

DARTFORD BOROUGH COUNCIL

GENERAL ASSEMBLY OF THE COUNCIL

MINUTES of the proceedings of the meeting of the General Assembly of the Council held on Monday 13 December 2021.

PRESENT:

The Mayor

Councillor R M Currans

The Deputy Mayor

Councillor P Cutler

Councillor A E D Barham
Councillor E H Ben Moussa
Councillor S H Brown
Councillor D Butler-Ruhle
Councillor S P Butterfill
Councillor M J Davis
Councillor R Gosine
Councillor S N Gosine
Councillor K J Grehan
Councillor D A Hammock
Councillor P M Harman
Councillor D E Hunnisett
Councillor J A Kite, MBE
Councillor A R Lloyd
Councillor D J Mote

Councillor D T Nicklen
Councillor A J Oakley-Dow
Councillor V Oguntope
Councillor T Oliver
Councillor Mrs J A Ozog
Councillor M I Peters
Councillor D J Reynolds
Councillor L J Reynolds
Councillor A S Sandhu, MBE
Councillor C J Shippam
Councillor Mrs R F Storey
Councillor D Swinerd
Councillor Mrs P A Thurlow
Councillor R J Wells

ABSENT:

Councillor J Burrell
Councillor L A Canham
Councillor L H K Edie
Councillor B Garden
Councillor A Gaskin
Councillor R A S Jones
Councillor M B Kelly
Councillor T A Maddison
Councillor E E Palmer
Councillor R S L Perfitt

IN ATTENDANCE:

Sarah Martin, Chief Officer & Director of Corporate Services
Alan Twyman, Democratic Services Manager & Deputy Monitoring Officer

42. PRAYERS: REVEREND KENNETH CLARK

The Mayor's Chaplain led the Council in prayer.

Special mention was made of the late Councillor Ann Allen and her family and thanks were given for her lifelong contribution to Dartford, Wilmington and Kent.

43. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Burrell, Canham, Edie, Garden, Gaskin, Jones, Kelly, Maddison, Palmer and Perfit.

44. DECLARATIONS OF INTEREST

The Mayor informed Members that the Chief Officer & Director of Corporate Services had exercised her delegated authority, in consultation with the Deputy Monitoring Officer, to grant a dispensation to all Parish/Town Councillors to speak and vote on Agenda item 12 (Financial Contributions to Parish and Town Councils 2022/23) because otherwise so many members of the Council would have had a prejudicial interest in the matter that it would impede the transaction of business.

There were no other declarations of interests.

45. MINUTES

RESOLVED:

That the minutes of the meeting of the General Assembly of the Council held on 26 July 2021 be confirmed as an accurate record.

46. MAYOR'S ANNOUNCEMENTS

The Mayor asked the General Assembly of the Council to observe a minute's silence in memory of the late Councillor Ann Allen and everyone who had experienced loss in recent months.

The Mayor thanked the many companies, schools and residents for their generosity in supporting her chosen charities and hoped that it would still be possible to hold further events moving forward.

47. LEADER'S ANNOUNCEMENTS

The Leader of the Council made the following announcements:

- **Recent Losses**

The Leader of the Council said that the Council would be paying its tribute to Councillor Ann Allen later in the evening but he also wished to remember the late Doreen Coleman, who had been a constant supporter of the Council's work by the side of her husband, Pat, serving as Mayoress on three occasions, and her efforts on behalf of the Mayor's charities. He also sent his

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condolences to the Shadow Leader of the Council on the recent loss of his father.

- **Councillor Dave Hammock**

The Leader of the Council also congratulated Councillor Dave Hammock who had recently celebrated his 80th birthday.

- **Councillor Lucas Reynolds**

The Leader of the Council informed Members that Councillor Lucas Reynolds had tendered his resignation for personal reasons. He thanked Councillor Reynolds for his service on the Council and recognised that he currently needed to focus on his family but hoped that he might be able to serve the community again in the future. In his resignation letter Councillor Reynolds had thanked Members and Officers for their support and sent his best wishes for the Council's future work.

- **Santas House and Tour**

The Leader of the Council informed Members of the continuing success and popularity of Santa's House and the tour around the borough which were being well attended by residents and families. He thanked everyone involved for their hard work.

- **Christmas Pantomime – Jack and the Beanstalk**

The Leader of the Council welcomed the return of the Christmas pantomime at The Orchard Theatre. He paid particular tribute to Christopher Biggins for his support of the virtual events that had taken place following the cancellation of last year's pantomime due to Covid.

48. **QUESTIONS FROM POLITICAL GROUP LEADERS**

The following questions were submitted by the Shadow Leader of the Council:

Question 1

'Would the Leader of the Council agree that questions from opposition and proposed motions should constitute normal business of the GAC in order to maintain scrutiny and transparency?'

Question 2

'When can we expect to see the equality report which the council has been working on?'

In accordance with Standing Order 14 the questions and answers, including any supplementary questions and answers, are recorded in a book kept for this purpose in the Members' Area.

49. MOTIONS

The Mayor informed Members that two motions had been submitted by the Leader of the Council in accordance with Standing Order 10:

(1) Motion submitted by the Leader of the Council, Councillor J A Kite MBE

'This council expresses its sadness and profound sense of loss at the passing of Councillor Ann Allen and offers our sincere condolences to her family and friends at this difficult time. It reflects on the loss a good friend to all Members and a wise council colleague'.

(2) Motion submitted by the Leader of the Council, Councillor J A Kite MBE

'This council further reflects on the legacy of Councillor Ann Allen and commends her practical and compassionate approach to supporting those in need, empowering the vulnerable and giving a voice to those who would otherwise not be heard. Ann loved this town and the people, groups and businesses in it. She understood that everyday local actions rather than rhetoric were the key to changing lives for the better. Her achievements were measured not in publicity or partisanship but in the relentless application of kindness, practicality and robust common sense in our community. This council takes the opportunity to reflect upon and praise the many organisations, individuals and groups supported by Ann over the years and commits to carry on supporting them as she would wish'.

In introducing the motions the Leader of the Council said that he had submitted two separate motions to allow Members to pay tribute to Councillor Allen both as a person and a colleague but also to celebrate her enormous contribution to the community and the many individuals, groups and organisations that she had supported. However he felt that it might be better to combine the motions so that they could be considered as part of a single debate, and with the Council's permission, he moved that the motions should form a single motion.

This was seconded by Councillor Shippam and opened for debate.

The Leader of the Council said that he had been shocked by Councillor Allen's passing which had come as a bolt out of the blue and that he had initially found it hard to come to terms with. He said that she had been the better part of us, in terms of her life, personal example and impact on others. She had existed to do good and to do the right thing, but was a modest person who never drew attention to the good that she did and was self-effacing. In the weeks following her passing he had received messages from a wide range of people and bodies that she had helped that he had been unaware of. She had a well-rounded personality and a wonderful, sometimes wicked sense of humour. He said that he knew that her death had had a heavy impact on her family, to whom he sent his condolences and best wishes. He said that it was difficult to imagine her not being present and that

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she always had a project or cause on the go to support and lobby for, whether for Wilmington, Dartford or Kent – she was a busy Councillor. She was kind, honest, understanding, never judgemental and had been his mentor, and conscience, when he entered the political arena and he would miss her enormously.

The Shadow Leader of the Council, Councillor S Gosine, said that although he did not know Councillor Allen as well as the Leader he had known her since he was a child through her association with Saint Anselm's church. He said that he had spoken to her regularly during the pandemic, that their conversations were never political, and that she was a great person who had helped him personally and had been a true lady.

Councillor Hammock said that Councillor Allen had been the person who had encouraged him to stand for office. He commented on her great sense of humour and recounted an example of this from her time as Mayor where, as was her want, she declined to stand on ceremony and that this had remained an in-joke between the two of them thereafter. He mourned the passing of a great friend and lady.

Councillor Grehan said that she had lived in Dartford since 1986 and that Councillor Allen had always been around the fringes of her life. Since her own election to Kent County Council she had got to know Councillor Allen better and that she had been a role model who was always honest, kind and positive and never tried to politicise the work that she did for people and had time for everyone.

Councillor Sandhu said that three generations of his family had known Councillor Allen and that she had been particularly kind to his father. Nothing was ever too much for her. He recounted a time when she had supported an application for his niece to attend Wilmington Grammar School and her joy many years later upon learning that his niece had just completed her Master's degree. He also treasured a photograph that he had of himself with his father, the High Commissioner and Councillor Allen. He said that he was deeply saddened by her loss and that he would miss her very much.

Councillor Butterfill said that when she was first elected to the Council in 2011 her great friend, the late Brian Read, had told her that there was a lady on the Council who would be a great role model. She quickly discovered that this was Councillor Allen, who shared many of the caring attributes and dedication with Councillor Read. She recounted attending a meeting of the Elders Forum where Councillor Allen took the time to speak to everyone in the room to make them feel welcome. Councillor Allen had indeed been an inspiring role model for a woman starting her political career. She said that her colleague, Councillor Barham, had wanted to say something but was too upset to speak.

Councillor Thurlow said that she could still not believe that Councillor Allen was no longer present. She had known Councillor Allen for many years and their children had played together. She said that Councillor Allen was always a person who helped somebody and that, even before she became a

Councillor, she was a familiar figure in the local community that people used to come to for advice. She was a unique and truly special person who she had never known to get angry or to shout, but who instead would sort things out. She had been proud to be able to call her a friend and thanked her for all that she had done for other people.

Councillor Hunnisett said that there was not a single person in Wilmington who hadn't known Councillor Allen and that he would miss her frequent calls at 8.30am listing tasks for him to do on behalf of others. She had been a great human being and an example to others, and her passing would leave an enormous gap in the local community.

Councillor Wells said that he had known Councillor Allen since he had been a child growing up in Joyden's Wood and that she had been pivotal to everything going on in the community. She had also helped his mother return to work as a teacher and supported her to become a head teacher. She helped everyone and was everywhere, in Wilmington, Dartford and Kent, and always made time to stop and chat. Councillor Allen had been one of a kind and it had been a privilege to have her as a friend, who would be deeply missed.

Councillor Lloyd said that he had known Councillor Allen since 1985, and as a Councillor for the last 15 years. She was a great example and mentor, tirelessly lobbying for funds for various projects. In particular she had been a champion of young and older people, for whom she had a great interest, and those groups would miss her greatly.

Councillor Davis said that Councillor Allen had been a great role model for women as a Councillor, Cabinet member and Chairman of Kent County Council, who had never seemed to have aged. He felt that she would always be ever present to guide the work of the Council.

The Mayor paid her personal tribute to Councillor Allen and the help that she had given to her when she first joined the Council and when she first became Mayor. She said that she had received calls from so many people following Councillor Allen's death and that she was a wonderful lady who she would miss greatly.

The Deputy Leader of the Council, Councillor Shippam, said that he supported all of the comments made by previous speakers and that Councillor Allen had been a wonderful human being, a great community champion and a role model who was always willing to help. He said that he would miss her and everything that she represented.

The motion was put to the vote and carried unanimously.

RESOLVED:

'This council expresses its sadness and profound sense of loss at the passing of Councillor Ann Allen and offers our sincere condolences to her family and friends at this difficult time. It reflects on the loss a good friend to all Members and a wise council colleague.

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This council further reflects on the legacy of Councillor Ann Allen and commends her practical and compassionate approach to supporting those in need, empowering the vulnerable and giving a voice to those who would otherwise not be heard. Ann loved this town and the people, groups and businesses in it. She understood that everyday local actions rather than rhetoric were the key to changing lives for the better. Her achievements were measured not in publicity or partisanship but in the relentless application of kindness, practicality and robust common sense in our community. This council takes the opportunity to reflect upon and praise the many organisations, individuals and groups supported by Ann over the years and commits to carry on supporting them as she would wish'.

50. URGENT ITEMS

There were no urgent items.

51. COUNCIL IN COMMITTEE

It was moved by Councillor RM Currans, seconded by Councillor J A Kite and

RESOLVED:

That in accordance with Standing Order 11(13) the General Assembly of the Council go into Committee and the rules of Procedures for Committees do apply.

THE LEADER OF THE COUNCIL, COUNCILLOR J A KITE MBE, IN THE CHAIR

52. REFERENCE FROM THE AUDIT BOARD: REVIEW OF MEMBER CODE OF CONDUCT

The General Assembly of the Council received a reference report from the meeting of the Audit Board which met on 21 September 2021 relating to a proposed revised Member Code of Conduct, following a review of the existing Code by the Head of Legal Services and Monitoring Office, which had been carried out to ensure the Member Code of Conduct's clarity, consistency and quality, and that important areas such as bullying, harassment, equalities, respect and dispute provisions were included. This would also ensure that the Council maintained a high ethical standards system, which served the best instincts of councillors, whilst addressing unacceptable behaviour by a minority, and guarding against potential corporate standards' risks. The amendments to the Code were shown in red script in the copy of the revised Code at Appendix A to the report. Having considered the reasons for the amendments (as set out more fully in the report to the Audit Board at Appendix B), the Board recommended that the Council adopts the revised Code (in accordance with draft minute no.19 at Appendix C).

RESOLVED:

That the revised Member Code of Conduct, at Appendix A to the report, be adopted as recommended by the Audit Board.

53. REFERENCE FROM THE CABINET: DEED OF INDEMNITY FOR MEMBERS AND OFFICERS - REVIEW

The General Assembly of the Council considered a reference report from the meeting of the Cabinet held on 28 October 2021 relating to the adoption of a revised Deed of Indemnity for Members and Officers (at Appendix A to the report), following a review of the existing indemnity provisions. Since the Council originally adopted its Indemnity for Members and Officers in 2007, there had been an increasing propensity for parties to litigate in order to recover losses which could lead to some individuals becoming concerned about any personal liability that might attach to the performance of their duties. It was not considered to be in the Council's interest if potentially suitable candidates were deterred from seeking election to the Council or seeking appointment to responsible posts supported by the Council because of concerns over possible personal liabilities. It was therefore recommended that the Council should provide as wide an indemnity in respect of such risks as it lawfully could, to both Members and Officers, including Independent Members and Independent Persons. The indemnity would only apply where the Member or Officer acted responsibly and in good faith. The Cabinet endorsed the revised Deed of Indemnity at its meeting on 28 October 2021 and recommended its adoption to the General Assembly of the Council (see Appendix B).

RESOLVED:

That the Deed of Indemnity for Members and Officers, at Appendix A to the report, be adopted, as recommended by Cabinet.

54. GRANT OF DISPENSATION

The General Assembly of the Council considered a request to grant a dispensation to Councillor Alina Gaskin, who had been unable to carry out her duties as a Member due to ill health. The Local Government Act 1972 set out the terms under which a council member is disqualified by failing to attend any meeting of the authority throughout a period of six consecutive months from the date of his/her last attendance. The Act further provided that where the failure to attend is approved by the authority in advance of the expiration of a six-month period, then the Member will not be disqualified.

The Council had granted a general dispensation to all Members at its meeting on 27 July 2020, to cover Members who might be unable to attend meetings during the period in which national COVID restrictions were in-place and meetings were being held virtually. This general dispensation ended on 19 July 2021, when national restrictions were lifted and it became possible for meetings to return to being held fully in-person and without social distancing.

Councillor Gaskin has been unable to attend a qualifying meeting due to ill health since the end of the general dispensation period. Under the terms of

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the Local Government Act 1972, the expiration of the six-month disqualification period would therefore occur on 19 January 2022.

Councillor Gaskin remained unwell and was unlikely to be in a position to resume her full civic duties and attendance at meetings within the six-month timeframe. The General Assembly of the Council was therefore ask to grant a dispensation to Councillor Gaskin to enable her to remain a Councillor for the duration of her indisposition, on the grounds of ill health.

RESOLVED:

That the General Assembly of the Council notes Councillor Alina Gaskin's current indisposition for medical reasons and that she be granted a dispensation to enable her to remain a Councillor for the duration of her indisposition, on the grounds of ill health.

55. SETTING OF THE COUNCIL TAX BASE FOR THE BOROUGH 2022/23

The Council was asked to determine the tax base for the Borough for 2022/23, including those parts relating to Parishes, in accordance with section 35 of the Local Government Finance Act 1992.

RESOLVED:

That, subject to the matters contained in the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012 and on the basis of the detailed calculations in Appendix A to the report, the amount calculated by the Dartford Borough Council as its tax base for the year 2022/23 shall be:

	£
For the whole of Dartford Borough:	39,544.25
For parts of Dartford Borough:	
Bean Parish	551.66
Darenth Parish	1,291.10
Longfield and New Barn Parish	2,496.78
Southfleet Parish	651.30
Stone Parish	4,212.00
Sutton-at-Hone and Hawley Parish	1,466.79
Swanscombe and Greenhithe Town	4,524.39
Wilmington Parish	2,988.86

56. LOCAL SCHEME OF SUPPORT FOR COUNCIL TAX 2022/23

The General Assembly of the Council considered a report which proposed that the current Local Council Tax Reduction Scheme should roll forward to 2022/23.

RESOLVED:

That the Local Council Tax Reduction Scheme 2021/22, be rolled forward to 2022/23, with effect from 1 April 2022.

57. FINANCIAL CONTRIBUTIONS TO PARISH AND TOWN COUNCILS 2022/23

The General Assembly of the Council considered a report which detailed the proposed financial contributions to be made by the Council to Parish and Town Councils in 2022/23. The Leader of the Council advised Members that the Cabinet had also considered the financial contributions to be made to the Parish and Town Councils on 9 December 2021 and, in particular, the future of the Capacity Building Fund. He reminded Members that the Council had created the Capacity Building Fund after the Government had ended the requirement for local authorities to channel some of the central funding they received from the Government to parish councils via section 136 payments. The Council had taken the view that it should continue to provide funding to the Parish and Town Councils to allow them to build their capacity and that, as this capacity was established, the level of funding would reduce on a tapering basis. The Leader of the Council said that, as far as he was aware, Dartford was one of the few remaining Council's to provide funding in this way and it had now reached the point where it was no longer cost effective for the Council to administer and operate this as a separate fund. The Cabinet had proposed that the Capacity Building Fund should be ended and the funding should be transferred to the Green Fund, which parishes were able to access.

RESOLVED:

That, the proposed contributions to Parish/Town Councils, be part of the overall budget, subject to formal approval at the 28 February 2022 Budget meeting, and that the Capacity Building Fund should be discontinued from 1 April 2022 and the funding should be transferred to the Green Fund thereafter.

58. FINANCIAL REGULATIONS

The General Assembly of the Council considered revised Financial Regulations, which had been updated to reflect the roles and responsibilities of the new management structure of the Council. Having up-to-date and robust Financial Regulations which set out the financial policies and principles of the Council and which provided the framework for managing the Council's financial affairs were a key part of the process for ensuring that sound financial management policies were in place and adhered to by all Members and Officers in the work they do for the Council. Once approved by the Council, the Financial Regulations would be published and promoted to staff to ensure compliance.

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RESOLVED:

That the Financial Regulations 2021, at Appendix A to the report, be approved.

59. RE-CONVENING OF THE GENERAL ASSEMBLY OF THE COUNCIL

It was moved by Councillor J A Kite, seconded by Councillor C J Shippam and

RESOLVED:

That in accordance with Standing Order 11(14) the General Assembly of the Council now re-convene.

THE MAYOR, COUNCILLOR R M CURRANS, IN THE CHAIR

60. RESERVED MINUTES

No Cabinet minutes were reserved for debate.

The meeting closed at 8.20 pm

MAYOR