



Civic Centre, Home Gardens, Dartford, Kent, DA1 1DR

To: All Members of the Dartford Borough Council

A meeting of the Council will be held on:

Date: Wednesday 7 May 2008
Time: 7.00 pm
Venue: Civic Centre, Dartford

The Agenda is set out below:

A G E N D A

1. ELECTION OF THE WORSHIPFUL THE MAYOR OF DARTFORD FOR THE ENSUING YEAR

The Mayor asks for nominations for the election of the Mayor of the Borough for the ensuing year.

Councillor I D Armitt will be nominated and seconded.

The Mayor will ask if there are any further nominations.

If there is more than one nomination, the Mayor will conduct an election by a show of hands in the order in which the persons have been nominated.

The Mayor will then declare the successful nominee to be duly elected The Worshipful The Mayor of the Borough of Dartford for the ensuing year.

The Mayor reads aloud and signs the Declaration of Acceptance of Office, which is then handed to the Managing Director for his signature.

The newly elected Mayor preceded by the Serjeant and followed by the Managing Director, the retiring Mayor and the Reverend Richard Barron process out of the Chamber.

The newly elected Mayor preceded by the Serjeant and followed by the Managing Director and the Reverend Richard Barron return to the Chamber and take their places on the dais.

The Mayor thanks the Council for his election and announces:

- (a) that Mrs Lynne Armitt will be his Mayoress for the ensuing year, whereupon she proceeds to the front of the dais and he invests her with the Chain and badge and she takes her seat on the dais.
- (b) that he has appointed the Reverend Jan Dash as his personal Chaplain. The Mayor invites the Reverend Jan Dash to come to the front of the dais where the Reverend Richard Barron invests the new Chaplain with the Chaplain's Cross. The Mayor invites the Reverend Jan Dash to take a seat on the dais. The Reverend Richard Barron takes the seat vacated on the floor of the Chamber.

2. PRAYERS

The Mayor will call upon the Reverend Jan Dash to say prayers.

3. APPOINTMENT OF DEPUTY MAYOR FOR THE ENSUING YEAR

The Mayor announces that Councillor Mrs J A Rickwood will be Deputy Mayor of the Borough.

The Mayor invites Councillor Mrs J A Rickwood to the front of the dais where the Managing Director will ask for the Declaration of Acceptance of Office to be signed. The Deputy Mayor reads aloud and signs the Declaration of Acceptance of Office, which is then handed to the Managing Director for his signature. At this point the Deputy Mayor is robed by the Sergeant whereupon the Mayor will invest the Insignia of Office, assisted as necessary by the Sergeant and then proceeds to the dais. The Deputy Mayor then takes the Deputy's chair.

The Deputy Mayor announces that Councillor Mrs M I Peters will be her Escort for the ensuing year, whereupon she proceeds to the front of the dais and she invests her with the Chain and badge and Councillor M I Peters takes her seat on the dais.

4. VOTE OF THANKS TO THE RETIRING MAYOR IN RESPECT OF SERVICES RENDERED DURING THE PAST YEAR

The Mayor calls upon Councillor J A Kite to propose a vote of thanks to the retiring Mayor.

The Mayor calls for the motion to be seconded and invites other Members of the Council to speak.

The Mayor puts the motion.

The Mayor invites Councillor S East to reply to the vote of thanks.

5. PRESENTATION OF PAST MAYOR'S BADGE

The Mayor invites Councillor S East to the front of the dais where she is presented with the Past Mayor's badge.

6. TO RECEIVE ANY DECLARATIONS OF INTEREST MEMBERS MAY WISH TO MAKE

To receive any declarations of interest Members may wish to make including the term(s) of the Grant of Dispensation(s) by the Standards Committee.

7. TO RECEIVE APOLOGIES FOR ABSENCE

The Mayor asks for any apologies for absence.

8. ELECTION OF LEADER OF THE COUNCIL

The Mayor asks for nominations for the election of the Leader of the Council, pursuant to Section 11(3)(a) of the Local Government Act 2000.

Councillor J A Kite will be nominated and seconded.

The Mayor will ask if there are any further nominations.

If there is more than one nomination, the Mayor will conduct an election by a show of hands in the order in which the persons have been nominated.

The Mayor will then declare the successful nominee to be duly elected the Leader of the Council for the ensuing municipal year.

9. ANNOUNCEMENT OF DEPUTY LEADER OF THE COUNCIL

The Mayor announces that Councillor A R Martin will be Deputy Leader of the Council.

10. ANNOUNCEMENT OF SHADOW LEADER OF THE COUNCIL, GROUP LEADERS AND THEIR DEPUTIES

The Mayor announces that Councillors G T Prout and M J Bryant will hold the offices of Shadow Leader and the Shadow Deputy Leader of

the Council respectively.

The Mayor announces that Councillor B E Read and Councillor L J Bobby will be the Leader and Deputy Leader of the Swanscombe and Greenhithe Residents' Association.

11. ANNOUNCEMENT OF HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER, MONITORING OFFICER AND DEPUTY MONITORING OFFICER

The Mayor advises Members that Mr Graham John Harris will be Head of Paid Service (pursuant to Section 4 of the Local Government and Housing Act 1989) and Chief Finance Officer (pursuant to Section 151 of the Local Government Act 1972) and Mr Christopher Gordon Oliver will be Monitoring Officer (pursuant to Section 5 of the Local Government and Housing Act 1989) and Mrs Marie Kelly-Stone will be Deputy Monitoring Officer.

12. MAYOR'S ANNOUNCEMENTS

The Mayor deals with any communications, which he may desire to lay before the Council.

13. APPOINTMENT OF INDEPENDENT PERSON TO THE STANDARDS COMMITTEE

To Follow

To agree the recommendation of the Selection Panel for the appointment of an Independent Member/Person to the Standards Committee.

14. CONFIRMATION OF POLITICAL GROUPS

(Pages 1 - 2)

Appendix A

The Mayor calls upon the Managing Director in his capacity as Proper Officer to give details of the size and membership of political groups formed by Members of the Council, as set out in Appendix A.

15. ADOPTION OF RULES FOR SUBSTITUTION

(Pages 3 - 4)

Appendix B

The Mayor calls upon the Leader to move the adoption of the Rules for

Substitution on Standing Committees, Boards and Panels, as set out in Appendix B.

16. TO CONSIDER AND AGREE THE SIZE OF THE CABINET AND TO ALLOCATE ALL EXECUTIVE FUNCTIONS TO THE CABINET AND DETERMINE THE TERMS OF REFERENCE OF THE CABINET

(Pages 5 - 12)

Appendix C(i)

The Mayor calls upon the Leader to move that;

- (a) pursuant to Section 11(8) of the Local Government Act 2000 the size of the Cabinet be six;
- (b) pursuant to Section 15(2) of the Local Government Act 2000 all functions be allocated to the Cabinet as a body with the Terms of Reference as set out in Appendix C(i);

The Mayor calls for the motion to be seconded and put to the meeting for approval.

17. ANNOUNCEMENT OF APPOINTMENTS AS TO MEMBERSHIP MADE TO THE CABINET BY THE LEADER OF THE COUNCIL (SECTION 11(3) (B) OF THE LOCAL GOVERNMENT ACT 2000) (WITH NO DECISION MAKING), ALLOCATION/DISTRIBUTION OF PORTFOLIOS WITHIN THE CABINET, THE APPOINTMENT OF JUNIOR MINISTERS AND THE ALLOCATION/DISTRIBUTION OF AREAS OF RESPONSIBILITY

(Pages 13 - 14)

Appendix C(ii)

The Mayor advises that for the ensuing year the Cabinet Members will be Councillors Mrs A D Allen, P F Coleman, J A Kite, A R Martin, B E Read and Mrs P A Thurlow. The portfolios (with no decision making) will be held by the Cabinet Members as set out in Appendix C(ii). Councillors J A Kite and A R Martin will be the Chairman and Vice-Chairman respectively.

The Cabinet will be supported by Councillors A Bardoe, S H Brown, D A Hammock, D E Hunnisett, E J Lampkin, A R Lloyd, A E Peters, M I Peters, Ms R L Shanks and C J Shippam, the Junior Ministers, with areas of responsibility as set out in Appendix C(ii).

18. ANNOUNCEMENT OF THE STRUCTURE OF THE LABOUR GROUP AND THE ALLOCATIONS/DISTRIBUTION OF RESPONSIBILITIES

(Pages 15 - 16)

Appendix D

The Mayor announces that the structure of the Labour Group and the allocation/distribution of responsibilities are as set out in Appendix D.

19. TO CONSIDER AND AGREE THE TERMS OF REFERENCE FOR GENERAL ASSEMBLY OF THE COUNCIL

(Pages 17 - 18)

Appendix E

The Mayor calls upon the Leader to move that Council has the Terms of Reference as set out in Appendix E.

The Mayor then calls for the motion to be seconded and put to the meeting for approval.

20. TO CONSIDER AND ESTABLISH THE QUALITY SERVICES AND SCRUTINY COMMITTEES, THE STANDARDS COMMITTEE AND OTHER STANDING COMMITTEES, SUB-COMMITTEES, BOARDS, PANELS AND OTHER BODIES, APPOINT REPRESENTATIVES TO OTHER BODIES AND DETERMINE THE TERMS OF REFERENCE OF AND DELEGATIONS TO SUCH COMMITTEES, BOARDS, PANELS AND OTHER BODIES

(Pages 19 - 66)

Appendices F to W

The Mayor calls upon the Leader to move the following:

- (a) the review of the representation of the political groups on Standing Committees, Boards and Panels (as it affects the Council) and other “bodies” within the meaning of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. Details of the entitlement of each political group to representation on each of these “bodies” are set out in Appendix F in accordance with the principles contained in the 1989 Act and 1990 Regulations. These principles are set out in Appendix G.
- (b) the adoption of the Quality Services and Scrutiny Committees, the Standards Committee and other Standing Committees, Sub-committees, Boards and Panels and the appointments to membership made in accordance with the wishes of the political groups on the Council and the appointments of Chairmen and Vice-Chairmen, as set out in Appendices H to S.

(NB: The Sub-committees, Boards and Panels referred to above shall be deemed to be “Committees” for the purposes of Section 102(1) (a) of the Local Government Act 1972).

- (c) the adoption of the Cabinet Advisory Panels and the

appointments to membership made in accordance with the wishes of the political groups on the Council, as set out in Appendix T.

- (d) the adoption of the Joint Transportation Board as a non-statutory forum and the appointments to membership made in accordance with the wishes of the political groups on the Council, as set out in Appendix U.
- (e) the adoption of the Deed, Trust and Obligations Committee and the appointments to membership made in accordance with the wishes of the political groups on the Council, as set out in Appendix V.
- (f) the adoption of the Review of Polling Places, Polling Districts and Access Arrangements Sub-committee and the appointments to membership made in accordance with the wishes of the political groups on the Council, as set out in Appendix W.

The Mayor then calls for the motion to be seconded and puts it to the meeting for approval.

After establishing the Quality Services and Scrutiny Committees, the Standards Committee, other Standing Committees, Sub-committees, Boards and Panels, the Mayor calls upon the Leader to move that the Committees, Sub-committees, Boards and Panels have the Terms of Reference and Delegations as set out in Appendices H to S.

The Mayor then calls for the motion to be seconded and puts it to the meeting for approval.

After establishing the Cabinet Advisory Panels, Joint Transportation Board and Deed, Trust and Obligations Committee and the Review of Polling Places, Polling Districts and Access Arrangements Sub-committee the Mayor calls upon the Leader to move that the said Panels, Board and Committee and Sub-committees have the Terms of Reference as set out in Appendix S to W.

The Mayor then calls for the motion to be seconded and puts it to the meeting for approval.

21. TO APPOINT THE DAYS AND HOUR OF THE MEETINGS OF THE COUNCIL AND OF ITS STANDING COMMITTEES, SUB-COMMITTEES, BOARDS, PANELS AND OTHER BODIES/FORUMS DURING THE ENSUING YEAR 2008/09 AND PROVISIONALLY APPOINT THE DAYS AND HOUR OF THE MEETINGS FOR THE YEAR 2009/2010

Appendix X

The Mayor calls upon the Leader to move the adoption of the dates and times shown as set out in Appendix X.

The Mayor calls for the motion to be seconded and puts it to the meeting for approval.

22.TO NOTE THE APPOINTMENTS OF COUNCILLOR REPRESENTATIVES BY EXTERNAL BODIES, AND TO OUTSIDE BODIES WHERE THE TERM OF OFFICE EXCEEDS ONE YEAR

(Pages 71 - 74)

Appendices Y(i) and Y(ii)

The Mayor calls upon Members to note the continuing appointments set out in Appendices Y(i) and Y(ii).

23.TO APPOINT COUNCILLORS TO OUTSIDE BODIES AND TO LIAISON GROUPS

(Pages 75 - 84)

Appendices Z(i) and Z(ii)

The Mayor calls upon the Leader to move the adoption of the nominations for new appointments for 2008/2009 as set out in Appendices Z(i) and Z(ii).

The Mayor calls for the motion to be seconded and puts it to the meeting for approval.

Graham Harris
Managing Director

APPENDIX A

ANNUAL COUNCIL

7 MAY 2008

THE CONSERVATIVE PARTY
(26)

J A Kite (Leader)
A R Martin (Deputy Leader)

Mrs A D Allen
I D Armitt
A Bardoe
S H Brown
P F Coleman
M J Davis
S East
C Gallagher
D A Hammock
D E Hunnisett
E J Lampkin
A R Lloyd
J M Ozog
R S L Perfitt
A E Peters
M I Peters
D M Pickersgill
Mrs J A Rickwood
R L Shanks
C J Shippam
T C H Smith
Mrs P A Thurlow
A Wells
Mrs N C Wightman

THE LABOUR PARTY
(12)

G T Prout (Shadow Leader)
M J Bryant (Shadow Deputy Leader)

C Angell
D J Baker
Mrs R Bryant
P Kelly
D E Lawson
T Maddison
D E May
Mrs A Muckle
J I Muckle
Mrs D J Stoate

SWANSCOMBE AND GREENHITHE
RESIDENTS' ASSOCIATION
(6)

B E Read (Group Leader)
L J Bobby (Deputy Group Leader)

J A Hayes
S Johnston
V Openshaw
P J Scalán

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ANNUAL MEETING

7 MAY 2008

**RULES FOR SUBSTITUTION ON STANDING COMMITTEES,
BOARDS AND PANELS**

1. These Rules of Substitution do not apply to the Cabinet and to quasi judicial panels following the adjournment of a hearing.
2. Subject to the above and following provisions, any Member may act as a substitute for a member of the same Political Group at any meeting of a Committee, Board or Panel.
3. Subject to the express wishes of the relevant Committee, Board or Panel, a substitute must be selected as the occasion arises by:
 - (a) the Leader of the relevant Political Group, or
 - (b) other person or persons nominated by the Leader to act in this capacity.
4. Substitution for each Committee, Board and Panel will not normally be applied to more than three members in each Political Group.
5. Unless a quasi judicial Committee, Board or Panel, a substitute Member will not be limited to being drawn from the parent Committee, Board or Panel or any other limited group of Members.
6.
 - (a) Attendance of a substitute at a forthcoming meeting must be notified in writing or orally to the Managing Director or his representative as soon as possible before the meeting.
 - (b) A declaration will be made by the Managing Director or his representative at the meeting to the effect that Member "X" has been substituted by Member "Y".
7. Substitute Members will have all the powers and duties of any ordinary member of the Committee, Board or Panel, but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
8. Substitute Members may attend meetings in that capacity only;
 - (a) to take the place of the ordinary Member for whom they are the substitute;
 - (b) after notifying the Managing Director (refer to para. 6(a) above).
9. Once substituted, the ordinary Member cannot vote at the meeting even if he/she is able to attend at a later stage of the meeting, and can only speak with the permission of the Chairman.

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Appendix C(i)

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****THE CABINET**

Chairman:	Councillor J A Kite
Vice-Chairman:	Councillor A R Martin
Senior Cabinet Member (with portfolio):	Councillors Mrs A D Allen, P F Coleman, B E Read and Mrs P A Thurlow

In these Terms of Reference, the “process of policy formulation” shall mean:

- (1) The Cabinet proposes/recommends the draft budget (including the allocations to different services and projects, proposed taxation levels and contingency funds) or plans/strategies/arrangements (the policy framework) to the Council for adoption (with or without modifications/amendments);
- (2) The Council then either agrees the draft policy or budget or may amend the draft policy or budget in those respects in which the Council is unhappy.
- (3) The Cabinet shall be responsible for any consultation required or necessary with the Quality Services Committee and the Scrutiny Committee, local partners and other stakeholders in developing the budget and formulating policy.

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:****1. The Executive Functions**

To be responsible for the discharge of executive functions and to exercise all the Council's functions which are not the responsibility of any other part of the Council, by law or under the Constitution (refer to para. 14 of these Terms of Reference).

2. The Leadership Role

- (1) Lead and co-ordinate the community planning process;
- (2) Lead and co-ordinate the preparation of statutory and non-statutory plans and strategies;
- (3) Consult on and draw up the annual budget, including capital plans, for submission to the Council;

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- (4) Lead on Best Value and Comprehensive Performance Assessment;
- (5) Take decisions on resources and priorities to deliver the strategies within budgets approved by the Council, consulting with other Councillors and stakeholders in the local community as necessary;
- (6) Be the focus for forming partnerships with other agencies and the business and voluntary sectors locally to address local needs.

3. The Policy Framework

- (1) Be responsible for effective implementation of Council policy and delivering services in line with the Council's approved budget, policy framework and Financial Regulations;
- (2) Respond to any recommendation(s) made by the Quality Services Committee and the Scrutiny Committee.

(3) In-Year Amendments

The Council may at the same time as approving/adopting a policy, agree which elements of the policy in question the Cabinet will have the freedom to amend.

- (4) Where appropriate, seek advice from the Quality Services Committee or from the Council before taking a major decision even if it lies within the Council's agreed strategic policy framework and has been allowed for in the budget.
- (5) Shape its proposals in the light of the views of the community, other local stakeholders, including potential partners/ Tenants Participation Compact and the representations of Councillors outside the Cabinet.
- (6) To refer work items to the Quality Services Committee as and when necessary.
- (7) To receive recommendations from the Quality Services Committee on policy reviews.
- (8) To make changes where appropriate to the recommendation(s) from the Quality Services Committee and the Scrutiny Committee.

(9) The Development Plan

Responsible for formulating the Development Plan in accordance with the Town & Country Planning (Local Development) (England) Regulations 2004 and effecting the necessary consultations

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(including consultations on successive drafts of the Development Plan while policy is being formulated) with the Development Control Board, the Quality Services Committee, and other stakeholders as appropriate.

NB: The approval of draft Development Plan proposals (Development Plan Documents) for public consultation from the Submission stage onwards is a decision of the Council and not the Cabinet.

(10) Subject to the process of policy formulation recommend to the Council for approval/adoption;

(a) Statutory Plans and Strategies

- Annual Performance Plan
- Children and Young People's Plan
- Community Safety Strategy
- Crime and Disorder Reduction Strategy
- Development Plan*
- Sustainable Community Strategy (for Promoting or Improving Economic, Social and Environmental Well-being)
- Young Justice Plan

**functions relating to local development documents which are not development plan documents, are the responsibility of Cabinet*

(b) Non-Statutory Plans and Strategies and Policies

- Asset Management Plan
- Comprehensive Equality Policy
- Corporate Plan
- Housing Investment Programme
- Housing Strategy
- Housing Business Plan
- Sustainable Home Energy Strategy/Action Plan

(c) Expand the Council's policy framework by deciding that other plans and strategies (statutory and non-statutory) and policies be adopted by the Council.

NB: If the Cabinet is minded to determine a matter not in accordance with the policies adopted by the Council (a departure decision) that decision **MUST** be taken by the Council unless it is an **urgent** departure decision taken in accordance with Standing Order 55(4). Any modifications to the plans, strategies or arrangements must be adopted (with or without amendments) by the Council unless the Council at the time of adopting/approving the plans, strategies or

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arrangements has delegated to the Cabinet the authority to make in-year amendments to the plan, strategy or arrangement in question.

- (11) Responsible for all the steps leading up to the adoption by the Council of plans and strategies.
- (12) Responsible for the preparation of documents or the formulation of arrangements related to the;
- Annual Performance Plan;
 - Community Safety Strategy;
 - Sustainable Community Strategy (for Promoting or Improving Economic, Social and Environmental Well-being);
 - Plans and alterations, which together comprise the Development Plan.
- (13) To approve other plans, strategies and policies which are not required by law to be approved/adopted by the Council.

4. Plans requiring Secretary of State Approval

Responsible for the preparation of draft plans and ancillary documents and/or the formulation of arrangements for submission to the Council for adoption prior to being submitted to the relevant Secretary of State for approval as required from time to time.

NB: The Cabinet is responsible for amending such plan or strategy as required by the Minister from whom approval is required and the Council shall formally adopt the final, approved version of the plan prior to implementation.

5. Budget Framework

- (1) Responsible for all the steps leading up to the adoption by the Council of the budget and taxation levels (Local Government Finance Act 1992).
- (2) In developing the budget, responsible for any consultation required or necessary with the Quality Services Committee.

6. Economic, Environmental and Social Well-being of the Borough

Receive recommendations from the Quality Services Committee and the Scrutiny Committee in relation to matters which **are not the direct responsibility of the Council** but which nevertheless, affect the economic, environmental and social well-being of the Borough of Dartford. [The Cabinet and the Council will wish to note any such findings in the

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context of the Council's broad policy framework and ensure that recommendations are fully taken on board].

7. Residual Planning Functions

- (a) To recommend to the Council the making of Compulsory Purchase Orders.
- (b) To receive recommendations from the Development Control Board on designation of conservation areas and to determine accordingly.
- (c) To establish nature reserves under Part VII of the Environmental Protection Act 1990.
- (d) To be responsible for the removal of permitted development rights through Article 4 Directions.

NB: The Cabinet may require information as to interests into land but only where this is preliminary to the exercise of powers to make Compulsory Purchase Orders.

8. Environmental

Responsible for functions in respect of control of pollution, statutory nuisances and other environmental protection functions but excluding those related to regulatory, consent or enforcement decisions.

9. Health and Safety (Employer Responsibilities)

Responsible for all matters related to health and safety for the Council as an employer.

10. Personnel (Human Resources)

- (a) To receive reports from the Head of Paid Service on the manner in which the discharge of the Council's personnel functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.
- (b) To place staff at the disposal of other local authorities, (example to facilitate the exercise of joint arrangements) but only in relation to the discharge of Cabinet functions.

11. Contracts

To decide whether to contract out a function or service and to whom to award the contract providing that the function/service falls within the responsibility of the Cabinet.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****12. Local Acts**

Responsible for any function under a local Act other than the functions specified to be the responsibility of the Council and/or as delegated by the Council to other Committees, Boards, Panels and Officers pursuant to section 101 of the Local Government Act 1972.

13. Spending of Budget Allocations and Reallocation of Funds

- (1) Responsible for the control, monitoring and expenditure of budgets within the Cabinet's remit.
- (2) Responsible for the reallocation of funds from one service to another within the adopted budget.

NB: If the Cabinet is minded to determine a matter not in accordance with the budget and any parameters detailed in Standing Orders and/or Financial Regulations, that decision **MUST** be taken by the Council unless it is an urgent departure decision taken in accordance with Standing Order 55(4).

14. The Cabinet's Functions

Exercise and undertake (or as the Cabinet may determine), the functions of the Council which;

- (1) are not specifically reserved to the Council by regulations or otherwise specified as being functions which the Council must determine;
- (2) the Council has discretion on (i.e. may exercise the function(s) itself or delegate it), but chooses not to carry out the function(s);
- (3) are not delegated by the Council to another Committee, Board, Panel or Officer pursuant to section 101 of the Local Government Act 1972;
- (4) are not listed in these Terms of Reference as being matters on which the Cabinet makes recommendations to the Council;
- (5) are not exercised in a way, which breaches or has the effect of breaching plans, strategies and policies approved by the Council.

15. Appointments to Outside Bodies

Responsible for making appointments from within the Cabinet membership and from Councillors outside the Cabinet and other persons to any body

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outside the Council in connection with the discharge of any Cabinet function and subject to the Council's Comprehensive Equality Policy.

16. Delegations

Remain responsible to the Council, through the Scrutiny Committee for the Cabinet functions delegated (the decision to delegate and the way that the function is being carried out) to Officers or other structures outside the Cabinet.

17. Monitoring Officer and Chief Finance Officer Reports

(a) Without prejudice to the role and responsibilities of the Audit Board to receive Monitoring Officer and Chief Finance Officer reports on;

- (i) lawfulness or maladministration;
- (ii) unlawful expenditure

where this relates to functions, which are the responsibility of the Cabinet.

NB: The report must be copied to all Members of the Council and all action in respect of the matter in the report will be suspended until the Cabinet has considered the report. The Scrutiny Committee may consider whether it is appropriate to hold a short enquiry into the matter prior to the Cabinet's consideration of it.

(b) After considering the Monitoring Officer's/Chief Finance Officer's report, report accordingly to the Council (and where applicable, to the Chief Finance Officer and to the Council's external auditor) explaining what if any, action is to be taken in consequence of the report and the reasons for that action or for not taking action.

18. Discussion/Consultation Papers

To respond to discussion/consultation papers relating to matters connected/associated with the functions of the Cabinet or matters connected/associated with bodies established by the Council or Cabinet and reporting to the Cabinet.

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APPENDIX C(ii)**ANNUAL MEETING****7 MAY 2008****PORTFOLIO RESPONSIBILITIES WITHIN CABINET****COUNCILLOR J A KITE (LEADER)****Supported by Junior Ministers:- Councillors Ms R L Shanks and C J Shippam**

Overall Direction
Civil Contingencies
Community Strategy
Consultation and Communication
Corporate Planning
Kent Thameside & Thames Gateway
Regeneration (Strategy)
Economic Development
Town Centre Regeneration (Strategy)
Strategic Planning
Council Enforcement Team and Public Safety Unit

COUNCILLOR A R MARTIN (DEPUTY LEADER)**Supported by Junior Ministers:- Councillors D A Hammock and A R Lloyd**

Council Budget
Asset Management
Capital and Revenue Budgets
Fraud and Probity
Investments
Licensing
Procurement
Regeneration (Delivery)
Strategic Transport
Contracts Monitoring

SERVICE EXCELLENCE & CUSTOMER CHAMPION**COUNCILLOR P F COLEMAN****Supported by Junior Ministers:- Councillors D E Hunnisett and E J Lampkin**

Front Line Services
Customer Service (Delivery)
Customer Champion
Best Value
Human Resources
Bereavement Services
Deep Clean
Environmental Health
Housing

APPENDIX C(ii)

ANNUAL MEETING

7 MAY 2008

ENVIRONMENT, LEISURE AND PUBLIC SPACE

COUNCILLOR MRS P A THURLOW

Supported by Junior Ministers:- Councillors A E Peters and M I Peters

Planning Enforcement
Car Parking
Borough Pride
Street Scenes
Arts Development
Cultural Strategy
Dartford Festival
Markets
Parks, Playgrounds and Open Spaces
The Orchard Theatre
Sports Development
Town Centre Liaison

COMMUNITY AND WELLBEING

COUNCILLOR MRS A D ALLEN

Supported by Junior Ministers:- Councillors S H Brown and A Bardoe

Anti-Social Behaviour
Community Safety
Council Tax Benefits
Parish Liaison
Citizenship
Concessionary Fares
Elderly Persons
Voluntary Sector
Education and Children's University
Youth Council
Member Relations

SWANSCOMBE & GREENHITHE REGENERATION

COUNCILLOR B E READ

APPENDIX D**ANNUAL MEETING****7 MAY 2008****LABOUR GROUP MANAGEMENT AND STRUCTURE****SHADOW LEADER
COUNCILLOR G T PROUT**

Overall Strategy
Corporate Planning
Council Budget
Town Centre

**DEPUTY SHADOW LEADER
COUNCILLOR M J BRYANT**

Communications
Voluntary Sector
Youth Matters
E-Government

SHADOW POLICY LEADER

Councillor Mrs A Muckle	Housing Services
Councillor J I Muckle	Regeneration and Planning
Councillor D E May	Financial Planning and Budgets
Councillor Mrs D J Stoate	Liaison with Central Government
Councillor C Angell	Social Inclusion
Councillor D E Lawson	Community Safety
Councillor D J Baker	Sport and Leisure
Councillor R Bryant	Arts and the Orchard
Councillor P Kelly	Community Engagement
Councillor T Maddison	Environment including Waste and Recycling

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DARTFORD BOROUGH COUNCIL

Appendix E

ANNUAL MEETING**GENERAL ASSEMBLY OF THE COUNCIL (the GAC)**

Only the General Assembly will exercise the following functions;

Procedural Matters

- (1) To appoint (and remove) the Leader;
- (2) To agree/decide on the size of the Cabinet and note the appointments to the Cabinet made by the Leader of the Council;
- (3) To agree/decide on the composition and membership of Committees, Boards and Panels and making appointments to them;
- (4) To agree and/or amend the Terms of Reference of the Cabinet, Committees, Boards and Panels;
- (5) To appointment representatives to Outside Bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- (6) To consider reports from the Cabinet, Committees, Boards and Panels;
- (7) To make, amend or revoke Standing Orders and Financial Regulations;
- (8) To agree and/or amend the Scheme of Delegations to Officers;
- (9) To adopt, amend or revoke the Members' Allowances Scheme under Article 2.05 of the Constitution;
- (10) To change the name of the area, confer the title (by a resolution passed by not less than two-thirds of the Members present and voting) of Honorary Alderman or Freedom of the Borough;
- (11) To determine the levels and pensionability of Councillors' allowance;
- (12) To authorise applications to the Secretary of State for housing land transfers of housing stock;
- (13) To adopt the Council's Member Code of Conduct;
- (14) To make or confirm the appointment of the Head of Paid Service; Statutory Officers and Officers reporting to the Council;
- (15) To dismiss the Head of Paid Service, Statutory Officers and Officers reporting to the Council;
- (16) To make appointments to committees, sub-committees, joint and area committees unless the appointment is a Cabinet function;
- (17) To deal with functions relating to electoral matters and change in governance arrangements;
- (18) To deal with resolutions of maladministration (on an Ombudsman report) unless the function has been delegated by the Council;
- (19) To consider any matters referred to the Council for decision.

Retained Items

- (1) To adopt and change this Constitution;

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- (2) To determine each year the Council's revenue and capital budget, Council Tax levy and rents of Council dwellings and related properties;
- (3) To approve or adopt a policy framework i.e., the Council's overall strategies, including such key plans as its land use development plans and its Annual Performance Plan (in-year amendments to key plans may be delegated to the Cabinet by the Council);
- (4) To agree any "new" plans required by the Government which cover the whole of the Council's services;
- (5) Subject to the urgency procedure contained in the Access to Information Procedure Rules detailed in Standing Orders as set out in Part 4 of the Constitution, to make decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the Cabinet is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (6) To keep under review Borough/Electoral/Parish boundaries (and other issues relating to electoral and administrative arrangements) and to decide the Council's response to any consultations or proposals by the Electoral Commission relating to the Borough;
- (7) To deal with all local choice functions set out in Part 3 of the Constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- (8) To approve the Statement of Accounts;
- (9) To respond to discussion/consultation papers relating to matters connected/associated with joint initiatives or matters connected/associated with the functions of a Panel established by the Council example Licensing Committee and reporting to the Council and to respond to matters required to be considered or determined by the Council through statute or local discretion but subject to providing the Cabinet with an opportunity to respond where such matters fall within the Cabinet's Terms of Reference;
- (10) To deal with any other matter required to be considered or determined by the Council.

Regulatory Items

- (1) To receive any reports by the Monitoring Officer or the Section 151 Officer (including Section 112 and Section 114 reports);
- (2) To make, amend, revoke, re-inact or adopt Byelaws and promote or oppose the making of local legislation or personal Bills;
- (3) To consider any reports by an appointed person into misconduct by the Head of Paid Service, Monitoring Officer or Section 151 Officer;
- (4) To deal with the regulatory, consent and enforcement decisions relating to environmental functions unless the functions have been delegated by the Council;
- (5) To resolve any dispute, if required;
- (6) To deal with all other matters which, by law, must be reserved to the Council.

ANNUAL COUNCIL

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REVIEW OF REPRESENTATION OF POLITICAL GROUPS ON STANDING COMMITTEES, BOARDS AND PANELS AND OTHER BODIES WITHIN THE MEANING OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989 AND THE LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990

COMMITTEES/BOARDS AND PANELS	THE DARTFORD BOROUGH COUNCIL CONSERVATIVE GROUP	THE LABOUR PARTY GROUP	SWANSCOMBE AND GREENHITHE RESIDENTS' ASSOCIATION	TOTAL
SCRUTINY COMMITTEE	10	5	2	17
QUALITY SERVICES COMMITTEE	10	5	2	17
AUDIT BOARD	4	2	1	7
APPEALS PANEL	4	2	1	7
LICENSING COMMITTEE	9	4	2	15
DISCRETIONARY HOUSING PAYMENTS PANEL	4	2	1	7
DEVELOPMENT CONTROL BOARD	10	5	2	17
APPOINTMENTS PANEL	5	2	1	8
REMUNERATION & PERFORMANCE MANAGEMENT PANEL	4	2	1	7
THE ORCHARD BOARD	3	2	1	6
	63	31	14	108

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PRINCIPLES OF POLITICAL BALANCE

1. With the exception of the Cabinet, the seats on the "body" must not be held by members of one political group.
2. The majority of seats on the "body" must be allocated to the majority political group.
3. Subject to 1 and 2, the number of seats which a political group has on **Committees** must be allocated in the same proportion as that proportion of seats held by the political group on the Authority as a whole.
4. Subject to 1, 2 and 3, allocation to "bodies" other than **Committees** must also be proportional in order to ensure that the seats on that body held by the Authority have a direct relationship to the proportional membership of the whole. The principles in this paragraph, however, **only** apply where the Council or Committee appoint at least three people to the "body" in question.

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Appendix H

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****QUALITY SERVICES COMMITTEE**

Chairman:	Councillor E J Lampkin
Vice-Chairman:	Councillor M I Peters
Membership:	Councillors C Angell (Shadow Chairman), R Bryant, P F Coleman, M J Davis, S East, D A Hammock, J A Hayes, D E Hunnisett, S Johnston, P Kelly, D E May (Shadow Vice-Chairman), Mrs A Muckle, J M Ozog, R S L Perfitt and Mrs N C Wightman

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:****1. Comprehensive Performance Assessment (CPA)**

To ensure that Comprehensive Performance Assessment (CPA) is used to drive the development of Quality Services in the Council by undertaking research, reviewing progress and making recommendations to Cabinet and by considering and monitoring the Council's Direction of Travel and Use of Resources Judgements.

2. Service Improvements

To consider new approaches to service delivery and recommend to the Cabinet demanding performance targets for all services so as to deliver continuous improvements which reflect both national and local considerations including;

- (a) Challenging why and how a service is being provided;
- (b) Securing comparison with the performance of others across a range of relevant indicators, taking into account the views of both service users and potential suppliers;
- (c) Consulting local taxpayers, service users, partners and the wider business community in the setting up of new performance targets;
- (d) Considering fair competition as a means of securing efficient and effective services
- (e) To make recommendation(s) to the Cabinet on suitable performance information/indicators.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****3. The Overview Function**

- (1) Without prejudice to the role and responsibilities of the Audit Board and the Standards Committee, to review general policies of the Council and to recommend accordingly to the Cabinet on future policy options.
 - (2) To seek views from other Committees/Boards in order to obtain a balanced view of the effects of Council policy and Cabinet decisions.
 - (3) To hold policy reviews and make recommendations in accordance with the Committee's Protocol to the Cabinet and/or the Council.
 - (4) In accordance with the Committee's Protocol to assist the Cabinet and/or the Council in the development of future policies and strategies.
 - (5) Where appropriate, and as part of the community consultation process, to seek input from Councillors (including Members of the Cabinet), Officers, Tenants Participation Compact, other interested stakeholders and organisations and by drawing on the knowledge of constituents' views.
 - (6) To gather information and make recommendations in accordance with the Committee's Protocol to the Cabinet and/or the Council before policy is implemented as part of the framework for accountable, transparent decision-making.
 - (7) To carry out reviews of non-Council matters and as part of the community planning process consult with partner organizations where appropriate and make recommendations to the Cabinet in relation to matters which are not the direct responsibility of the Council, but which nevertheless affect the economic, environmental and social well-being of the Borough.
- NB: Where findings affect the Council's broad policy framework, reports will have to be debated and if appropriate, acted upon by the Council. It is also to be noted that any recommendations which the Committee make to the Cabinet on non-Council matters cannot bind outside bodies.
- (8) To consider and investigate broad policy issues and make reports and recommendations in accordance with the Committee's Protocol to the Cabinet and/or the Council.
 - (9) In accordance with the Committee's Protocol to provide advice to the Cabinet and/or the Council on major issues before final decisions are made.
 - (10) To receive the views and recommendations of area/joint committees or forums as part of any review which impacts on the Borough.

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- (11) To be consulted/receive referrals by the Council and/or the Cabinet about issues falling within the remit of the Committee, example Cabinet requesting an enquiry into a particular issue.
- (12) To approve an annual overview work programme in accordance with Standing Order 58(8) including the programme of any subcommittee appointed by the Committee to ensure that there is efficient use of the Committee's (sub-committee's) time and that potential for duplication of effort is minimised.
- (13) To review the Cabinet's forward plans with a view to deciding which, if any, forthcoming Cabinet decisions the Committee wishes to enquire into.
- (14) To carry out reviews of how certain decisions have affected a particular community or area by taking advice from area committees or forums and other community groups and representatives.

4. Discussion/Consultation Papers

To respond to discussion/consultation papers relating to matters connected/associated with the functions of the Committee (i.e. Best Value, CPA and Overview) in accordance with the consultation procedure.

5. Overview of Health Functions

Subject to any protocols/guides which may be issued from time to time by Kent County Council, to review local health service issues, in particular the Joint Service Needs Assessment.

6. Crime and Disorder

To review strategies and local issues connected with the discharge by the Council, of its crime and disorder functions.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix I

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****SCRUTINY COMMITTEE**

Chairman: Councillor G T Prout
Vice-Chairman: Councillor M J Bryant
Membership: Councillors D J Baker, S H Brown, M J Davis, J A Hayes, D E Hunnisett, E J Lampkin, A R Lloyd (Shadow Chairman), J I Muckle, D M Pickersgill, P Scanlan, Ms R L Shanks, C J Shippam (Shadow Vice-Chairman), T C H Smith, Mrs D J Stoate and A Wells

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. To perform the scrutiny functions on behalf of the Council within the guidelines detailed in the Committee's Protocol;
2. To submit reports to the Council on the following;
 - (a) any Cabinet decision which is likely to give rise to expenditure or savings above such thresholds as agreed by the Council;
 - (b) matters of local concern which are not the responsibility of the Council but which nevertheless affect the Borough and /or its inhabitants;
 - (c) a Cabinet decision which is likely to have a significant impact on two or more Wards;
 - (d) a non-urgent departure decision(s) which is;
 - (i) a Cabinet decision(s) (not yet implemented) which is contrary to the policy framework/budget;
 - (ii) a Cabinet decision(s) (which has been implemented) and which is considered to be contrary to the policy framework/budget).

NB: The Council has no locus to make a decision in respect of a Cabinet decision unless the Cabinet decision is contrary to or not wholly consistent with the budget or policy framework approved/adopted by the Council.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

3. To appoint in accordance with Standing Order 58(4) such sub committee(s) as the Committee considers appropriate to fulfil the scrutiny functions of the Committee.
4. To hold the Cabinet to account for the discharge of its executive functions by scrutinising decisions proposed and/or action to be taken in accordance with the Call-in mechanism detailed in the Committee's Protocol.
5. To hold the Cabinet to account for the discharge of its executive functions by scrutinising decisions after implementation i.e. post decision scrutiny, in accordance with the Committee's Protocol for the following purposes only:
 - (a) to seek more understanding of the decision and its implications;
 - (b) to question the soundness of the decision;
 - (c) to identify the need for Council policies to guide delegated decisions;
 - (d) to examine the effect and outcomes of the decision e.g. enquire into grants awarded by the Cabinet to voluntary organisations in the Borough to see how effectively expenditure has been targeted;
 - (e) to make recommendations, including proposals for changes to policies or practices, to the Cabinet.
- NB:** A decision(s) may only be scrutinised once.
6. To scrutinise the discharge of any other functions of the Council in accordance with the mechanism(s) detailed in the Committee's Protocol.
7. To report to the Cabinet and/or the Council in accordance with the Committee's Protocol on matters of local concern.
8. To seek comments from other Committees/Boards in order to obtain a balanced view of the effects of Council policy and Cabinet decisions.
9. Where appropriate, and as part of the community consultation process, to seek input from Councillors (including Members of the Cabinet), Officers, Tenants Participation Compact, other interested stakeholders and organisations and by drawing on the knowledge of constituents' views.
10. To receive finalised documents relating to a key decision(s) in the Cabinet's forward plan.
11. To review Cabinet forward plans with a view to deciding which, if any, of the forthcoming Cabinet decisions the Committee wishes to enquire into.
12. To report annually to the Council on the work of the Committee.

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13. To consider Monitoring Officer reports about lawfulness or maladministration, which relate to Cabinet functions and consider whether to hold a short enquiry into the matter the subject of the report prior to the Cabinet's consideration of it.

14. To approve an annual scrutiny work programme in accordance with Standing Order 58(8) including the programme of any sub-committee appointed by the Committee to ensure that there is efficient use of the Committee's (sub-committee's) time and that the potential for duplication of effort is minimised.

15. Health Scrutiny Functions

Subject to any protocols/guides which may be issued from time to time by Kent County Council to scrutinise local health service issues.

16. Discussion/Consultation Papers

To respond to discussion/consultation papers relating to matters connected/associated with the functions of the Committee (i.e. scrutiny) in accordance with the procedure set out in the Appendix to these Terms of Reference.

17. Crime and Disorder

(a) To scrutinise decisions made or taken in connection with the discharge by the Council of its crime and disorder functions.

(b) To consider any local crime and disorder matter referred to the Committee by a Member or the Cabinet and to make a report or recommendations on the referral to each of the authorities responsible for crime and disorder strategies in the Borough.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****REVISED****STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****STANDARDS COMMITTEE [REPORTING TO THE COUNCIL]**

Chairman: To be appointed
Vice-Chairman: Mr A J Thrussell
Membership: Councillors I D Armitt, M J Davis, D A Hammock, A R Martin, P J Scanlan and Mrs D J Stoate

Independent Members/Persons: Mr P Collins, Mrs P Walker plus one vacancy

Parish/Town Council Representative (voting): Councillor C Armstrong
Councillor Mrs I Gutteridge
Plus one substitute vacancy

TERMS OF REFERENCE

- (1) To regulate and act as an independent arbiter and guardian of the public interest in relation to Borough and Parish/Town Councils corporate governance arrangements in so far as these relate to standards of conduct (how behaviour in the organisation of the Councils is governed), including issues related to the declaration and registration of interests and gifts and hospitality.
- (2) To promote and maintain high standards of conduct by Borough and Parish/Town Councillors and Co-opted Members.
- (3) Through a sub-committee, to be responsible for the initial assessment of Member misconduct allegations and to determine whether the allegations should be investigated.
- (4) Through a sub-committee, to review decisions not to investigate a particular allegation.
- (5) Through a sub-committee, to hear evidence relating to alleged breaches of the Member Code of Conduct in accordance with the procedures adopted by the Committee.
- (6) To be responsible for sanctions/censure arrangements to deal with cases where Member conduct falls short of the standards required.
- (7) To receive reports from the Monitoring Officer on Member Code of Conduct related issues.
- (8) To develop, advise on, and facilitate training in ethical standards.
- (9) To assist Borough and Parish/Town Councillors and Co-opted Members to observe the Member Code of Conduct and any other local codes/protocols which may be in place from time to time.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****REVISED**

- (10) To monitor the effectiveness of the Member Code of Conduct (Borough and Parish/Town Councils) and local protocols.
 - (11) To monitor and review the Constitution in accordance with Article 15 of the Constitution.
 - (12) To grant dispensations to Borough and Parish/Town Councillors and Co-opted Members from the requirements relating to interests set out in the Member Code of Conduct.
 - (13) To deal with reports of the Monitoring Officer regarding alleged breaches of the Member Code of Conduct (Borough and Parish/Town Councils).
 - (14) To appoint one or more sub - committees for the purposes of discharging any of the Committee's functions.
 - (15) To appoint a Standards Sub Committee to deal with Parish/Town Council matters and to determine the representation and term of office of members of the Sub Committee after consultation with the Parish/Town Councils.
- NB:** The duties of the Monitoring Officer in relation to Parishes does not extend to the responsibility to report on contraventions of the law or maladministration investigations. When exercising Standards Committee functions in relation to Parish/Town Council matters (including matters related to a member of a Parish/Town Council), the Committee (or any Standards Sub Committee appointed by the Committee) must ensure that its member composition includes a Parish/Town Council representative and an independent member/person.
- (16) To consider applications for exemption from political restriction and to give directions.
 - (17) To refer cases to the Standards Board for England in accordance with guidance issued by the Board from time to time.
 - (18) To refer cases to the Adjudication Panel for England for a decision, where the Committee considers that the action it could take and/or the sanctions available to it, are insufficient.

Additional Role

To review the Whistleblowing Policy and Corporate Complaints Procedure to ensure that robust arrangements are in place for the proportionate and independent investigation of such matters and for appropriate follow-up action and to recommend accordingly to the Cabinet.

DARTFORD BOROUGH COUNCIL

Appendix K(i)

ANNUAL MEETING**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****ASSESSMENT SUB-COMMITTEE [REPORTING TO THE STANDARDS
COMMITTEE]**

Chairman: Independent Member/Person
Membership: (1) Borough Councillor, (1) Parish/Town
Representative

**TERMS OF REFERENCE;
DELEGATED FUNCTIONS:**

To consider allegations of failure to observe the relevant Code of Conduct by Members of the Dartford Borough Council and of Parish/Town Councils within the Borough of Dartford, with delegated powers to:

- (a) refer the allegation/complaint to the Monitoring Officer for investigation.
- (b) refer the allegation/complaint to the standards committee of another relevant authority.
- (c) refer the allegation/complaint to the Standards Board for England.
- (d) refer the allegation/complaint to the Monitoring Officer for action short of formal investigation (e.g. training, conciliation, mediation etc) and to adjourn consideration of the allegation/complaint until completion of such action.
- (e) decide that no further action should be taken in respect of the allegation/complaint i.e. that the allegation/complaint will not be referred for investigation.
- (f) receive references back from the Monitoring Officer.

REFERRED FUNCTION

To make recommendations to the Standards Committee to secure improved standards of conduct and to secure the effective handling of allegations/complaints of by Members of Dartford Borough Council, and of Parish/Town Councils within the Borough of Dartford.

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Appendix K(ii)

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL**

**REVIEW SUB-COMMITTEE [REPORTING TO THE STANDARDS
COMMITTEE]**

Chairman: Independent Member/Person
Membership: (1) Borough Councillor, (1) Parish/Town
Representative

TERMS OF REFERENCE:

DELEGATED FUNCTION:

To consider requests for review of the Assessment Sub-committee's decision that no action be taken in respect of an allegation/complaint i.e. a decision not to refer an allegation/complaint for investigation.

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Appendix L

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****DEVELOPMENT CONTROL BOARD [REPORTING TO THE COUNCIL unless
otherwise stated in these Terms of Reference]**

Chairman: Councillor T C H Smith
Vice-Chairman: Councillor D E Hunnisett
Membership: Councillors I D Armitt, D J Baker, A Bardoe, S H Brown, P F Coleman, D E Lawson (Shadow Vice-Chairman), T Maddison, J I Muckle (Shadow Chairman), V Openshaw, R S L Perfitt, A E Peters, G T Prout, Mrs J A Rickwood, P Scanlan and A Wells.

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. Responsible for the implementation of the Development Plan through development control;

Functions relating to town and Country planning and development control	Provision of Act or Statutory Instrument
1. Power to determine applications for planning permission.	Section 70(1)(a) and (b) of the Town and Country Planning Act 1990.
2. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, (paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.
3. Powers to grant or refuse planning permission for development without complying with conditions to which previous planning permission is subject.	Section 73 of the Town and Country Planning Act 1990.
4. Power to grant consent for the display of advertisements.	The Town and Country Planning (Control of Advertisements) Regulations 2007.
5. Power to grant listed building consent.	Section 16(1) of the Planning (Listed

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	Buildings and Buildings in Conservation Areas) Act 1990.
6. Power to grant conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, as applied by section 74(3) of that Act.
7. Power to grant hazardous substances consent.	Section 9(1) of the Planning (Hazardous Substances) Act 1990.
8. Power to dispense with duty to replace trees.	Section 206(2) of the Town and Country Planning Act 1990.
9. Power to enforce duty to replace trees	Section 207 of the Town and Country Planning Act 1990.
10. Power to dispense with duty to replace trees in conservation areas.	Section 213(2) of the Town and Country Planning Act 1990.
11. Power to enforce duty to replace trees in conservation areas.	Section 213(3) of the Town and Country Planning Act 1990.
12. (a) Power to grant consent under a tree preservation order.	Paragraph 7 of the Schedule to the Trees Regulations 1999 (SI 1999/1892).
(b) Power to make and confirm a tree preservation order.	Sections 199 and 201 of the Town and Country Planning Act 1990.
13. Power to give directions as to the replanting of land.	Paragraph 8 of the Schedule to the Trees Regulations 1999.
14. Power to require information as to interests in land.	Section 330 of the Town and Country Planning Act 1990.
15. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.
16. Power to issue an enforcement notice.	Section 172 of the Town and country Planning Act 1990.
17. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.
18. Power to authorise entry on to land.	Section 196A of the Town and Country

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	Planning Act 1990.
19. Power to issue a listed building enforcement notice.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
20. Power to serve an urgent works notice.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
21. Power to revoke or modify any listed building consent.	Section 23(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
22. Power to determine whether prior approval is required to the siting and appearance of Telecommunications Code System Operators' apparatus.	Schedule 2 Part 24 General Permitted Development Order 1995.
23. Power to grant a lawful development certificate	Section 191 (4) of the Town and Country Planning Act 1990.
24. Power to screen applications and issue a screening opinion.	Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
25. Power to enforce all statutory requirements arising from the exercise of functions delegated to the Board and to authorise legal proceedings.	
26. Duty to give notice, etc of applications for planning permission.	Town & Country Planning Act 1990 Sections 65 to 68.
27. Power to enter into agreement regulating development of use of land	Town & Country Planning Act 1990 Section 106.
28. Power to enter into agreement for the execution of highway works.	Highways Act 1980 Section 278.
29. Power to decline to determine application for planning permission.	Town and Country Planning Act 1990 Section 70A.
30. Power to serve a completion notice.	Town and Country Planning Act 1990 Section 94(2).
31. Power to require the discontinuance of a use of land.	Town and Country Planning Act 1990 Section 102.

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32. Power relating to the protection of important hedgerows.	Hedgerows Regulations 1997.
33. Power relating to high hedges remedial notices and to authorise entry onto land.	Anti - Social Behaviour Act 2003 Part 8.

2. To receive reports from the Audit Board on matters connected/ancillary to the Council's planning code "Probity in Planning" and to respond/act accordingly.
3. To receive reports on the operation and management of the Council's Development Control Section.

4. Discussion/Consultation Papers

To respond to discussion/consultation papers relating to matters connected/associated with the functions of the Board in accordance with the procedure set out in the Appendix to these Terms of Reference.

REFERRED FUNCTIONS:

1. To recommend accordingly to the Cabinet on matters connected with the Development Plan and on any of the residual planning functions within the Cabinet's Terms of Reference.
2. To recommend to the Cabinet designation of conservation areas.

NB: The Secretary of State considers that full exchange of information between the executive and any committee which takes development control decisions is essential. Therefore, the involvement (on a non-voting basis) of the Cabinet member with responsibility for the Development Plan is encouraged.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix M

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****LICENSING COMMITTEE
[REPORTING TO THE COUNCIL]**

Chairman:	Councillor B E Read
Vice-Chairman:	Councillor I D Armit
Membership:	Councillors C Angell, R Bryant (Shadow Vice-Chairman), P F Coleman, D E Hunnisett, S Johnston, P Kelly, E J Lampkin, T Maddison (Shadow Chairman), A R Martin, J M Ozog, R S L Perfitt, C J Shippam and Mrs N C Wightman

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. Except for the function of the determination and publication of the Council's Statement of Licensing Policy pursuant to the Licensing Act 2003 and regulations made thereunder to discharge the Council's licensing functions as set out in Table 1.
2. Except for the functions of resolving not to issue casino licences and the determination and publication of the Council's Statement of Licensing Policy pursuant to the Gambling Act 2005 and regulations made thereunder, to discharge the Council's licensing functions as set out in Tables 1 and 2.
3. To exercise other licensing and registration functions as follows:

1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960.
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936.
3. Power to license hackney carriages and private hire vehicles.	(a) As to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985.

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	(b) As to private hire vehicles, Part II of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976.
5. Power to resolve not to issue a casino premises licence	The Gambling Act 2005
6. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.
7. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907.
8. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licences Act 1860, sections 4 and 5 of the Customs and Inland Revenue Act 1883, section 27 of the Local Government Act 1894, and section 213 of the Local Government Act 1972.
9. Power to grant permits for the use of machines for gaming.	Section 34 and Schedule 9 of the Gaming Act 1968.
10. Power to register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990.
11. Power to license scrap yards.	Section 1 of the Scrap Metal Dealers Act 1964.
12. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.
13. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; section 1 of the Breeding Dogs Act 1973, and sections 1 and 8 of the

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

	Breeding and Sale of Dogs (Welfare) Act 1999.
14. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.
15. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981.
16. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976.
17. Power to license guard dogs.	Section 1 of the Guard Dogs Act 1975.
18. Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and Section 2 of the House to House Collections Act 1939.

4. To establish one or more sub-committees consisting of three members of the Committee to deal with the Licensing Act 2003 functions set out in Table 1 and to direct accordingly.
5. To receive reports on the needs of the tourist economy and the cultural strategy for the Borough and to ensure that these are reflected in Committee decision-making considerations.
6. To be kept abreast of the employment situation in the Borough and the need for new investment and employment where appropriate.

REFERRED FUNCTION

Where a matter concerns other functions in addition to licensing functions to refer the matter to the relevant Committee, Board or Panel for consideration and for a report back to the Licensing Committee.

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LICENSING ACT 2003
DISCHARGE OF FUNCTIONS
TABLE 1

MATTER TO BE DEALT WITH	FULL COMMITTEE (10 to 15 Members*)	SUB-COMMITTEE (3 Members)(drawn from pool of 15 Members*)	OFFICERS UNDER DELEGATED AUTHORITY
Personal Licence			
Application for Personal Licence		If a representation made	If no representation made
Application for Personal Licence with unspent convictions		All cases	
Designated Premises Supervisor Licence			
Application to vary Designated Premises Supervisor Licence holder		If police representation	All other cases
Request to be removed as Designated Premises Supervisor Licence holder			All cases
Premises Licence			
Application for Premises Licence		If a representation made	If no representation made
Application for Provisional Statement		If a representation made	If no representation made
Application to vary Premises Licence		If a representation made	If no representation made
Application for transfer of Premises Licence		If police/Gambling Commission representation	All other cases
Application to review Premises Licence		All cases	
Club Premises Certificate			
Application for Club Premises Certificate		If a representation made	If no representation made
Application to vary Club Premises Certificate		If a representation made	If no representation made
Application to review Club Premises Certificate		All cases	
Temporary Event Notice (TEN)			
Determination of a police representation to a Temporary Event Notice		All cases	
Applications for Interim Authorities			
Giving immediate effect to an application		If police representation	All other cases
Complaint Irrelevant, Frivolous, Vexatious etc			
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases
Local Authority Consultee			
Decision to object when local authority is a consultee and not the lead authority			All cases

GAMBLING ACT 2005
DISCHARGE OF FUNCTIONS
TABLE 2

MATTER TO BE DEALT WITH	GENERAL ASSEMBLY OF THE COUNCIL	SUB-COMMITTEE (3 Members)(drawn from pool of 15 Members*)	OFFICERS UNDER DELEGATED AUTHORITY
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (where appropriate)			X
Application for Premises Licences		Where representations have been received and not withdrawn	Where representations received / representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where representations received / representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where representations received / representations have been withdrawn
Review of a premises licence		X	
Application for a club gaming / club machine permits		Where objections have been made (and not withdrawn)	Where no objections made / objections withdrawn
Cancellation of a club gaming / club machine permits		X	
Applications for other permits			X
Cancellation of a licensed premises gaming machines permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix M(i)

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****LICENSING SUB-COMMITTEE [REPORTING TO THE LICENSING
COMMITTEE]**

Chairman:	Councillor B E Read
Vice-Chairman:	Councillor I D Armitt
Membership:	Councillors C Angell, R Bryant (Shadow Vice-Chairman), P F Coleman, D E Hunnisett, S Johnston, P Kelly, E J Lampkin, T Maddison (Shadow Chairman), A R Martin, J M Ozog, R S L Perfitt, C J Shippam and Mrs N C Wightman

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

To exercise the functions of the Licensing Committee to hear and decide upon licensing applications, requests and referrals under the Licensing Act 2003 and the Gambling Act 2005 except in so far as such functions are delegated to an Officer.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****Appendix N****STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****APPEALS PANEL****[REPORTING LINES ARE AS DETAILED IN THESE TERMS OF REFERENCE]**

Chairman: Councillor Mrs P A Thurlow
Vice-Chairman: Councillor B E Read
Membership: Councillors P F Coleman, J A Kite, T Maddison
(Shadow Vice-Chairman), Mrs A Muckle (Shadow
Chairman) and Mrs R L Shanks

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

Subject to ensuring;

- (a) That Members of the Panel have not been involved in the original decision;
- (b) That determination of appeal arrangements are consistent with Article 6 of the European Convention on Human Rights including holding a hearing in public (but without prejudice to current access to information legislation).

to deal with the hearing and determination of appeals as follows:

- (c) For the purposes of these Terms of Reference:
 - (i) 'Statutory Officers' shall mean the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer (Section 151 Officer);
 - (ii) 'Officers reporting to Council' shall mean Directors, the Head of Finance and Resources, Head of Legal Services and Head of Housing Services.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****1. Personnel (Human Resources) Related Appeals**

- (a) Against decisions on suspension, relegation or dismissal (including a dismissal following a period of probation) of Statutory Officers and Officers reporting to Council with the Panel reporting to the Council.
- (b) Against decisions on a grievance (including those related to a grievance following a period of probation) of Statutory Officers and Officers reporting to Council with the Panel reporting to the Council.

2. Allocation Appeals

Against decisions of the Head of Housing Services (or nominee) in respect of the allocation of housing accommodation pursuant to the Housing Acts 1985 and 1996 and reporting to the Cabinet.

3. Data Protection Act 1998

To review or reconsider any decision of the Cabinet or Officer exercising delegated authority pursuant to the Scheme of Delegations to Officers, concerning access to personal information or its correction or erasure and reporting to the Cabinet.

4. Grants Applications

Against decisions of the Cabinet or Officers exercising delegated authority pursuant to the Scheme of Delegations to Officers to withdraw grants in excess of £10,000 and reporting to the Cabinet.

DARTFORD BOROUGH COUNCIL

Appendix O

ANNUAL MEETING**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****APPOINTMENTS PANEL
[REPORTING TO THE COUNCIL]**

Chairman:	Councillor J A Kite
Vice-Chairman:	Councillor A R Martin
*Membership:	Councillors D A Hammock, S Johnston, J I Muckle, M I Peters, T C H Smith and Mrs D J Stoate

**[Membership must include one Member of the Cabinet]*

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. To be the interviewing body in relation to the recruitment of the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and Officers reporting to the Council as defined in Standing Order 60 (Recruitment/Appointment of Statutory Officers and Officers reporting to the Council).
2. To draw up a statement specifying the duties of the post concerned and any qualifications or qualities required of the applicant.
3. To advertise the post in such a way as to encourage applications from suitable candidates.

REFERRED FUNCTION:

To recommend accordingly to the Council on the appointment of Statutory Officers and Officers reporting to the Council.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix P

**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****DISCRETIONARY HOUSING PAYMENTS PANEL
[REPORTING TO THE CABINET]**

Chairman: Councillor P F Coleman
Vice-Chairman: Councillor M I Peters
Membership: Councillors D A Hammock, D E Hunnisett, P Kelly,
Mrs A Muckle and B Read

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

To conduct reviews of decisions into the making, cancellation or recovery of Discretionary Housing Payments in accordance with the Child Support, Pensions and Social Security Act 2000 and the Discretionary Financial Assistance Regulations 2001.

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DARTFORD BOROUGH COUNCIL

Appendix Q

ANNUAL MEETING**STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****REMUNERATION AND PERFORMANCE MANAGEMENT PANEL**
[Reporting lines are as detailed in these Terms of Reference]

Chairman: Councillor J A Kite
Vice-Chairman: Councillor A R Martin
Membership: Councillors M J Bryant, A R Lloyd, D E May, V Openshaw and T C H Smith

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. Without prejudice to the roles and responsibilities of the Cabinet, Quality Services Committee, the Scrutiny Committee and the Management/Employee Appraisal Process to undertake an annual Performance Management Review of the progress and performance (including achievement) of the Managing Director, Directors and the organisation of the Council against Corporate Targets with a view to improving organisational effectiveness and the accomplishment of the Council's mission and goals and to recommend accordingly to the Cabinet any changes to Corporate Targets resulting from Performance Management Review.
2. To consider and recommend to the General Assembly of the Council pay and terms and conditions of employment of the Managing Director, Directors and Officers reporting to the Council.
3. To consider and recommend to the General Assembly of the Council on matters related to the early retirement terms and/or redundancy terms of the Managing Director, Directors and Officers reporting to the Council.
4. To act as the 'Disciplinary Panel' in accordance with Standing Order 63 'Disciplinary Action in Respect of Officers Reporting to the Council (Managing Director, Directors, the Head of Finance and Resources, Head of Legal Services and the Head of Housing Services) and to recommend accordingly to the General Assembly of the Council.

NB: Officers reporting to the Council in the context of this Term of Reference will exclude Directors who are Statutory Officers. The disciplining of Statutory Officers must comply with the rules detailed in Standing Order 62.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix R

ADVISORY PANEL OF THE COUNCIL**INDEPENDENT REMUNERATION PANEL
[REPORTING TO THE COUNCIL]**

Chairman: Mr A Murdoch
Membership: Rev Canon M Cooper and Mr A Thrussell

TERMS OF REFERENCE:

1. To make recommendations to the Council as to;
 - (a) the amount of basic allowances payable to elected Members;
 - (b) the categories of elected Members who should receive a special responsibility allowance and the amount of such an allowance;
 - (c) whether the Members' Allowances Scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does the rate of childcare and dependent carers' allowance and the means by which it is determined.
 - (d) the matters detailed in the Local Authorities (Members' Allowances) Regulations 2003 (pension membership for Councillors, Co-optees allowances, travel and subsistence allowances etc).

2. To review the current Members' Allowances Scheme and to make written recommendations to the General Assembly of the Council for a new Scheme or revision to the existing Scheme as considered necessary and appropriate, taking appropriate evidence/ representations in order to take into account the following:
 - (a) The need for the Council to pay a basic allowance and the discretion to pay special responsibility allowances.
 - (b) The various roles and responsibilities of elected Members and the commitment of time and other resources involved.
 - (c) The differences between the level of responsibility and time commitment of different Members' roles.
 - (d) Schemes operating elsewhere in similar Local Authorities, particularly but not exclusively, other authorities in the Thames Gateway.
 - (e) The levels of remuneration paid for other types of public duties.

DARTFORD BOROUGH COUNCIL

ANNUAL MEETING

- (f) The need to attract and retain elected Members of the highest calibre who are representative of the local population, particularly in terms of race, age and gender.
- 3. To provide informal advice on expenses, gratuities and allowances not referred to in these Terms of Reference.
- 4. To deal with other issues which may from time to time fall within the remit of the Panel through legislation.

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING****Appendix S****STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL****THE ORCHARD BOARD [REPORTING TO CABINET]**

Chairman: Councillor I D Armitt
Membership: Councillors R Bryant, J Hayes, A R Lloyd, D E
May and Mrs N C Wightman

**TERMS OF REFERENCE:
DELEGATED FUNCTIONS:**

1. To review the financial performance of the Theatre and to report to Cabinet.
2. To be consulted on the plans for the annual Christmas pantomime and to take an active part in the consideration of performers and performance proposals.
3. To be consulted on artistic matters and other Theatre issues (excluding employee related matters).
4. To monitor 'customer experience' of audiences and to recommend accordingly.

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DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

Appendix T

CABINET ADVISORY PANELS**Cabinet Advisory Panel (Theme A)****Chairman: Councillor A R Martin****Membership: Councillors I D Armitt, A Bardoe, L J Bobby, R Bryant, P F Coleman, D E Hunnisett, S Johnston, J A Kite, D E Lawson, D E May, J I Muckle, A Peters, D M Pickersgill, G T Prout, B E Read, Mrs R L Shanks, C J Shippam, T C H Smith, Mrs P A Thurlow and Mrs N C Wightman****Cabinet Advisory Panel (Theme B)****Chairman: Councillor Mrs A D Allen****Membership: Councillors C Angell, D J Baker, S H Brown, M J Bryant, M J Davis, S East, C Gallagher, D A Hammock, J A Hayes, P Kelly, E J Lampkin, A R Lloyd, T Maddison, V Openshaw, J M Ozog, Mrs A Muckle, R S L Perfitt, M I Peters, Mrs J A Rickwood, P Scanlan and A Wells**

Cabinet Advisory Panels have been established to act as a sounding board and source of advice to the Cabinet and to enable backbench Members to participate in policy formulation pre-decision. These Panels are consultative forums with no decision-making powers and are advisory only i.e. reporting/recommending accordingly to the Cabinet.

	CABINET ADVISORY PANEL Theme A		CABINET ADVISORY PANEL Theme B
1.	Asset Management	1.	Anti-Social Behaviour
2.	Capital and Revenue Budgets	2.	Arts Festival, Arts Education Development
3.	Citizenship	3.	Arts Grants, Arts Forum, Community Arts Groups/Projects
4.	Civil Contingencies	4.	Best Value Review and Development
5.	Concessionary Fares	5.	Borough Pride
6.	Constitution	6.	Community Responsibility
7.	Council Budget	7.	Community Safety Plan
8.	Council Tax, Business Rates, Benefits	8.	Community Strategy
9.	Cultural Strategy	9.	Consultation and Communications
10.	Economic Development	10.	Council Evidence and Enforcement Team
11.	E-Government	11.	Cultural Strategy
12.	Environmental Health	12.	Dartford Festival
13.	Equality and Diversity	13.	Decriminalisation and Car Parking
14.	Financial Plan	14.	Educational Links, including

DARTFORD BOROUGH COUNCIL**ANNUAL MEETING**

			Children's University
15.	Fraud	15.	Environment
16.	Grants	16.	Front Line Services
17.	Human Resources and Officer Development	17.	Highways
18.	Information Technology	18.	Housing Repairs and Maintenance
19.	International Links	19.	Links with Health and Social services
20.	Investments	20.	Matters relating to Elderly Persons
21.	Kent Thameside Matters	21.	Member Relations
22.	Liaison with Parishes	22.	Museum
23.	Local Agenda 21	23.	Parks and Open Spaces
24.	Overall Direction	24.	Police Liaison
25.	Overall Housing Strategy	25.	Public and Private Housing Policy
26.	Planning	26.	Social Inclusion
27.	Probity	27.	Sports Grants, Sports Awards, Community Sports Groups/Projects
28.	Procurement	28.	Street Scenes
29.	Property Asset Plan	29.	Tenant Relations
30.	Regeneration	30.	The Orchard Theatre
31.	Thames Gateway Matters	31.	Tourism
32.	Transport Policy	32.	Town Centre
33.	Waste Management	33.	Travellers
34.	Youth Council	34.	Voluntary Sector
35.	Youth Transport Scheme	35.	Well-being

DARTFORD BOROUGH COUNCIL

Appendix U

ANNUAL MEETING**NON-STATUTORY FORUM*****JOINT TRANSPORTATION BOARD****[Reporting lines are as detailed in these Terms of Reference]****political balance rules do not apply*

Chairman: Mr A R Bassam (KCC)
Vice-Chairman: Councillor A R Martin (DBC)
Membership: Dartford Borough Council: Councillors A Bardoe, D A Hammock, J A Hayes, E J Lampkin, D E Lawson

Kent County Council: Mrs A D Allen, C Angell, Mr I T N Jones, Mr T A Maddison and Mr J I Muckle

Parish Representative: Councillor N Pearson-Coffey

TERMS OF REFERENCE:**DELEGATED FUNCTIONS:**

1. To consider and provide advice on the following matters to the Executive and/or Cabinet as appropriate:
 - (i) capital and revenue funded works programmes;
 - (ii) traffic regulation orders;
 - (iii) street management proposals.
2. Be a forum for consultation between Kent County Council and the Borough Council on policies, plans and strategies related to highways, road traffic and public transport.
3. Review the progress and out-turn of works and business performance indicators.
4. Recommend and advise on the prioritisation of bids for future programmes of work.
5. Receive reports on highways and transportation needs within the Borough

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ANNUAL MEETING

Appendix V

STANDING COMMITTEES, BOARDS AND PANELS
OF THE COUNCIL

DEED, TRUST AND OBLIGATIONS COMMITTEE
[REPORTING TO THE COUNCIL ACTING AS CHARITABLE TRUSTEE]

Chairman: Councillor A R Martin
Vice-Chairman: Councillor J A Kite
***Membership:** Councillors T Maddison, D E May, P
Scanlan and Mrs P A Thurlow

Substitution permitted

KIDD LEGACY

1. The Charity

By the Indenture (Deed of Gift) dated 28 September 1903, the Kidd Legacy land (edged red on Plan A) was bequeathed to the Council on charitable trust by Colonel Charles Newman Kidd.

2. The Object

The Deed of Gift prescribes that the Kidd Legacy land will be 'appropriated and used in perpetuity as a public recreation ground and for no other purpose whatsoever'.

3. The Charitable Trustee

The Dartford Borough Council as sole trustee, has overall control of the Charity and its property and funds.

HESKETH PARK

1. The Charity

By Conveyances dated 30 March 1904, 20 January 1909 and 30 September 1913, the Hesketh Park land (edged red on Plan B) was bequeathed to the Council on charitable trust by Everard Hesketh.

2. The Object

Each of the Conveyances prescribes that the Hesketh Park land will be '[used]...for the purpose of a public recreation ground for the inhabitants of Dartford and not for any other purpose'.

3. The Charitable Trustee

The Dartford Borough Council as sole trustee, has overall control of the Charity and its property and funds.

ANNUAL MEETING**THE GUIDING PRINCIPLES**

The Charitable Trustee will:

- (a) act reasonably i.e. decisions should be within the range of decisions which a reasonable body of trustees could have made;
- (b) act within the powers conferred upon it and the established rules for procedures for dealing with issues of the kind under consideration;
- (c) act in good faith;
- (d) adequately inform itself in order to make the decision in question, including a comprehensive risk analysis and where necessary, make further enquiries and where appropriate, consider legal and other professional advice;
- (e) not take into consideration any factors which it is not proper for it to take into account;
- (f) consider any factors which it should take into account;
- (g) avoid conflicts of interest.

TERMS OF REFERENCE:**DELEGATED FUNCTIONS:**

1. To be the body who on behalf of the Charitable Trustee, safeguards the Object, the Charities' property, funds and the beneficiaries' interests in accordance with the Guiding Principles.
2. To ensure that the accounts and the general administration of the Charities complies with statutory regulations.
3. To ensure that the Charities' funds are not co-mingled.
4. To do anything else within the law which promotes or helps to promote the Object.

REFERRED FUNCTION:

To recommend accordingly to the Charitable Trustee on the affairs of the Charities.

ANNUAL MEETING**STANDING COMMITTEES, BOARDS AND PANELS OF THE COUNCIL****REVIEW OF POLLING PLACES, POLLING DISTRICTS AND ACCESS ARRANGEMENTS SUB-COMMITTEE****REPORTING TO THE GENERAL ASSEMBLY OF DARTFORD BOROUGH COUNCIL**

Chairman: Councillor J A Kite
Membership: Councillors A Bardoe, R Bryant, A Martin, D May, B Read and C Shippam

TERMS OF REFERENCE:**A. DELEGATED FUNCTIONS:**

1. To publish notice of the holding of a review on behalf of the Council.
2. To consult the Returning Officer for the parliamentary election held in the constituency which is wholly or partly in Borough of Dartford.
3. To seek representations from such persons as the Sub committee thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
4. To entitle any elector in the constituency situated in whole or in part in the authority's area to make representations.

B. REFERRED FUNCTIONS

To recommend accordingly to the General Assembly of the Council on the matters referred to in these Terms of Reference.

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**ANNUAL COUNCIL
7 May 2008**

Dates and Times of the GAC, Cabinet, Committees and Boards for 2008/09

COMMITTEE	TIME	USUAL MEETING DAY	May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Jan 2009	Feb 2009	Mar 2009	Apr 2009	May 2009
Cabinet	7pm	THURSDAY	22 B	26 A	24 B		25 A	23 B	27 A	11 B	22 A	26 B	26 A	23 B	
Cabinet Advisory Panels	7pm	MONDAY	19 B	23 A	21 B		22 A	20 B	24 A	8 B	19 A	23 B	23 A	20 B	
Scrutiny Committee	7pm	TUESDAY/WEDNESDAY		10	16		8 (Mon)	21		10	13	24	31		
Quality Services Committee	7pm	TUESDAY		3			2			2		10			
Audit Board	7pm	MONDAY		30			29				6 (Tues)			1 (Wed)	
Development Control Board	7pm	THURSDAY	1, 29	19	10	7	4	9	6	4	8	5	5	2, 30	
Development Control Site Visits	6pm	THURSDAY (Apr – Sep) SATURDAY (Oct-Mar)	15	12	3, 24	21	18	25	22	20	24	21	21	16	14
Standards Committee	7pm	WEDNESDAY						1						29	
General Assembly of the Council	7pm	MONDAY		9	28			13		15	26		30	27	
General Assembly of the Council (Budget)	7pm	MONDAY											2		

APPENDIX X

ANNUAL COUNCIL
7 May 2008

		May 2008	Jun 2008	Jul 2008	Aug 2008	Sep 2008	Oct 2008	Nov 2008	Dec 2008	Jan 2009	Feb 2009	Mar 2009	Apr 2009	May 2009
Annual Meeting	7pm	7												6
Joint Transportation Board	7pm		24			16			9			10		
Resident Involvement Joint Liaison Group	7pm	20					15				16 (Mon)			
Orchard Board	7pm			8			14				17		28	
Bean Parish Council	Evening	12	9	7	11	8	13	10	8	12	9	9	14 (Tues)	11
Darenth Parish Council Longfield and New Barn Parish Council	Evening	21	18	16		17	15	19	17	21	18	18	15	20
	Evening	9 (Fri), 27	24	22		23	28	25	16	27	24	24	28	26
Southfleet Parish Council	Evening	6 (Tues)	10 (Tues)	7		1	6	3	1	5	2	2	6	5 (Tues)
	Evening	14	11	9		10	8	12	10	14	11	11	8	13
Stone Parish Council	Evening	28	25	23		24	22	26		28	25	25	22	27
Sutton-At-Hone and Hawley Parish Council	Evening	13 (Tues)	19	17		18	16	20	18	15	19	19	16	21
	Evening	7, 8, 15, 28	12, 18	2		17, 25	8, 16, 29	19, 27	10, 18	21, 29	11, 19	4, 25	2, 15, 23	6, 7
Swanscombe and Greenhithe Town Council	Evening													
Wilmington Parish Council	Evening	7	4	2	6	3	1	5	3	7	4	4	1	6

Conservative Party Conference September / October 2008

Labour Party Conference September 2008
Good Friday/Easter Monday 10 April 2009 / 13 April 2009

The dates quoted for Parish/Town Council meeting dates are provisional and may be changed their associated Annual Meetings.

ANNUAL COUNCIL
7 May 2008

Indicative Dates and Times of the GAC, Cabinet, Committees and Boards for 2009/10

COMMITTEE	TIME	USUAL MEETING DAY	May 2009	Jun 2009	Jul 2009	Aug 2009	Sep 2009	Oct 2009	Nov 2009	Dec 2009	Jan 2010	Feb 2010	Mar 2010	Apr 2010	May 2010
Cabinet	7pm	THURSDAY	21 A (5pm)	25 B	23 A		24 B	22 A	26 B	10 A	14 B	25 A	25 B	22 A	
Cabinet Advisory Panels	7pm	MONDAY	18 A	22 B	20 A		21 B	19 A	23 B	7 A	11 B	22 A	22 B	19 A	
Scrutiny Committee	7pm	TUESDAY		9	15		7	20		9	12	23	30		
Quality Services Committee	7pm	WEDNESDAY		2			1			1		9			
Audit Board	7pm	WEDNESDAY		29 (Mon)			28				5		31		
Development Control Board	7pm	THURSDAY	28	18	9	6	3	8	5	3	7	4	4	1, 29	
Development Control Site Visits	6pm	THURSDAY (Apr – Sep)	14	11	2, 23	20	17				23	20	20	15	
	9.30am	SATURDAY (Oct-Mar)						24	21	19					
Standards Committee	7pm	MONDAY/WEDNESDAY					30							28	
General Assembly of the Council	7pm	MONDAY		8	27			12		14	25		29	26	
General Assembly of the Council (Budget)	7pm	MONDAY											1		

APPENDIX X

ANNUAL COUNCIL
7 May 2008

		May 2009	Jun 2009	Jul 2009	Aug 2009	Sep 2009	Oct 2009	Nov 2009	Dec 2009	Jan 2010	Feb 2010	Mar 2010	Apr 2010	May 2010
Annual Meeting	7pm	6												5
Joint Transportation Board	7pm		23			15			8			9		
Orchard Board	7pm			7			13				16		27	
Resident Involvement Joint Liaison Group	7pm						14				15			
Bean Parish Council	Evening		8	13	10	14	12	9	14	11	8	8	12	10
Darent Parish Council	Evening		17	15		16	21	18	16	20	17	17	21	19
Longfield and New Barn Parish Council	Evening		23	28		22	27	24	22	26	23	23	27	25
Southfleet Parish Council	Evening		1	6		7	5	2	7	4	1	1	6	4
Stone Parish Council	Evening		10	8		9	14	11	9	13	10	10	14	12
Sutton-At-Hone and Hawley Parish Council	Evening		24	22		23	28	25		27	24	24	28	26
Swanscombe and Greenhithe Town Council	Evening		18	16		17	15	19	17	21	18	18	15	20
Wilmington Parish Council	Evening		3	1	5	2	7	4	2	6	3	3	7	5

Conservative Party Conference September / October 2009

Labour Party Conference September 2009
Good Friday/Easter Monday 2 April 2010 / 5 April 2010

The dates quoted for Parish/Town Council meeting dates are provisional and may be changed their associated Annual Meetings.

ANNUAL MEETING

7 MAY 2008

APPOINTMENTS BY EXTERNAL BODIES

The Leigh City Technology College - Governing Body

Councillor J A Kite

**Kent County Council NHS Overview and Scrutiny Committee – North Kent Health
Economy** *(former KALA appointment)*

Councillor M I Peters (representing Dartford, Gravesham and part of Sevenoaks)

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ANNUAL MEETING**7 MAY 2008****APPOINTMENTS TO OUTSIDE BODIES
OVER ONE YEAR TERM****Dartford Almshouse Charity (4 Members - as trustees)**

Councillor Mrs A D Allen	May 2006 to May 2010
Councillor T A Maddison	May 2006 to May 2010
Councillor J M Ozog	May 2007 to May 2011
Councillor Mrs J A Rickwood	Feb 2008 to May 2011

North West Kent College Corporation Search Committee (1 Member for 4 years - ex officio)

Councillor J A Kite	Nov 2006 to Nov 2010
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ANNUAL MEETING**7 MAY 2008****REPRESENTATION ON OUTSIDE BODIES**

PORTFOLIO: Overall Direction; Civil Contingencies; Community Strategy; Consultation and Communication; Corporate Planning; Kent Thameside & Thames Gateway; Regeneration (Strategy); Economic Development; Town Centre Regeneration (Strategy); Strategic Planning; Council Enforcement Team and Public Safety Unit

- **Kent Thameside Delivery Board (1 Member as ordinary member)**
Councillor J A Kite

- **Kent Thameside Economic Board (1 Member as ordinary member)**
Councillor J A Kite

- **Thames Gateway Kent Partnership (1 Member as ordinary member, (KTDB appointee))**
Councillor A R Martin

- **Thames Gateway London Partnership Board (1 Member as ordinary member)**
Councillor T C H Smith

- **Groundwork Kent & Medway (1 Member as trustee/director)**
Councillor Mrs P A Thurlow

- **Police Community Liaison Group for North Kent (3 Members as ordinary members)**
Councillor Mrs A D Allen
Councillor R S L Perfitt
Councillor T C H Smith

- **Dartford and Gravesham Local Strategic Partnership: Partnership Board (1 Member as ordinary member)**

Councillor J A Kite

- **Dartford and Gravesham Local Strategic Partnership: Public Service Board (1 Member for Management Committee)**

Councillor J A Kite

- **Dartford and Gravesham Crime and Disorder Reduction Partnership (1 Member ex officio)**

Councillor J A Kite

- **Dartford and Gravesham Crime and Disorder Reduction Partnership Support Group (1 Member ex officio)**

Councillor D E Hunnisett

- **Ingress Park (Greenhithe) Management Limited (Board of Directors) (1 Member as director)**

Councillor B E Read

- **South East England Regional Assembly (1 Member as ordinary member and 1 substitute)**

Councillor J A Kite

Substitute - Councillor T C H Smith

- **Local Government Association General Assembly (1 Member as ordinary member and 1 substitute)**

Councillor T C H Smith

Substitute - Councillor Mrs A D Allen

- **Local Government Association Urban Commission (2 Members, as ordinary members)**

Councillor Mrs A D Allen

Councillor J A Kite

- **Local Government Association Rural Commission (2 Members, as ordinary members)**

Councillor Mrs A D Allen
Councillor M I Peters

PORTFOLIO: Council Budget; Asset Management; Capital and Revenue Budgets; Fraud and Probity; Investments; Licensing; Procurement; Regeneration (Delivery); Strategic Transport; Contracts Monitoring

- **Crossrail High Level Forum (1 Member, as ordinary member)**

Councillor A R Martin

- **Thameslink 2000 (1 Member as observer)**

Councillor A R Martin

- **Kent Thameside Council, reporting to Thames Gateway (Kent) Chamber of Commerce Board of Management (1 Member, as observer)**

Councillor A R Martin

- **Fastrack Delivery Board (1 Member as Board member)**

Councillor J I Muckle (*Chairman of the Cabinet's nominee*)

- **National Parking Adjudication Service Joint Committee (1 member as ordinary Member and 1 substitute)**

Councillor Mrs J A Rickwood
Councillor M I Peters

- **Kent Transport Board (1 Member as ordinary member)**

Councillor A R Martin

- **Kent and Medway Independent Standards Committee Members Liaison Group (4 members)**

All independent members of the Standards Committee

PORTFOLIO: Planning Enforcement; Car Parking; Borough Pride; Street Scenes; Arts Development; Cultural Strategy; Dartford Festival; Markets; Parks, Playgrounds and Open Spaces; The Orchard Theatre; Sports Development; Town Centre Liaison

- **Managing the Marshes - Steering Group (2 Members, 1 as ordinary member and 1 as observer)**

Councillor Mrs P A Thurlow
Observer - Councillor J I Muckle

- **Dartford Festival Committee (4 Members for Management Committee)**
Councillor S East (Chairman)
Portfolio Holder, Arts and Culture (Councillor Mrs P A Thurlow)
Councillor Mrs R L Shanks
Councillor D J Baker

Representative of the Dartford Youth Council

- **Dartford Festival Executive Committee (4 Members for Management Committee)**

Councillor S East (Chairman)
Portfolio Holder, Arts and Culture (Councillor Mrs P A Thurlow)
Councillor Mrs R L Shanks
Councillor D J Baker

- **Becket Sports Centre at Dartford Grammar School – Management Committee (1 Member for Management Committee)**

Councillor A Wells

- **Mick Jagger Centre for the Performing Arts at Dartford Grammar School – Consultative Committee (1 Member as ordinary member)**

Councillor E J Lampkin

- **Kent County Playing Fields Association (1 Member for liaison purposes)**

Councillor Mrs P A Thurlow

PORTFOLIO: Anti-Social Behaviour; Community Safety; Council Tax Benefits; Parish Liaison; Citizenship; Concessionary Fares; Elderly Persons; Voluntary Sector; Education and Children's University; Youth Council; Member Relations

- **Urban Programme Monitoring Committee (1 Member for Management Committee)**

Councillor A R Martin

- **Urban Programme Group (1 Member for Management Committee)**

Councillor Mrs A D Allen

- **Dartford Age Concern (1 Member ex officio)**

Councillor Mrs N C Wightman

- **Rural Age Concern Darent Valley (1 Member as ordinary member)**

Councillor D E Hunnisett

- **Age Concern Swanscombe and Greenhithe Ltd. (2 Members ex officio)**

Councillor S East
Councillor V Openshaw

- **Action with Communities in Rural Kent (2 Members as ordinary members)**

Councillor P F Coleman
Councillor D E Hunnisett

- **Dartford Citizens Advice Bureau (3 Members as trustees)**

Councillor Mrs A D Allen
Councillor A R Martin
Councillor C Angell

- **Gravesend Churches Housing Association Limited - Board (1 Member as co-optee)**

Councillor P F Coleman

- **North West Kent Council for Voluntary Service (1 Member as trustee)**

Councillor S H Brown

- **Volunteer Centre, Dartford (2 Members as trustees)**

Councillor D J Baker
Councillor S East

- **Joydens Wood Residents Community Association (1 Member as trustee)**

Councillor M I Peters

- **F W A Dartford Family Support Service (1 Member as observer)**

Councillor Mrs A D Allen

- **Dartford and Gravesham Women's Aid (1 Member as observer)**

Councillor A E Peters

- **Dartford, Gravesham and Swanley Mencap Ltd (1 Member as co-optee)**

Councillor A R Martin

- **Relate North Kent (1 Member as observer)**
Councillor S East

- **Samaritans (1 Member as observer)**
Councillor P F Coleman

- **North West Kent Racial Equality Council Executive Committee (1 Member as observer)**
Councillor Mrs A D Allen

- **Dartford and District Twinning Association (2 Members as observers)**
Councillor Mrs A D Allen
Councillor A Bardoe

- **YMCA Thames Gateway (South) – Board of Management (1 Member ex officio)**
Councillor A Bardoe

- **Dartford, Gravesham and Swanley Health Improvement Forum (1 Member as ordinary member)**
Councillor Mrs A D Allen

- **Health Action Dartford (1 Member for Management Committee)**
Councillor Mrs A D Allen

- **Dartford (1051) Squadron Air Training Corps (1 Member for liaison purposes)**
Councillor J M Ozog

PORTFOLIO: Front Line Services; Customer Service (Delivery); Customer Champion; Best Value Review; Human Resources; Bereavement Services: Deep Clean; Environmental Health; Housing

- **Eltham Crematorium Joint Committee (1 Member and 1 substitute, both members of the Dartford Borough Council Executive)**

Councillor P F Coleman
Substitute - Councillor J A Kite

- **Kent Waste Partnership Joint Waste Management Committee (1 Member for Management Committee and 1 substitute)**

Councillor A R Martin
Substitute - Councillor J A Kite

ANNUAL MEETING

7 MAY 2008

REPRESENTATION ON LIAISON GROUPS

- **Resident Involvement Joint Liaison Group (5 Members as ordinary members)**

Councillor J A Kite
Councillor P F Coleman
Councillor J I Muckle
Councillor B E Read
Councillor Mrs A Muckle

- **Friends of Darenth Country Park (Members for Bean and Darenth Ward, and Portfolio Holder for Environment, Leisure and Public Space, or Junior Minister, as ordinary members)**

Portfolio Holder, Environment, Leisure and Public Space (Councillor Mrs P
A Thurlow)

Councillor I D Armitt
Councillor D A Hammock
Councillor Mrs R L Shanks

- **Friends of Dartford Heath (Members for Heath Ward, and Portfolio Holder for Environment, Leisure and Public Space, or Junior Minister, as ordinary members)**

Junior Minister, Environment, Leisure and Public Space (Councillor A E
Peters)

Councillor A R Lloyd
Councillor T C H Smith
Councillor Mrs P A Thurlow

- **Friends of Hesketh Park (Members for Brent Ward, and Portfolio Holder for Environment, Leisure and Public Space, or Junior Minister, as ordinary members)**

Portfolio Holder, Environment, Leisure and Public Space (Councillor Mrs P
A Thurlow)

Councillor S H Brown
Councillor A E Peters
Councillor Mrs N C Wightman

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