

## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **8<sup>th</sup> November 2018**.

### **Present:**

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

Cllrs. Mrs Bell, Bennett, Bradford, Clokie, Galpin, Pickering, Shorter.

### **Apologies:**

Cllrs. Buchanan, Ovenden, White.

### **Also Present:**

Cllrs. Bartlett, Burgess, Hicks, Iliffe, Link, Smith.

Chief Executive, Director of Law and Governance, Director of Finance and Economy, Head of Legal and Democracy, Head of Planning and Development, Head of Finance, Head of Corporate Policy, Economic Development and Communications, Cultural Projects Manager, Environmental Protection and Licensing Team Leader, Senior Accountant, Senior Policy and Scrutiny Officer, Communications Officer, Member Services Manager (Operational).

## **213 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 11<sup>th</sup> October 2018 be approved and confirmed as a correct record.**

## **214 Leader's Announcements**

The Leader said he did want to make a brief mention of two exciting events that were happening in Ashford over the forthcoming weekend. Firstly, the BBC Children in Need's Rickshaw Challenge would be coming to Ashford on its first night on Friday 9<sup>th</sup> November and an episode of the One Show would be broadcasting live from Ashford Town Centre that evening. Secondly, this coming Sunday, 11<sup>th</sup> November, would see the commemorations for the 100<sup>th</sup> year anniversary of the end of the First World War. There were a number of events happening across the Borough, including the lighting of the beacons in various locations. The Town Centre would be hosting the usual Remembrance Service in the Memorial Gardens at 11am as well as the 'Battle's Over' ceremony including the lighting of the new Civic Beacon along with the display of poppies and the silent soldier in the North Park in the evening. He wanted to thank

Councillor Dehnel and Officers who had worked so hard to make both events happen and encouraged all to attend.

## **215 Overview and Scrutiny Recommendations to Cabinet – A Better Choice for Property Ltd**

The report from the Overview and Scrutiny Committee made two recommendations to the Cabinet from its meeting on 28<sup>th</sup> August 2018. The Cabinet agreed those recommendations with a slight addition as suggested by Management Team.

### **Resolved:**

- That (i) the Board of Directors for A Better Choice for Property Ltd produce a statement for Members clarifying whether the Company will seek to acquire or provide properties outside of the Borough.**
- (ii) the future appointment of non-executive Directors to A Better Choice for Property Ltd should be subject to appropriate background and credit checks being completed and the adoption of an anti-bribery and fraud policy.**

## **216 Overview and Scrutiny Recommendations to Cabinet – Air Quality**

The Leader thanked the Overview and Scrutiny Committee for their report and recommendations, but he considered the Cabinet was not in a position to accept them as they were largely issues outside of the Council's remit. With regard to bus services on new developments, this remained the responsibility of Kent County Council in negotiation with bus operators, so whilst this Council would continue to work closely with all parties to secure appropriate contributions for public transport as development sites came forward, it could not ensure the delivery of services for which it was not responsible. On the issue of the Council formulating a specific supplementary planning policy in respect of air quality, the Leader said that whilst he recognised and shared the concerns of Overview and Scrutiny, the Local Plan to 2030 did contain an existing air quality planning policy and the Borough was not projected to exceed any of the national air quality objectives, so adoption of a supplementary planning policy on air quality was considered unnecessary.

A Member said that KCC had recently agreed to fund a "taxi-bus" service for Tenterden and the surrounding villages as well as funding for a new App which would allow for easy reporting of bus timetable failures. These were expected to be operational from June 2019 so he considered it was fair to say that KCC would be offering a lot of support to bus services going forward. As always with bus services there was the issue of 'use it or lose it', so it was hoped that these developments would be widely publicised.

### **Resolved:**

**That the report be received and noted but the two recommendations be not adopted.**

## **217 Corporate Performance Report – 2018/19 Quarter 2**

The report summarised performance against the Council's suite of Key Performance Indicators (KPIs) for Quarter 2 (1st July to 30<sup>th</sup> September) 2018/19. Certain Performance Indicators from the previous Council framework had been retained and allowed for historic data comparison, however a number of new Performance Indicators had been agreed upon for which data was only available for the last quarter. A summary of all KPIs was appended to the report.

### **Resolved:**

**That the report be received and noted.**

## **218 Medium Term Financial Plan 2019 - 2024**

The Portfolio Holder introduced the report which presented the Medium Term Financial Plan (MTFP). This was a budget forecast including underlying assumptions and covered a five year period from 2019 to 2024 for the General Fund. The Business Plan for the Housing Revenue Account (HRA) would be covered separately in a report to the December Cabinet meeting, along with the Draft Budget for 2019/20. He drew particular attention to the announcement from Government that the HRA cap that controlled Local Authority borrowing for house building had been abolished. This was extremely positive news and opened up particular opportunities for the Council with its successful track record.

The Portfolio Holder for Corporate Property drew attention to the Government announcement on the creation of a Future High Streets Fund to invest £675m in England. He advised that the Minister for High Streets had personally commented to him that this particular innovation had been inspired by his visit to Ashford and so those involved locally should take credit for that.

Cabinet Members expressed their thanks to the Portfolio Holder and the Officer team for the hard work they put in to ensure a sound financial base for the Council. In a recent study by CIPFA, Ashford Borough Council had been in the top 50 most financially resilient Local Authorities in the country and this was down to the approach that had been undertaken in recent years.

### **Resolved:**

- That**
- (i) the forecast and underlying assumptions be noted and accepted.**
  - (ii) the Inflation Management Strategy be endorsed.**
  - (iii) it be noted that this is the final year of the four year settlement.**
  - (iv) authority be delegated to the Director of Finance and Economy, in consultation with the Leader of the Council and the Portfolio Holder for Finance and IT, to agree the Council's continued participation in the Kent Business Rates pool.**

## **219 Financial Monitoring – 2018/19 Quarter 2**

The Portfolio Holder introduced the report which presented the forecast outturn for 2018/19 based on actual information to the end of September 2018. The report covered the performance and forecasts of the General Fund and the Housing Revenue Account, with commentary supporting key variances in the body of the report.

### **Resolved:**

- That**
- (i) the forecast outturn position for the General Fund and the Housing Revenue Account be noted.**
  - (ii) the Capital Monitoring and Treasury Management position be noted.**

## **220 Gambling Policy Statement of Principles**

The Environmental Protection and Licensing Team Leader introduced the report which presented a final version of the Council's Statement of Principles for Gambling following the three month statutory consultation previously approved by Cabinet in May 2018.

### **Recommended:**

- That**
- (i) the consultation responses and feedback be noted.**
  - (ii) the final draft of the Statement of Principles for Gambling be adopted by Full Council.**

## **221 Swan Centre Football Pavilion**

The Portfolio Holder introduced the report which sought authority to proceed with a project to replace the outdated and inadequate football changing facilities at the Swan Centre in South Willesborough and replace them with new, fit for purpose facilities by working with the local community Football Club, Kent County Football Association and the Football Foundation.

The Ward Member for South Willesborough said he had been disappointed with the process followed for this scheme. The original planning application had been left off the weekly lists and the wrong local residents had originally been consulted. There was a lot of concern about the size and scale of the proposed building and the removal of the hedge which screened the existing building from neighbouring properties. Whilst he understood these were planning issues, previous developments in the area had always been through a thorough public consultation and he considered this proposal should be deferred to allow that to happen and avoid the perception of a *fait accompli*.

The Portfolio Holder advised that the report in front of the Cabinet dealt purely with the project and not planning matters. There would be an opportunity to raise planning concerns through the planning process and when it came to Committee, but for now

there was some urgency in obtaining authority to proceed and meet the timetable to secure the significant levels of funding needed from the Football Foundation.

The Portfolio Holder for Finance and IT considered that the recommendations should include consultation with the relevant Portfolio Holder and the Cabinet agreed.

**Resolved:**

**That (i) the Head of Culture be authorised, in consultation with the Director of Law and Governance, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with the Football Foundation and Bromley Green Football Club and thereafter let a contract in accordance with the Contract Procedure Rules for the provision by the Council of a new pavilion as described in the report, subject to: -**

**(a) securing that the cost (including prudent contingency) will be covered by those parties and/or other external grants together with the s.106 contribution allocation referred to in the report,**

**(b) planning permission having been applied for and granted, and**

**(c) a project risk analysis having been prepared that is satisfactory in her view, in consultation with those Officers/Members.**

**In the event that any of those matters are not satisfactory, the proposal shall be reported back for decision by Members.**

**(ii) the Head of Culture be authorised, in consultation with the Head of Legal and Democracy, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with Bromley Green Football Club for a lease for the long-term management of the pavilion and associated pathways and fencing on such terms as she, in consultation with those Officers/Members, considers appropriate.**

**(iii) the Head of Culture be authorised, in consultation with the Head of Legal and Democracy, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to negotiate and agree terms with the Football Foundation for funding this proposal.**

**(iv) the Head of Legal and Democracy be authorised, in consultation with the Head of Culture, the Head of Corporate Property and Projects and the Portfolio Holder for Culture, to execute and complete all necessary documentation to give effect to the above.**

## **222 Local Plan and Planning Policy Task Group Notes – 25<sup>th</sup> October 2018**

The Leader drew attention to the Task Group's specific recommendation that the use of Bus Gates as a means of satisfying proposed policy TRA4 of the Local Plan to 2030, should be avoided.

**Resolved:**

- That**
- (i) the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 25<sup>th</sup> October 2018 be received and noted.**
  - (ii) the Cabinet endorse the Task Group's position statement that the use of Bus Gates as a means of satisfying proposed policy TRA4 of the Local Plan to 2030, should be avoided.**

## **223 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.**