March 2022 be received and noted.

377 Review of Community Governance Arrangements

Resolved:

That the Terms of Reference for the Community Governance Review be approved.

378 Questions by Members

- (a) **Question from Councillor Harman to Councillor Buchanan, Portfolio Holder for Environment and Land Management.**

“Local Authorities dealt with 1.13 million fly-tipping incidents in 2020/21, up by 16% from 2019/20. To address this, the Department for the Environment, Food and Rural Affairs has announced that it is considering banning the disposal charges for Household DIY waste. Currently about 1/3 of Councils charge Households for disposal of DIY waste. One of those is KCC. Residents regularly comment that charges provoke fly tipping. We have discussed the topic in this Chamber. Government is now taking action to address both charging and online booking requirements as possible causes of fly tipping. Our Environment team has an excellent track record in addressing fly tipping. The Report It app ensures that reporting is straightforward and response rates are generally excellent. The creation of the Environment Enforcement team has had some success in issuing prosecutions. Nonetheless, fly tipping is a continuous scourge and the clearance costs to ABC are significant. The causes are complex but charging and pre-booking may indeed be contributors. I would therefore like to ask - will this Council support a request to KCC to remove charges and reconsider the online booking system, which are both barriers to easy access to the Household Recycling Centre? Two thirds of Councils nationwide obviously do not think that charges are a good idea.”

Reply by Councillor Buchanan

“Mr Mayor, I would firstly like to thank Councillor Harman for asking me this question as it is something I am very passionate about.

When I became Portfolio Holder for Environment and Land Management, I had a discussion with the Leader about fly tipping and I remember him banging the table and saying “what is the point of Biffa and Aspire working round the clock to make the town, parks and roundabouts look stunning, if people drive round the corner and see litter and fly tips”. We had in place a plan to implement an Environmental Crime Team, but the business case for this had changed due to Covid and it did take a little longer to implement than we hoped. Nevertheless I worked very hard with the Head of Service to put in place a viable Environmental Crime Enforcement Team to deal with, find, tackle and prosecute Fly Tippers and I believe this has been a successful initiative.

In this Borough we track reports of fly tipping, along with the details of what has been fly tipped (which includes quantity and description as well as location). This enables us to target our enforcement around local hotspots, in an attempt to catch offenders “in the act” as well as to understand any patterns in types of waste being disposed of. Additionally, we are now able to work with the Police on Operation Assist, where vehicles appearing to carry waste, or thought to be possible offenders, are pulled over to check that they have the correct documentation. This has not only resulted in fines being issued, but has been welcomed by the many honest contractors, who are pleased that they do not have to compete with persons who are not paying properly to dispose of waste.

Our monitoring enables we to be clear where policy changes (either through charging or changed opening times) have an effect on behaviour such as the potential to increase fly tipping. Therefore, we can say that despite perception, overall across the borough, we have clear evidence that there is no perceptible link to fees being applied for disposal of DIY material (such as rubble and plasterboard) and an increase in fly tipping of the same. The fly tip of DIY material has hardly varied for the last three years since fees were applied. Most of the fly tip disposals reported to us are simply household waste items that couldn't fit in a wheelie bin. Disposal for most items at the Household Waste and Recycling Centre (HWRC) are free.

When the booking system at the HWRC was first introduced, I think it's reasonable to say that there was a considerable wait for “slots” to be available. In some cases, this was as long as three weeks if you wanted a specific day of the week (most notably at the weekend). Therefore, at this time, some people used licensed waste carriers to dispose of their waste at a cost. We also did see a proliferation of unlicensed waste carriers offering their services and this did result in some fly tipping that could be connected to the time that the booking system was introduced. However, since that time, the booking system has been amended and improved, the site operating hours have been adjusted and the opportunity for additional booking slots has increased, especially at the weekend. We have been very pro-active in our communications messaging, as has KCC, to ensure that householders are clear in their duty of care to dispose of their waste correctly and, after educational messaging, we have moved on to fining and prosecuting the small number of people who chose to continue to fly tip or use rogue waste carriers. This is not unreasonable in that now, in most cases, you are able to book a trip to the HWRC on the same day you choose to attend.

KCC undertook a survey of residents asking for feedback on their continued use of a booking system, which returned support for the continued use of the new booking system. I can remember, before the booking system, I would be in a hurry, load up my car for a quick run to the tip, only to see a massive queue of cars and so had to return home, unload and then re-load and come back another day. I think all would recall trips to the tip before the booking system where it was pretty packed, whereas now you can get in and out quite quickly. The feedback from the KCC survey said that the booking system ensured there were not long queues at the HWRC, especially at the weekend and that this had an environmental impact with less stationary traffic, fumes and congestion on the A28. Access through booking is now, in most cases, on the same day or within a very short time window and waits to access to the various bays at the HWRC are reduced as the flow of customers is better controlled.

The disposal of waste is costly and should be a last resort for residents where the item concerned cannot be reused or recycled. Items such as plasterboard and rubble do need to be dealt with by specialist “off takers” at an additional cost to the many other items at the HWRC. Therefore, due to the infrequency of the general households likelihood of generating such items and lack of impact that applying a charge has had on additional fly tipping tonnages, KCC have elected to retain the charge. The potential alternative would be to increase the cost of the council tax to all residents (passed through to KCC) to cover the cost of the specific items that are not often generated by the average household.

There is really no such thing as free waste disposal - it has to be either paid for by all Council Tax payers or in this case the end user. There is also the increased risk that builders and tradesmen could offer customers a discount if they dispose of the waste after a job as DIY waste, or indeed the tradesmen themselves using the facility, rather than a commercial contractor.

There is a government consultation currently out on this as stated. It may be that, in the future, KCC and other Waste Disposal Authorities, are instructed to remove the ability to charge for such waste. However, in this Borough, using the data we collect (via all channels available to us) and we report on to DEFRA, we are unable to link the charges applied to limited DIY waste at the HWRC with increased fly tipping of the same.

Given that there is huge pressure on the Cost of Living due to the aftermath of Covid, and the cost of wholesale fuel, I feel on balance that it is fairest to the tax payer if the cost is paid for by the end-user, rather than spread across all Council Tax payers, especially as paying Council Tax is not optional whereas doing non-essential DIY is. Furthermore, we now have an Environmental Crime team which is working hard to crack down on the problem and is achieving notable success, I therefore cannot support this request, although ultimately this is a decision for KCC.”

Supplementary Question by Councillor Harman

“I did expect a full explanation of exactly all the wonderful things we have done as a Council to address this, and I am very aware of all those wonderful things. I do not accept though that the Council Tax would have to increase – that would actually be covered by the existing Council Tax because ABC is already picking up the cost of clearing up the fly tipping. So I would just like to ask, in repeat of the first question, the consultation is ongoing with DEFRA, and DEFRA obviously think this is an issue and

that there is a link somewhere, even if we haven't found it through our own data, so would we at least discuss what the alternatives are with KCC? I fully accept this is a KCC issue, but it's a KCC issue that has cost implications for ABC."

Reply by Councillor Buchanan

"Thank you Councillor Harman. Essentially people who are fly-tipping are trying to buck the system, either because they can't be bothered to go to the tip, they don't want to pay to dispose of waste properly, or both. The cost of clearing up fly tips that cannot be identified is picked up by KCC. ABC collects it, it is taken to the HRWC and then KCC deals with it. I have personally seen some rubble and plasterboard, but as I said earlier most of the fly tipped material is normal domestic waste, so it is a relatively small proportion we are talking about. We could talk about this all evening, but perhaps it's a subject best taken off-line and discussed further, and I'd be happy to involve Susan Carey, the KCC Portfolio Holder for Environment in those discussions.

Supplementary Question by Councillor Barrett

"To Councillor Buchanan, to the best of his estimates, how many fly tipping incidents have the Environmental Crime team investigated and how many fines and prosecutions have been issued since its inception?"

Reply by Councillor Buchanan

"Thank you to Councillor Barrett for your question and before I answer it, I don't know how many of us would have seen "The Glutton" out and about in the town – the electric powered road sweeper. Councillor Barrett put a lot of work into getting that and it is doing a great job in clearing up some of the harder to reach waste and is great fun to look at as well, so thank you to you for that. On the question itself, there is a report going from the Environmental Crime team to the Compliance and Enforcement Board next week, but I can say that in the last quarter to 31st March there has been a slight normal seasonal increase in fly-tipping which is to be expected. We have had 72 investigations, 10 interviews under caution and six Fixed Penalty Notices issued. On Operation Assist, a KCC and Police sponsored initiative where the teams go out together, on the 17th January and the 9th February seven vehicles were issued with notices for incorrect documentation and one Fixed Penalty Notice was issued. There are two cases of non-payment of fines going to prosecution and, as I mentioned earlier, the honest traders are very pleased that we are actually keeping an eye on this. There will be more Operation Assist once KCC resumes funding. In January two prosecutions went to court – one is going to trial in May with an arrest warrant issued. There has been a continued drop in fly-tipping since July 2021 and we are increasing the number of investigations and issuing more fines and we are also getting the message out there through social media and other channels that the law is now actually being enforced in this Borough."