

DARTFORD BOROUGH COUNCIL

CABINET

MINUTES of the meeting of the Cabinet held on Thursday 28 January 2021 at 5.00 pm

PRESENT: Councillor J A Kite, MBE (Chairman)
Councillor C J Shippam (Vice-Chairman)
Councillor S H Brown
Councillor A R Lloyd
Councillor Mrs P A Thurlow
Councillor R J Wells

ALSO PRESENT: Sheri Green – Strategic Director (External Services)
Sarah Martin – Strategic Director (Internal Services)
Paul Blake – Interim Transformation Manager
Alan Twyman – Democratic Services Manager

185. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Allen who was presenting the Triangle awards.

186. DECLARATIONS OF INTEREST

There were no declarations of interests.

187. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 10 DECEMBER 2020

RESOLVED:

That the minutes of the meeting of the Cabinet held on 10 December 2020 be confirmed as an accurate record.

188. URGENT ITEMS

There were no urgent items.

189. TO RECEIVE THE MINUTES OF THE CABINET ADVISORY PANEL HELD ON 25 JANUARY 2021

The Cabinet received the minutes of the meeting of Cabinet Advisory Panel B held on 25 January 2021 and had regard to the Panel's views throughout the meeting.

RESOLVED:

That the minutes of the meeting of Cabinet Advisory Panel B on 25 January 2021 be noted.

CHAIRMAN'S INITIALS

190. REFERENCES FROM COMMITTEES

There were no references from other committees.

191. DRAFT RENT ARREARS POLICY

The Strategic Director (External Services) introduced a report which presented a revised draft Rent Arrears Policy to replace the previous version, which had last been updated in 2013. Since that time a number of measures had required the Council to adapt its approach to managing rent arrears, in particular, focussing more intensively on prevention work with the aim of avoiding possession proceedings. The revised policy outlined the Council's approach to preventing and managing rent arrears in Council managed tenancies and the revised draft policy took account of various updates due to the introduction of Universal Credit, the provisions of the Pre-Action Protocol for Possession Claims by Social Landlords and also changes to the possession proceedings process during the coronavirus pandemic. The report also outlined the advice and support available to tenants and the consultation undertaken on the revised policy. It was intended that the policy would be kept under continuous review and updated as appropriate, and the policy would be refreshed every three years.

The Chairman noted the comments made by the Cabinet Advisory Panel which had focused upon technical questions about the way that the Council collected rents and dealt with arrears, all of which had been explained to the Panel by the Head of Housing. The Chairman reminded the Cabinet that the Council was a benign housing authority, which was 'people orientated,' worked closely with its tenants and leaseholders and sought to be a good social landlord. However there was a balance to be struck and demand letters did have to be sent out when tenants fell into arrears, for the legal reasons that the Head of Housing had explained to the Advisory Panel and also as an opportunity to offer support by signposting places where help could be provided. He also noted the extensive support that the Council provided to tenants, including having a dedicated Housing Inclusion Officer to assist tenants with their financial arrangements and entitlements.

The Cabinet Portfolio Holder for Finance commented on the levels of rent arrears and that the Council was operating sympathetically towards people who were experiencing difficulties with paying rent in the current circumstances. He noted the weighting within the policy towards helping people with practical support and advice rather than enforcement action, and the very small instances of eviction. However it was important to remember that rents paid for the Council's landlord services and whilst it was right to help those people who could not pay it was also important to take action against the small number of people who simply would not pay.

Members noted that whilst the revised policy updated the previous policy introduced in 2013, there had been some significant changes since that time, most notably the introduction of universal credit, Pre-Action Protocol for Possession Claims and arrangements put in place during the pandemic which were reflected in the policy.

CHAIRMAN'S INITIALS

RESOLVED:

1. That the draft Rent Arrears Policy, attached at Appendix A to the report, be approved; and
2. That the Strategic Director (External Services) be granted delegated authority to make in-year amendments to the approved Rent Arrears Policy, as necessitated by changes in legislation or Government guidance.

192. NATIONAL NON-DOMESTIC RATE RELIEF 2021-22

The Strategic Director (Internal Services) presented a report which proposed awarding discretionary rate relief to ratepayers who had made applications in respect of 2021/22 or who would have made an application by 1 March 2021. The Strategic Director confirmed that the criteria being applied were unchanged.

RESOLVED:

That the maximum level of discretionary rate relief for 2021/22 for the organisations listed in Appendix A to the report be determined in accordance with the detailed recommendations set out in Appendix A;

193. PLANNING SERVICES SUB-DELEGATIONS

The Strategic Director (External Services) introduced a report which sought authority to delegate the functions related to Neighbourhood Plans and the deferrals of Community Infrastructure Levy (CIL) payments requests to Officers. The report detailed the circumstances under which executive functions could be delegated to officers by the General Assembly of the Council and the Cabinet and the overriding rights of those bodies with regard to functions delegated to officers. The proposed delegations would enable officers to take timely actions on specific matters over which the Council had little discretion and to take these forward within statutory timescales. The Council had received its first submission of a Neighbourhood Plan and was required to take this forward in accordance with the relevant legislation, which was heavily prescriptive, including the timescales for making decisions under this legislation, and in respect of requests to defer CIL payments. This made the delegation of such decisions to officers a practical way forward and a way of smoothing the process. There were no other proposed changes to the existing delegations.

RESOLVED:

That authority be delegated to Officers to undertake the Neighbourhood Plan functions and the deferral of CIL payments, as detailed in the Planning Services Sub delegations, contained in Appendix A to the report.

CHAIRMAN'S INITIALS

194. DRAFT CALENDAR OF MEETINGS 2021/22 AND 2022/23

The Cabinet considered a report which detailed the proposed calendar of meetings for 2021/22 and the provisional calendar for 2022/23 for recommendation to the General Assembly of the Council. The proposed start times for the meetings were indicative and could be subject to change in the early part of 2021/22, depending on the position with the National coronavirus emergency.

The Cabinet noted the comments made by the Cabinet Advisory Panel and the comprehensive response provided by the Democratic Services Manager. Whilst the Cabinet recognised the importance of minimising holding meetings on dates where some Members might find it difficult to attend, it noted that the draft meeting dates were presented for a two year period to give Members as much advance notice as possible, avoided dates during school holidays as far as reasonably practicable and the dates of party conferences. Given the fact that most committees met on a quarterly basis the Cabinet felt that blocking out more time from the calendar could impede the conduct of business. The Democratic Services Manager also informed Members that it was necessary to hold a meeting of the General Assembly of the Council in the last week of July due to financial reporting deadlines, which could not be met if the meeting was held earlier in July. Members also noted that there remained scope for flexibility and that in-year changes to proposed meeting dates could still be made if necessary.

The Cabinet Portfolio Holder pointed out an apparent clash of meetings on 19 April 2022. The Democratic Services Manager explained that this was a mistake and would be amended accordingly. The Cabinet Portfolio Holder also asked when the Council might revert to starting its meetings at 7.00pm as he felt that the current 5.00pm start times were not easy for some working Members.

The Chairman explained that the 5.00pm start times had been introduced to reflect the special circumstances arising from holding meetings during the pandemic which required meetings to take place virtually and to have additional support from IT and other officers. He confirmed that there would come a time when it would be possible to revert to more traditional arrangements but that that trigger point had not been reached.

RESOLVED:

That the proposed calendar of meetings for 2021/22, as amended, and the provisional calendar of meetings for 2022/23 be submitted to the Annual Meeting of the Council.

195. DELEGATED ITEMS UNDER STANDING ORDER 38: STREET NAMING AND NUMBERING

The Cabinet was asked to note the delegated action taken under Standing Order 38(2)(a) by the Strategic Director (Internal Services), in consultation

CHAIRMAN'S INITIALS

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with the Cabinet Chairman, to approve new road names for a development at the rear of 39 Brentfield Road and for the first phase of development in the Western Cross locality of Ebbsfleet Valley.

RESOLVED:

That the Cabinet note the action taken by the Strategic Director (Internal Services), in consultation with the Cabinet Chairman, under Standing Order 38(2)(a), to approve new road names for a development at the rear of 39 Brentfield Road and for the first phase of development in the Western Cross locality of Ebbsfleet Valley.

The meeting closed at 5.25 pm

Councillor J A Kite, MBE
CHAIRMAN

CHAIRMAN'S INITIALS