

## **Cabinet**

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **14<sup>th</sup> March 2019**.

### **Present:**

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

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

### **Apologies:**

Cllrs. Burgess, Link.

### **Also Present:**

Cllrs Buchanan, Dehnel, Heyes, Iliffe, Ovenden, Smith, Suddards, Mrs Webb, Wedgbury.

Chief Executive, Director of Law and Governance, Director of Finance and Economy, Director of Place and Space, Head of Legal and Democracy, Head of Environment and Land Management, Head of HR and Customer Services, Head of Corporate Policy, Economic Development and Communications, Head of Corporate Property and Projects, Head of Finance, Head of Housing, Head of Community Safety and Wellbeing, Head of Planning and Development, Deputy Head of Community Safety and Wellbeing, Principal Solicitor (Strategic Development), Senior Commercial Development Manager, Community Project Manager, Governance and Data Protection Officer, National Management Trainee, Senior Communications Officer, Member Services Manager (Operational).

## **365 Minutes**

### **Resolved:**

**That the Minutes of the Meeting of the Cabinet held on the 14<sup>th</sup> February 2019 be approved and confirmed as a correct record.**

## **366 Leader's Announcements**

The Leader advised that earlier that day he had attended Connect 38 in the Commercial Quarter for the launch of the Ashford Property Market Report, in association with Caxtons Chartered Surveyors. This was the first town specific report for Kent and copies could be obtained from the Ashford For website.

The Leader also advised that the National Infrastructure Commission had arranged a visit to Ashford to take place the following week on 19<sup>th</sup> March 2019. They wanted to view some of the significant developments in the Borough as well as having a look around Ashford. This was welcomed as an extremely good opportunity to stress the importance of infrastructure keeping pace with housing and commercial growth.

### **367 Pay Policy Statement – Annual Review**

The Portfolio Holder introduced the report which presented the Council's annual Pay Policy Statement, ensuring the Statement was up to date and reflected the Council's approach to pay. The Council also took the annual review as an opportunity to review the rates of the Ashford Living Wage Allowance (ALWA) and the Ashford Apprentice Wage Allowance (AAWA) and the report therefore provided recommendations on rates for the 2019/20 allowances.

#### **Recommended:**

- That**
- (i) the updated Pay Policy Statement be approved.**
  - (ii) the Ashford Living Wage Allowance be increased to £9.00 for 2019/20.**
  - (iii) the Ashford Apprentice Wage Allowance be maintained at 15 pence per hour over the National Minimum Wage rate applicable to the age of the apprentice.**

### **368 Ashford Cycling and Walking Strategy 2019 - 2029**

The Portfolio Holder introduced the report which presented a draft Cycling and Walking Strategy. This provided an overall approach to cycling and walking in the Borough that would help to promote benefits in health, transport and the economy. The Strategy set out the current picture regarding walking and cycling in the Borough and established over-arching aims and key areas of work. A delivery plan of key projects based on the key themes was at Appendix 2 to the report. He said that the Council was looking to make Ashford a 'cycle town' and whilst this would not happen overnight, the Strategy did provide a clear plan for advancement over the next decade.

#### **Resolved:**

- That**
- (i) the Ashford Walking and Cycling Strategy and Delivery Plan 2019 – 2029 be approved for the purpose of public consultation.**
  - (ii) authority be delegated to the Head of Culture, in consultation with the Portfolio Holder, to make minor amendments to the Strategy.**
  - (iii) the use of £195,000 for the town centre projects as identified in the Town Centre Framework be noted.**
  - (iv) the funding of £20,000 from reserves for appropriate rural projects as identified in the Delivery Plan and £10,000 for promotional projects be agreed.**

- (v) **authority be delegated to the Head of Culture and Head of Planning and Development to complete all tasks and to deliver the projects and give effect to the above recommendations.**

### **369 Ashford's Environmental Approach**

The Portfolio Holder introduced the report which highlighted some of Ashford's cross Council activity to achieve a high quality environment during 2018/19. The report also sought approval for the Air Quality Strategy 2019/20 – 2021/22 and related green taxi scheme.

**Resolved:**

- That**
- (i) the highlighted cross Council achievements over 2018/19 to deliver highest quality environmental standards be noted.**
  - (ii) the emerging priority for 2019/20 and beyond to maintain and improve Ashford's environment – as recognised by the Council's 'Year of the Environment 2019' campaign, being led by the Environment and Land Management department, be noted.**
  - (iii) the Air Quality Strategy and action plans to deliver the strategy, including approval of the establishment of a green taxi scheme, be approved.**

### **370 Church Road, Sevington - Play Area and Open Space**

The Portfolio Holder introduced the report which sought approval to spend Highways England contribution funding to improve and enhance the play area and open space at the Church Road Open Space Local Nature Reserve. The funding had been secured as a result of a compulsory purchase enabling the current highway works at Junction 10a of the M20. It was proposed to use the provisions to carry out improvements and enhancements, in consultation with local residents, children and families and Mersham and Sevington Parish Council. He further advised that the proposals had the support of the Ward Member.

The Cabinet agreed to add consultation with the Portfolio Holder to recommendation (ii).

**Resolved:**

- That**
- (i) spending of Highways England funding of £138,343.85 on the project detailed in the report be approved, which aimed to improve the Church Road Play Area and Open Space.**
  - (ii) authority be delegated to the Head of Culture, in consultation with appropriate Officers and the Portfolio Holder, to complete all tasks and to execute and complete all documentation necessary to deliver the project and give effect to the above recommendation.**

## **371 Ashford Town Centre Framework 2019 - 2025**

The Portfolio Holder introduced the report which proposed an Ashford Town Centre Framework to give Ashford a clear future direction in a time of rapid change for town centres and high streets. The report also set out the findings from an extensive consultation that had taken place between July and October 2018 which had helped to shape the framework's ambitions and actions.

### **Resolved:**

- That**
- (i) the draft Ashford Town Centre Framework 2019 – 2025, as set out in Appendix A to the report, be approved.**
  - (ii) the use of S106 funds and the NNDR retention pool be approved to fund the proposed indicative programme of town centre projects and events as set out in Appendix B to the report.**
  - (iii) the findings from the town centre consultation as set out in Appendix C to the report be noted.**
  - (iv) authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to agree changes to the programme and move resource between projects as and when required.**

## **372 Redevelopment of the Mecca Building and the Vicarage Lane Car Park**

The report sought Cabinet approval for the delivery of the proposed scheme by way of the delivery route described within the report. The scheme would, if planning permission was obtained, deliver a mix of commercial and residential uses, together with improved public realm, outdoor performance space and community facilities. The project was aligned with the Council's strategic objectives and priorities to create a new vibrant town centre with the aim of supporting wider economic benefits, attracting investment, increasing town centre footfall and creating jobs.

The Leader said the proposals were a blueprint for the future but in no way definitive. He proposed the addition of a further recommendation regarding continuing consultation because ultimately he wanted the Council to refine and deliver a scheme that could command a good degree of general support.

The Portfolio Holder for Corporate Property said that, as mentioned in the previous agenda item, town centres were changing and there was a need to change to keep Ashford's town centre sustainable. He wanted to express his gratitude to Ash Sakula Architects for their exciting design concepts and said that he supported plans to pursue a Development Management Partner in order to take forward the process under Council control. He did take note of residents' concerns and said he therefore supported a full and meaningful public consultation.

The Portfolio Holder for Finance and IT said that, in principle, these proposals would transform this part of the town. He did not want to talk too much about the design as he

knew that would evolve through the planning process, but retaining control of the process through a Development Manager model would allow the Council to pursue its principles of good design rather than letting the process out to a third party who may focus more on profit than quality.

One of the Ward Members for the Godinton Ward said that this was a very important site and whilst he did support the re-development of the Mecca building, he did have concern over the density of the indicative plans for residential and the proliferation of one bedroomed flats and asked if larger dwellings could be considered. He was also concerned over the loss of car parking so close to the town centre and wondered if there were options to retain some of the existing car park for disabled parking, rather than forcing them in to a new multi storey car park further out. The Leader thanked the Member for his comments and said that this was one of the reasons he had suggested the additional recommendation for continued consultation. Nothing was currently set in 'tablets of stone'. With regard to the disabled, he was keen to make Ashford as accessible as possible and would continue to pursue all possibilities. Other Members advised that blue badge holders did have the option to park in a number of locations even closer to the town centre and the shopping areas.

**Recommended:**

- That**
- (i) the advice contained within this report be noted.**
  - (ii) the planning application for the Scheme be progressed and submitted in accordance with the Indicative Delivery Programme.**
  - (iii) the Head of Corporate Property and Projects be authorised, in consultation with the Portfolio Holder for Corporate Property, to negotiate and secure the ownership of Third Party Land required for the delivery of the Scheme.**
  - (iv) a tender and procurement exercise be carried out with a view to the Council making the external appointments required to submit the planning application and deliver the Scheme, including a Development Management Partner to deliver the Scheme in accordance with the Indicative Delivery Programme optimising both the financial and social value returns for the benefit of the Council.**
  - (v) the Head of Corporate Property and Projects be authorised, in consultation with the Chief Executive, Leader of the Council, the relevant Portfolio Holders, the Director of Law and Governance and the Head of Finance, to negotiate and agree the commercial terms of the Development Management Agreement .**
  - (vi) the Chief Executive be authorised, in consultation with the Leader of the Council, the relevant Portfolio Holders, the Director of Law and Governance, the Head of Finance and the Head of Corporate Property and Projects, to take the necessary steps to finalise and complete the legal documentation as it relates to the appointments and the delivery of the Scheme including the Development Management Agreement.**

- (vii) funding be allocated in accordance with the Scheme Financial Appraisal to ensure the delivery of the Scheme with such funding to be met from the use of reserves and borrowing, the extent of which is to be determined by the Director of Finance and Economy in conjunction with the Chief Executive.**
- (viii) discussions should continue with local residents and businesses to help refine and deliver a scheme that could command a good degree of general support.**

### **373 Proposed Multi-Storey Car Park – Station Road, Ashford**

The report sought approval for the development and construction of a new Multi-Storey Car Park on the site currently occupied by the existing surface level car park on Station Road, Ashford. The aim of the proposal was to provide a high quality, commercially viable car parking facility that supported the aspirational and expected growth of the town centre, complementing the steadily rising growth in the local economy and demand for parking.

In response to questions the Portfolio Holder for Community Safety and Wellbeing advised that potential charging regimes were yet to be determined, but acknowledged the income was important in terms of the overall viability of the project. Concern over the length of the potential payback period was raised. The Portfolio Holder for Finance and IT said the projections in the paper were also considered a 'worst case scenario' and that earlier payback was possible. This development should also be regarded as enabling development. It was stated that development of the car park was planned to be future proof in terms of electric charging points, use of smart technology (including ANPR) and a more adaptable structure (i.e. for alternative use over time).

#### **Resolved:**

- That**
- (i) the construction of a new multi-storey car park of circa 500 spaces on the site of the existing surface car park on Station Road, Ashford, be approved in principle, subject to a planning application being made and approved in due course.**
  - (ii) the capital resources expended on the project be funded from future income over the life of the asset.**
  - (iii) authority be delegated to the Director of Law & Governance, in consultation with the Head of Community Safety and Wellbeing, Head of Corporate Property and Projects and Director of Finance and Economy, in consultation with their respective Portfolio Holders, to effect and complete all necessary steps for the development and construction of the new multi-storey car park at Station Road, Ashford. This to include approval of the detailed design of the proposed scheme, associated professional appointments, preparation of detailed designs and submission of planning permission prior to procuring the works.**

- (iv) further update reports be received as necessary.

**Recommended:**

**That the Council approve the necessary capital funds to deliver the multi-storey car park in accordance with the estimate provided. Such funds to be met from reserves and borrowing the extent of which is to be determined by the Director of Finance and Economy in conjunction with the Chief Executive.**

### **374 Data Protection Policy**

The report asked the Cabinet to review and amend the Council's Data Protection Policy following recent legislative change (the General Data Protection Regulation and the Data Protection Act 2018).

The Portfolio Holder thanked the Governance and Data Protection Officer for his hard work and enthusiasm in pulling together the revised policy documents.

**Resolved:**

- That (i) the amended Data Protection Policy be approved.**
- (ii) the Director of Law and Governance be authorised, in consultation with the Portfolio Holder, to approve minor amendments to the policy in line with working arrangements.**

### **375 Response to Folkestone and Hythe District Council's Consultation on the Submission Draft (Regulation 19) Core Strategy Review**

The Portfolio Holder introduced the report which asked the Cabinet to agree the response as attached at Annex 1, raising an objection to Folkestone and Hythe District Council's Core Strategy Review, and seeking changes be made to address the Council's concerns.

The Leader said he hoped that Folkestone and Hythe would take heed of the concerns raised by this Council. Ashford had been through something similar recently and the Sustainable Urban Drainage measures that had been implemented were a good example to be followed.

A Member said he had concerns about the highways implications on this Borough of the proposed Otterpool development and it was hoped that maps could be shown to those visiting as part of the National Infrastructure Commission tour the following week, in order to explain the potential impacts on areas of this Borough.

**Resolved:**

- That (i) the response that had been submitted to the Folkestone and Hythe Core Strategy Review Regulation 19 consultation, at Annex 1 to the report, be agreed.
- (ii) authority be delegated to the Head of Planning Policy, in consultation with the Portfolio Holder for Planning and Development, to agree a Statement of Common Ground with Folkestone and Hythe District Council that addresses the issues raised by the Borough Council in the consultation response and any related issues that may emerge as the Core Strategy Review progresses.

### **376 Member Training Panel Chairman's Report – 22<sup>nd</sup> January 2019 – Including Induction and Training Arrangements for the New Council**

The Leader introduced the report and said that he knew there was a lot of work going on to prepare for the new Council post May 2019. A number of Framework Documents were being produced to give a grounding and a programme of training sessions (both internally and externally provided) would be held in the weeks and months following the election. Dates were currently being set and these could be provided to all prospective candidates in advance.

The Portfolio Holder for Finance and IT said that much of the focus this time would quite rightly be on e-communication and the wider digital transformation work of the Council, extending the ethos of paperless working. All elected Members would be provided with an iPad and encouraged and supported to undertake as much of their business as possible in that way.

**Resolved:**

- That (i) the Chairman's Report of the Meeting of the Member Training Panel held on the 22<sup>nd</sup> January 2019 be received and noted.
- (ii) the content of the proposed Member Induction Programme for 2019 be endorsed.

### **377 Ashford Strategic Delivery Board Notes – 25<sup>th</sup> January 2019**

**Resolved:**

That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 25<sup>th</sup> January 2019 be received and noted.

## **378 Local Plan and Planning Policy Task Group Notes – 23<sup>rd</sup> January 2019**

**Resolved:**

**That the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 23<sup>rd</sup> January 2019 be received and noted.**

## **379 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.**

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