

## Cabinet

Minutes of a Meeting of the Cabinet held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **12<sup>th</sup> September 2019**

### Present:

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

Cllrs. Barrett, Bell, Clokie, Feacey, Gideon, Shorter.

### Apologies:

Cllrs. Buchanan, Pickering, Blanford, Harman.

### Also Present:

Cllrs. Hayward, Krause, Sparks, C Suddards, Turner.

Chief Executive, Director of Finance and Economy, Head of Legal and Democracy, Head of Corporate Property and Projects, Head of HR and Customer Services, Head of Culture, Head of Community Safety and Wellbeing, Head of Planning and Development, Property and Asset Manager, Senior Policy and Scrutiny Officer, Commercial Development and Regeneration Officer, Senior Communications Officer, Member Services Manager (Operational).

## 124 Minutes

### Resolved:

**That the Minutes of the Meeting of the Cabinet held on the 11<sup>th</sup> July 2019 be approved and confirmed as a correct record.**

## 125 Financial Monitoring – Quarterly Report

The Portfolio Holder introduced the report which presented the forecast outturn for 2019/20 (based on actual information to the end of July 2019). 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. The report also outlined actions considered by Management Team to mitigate current pressures on the General Fund and provided updates on large capital projects and the Council's treasury management activity.

The Deputy Leader asked if, in future reports, the tables on page 14 of this report could include reference to the loan to A Better Choice for Property Ltd.

In response to questions about the Council's borrowing, the Director of Finance and Economy advised that the outstanding Public Works Loans Board loans were kept under constant review in terms of if or when was the best time to refinance.

The Leader said that shrewd financial and treasury management was a hallmark of this Council and had been part of his thinking when instructing Finance to establish an Economic Resilience Reserve back in 2016, which had now grown to £2.9m.

**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.**
- (iii) the contribution to support the Woodchurch Wagon, under delegated authority by the Head of Community Safety and Wellbeing, be noted.**

**Recommended:**

- That (i) delegated authority be given to the Head of Environment and Land Management to approve spend from the repairs and renewals reserve for operational equipment at Aspire.**
- (ii) delegated authority be given to the Chief Executive, in conjunction with the Leader of the Council, relevant Portfolio Holders, the S151 Officer and the Monitoring Officer, for the release of up to £500,000 of the Economic Resilience Reserve to support the letting of the Council's commercial property.**
- (iii) Stray Dog fees be set at £25 as per statutory requirements.**

## **126 Corporate Performance Report**

The Portfolio Holder introduced the report which summarised performance against the Council's suite of Key Performance Indicators for Quarter 1 (1<sup>st</sup> April to 30<sup>th</sup> June 2019). It also provided an overview of key developments in the delivery of the Council's Corporate Plan priorities over the same period.

The Cabinet wished to thank the Senior Policy and Scrutiny Officer for his hard work in compiling this, and similar, reports over the years. He was now moving on to a new post at Medway Council and Members wanted to place on record their thanks and best wishes for the future.

**Resolved:**

**That the performance data for Quarter 1 2019/20, as contained at Appendix 1 to the report, be received and noted.**

## **127 Corporate Commercial Property – Annual Report**

The Portfolio Holder introduced the report which advised of the income generated by the Council's Corporate Property Portfolio for the financial year ending March 2019. This revenue, shown at Appendix 1 to the report, significantly contributed to the Council's income. It also advised that the Council was constantly exploring both ways to make the existing portfolio more profitable, and additional investment opportunities and included an update on work done in this regard.

### **Resolved:**

- That (i) the revenue performance of the Council's Corporate Property Portfolio during the previous 12 months, as provided for in the Corporate Property Income Schedule at Appendix 1 to the report, be noted.**
- (ii) the work undertaken to increase profitability and investment activity during the previous twelve months and going forward, be noted.**

## **128 Animal Licensing Policy**

The Portfolio Holder introduced the report which presented a new Animal Activity Licensing Policy. She explained that this reflected legislative changes that came into force on the 1<sup>st</sup> October 2018 and guidance from DEFRA.

In response to questions it was advised that the policy related to the licensing system for a number of animal activities such as: - dog breeding; pet shops; riding establishments; animal boarding establishments; animal exhibition; zoos; and dangerous wild animals. The policy did not currently apply to rescue centres or charities but the Deputy Leader asked if this aspect could be kept under review.

### **Recommended:**

**That the draft Animal Licensing Policy be adopted by the Council.**

## **129 Section 106 Agreements – Annual Monitoring Report 2018/19**

The report provided an opportunity to demonstrate how contributions were being collected and applied in a proper way and that the monitoring of Section 106 contributions remained robust. The report reinforced the fact that Section 106 was an important resource stream and that Officers were prepared for any legislative changes. It also included details of new contributions negotiated, an accounts update, funds received from existing agreements and an update on projects being funded by Section 106 funding. The Portfolio Holder thanked the Officers involved for compiling the report and advised that he had proposed that he or his Deputy Portfolio Holder be involved in future S106 Working Group meetings to provide some extra oversight.

The Portfolio Holder for Community Safety and Wellbeing wondered if more pressure could be put on the NHS/CCG to apply for Section 106 funding as there was only one reference to them in the report and she knew that residents would expect more to be being done for healthcare. The Leader said he agreed with this sentiment and said that this was something that should be raised with NHS representatives whenever they had a chance for dialogue.

**Resolved:**

**That the report be endorsed and made available online to provide information to the public and provide a transparent record of Section 106 activity over the last financial year.**

### **130 LASER Energy Contract**

The Portfolio Holder introduced the report which explained that the Council's current purchasing agreement for its utilities through the LASER consortium would come to an end in September 2020. The Council would need to enter into a new contract if it wished to continue purchasing utilities in this way. The report identified the different options open to the Council when it came to the procurement of utilities and recommended that they enter into a new LASER contract for the next four years.

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

**Resolved:**

- That**
- (i) the Council enter into a new LASER agreement so that it can continue to procure its utilities through the LASER consortium until 30<sup>th</sup> September 2024.**
  - (ii) the Head of Corporate Property and Projects, in conjunction with the Head of Legal and Democracy and in consultation with the relevant Portfolio Holders, be authorised to enter into such agreement in relation to the above recommendation.**

### **131 Changes to Council's Administrative Structure – Cabinet Boards, Advisory Committees and Task Groups**

The report advised of changes to the previously approved Groups and proposed the formation of three new Task Groups.

The Leader advised of an update in that Councillor Feacey would also be a Member of the Civic and Ceremonial Programme Board.

**Resolved:**

- That (i) the proposed changes to the approved Cabinet Boards, Advisory Committees and Task Groups and the formation of the three new Task Groups as set out in the report be agreed.**
- (ii) Terms of Reference for the three new Task Groups will be the subject of a further report at a later date.**

### **132 IT and Digital Transformation Advisory Committee Notes – 26<sup>th</sup> July 2019**

The Portfolio Holder encouraged all Portfolio Holders to engage with their Heads of Service to see if there were any ways to use the digital transformation agenda to make processes more efficient and better value for money. He advised that work was underway with the Council's Digital Partner, Visarc, to review the structure and content of the Council's website with a view to making it more user friendly.

**Resolved:**

**That the Notes of the IT and Digital Transformation Advisory Committee held on the 26<sup>th</sup> July 2019 be approved and adopted**

### **133 Local Plan and Planning Policy Task Group Notes – 5<sup>th</sup> July 2019**

In response to a question the Portfolio Holder for Planning and Development advised that one of the key priorities for both the department and this Task Group, was a continued focus on the Housing Land Supply issue and, following the adoption of the Local Plan earlier this year, that work had already started in earnest.

**Resolved:**

**That the Notes of the Meeting of the Local Plan and Planning Policy Task Group held on the 5<sup>th</sup> July 2019 be received and noted.**

### **134 Ashford Strategic Delivery Board Notes – 26<sup>th</sup> July 2019**

**Resolved:**

**That the Notes of the Meeting of the Ashford Strategic Delivery Board held on the 26<sup>th</sup> July 2019 be received and noted.**

## **135 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.**

## **136 Exclusion of the Public**

**Resolved:**

**That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item, as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to Paragraph 3 of Schedule 12A of the Act, where in the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

## **137 Leisure Procurement**

The Portfolio Holder introduced the confidential report which updated on the leisure procurement exercise and the current position with Ashford Leisure Trust (ALT).

**Resolved:**

- That**
- (i) Ashford Leisure Trust's withdrawal from the award process and the return of the Stour Centre lease upon payment of the appropriate sum as compensation to ALT, be agreed and accepted, enabling the Council to award the leisure contract.**
  - (ii) the Chief Executive be authorised, in consultation with the Portfolio Holder, Head of Culture, Head of Legal and Democracy and Director of Finance and Economy, to agree and settle all necessary documents and publish any notices to give effect to the above recommendation and complete the procurement exercise.**