

Decisions effective from the 9th November 2022 unless they are called in or are recommended to the Council for approval

Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **27th October 2022**.

Present:

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

Cllrs. Bell, Buchanan, Feacey, Forest, Iliffe, Pickering, Shorter.

Apologies:

Deputy Chief Executive.

Also Present:

Cllrs. Burgess, Harman, B Heyes, Sparks, C Suddards, Wright.

In attendance:

Chief Executive, Solicitor to the Council and Monitoring Officer, Director of Place, Space and Leisure, Assistant Director of Planning and Development, Assistant Director of Environment, Property and Recreation, Head of Strategic Projects, Service Lead – Finance, Principal Solicitor (Strategic Development), Housing Asset Manager, Senior Communications Officer, Policy and Democratic Services Assistant, Member Services Manager.

195 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a Voluntary Announcement as Chairman of the Ashford International Development Company.	197, 203
	Made a Voluntary Announcement as Chairman of the Ashford Volunteer Centre.	197

196 Minutes

Resolved:

That the Minutes of the Meeting of the Cabinet held on the 29th September 2022 be approved and confirmed as a correct record.

197 Medium Term Financial Plan 2023 - 2028

The Portfolio Holder introduced the report which presented the Medium Term Financial Plan (MTFP), a budget forecast including underlying assumptions, covering a five year period from 2022 to 2027 for the General Fund. The Draft Budget would be built using the assumptions in the MTFP and would be reported to Cabinet the following month. He said it was based on best estimates available at the end of September 2022, but the wider economic picture was currently so uncertain and volatile it was worth stressing that the budget process would have to be extremely flexible this year.

In response to questions, Officers confirmed that they would be examining the Chancellor's statement (due for 17th November) very carefully and there would be a lot of interaction and transparency with Portfolio Holders and Members as service budgets came forward.

The Portfolio Holder for Planning and Development asked for a reassurance that the new refuse contract would not be looking to move to a four weekly collection for residual waste as appeared to be being considered in some other areas. It was confirmed that this was not the case.

The Portfolio Holder for HR and Customer Services considered there would be value in producing some extra communication with residents outlining ABC's portion of the Council Tax and what a small percentage of the overall total that charge was. This was a message that still did not seem to be getting through.

Resolved:

- That**
- (i) the forecast be noted and the underlying assumptions be accepted, noting economic volatility.**
 - (ii) it be noted that the 2023/24 Government funding allocation was forecast to be the same as last year, a real term cut.**
 - (iii) the reserve position be noted and the proposed use of reserves to fund the 2023/24 budget deficit be supported.**
 - (iv) authority be delegated to the Deputy Chief Executive, in consultation with the Portfolio Holder for Finance and IT, to agree the Council's continued participation on the Kent Business Rates pool.**
 - (v) Management Team, in conjunction with Members, be supported in developing a sound and robust schedule of savings to bridge the funding deficit highlighted within the report.**

198 Broadband Wayleave Agreements for Council Housing

The Portfolio Holder for Planning and Development introduced the report which explained that Officers were finalising wayleave agreements which would grant access to the Council's housing properties for the purpose of installing Fibre to the Premises (FTTP). As Openreach and Netomnia were rolling out FTTP across the Ashford Borough, thousands of the Council's residential properties would be in scope for this infrastructure upgrade. To ensure the Council facilitated and supported the wider FTTP rollout, Officers were seeking to streamline the wayleave agreement process, reducing the amount of documents and, therefore, the amount of time spent agreeing terms.

Resolved:

- That (i) the adoption of a flexible wayleave system for Fibre to the Premises (FTTP) access to the Council's residential properties be approved.**
- (ii) authority be delegated to the Solicitor to the Council to approve the form of these agreements based on Officers' recommendations (whether as deeds or ordinary agreements).**

Recommended:

- That (i) the principle of recovering reasonable costs for the Council's work on wayleaves and FTTP installation in the Council's owned residential properties be agreed.**
- (ii) authority be delegated to the Assistant Director of Housing to approve the final costs level to be included in these wayleaves, prior to them being signed.**

199 Corporate Property Performance – Annual Report 2021/22

The Portfolio Holder introduced the report which included market update, revenue and asset performance data for the financial year 2021/22, as well as an overview of the ongoing activities of Estates Surveyors to ensure positive progress for the next financial year and onwards. The report also identified progress on the delivery of the Corporate Asset Management Strategy 2020 – 2024 and provided a summary of how the Council's main commercial assets were performing. The Portfolio Holder particularly highlighted, to the Cabinet, the recommendation for charging fees.

Resolved:

- That
- (i) **the performance of the Council's Corporate Property portfolio during the financial year 2021/22, as stated at Appendix 1 to the report, be noted.**
 - (ii) **external factors affecting the commercial market conditions be noted.**
 - (iii) **the Estates team be authorised to charge fees and delegated authority be granted to the Assistant Director of Environment, Property and Recreation to negotiate on those fees where necessary.**
 - (iv) **the charging on non-refundable deposits on Land Enquiries be authorised, to cover administrative costs and Officer time, with the deposit being deducted from the consideration upon completion of the resulting transaction.**
 - (v) **the implementation of new processes and procedures in line with best practice according to the Royal Institution of Chartered Surveyors (RICS), be supported.**

200 Council Tax Base 2023/24

The Portfolio Holder introduced the report which advised that the Council was required to approve the tax base used to calculate the level of Council Tax for 2023/24. It was calculated with regard to the number of domestic properties (including a forecast of new properties), which were then converted to Band D equivalents. The tax base had been calculated at 48,906 Band D properties, an increase of 242 (or 0.5%) on the current year.

Resolved:

- That
- (i) **the 2023/24 'Net' tax base of 48,906 Band D equivalent properties be agreed.**
 - (ii) **the possibility of further Cabinet and Council decisions being required before the end of January, should any material change in the tax base be required as a consequence of any further relevant funding announcements from Government, be noted.**

201 Stodmarsh Update

The Chairman directed Members attention to the tabled papers which included an alternative Paragraph 23 to the report.

The Portfolio Holder for Planning and Development introduced the report which provided an update on the progress of catchment wide strategy, the Council's own

strategic wetlands solution and recent updates from Government and Natural England on the nutrient neutrality issue. He said this was important update, demonstrating what the Council was doing as a Borough and providing assurance.

The Portfolio Holder for Finance, IT and Digital said the complexity of what it would take to deliver the solutions should not be underestimated and he wanted to acknowledge the collaborative work with other agencies and the time and effort that had gone in to this.

In response to a question, the Leader confirmed that all Districts were involved with strong lobbying of the water companies to upgrade water treatment plants, but this would take time. In Ashford they had begun inviting the water companies to the Ashford Strategic Delivery Board meetings to aid closer working relationships. It was clear that the water companies were part of the overall solution, along with Local Authorities, the Environment Agency and Natural England. This Council had always achieved success by working closely in conjunction with others, such as the Government and KCC, and that would continue here. It was an extremely complex process, but the right people were involved and the next step would be ensuring that the Council's planning application was as robust as it could be. Retaining control of the issue was considered vital.

Resolved:

- That**
- (i) the work done to date by Officers progressing new strategic wetlands in the Borough be noted and supported, subject to planning permission being sought and obtained for them in due course.**
 - (ii) the urgency and importance of this project to the Council continue to be recognised, subject to both planning permission and permitting approval.**
 - (iii) authority be delegated to the Chief Executive, in consultation with the Portfolio Holders for Planning and Development and Finance, IT and Digital, to negotiate and agree the details of the commercial structure (including any joint venture) associated with the provision of new strategic wetlands in the Borough and their delivery, management and maintenance.**
 - (iv) the Chief Executive be authorised to submit an expression of interest to DEFRA/Natural England/other Government bodies as appropriate, to receive funding in order to assist with the delivery/management/maintenance of the strategic wetlands, and**
 - (v) the Solicitor to the Council be authorised, in consultation with the Chief Executive, the Assistant Director of Planning and Development and the Head of Strategic Projects, to negotiate, finalise and enter into any funding, commercial or other legal agreements and documentation to implement the above.**

202 Greater Ashford Environment and Land Mapping Commission – Notes of 23rd August 2022

Resolved:

That the Notes of the Meeting of the Greater Ashford Environment and Land Mapping Commission held on the 23rd August 2022 be received and noted.

203 Trading and Enterprise Board – Minutes of 11th October 2022

Resolved:

That the Minutes of the Meeting of the Trading and Enterprise Board held on the 11th October 2022 be received and noted.

204 Ashford Strategic Delivery Board – Notes of 23rd September 2022

Resolved:

That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 23rd September 2022 be received and noted.

205 Climate Change Advisory Committee – Notes of 20th September 2022

Resolved:

That the Notes of the Meeting of the Climate Change Advisory Committee held on the 20th September 2022 be approved and adopted.

206 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.

Queries concerning these minutes? Please contact Member Services
Telephone: (01233) 330349 Email: membersservices@ashford.gov.uk
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