

Decisions effective from the 7<sup>th</sup> December 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 **24<sup>th</sup> November 2022**.

### **Present:**

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

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

### **Apologies:**

Cllrs. Buchanan, Pickering.

### **Also Present:**

Cllrs. Campkin, Harman, Sparks, C Suddards.

### **In attendance:**

Chief Executive, Deputy Chief Executive, Solicitor to the Council and Monitoring Officer, Director of Place, Space and Leisure, Director of Customer, Technology and Finance, Director of Health and Wellbeing, Assistant Director of Planning and Development, Assistant Director of Environment, Property and Recreation, Assistant Director of HR, Customer Services, Communications and Digital, Head of Economic Development, Head of Policy and Performance, Service Lead – Finance, Human Resources Manager, Communications and Marketing Manager, Principal Accountant, Senior Accountant, Senior Governance and Data Protection Officer, Member Services Manager.

## **218 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 27<sup>th</sup> October 2022 be approved and confirmed as a correct record.**

## **219 Leader's Announcements**

The Leader said that most present would be aware that after 17 years as an Elected Member, and 10 years as the Executive Leader of the Council, he would not be standing in the forthcoming Local Elections in May 2023. Accordingly it had been his intention, albeit that he had not formally done so, to stand down as Leader at the next Full Council Meeting on 22<sup>nd</sup> December 2022, with effect from 1<sup>st</sup> January 2023.

He would have remained on the Council as a backbench Member for the Charing Ward until the Election. However, the Conservative Group had asked him to remain as Leader of the Council until the end of this four year term and he had accepted their request and would now remain until the May Local Elections.

## **220 Report of the Overview and Scrutiny Consultation and Engagement Task Group**

The Leader thanked the Overview and Scrutiny Committee for their report and a good piece of work which was appreciated by the Cabinet. He said recommendation (vii) would need to be handled carefully, but the Cabinet fully supported the recommendations.

### **Resolved:**

- That**
- (i) the corporate consultation guidance be produced to provide Services with good practice for setting up future consultations. The guidance should include details on the different methods of consultation and set out some minimum standards that need to be complied with before and after a consultation has concluded.**
  - (ii) non-conventional methods of consultation should continue to be explored by the Council in order to increase levels of engagement from residents such as video and Hello Lamppost.**
  - (iii) the use of easy-read versions of consultation papers should be considered for all public consultations.**
  - (iv) an internal advisory group should be formed for Officers to review consultations before they are published. The group would meet informally to test and feed back to Services about proposed surveys.**
  - (v) a calendar of consultations is produced to ensure that the Council can oversee how many consultations are issued to residents during one period**
  - (vi) work to increase subscribers to ABC publications should continue to be developed by the Council.**
  - (vii) the Council explore options around creating a Citizens Panel to encourage local residents to give their views and options on services and issues that affect the Borough.**
  - (viii) residents are engaged with the Scrutiny work programme each year, using the Council's communications channels.**

## **221 Corporate Performance Report – Quarter 2 2022/23**

The Portfolio Holder introduced the report which summarised performance against the Council's updated suite of Key Performance Indicators reflecting the Corporate Plan 2022-24 for the Quarter 2 period.

### **Resolved:**

**That the performance data for Quarter 1 2022/23 be received and noted.**

## **222 Data Protection Policy Suite (Periodic Review)**

The Portfolio Holder introduced the report which advised that to ensure the Council's Data Protection Policy Suite remained relevant and fit for purpose, it required periodic review. The current policy was reviewed and agreed in March 2019 and this report provided a reviewing opportunity, with amendments proposed to reflect changes to the legislative data protection landscape and best practice guidance issued by the supervisory authority (ICO), since the policy was last reviewed.

### **Resolved:**

- That**
- (i) the amended Data Protection Policy Suite be approved.**
  - (ii) the Data Protection Officer be authorised, in consultation with the Portfolio Holder, to approve minor amendments to the policy in-line with working arrangements and/or legislative change.**

## **223 Draft Budget 2023/24**

The Portfolio Holder introduced the report which presented the draft budget for 2023/24 for the General Fund and Housing Revenue Account. He advised that the draft budget had been balanced by funding the £2.87m deficit from the Economic Risk Reserves and was broadly in line with the figure highlighted within the Medium Term Financial Plan presented to the Cabinet in October, and which formed the basis for this draft budget. He reiterated that funding the 2023/24 deficit from reserves came with the expectation that Management, in conjunction with Portfolio Holders, would undertake a thorough and well considered piece of work to determine where the Council could make savings to reduce the deficit. This was a challenge of similar scale to the one faced at the height of austerity and would need the co-operation and vision of both Officers and Members to tackle the situation.

The budget would now be submitted to the Overview and Scrutiny Committee for review as well as the formal budget consultation processes and the Portfolio Holder stressed that any responses received during the consultation period would be welcomed and looked at closely. He also drew attention to the tabled paper which included some minor updates to the report and thanked the Finance Team for their hard work in pulling the report together against the backdrop of so much change nationally.

There was discussion amongst the Cabinet about the breakdown of budgets by Service and some concern that Portfolio Holders were being asked to 'sign up' to savings targets without the required level of detail. Officers clarified that there would be a full budget breakdown provided to Portfolio Holders before the scrutiny process. The Leader said whilst he was content to wait and have that sort of discussion as a Cabinet, he did have some concerns about the timetable and did not believe Budget Scrutiny should start until the Cabinet had had that opportunity to discuss the budget in more detail. Officers advised that savings targets were more about future years rather than the coming year but there may be a need to adjust the Budget Scrutiny timetable to take in to account the wishes of the Cabinet.

**Resolved:**

- That**
- (i) the draft budget for 2023/24 be approved.**
  - (ii) the Cabinet, as Portfolio Holders, be informed and involved in progressing the savings required to reduce the budget deficit.**
  - (iii) the draft Housing Revenue Account budget for 2023/24, at Section 2 to the report, be approved.**
  - (iv) this report be used as the basis for budget consultation with the public, the business community, Parish Councils and staff.**
  - (v) the draft budget as set out in the report be submitted to the Overview and Scrutiny Committee's Budget Task Group for formal scrutiny.**

## **224 Financial Monitoring – Quarter 2 Report**

The Portfolio Holder introduced the report and drew attention to the tabled papers which included his updated Portfolio Holder comments. The report presented the Quarter 2 budget monitoring position to 30<sup>th</sup> September 2022. The economic outlook had significantly changed since the budget was set, and had continued to be volatile throughout the second quarter and this was reflected within the report and the projections it contained. The forecast position to 31st March 2023 indicated an overall pressure on the General Fund of £2.1m (£1.7m at Quarter 1), with a pressure in services of £1.7m (£1.2m at Quarter 1). The Housing Revenue Account (HRA) was reporting a total underspend in year of £492,000 (£356,000 at Quarter 1). A full breakdown of movements was shown in the report. The report also provided an update on the Collection Fund, Treasury Management, Reserves and progress on savings identified in the 2022/23 budget.

**Resolved:**

- That**
- (i) the Quarter 2 forecast position for the General Fund and the Housing Revenue Account be noted.**
  - (ii) the Collection Fund position be noted.**

- (iii) **the Treasury Management position be noted.**
- (iv) **the provisional reserve allocations as highlighted at Table 6 of the report be noted.**

## **225 Right to Buy Lease Extensions**

The report set out the basis for introducing a non-statutory route to simplify the lease extension process. In the absence of an agreed non-statutory route at present, leaseholders only had the option of the formal route which could be a cumbersome and time consuming process for all parties. The report set out a proposal to bring the formal and informal routes into line and provide each Right to Buy applicant a Right to Buy lease of 125 years.

### **Resolved:**

- That
- (i) **the introduction of a non-statutory or informal Right to Buy Lease extension process be agreed.**
  - (ii) **the proposal to grant all new Right to Buy leases the minimum term of 125 years be agreed.**

## **226 Ashford Town Centre Reset – Strategy and Action Plan**

The Leader said that before consideration of this item he wanted to address the headline on the front page of that day's Kentish Express referring to future use of the former Debenhams building. This had been taken completely out of context from a paragraph in the report and there were no such plans as described in the newspaper. He considered it was wrong to completely mislead the public in such a way.

The Portfolio Holder introduced the report which introduced the Ashford Town Centre Reset Strategy and Action Plan. This would be delivered alongside other large scale strategic Town Centre projects such as the regeneration of the former Odeon building and the Masterplanning of the redevelopment of Park Mall shopping centre. He said he was excited to bring this report to the Cabinet and thanked Officers for their hard work in pulling this all together.

### **Resolved:**

- That
- (i) **the Town Centre Reset Strategy be adopted and the key strategic priorities be noted.**
  - (ii) **the Town Centre Reset Action Plan be adopted and the recommended financial commitment as set out in the Action Plan from the range of identified funds be approved to help deliver a programme of project activity, physical interventions and outputs.**

## **227 Residents Survey 2022**

The Portfolio Holder introduced the report which advised that the Ashford Borough Council Residents' Survey was a biennial piece of research that aimed to capture the broad opinion of residents regarding Council services and engagement as well as their local area. The report outlined the response rate and summarised the results received, which would be used for the purpose of continued monitoring of public opinion regarding the Council and to gauge progress in key areas. The results would also be used by Services for the purpose of continued improvement and he thanked the Officers involved.

In response to a question, the Portfolio Holder advised that people had been contacted in writing to participate in the survey and were given the option to complete it on-line or to have a hard copy survey sent out. A Member said it was important to keep a close eye to ensure that all were catered for and that those who could not participate on-line were not left behind. The Leader said he agreed and considered there was no substitute for making yourself available to speak to people.

### **Resolved:**

- That (i) the results of the 2022 Residents' Survey be noted.**
- (ii) a future campaign through Ashford For You Magazine and social media on ways to get involved in volunteering be endorsed, including easily accessible and smaller scale opportunities.**

## **228 Pre-Planning Application Advice – Revised Service and Charging Structure**

The Portfolio Holder introduced the report which introduced proposed changes to the Council's pre-planning application advice service, which had been largely suspended since April 2022. It set out a revised approach to dealing with pre-application advice for different types of proposals and an amended charging regime that sought to place the service on a broad cost recovery basis, whilst improving the quality and reliability of the advice being provided for the benefit of customers.

### **Resolved:**

**That the proposed customer service plan as set out at Appendix 3 to the report be endorsed.**

### **Recommended**

**That the new fees and charges set out in Appendix 3 to the report be approved and adopted and the Assistant Director for Planning and Development be given discretion to grant fee exemptions/reductions as listed with effect from: -**

- **1<sup>st</sup> January 2023 for developments of 10 units or above, where not covered by separate PPA arrangements, and**
- **1<sup>st</sup> April 2023 for all other proposals, but this date may be brought forward (or delayed in exceptional circumstances) by the Assistant Director for Planning and Development, in consultation with the Director of Place and Space, and the Portfolio Holder for Planning and Development.**

## **229 Port Health Service - Restructure**

The Portfolio Holder introduced the report which advised of the need to amend the staffing arrangements concerning the Port Health Service, due to directions given by DEFRA. It was important to note that DEFRA was underwriting all costs involved with the changes to the staffing and structure and there was no financial implications for the Council.

### **Recommended:**

- That
- (i) **the proposed new Target Operating Model be adopted.**
  - (ii) **the potential redundancy costs (as set out in the Exempt Appendix to the report), in accordance with Section 10 of the Retirement, Redundancy and Discretionary Compensation Policy Statement, be noted.**
  - (iii) **the costs associated with the early release of pension (as set out in the Exempt Appendix to the report), in the event that a redundancy results, be noted, and the costs associated with early release of the Local Government Pension benefits be approved.**
  - (iv) **it be noted that KCC Pensions have not been able to fully assess historical scheme membership for postholder 6571 and the pension strain costs may change. DEFRA have undertaken to underwrite all costs associated with this reduction in headcount and it is on this basis that the Council is recommended to approve the release of the pension and the Deputy Chief Executive be given delegated authority to authorise any other additional costs that may be incurred once KCC Pensions have the full historical scheme membership details for this postholder.**

## **230 Civic and Ceremonial Programme Board – Notes of 26<sup>th</sup> October 2022**

The Leader said he wanted to draw attention to a couple of matters from this Meeting. Firstly it had been extremely interesting to learn of the connection between Ashford and the 59th (Newfoundland) Heavy Regiment Royal Artillery during Second World War. This was part of Ashford's forgotten history and he looked forward to the findings of the informal working group that was being set up to investigate further. Secondly, the announcement of the Coronation of King Charles III being set for

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Saturday 6th May 2023, meant that with the Local Elections on Thursday 4th, and Election Count on Friday 5th, it promised to be a busy weekend for all involved at the Council.

The Vice-Chairman of the Board wanted to draw attention to AIMREC's programme of events to recognise the 180th anniversary of the Railway arriving in Ashford in November 1842. This had been a great success and he said it was important to recognise that AIMREC had arranged this programme themselves, with the Council's support. It was very positive that they had taken the lead and he reminded Members that the photographic exhibition at the Ashford Gateway would remain on display until the 30<sup>th</sup> November.

**Resolved:**

**That the Notes of the Meeting of the Civic and Ceremonial Programme Board held on the 26<sup>th</sup> October 2022 be approved and adopted.**

### **231 Compliance and Enforcement Board – Notes of 25<sup>th</sup> October 2022**

**Resolved:**

**That the Notes of the Meeting of the Compliance and Enforcement Board held on the 25<sup>th</sup> October 2022 be received and noted.**

### **232 Local Plan and Planning Policy Task Group – Notes of 24<sup>th</sup> June and 16<sup>th</sup> September 2022**

**Resolved:**

**That the Notes of the Meetings of the Local Plan and Planning Policy Task Group held on the 24<sup>th</sup> June and 16<sup>th</sup> September 2022 be received and noted.**

### **233 Member Training Panel – Notes of 18<sup>th</sup> October 2022**

**Resolved:**

**That the Notes of the Meeting of the Member Training Panel held on the 18<sup>th</sup> October 2022 be received and noted.**

### **234 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.**



## **235 Economic Regeneration and Investment Board – Notes of 12<sup>th</sup> October 2022**

**Resolved:**

**That the Notes of the Meeting of the Economic Regeneration and Investment Board held on the 12<sup>th</sup> October 2022 be received and noted.**

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