

DARTFORD BOROUGH COUNCIL

CABINET ADVISORY PANEL B

MINUTES of the meeting of the Cabinet Advisory Panel B held on Monday 26 October 2020 at 5.00 pm.

PRESENT: Councillor M J Davis (Chairman)
Councillor D Swinerd (Vice-Chairman)
Councillor R M Currans
Councillor L H K Edie
Councillor A Gaskin
Councillor K J Grehan
Councillor D A Hammock
Councillor R A S Jones
Councillor C S McLean
Councillor D J Mote
Councillor A J Oakley-Dow
Councillor A S Sandhu, MBE
Councillor Mrs R F Storey

ABSENT: Councillor E H Ben Moussa
Councillor J Burrell
Councillor P M Harman
Councillor T Oliver
Councillor R S L Perfitt

ALSO PRESENT: Sarah Martin – Strategic Director (Internal Services)
Sheri Green – Strategic Director (External Services)
Teresa Ryszkowska – Head of Regeneration
Peter Dosad – Head of Housing
Mark Aplin – Planning Policy Manager
Tim Sams – Head of Finance
Alan Twyman – Democratic Services Manager

1. CHAIRING THE MEETING

The Chairman experienced technical difficulties at the start of the meeting which meant that the Panel were unable to hear him. In view of this the Vice-Chairman took over the chairmanship of the Panel at the start of the meeting until the Chairman was able to resolve his technical problem and resumed chairmanship from consideration of item 8 onwards (White Paper Consultation: Planning for the Future).

2. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Ben-Moussa, Burrell and Oliver.

Councillor Edie attended as a substitute Member in place of Councillor Ben-Moussa.

3. DECLARATIONS OF INTEREST

There were no declarations of interests.

4. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 SEPTEMBER 2020

The minutes of the Cabinet meeting held on 24 September 2020 were noted.

5. URGENT ITEMS

There were no urgent items.

6. REFERENCES FROM COMMITTEES

There were no references from other committees.

7. TEST AND TRACE STANDARD SUPPORT PAYMENTS AND DISCRETIONARY PAYMENTS SCHEME POLICIES

The Strategic Director (Internal Services) informed the Panel that the Government had announced a package of legislative measures known as the Self-isolation Payment Scheme (under the Test and Trace Support Scheme), as part of its COVID-19 response, to ensure that those who were required to self-isolate (on or after 28 September 2020) would receive a payment to assist their finances and to encourage compliance with the legislation. Local authorities were required to set up their self-isolation support schemes by 12 October 2020 and action had been taken to meet this deadline under standing order 38. Individuals would be entitled to a one-off payment of £500 from the Council's Standard Scheme if they met all of the Test and Trace Standard Support Payments Scheme eligibility criteria, including being in receipt of a 'qualifying' benefit listed in the report, or if meeting all of the eligibility criteria other than being in receipt of a qualifying benefit they could apply for funding from the Discretionary Scheme. The Council had been allocated Government funding for both schemes with spending from the Standard scheme being adjusted to match the level of actual expenditure, however the funding for the Discretionary Scheme was capped at the allocated amount which meant that the policy might have to be modified depending upon the level of take up to focus on those applicants in the greatest need. The Test and Trace Standard Support Payments and Discretionary Payments Scheme policies were attached to the report.

A Member asked whether people on zero-hours contracts could qualify for a payment under the scheme and was informed that they could be eligible but would have to be able to demonstrate that they had been receiving wages and were suffering financial loss as a result of being required to self-isolate. Another Member asked how people could apply for a payment if they did not have access to the internet and was advised that they could contact the Benefits Team who would be able to assist them with making an application but that they would still need to supply the necessary evidence to support an

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

application. A Member asked whether there were any restrictions on what the money granted to an applicant could be spent on and was advised that whilst there were no restrictions as such it was expected that an applicant who had been able to demonstrate financial loss would use the grant to mitigate that loss. A Member asked what kind of evidence would need to be produced by someone who was self-employed and working from home. The Strategic Director (Internal Services) said that they would need to supply accounts or proof of earnings to demonstrate loss of income.

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

8. WHITE PAPER CONSULTATION: PLANNING FOR THE FUTURE

The Planning Policy Manager presented a report which detailed proposals for restructuring the planning system contained in the Government White Paper, "Planning for the Future". The report outlined the background to the proposed changes, the key implications and the Council's formal response to the consultation, ending on 29 October.

Members were reminded that the Cabinet had considered the proposals contained in another consultation on "Changes to the current planning system" at its last meeting which could have an immediate and direct impact on local authorities, resulting in potentially very significant housing pressures on the Council. In contrast, the current White Paper outlined possible structural changes to the planning system over a longer timeframe.

The proposals were driven by the Government's perception that the current planning system processes are too complex, outdated, slow and failing to deliver the Government's national targets for the number of new houses. There was also a recurrent emphasis on national simplification/ modernisation of the system through technology, a move away from local discretionary decision making and seeking to achieve predictability and speedier decision-making for developers.

The Council's proposed response acknowledged that whilst there might be scope to simplify planning requirements there were key concerns about the reduced local political and public input to planning decisions, increased house-building through binding centralised targets that were contentious and ambitious and that the overall impact on quality was unclear. There were also concerns about the proposal to fund infrastructure using a single levy based on sales values and the outcome of the proposed infrastructure and affordable housing funding shifts were not fully clear.

Members thanked the Planning Policy Manager for his comprehensive report and for the Council's proposed response. It was noted that the deadline for submitting the response was 11.45pm on 29th October so that there would be an opportunity for any changes made by the Cabinet to be incorporated in the final response if necessary. Members felt that the response reflected their concerns about the adverse impact of the proposals on local decision making whilst doing little to improve the current planning system which was working

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

well in Dartford. The arbitrary doubling of targets for new housing in Dartford to address a national deficiency in numbers would not deliver the quality homes that people wanted and speed was not always the best solution.

The Cabinet Advisory Panel strongly endorsed the recommendations contained in the report.

9. FORMAL PARKING CONSULTATION RESPONSES: WEST HILL WARD - SHEPHERDS LANE

The Cabinet Advisory Panel received a report which detailed the responses from local residents following a formal statutory consultation undertaken between 10th September and 1st October 2020 as part of a Traffic Regulation Order process to implement a scheme to extend the days and hours of operation of the residents parking bays in Shepherds Lane between Nos.1a and 59. This followed a previous round of informal consultation on a range of proposals for a scheme in March 2019 which had been considered by the Cabinet in October 2019 when the Cabinet had endorsed the proposed changes to the parking scheme which had now been through formal consultation.

A total of seven responses were received from the formal statutory consultation, three indicated no observations about the proposals or were in support whilst four objected to the proposals, largely due to concerns about the limitation of visitor parking permits to one per household rather than the change to the times of the scheme's operation. Details of the responses were highlighted in the report.

The Cabinet Advisory Panel noted the contents of the report and endorsed the recommendations.

10. PROPOSED LONDON RESORT AND THE DUTY OF THE APPLICANT TO CONSULT THE COUNCIL ON THE PROPOSAL

The Head of Regeneration informed Members that because the proposed London Resort leisure and entertainment complex development in Swanscombe was deemed to be a Nationally Significant Infrastructure Project (NSIP) the planning application would be determined by the Secretary of State under the Planning Act 2008 rather than being determined directly by the Council. The applicant, London Resort Company Holdings (LRCH), was required under section 42 of the 2008 Act to consult the Borough, as a statutory consultee, on its emerging proposal before formally submitting it to the Secretary of State. This was the fifth round of consultation since the inception of the project and the closing date for responses to this consultation was 21 September 2020. Given the timeframe involved the Council's response was agreed with the Chairman of the Cabinet and the Mayor under delegated powers in time for submission by the deadline.

The content of the development was outlined in paragraph 3.13 in the report. The report highlighted that, despite the length of time since the last

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

consultation in 2015, much of the assessment work required had not been submitted within the consultation documents and the proposals were therefore lacking much detail. Key documents were missing including transport modelling which made it difficult to assess the impact on the road and rail networks and local transport infrastructure. It was therefore difficult at this stage for the Council to provide detailed comments on the options or the impacts, as the assessment results were not available to enable proper consideration by the Council of the likely impacts and the mitigation needed. LRCH had not allowed sufficient time or resources to enable engagement with the Council and there had been no collaborative working to inform the design or develop mitigations. The response to the consultation therefore drew attention to the assessments that were missing, the paucity of information on the detail of the proposal and the potential risks that could result for the Council and the Borough. It acknowledged that whilst the London Resort has the potential to bring significant benefits to the Borough through employment, skills development and a boost to the local economy, this was not a foregone conclusion and that the right measures would need to be in place to enable this. Mitigations would also need to be in place to ensure that adverse impacts of the scheme could be addressed. It was therefore hoped that there would be fuller engagement with the Council following the consultation to ensure that the Borough and its residents could benefit from the development and the Council had urged LRCH to delay the submission of its planning application, currently due to be submitted in December, to allow for further collaboration to produce a more rounded and informed submission.

The Chairman thanked officers for the clear and substantive report and noted that there were many unresolved major issues with the current proposals. He asked whether the Secretary of State would consider the viability of the project, its funding and the past performance of the applicant as part of the decision making process. The Head of Regeneration explained that the Secretary of State would focus on planning considerations rather than financial viability or deliverability. She also confirmed that LRCH would not pay a fee to the Secretary of State but would have to enter into a planning agreement with the Council who would be expected to provide detailed advice to the Planning Inspectorate and that LRCH would pay the Council for this work. Members expressed deep concern at the lack of detail and clarity of LRCH's proposals, insufficient consideration of mitigations and the potential adverse impact on biodiversity, traffic and transport, air and noise pollution and the loss of significant natural habitat. Concerns were expressed about the impact of the anticipated number of daily visitors to the resort unless the necessary infrastructure was in place but that it was not possible to establish this from the documentation available. A Member also felt that, on the limited information available, it was unlikely that Fastrack would be able to cope with the levels of demand likely to be placed on it. Another Member expressed concern that the NSIP process was effectively front-loaded so that it was important that any application was well constructed with strong documentation and supporting assessments which was not currently the case. He asked what interaction the Council was expecting to have with LRCH prior to the submission of the application to resolve the outstanding issues. The Head of Regeneration explained that the Council had asked LRCH to respond to its

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

concerns and that there were ongoing discussions. The Council was also attending workshops with LRCH's consultants.

The Cabinet Advisory Panel strongly endorsed the Council's proposed response and the recommendations contained in the report.

11. DRAFT PRIVATE SECTOR DISCRETIONARY ASSISTANCE POLICY

The Cabinet Advisory Panel considered a report which proposed to introduce a new draft Private Sector Discretionary Assistance Policy to replace the previous Better Care Fund Discretionary Assistance Policy. The proposed new policy would govern the way that the Council allocated discretionary financial assistance to help local residents to live independently and safely in their own homes from the funding allocated by Central government for that purpose. Under the new policy it was proposed to increase the amount available from certain discretionary funds, establish maximum levels of grant for others and to make all of the grants non-repayable, which was not currently the case and deterred some people from applying.

The Chairman asked whether funding under the policy would be available to applicants with young children with particular needs or whether it was directed at assisting the elderly or people with underlying medical conditions. The Head of Housing confirmed that there were no distinctions and that the policy covered all family members. The new policy gave the Council more flexibility to provide financial assistance than had been possible under the previous Better Care Fund framework which had been quite restrictive. The major change was the fact that grants would not have to be repaid which had been a deterrent for many people. A Member pointed to the difficulties that many charities were experiencing in fund raising during the current national emergency resulting in them having to cut back the support they could provide, including charities dealing with brain injury and strokes. He wondered whether grants would be available under the policy for people suffering from these afflictions. The Head of Housing informed Members that the policy focussed on providing physical measures and adaptations and that Kent County Council were responsible for care and other kinds of support. A Member welcomed the new policy and the assistance it could provide to enable people to maintain their independence in their own homes for as long as possible.

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

12. THE KENT AND MEDWAY ENERGY AND LOW EMISSIONS STRATEGY 2020

The Cabinet Advisory Panel received a report which outlined the details of the Kent and Medway Energy and Low Emissions Strategy (ELES) which detailed the Kent and Medway approach to achieving a reduction in carbon emissions and improvements in air quality with an agreed Kent and Medway target of net

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

zero emissions by 2050. The ELES sought to identify ways to deliver a clean growth strategy and action plan around air quality, reducing fuel poverty and delivering affordable, clean and secure energy for Kent and Medway. The report detailed the 10 priority actions contained in the Strategy and outlined the work previously carried out in Dartford, and ongoing work underway, that would complement the ELES and sit alongside the strategy.

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

13. ENVIRONMENTAL HEALTH PARTNERSHIP AND PROPOSED DISENGAGEMENT BY SEVENOAKS DISTRICT COUNCIL

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

14. REVIEW OF THE MANAGEMENT OF THE HOUSING REVENUE ACCOUNT GARAGE PORTFOLIO

The Cabinet Advisory Panel considered a report which explored the options that might best deliver the aims of improving the condition of the Council's stock of garages to ensure they were fit for purpose and to improve the occupancy rate and maximise potential rental income. This followed an internal audit review of the Council's garage management service which was responsible for the 1258 garages owned by the Council, which were a significant asset whose management could have important implications for the Housing Revenue Account. The challenges of managing the current garage portfolio, including the poor condition of some of the stock, a backlog of repairs and a significant and slowly increasing vacancy rate were set out in the report. The current management arrangements were outlined and other options considered, including setting up a dedicated in-house management team, selling the garages on the open market or moving to an outsourced management solution. It was felt that adopting an outsourced management approach would provide clear benefits for both the Council and the tenants and residents who rented the Council's garages and would provide more customer focus, improve the condition of the stock and protect the Council's rental income whilst also protecting tenants from high rental increases and dealing with the backlog of repairs.

The Head of Housing confirmed that the garage portfolio largely consisted of small and fairly standard sized units and that alternative uses were fairly limited. The proposed management solution would deliver benefits for residents whilst retaining Council ownership of the garages. A Member asked whether a successful tenderer would be given a 'clean sheet' over how the portfolio would be used or whether the Council would determine this. The Head of Housing said that it would be a little of both. The Council had carried out an assessment of possible alternative uses of the garage sites in the past and would go back and re-assess all of the sites and bring proposals back to Members, if other options were available, towards the end of the financial year (as part of the tender acceptance tender report).

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

However it was difficult to see alternative uses for many of the sites due to their size and locations (and the important role they play in terms of areas for vehicles to be kept). A Member noted that many charities were looking for storage space and felt that the garages could be used as a community asset.

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

15. CAPITAL PROGRAMME MONITORING 2020/21

The Cabinet Advisory Panel considered a report which detailed the progress to date on the schemes in the approved Capital Programme for 2020/21 along with the latest position on capital resources.

A Member sought clarification as to the reasons for the £900,000 overspend on the Acacia project and whether this was in addition to the current listed budget as the current budget and budget for 2021-22 listed in the appendices remained at the same level. She also asked whether the original budget for the year had included any contingency for overspending and asked for assurances that there would not be further significant overspends. The Head of Finance confirmed that the overspend was an additional sum and that the original budget had contained an element for contingencies. However the overspend had arisen from delays associated with the COVID epidemic where work had been delayed due to lock-down and then costs associated with social distancing for the contractor's staff. Work had been suspended on-site for a period of time but costs had still accrued during that time to keep the site and plant safe and secure. There had also been some additional works that could not have been anticipated in advance and only became apparent once work had begun and the ground had been opened up.

The Chairman noted that whilst this project was overspent there had been significant underspends in other areas. A Member noted that it was proposed to vire money from the Leisure and Open Spaces budget to offset the overspend and sought assurances that this would not result in other projects being cancelled as a result. He was also concerned about potential future overspends given that the national emergency was likely to continue for some time. The Head of Finance confirmed that the money being vired from the Leisure and Open Spaces budget would not have been spent in the current financial year and that virement only applied to the 2020/21 budget. Another Member noted that it was not uncommon for complex capital projects to overspend but that the Council had a good record at reigning back overspends over the duration of a project. He welcomed the report as upfront and honest. Members supported the work being carried out at the Acacia site to make the best use of an important asset which complemented the other town centre improvement works.

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

CABINET ADVISORY PANEL B
MONDAY 26 OCTOBER 2020

16. STREET NAMING AND NUMBERING - LITTLEBROOK POWER STATION ACCESS ROADS

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

17. TREASURY MANAGEMENT MID-YEAR REPORT 2020-21

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

18. REVENUE BUDGET MONITORING 2020/21

The Cabinet Advisory Panel endorsed the recommendations contained in the report.

19. MINUTES OF THE POLICY OVERVIEW COMMITTEE ON 8 SEPTEMBER 2020

The Cabinet Advisory Panel noted the minutes of the Policy Overview Committee which took place on 8 September 2020.

The meeting closed at 6.18 pm

Councillor M J Davis
CHAIRMAN