

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 16 December 2013.

PRESENT:

The Mayor

Councillor Mrs P A Thurlow

The Deputy Mayor

Councillor A S Sandhu, MBE

Councillor Mrs A D Allen

Councillor A R Lloyd

Councillor D J Baker

Councillor T A Maddison

Councillor A Bardoe

Councillor A R Martin

Councillor S H Brown

Councillor D J Mote

Councillor R Bryant

Councillor Mrs A Muckle

Councillor J Burrell

Councillor J I Muckle

Councillor P J Cannon

Councillor J M Ozog

Councillor P F Coleman

Councillor M I Peters

Councillor P Cutler

Councillor G T Prout

Councillor M J Davis

Councillor B E Read

Councillor S J Doran

Councillor Mrs J A Rickwood

Councillor D A Hammock

Councillor Mrs R L Shanks

Councillor J S Hawkes

Councillor C J Shippam

Councillor J A Hayes

Councillor M J Street

Councillor D E Hunnisett

Councillor D Swinerd

Councillor K M Kelly

Councillor R J Wells

Councillor P Kelly

Councillor Mrs N C Wightman

Councillor J A Kite, MBE

ABSENT:

Councillor J P Adams

Councillor I D Armit JP

Councillor M J Bryant

Councillor Mrs S P Butterfill

Councillor E J Lampkin

Councillor R S L Perfitt

Councillor A Wells

61. PRAYERS: FATHER NICK WILLIAMS

Father Williams led the Council in prayer.

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62. APOLOGIES FOR ABSENCE

Apologies for absence were submitted for Councillors Adams, Armitt, Mrs Butterfill, Matthew Bryant, Lampkin, Perfitt and Anthony Wells.

63. DECLARATIONS OF INTEREST

The Mayor informed Members that the Managing Director had exercised his delegated authority, in consultation with the Monitoring Officer, to grant a dispensation to all Parish/Town Councillors to speak and vote on Agenda item 13 (Financial Contributions to Parish and Town Councils) because otherwise so many members of the Council would have a prejudicial interest in the matter that it would impede the transaction of business.

64. MINUTES - 7 OCTOBER 2013

RESOLVED:

That the minutes of the meeting of the General Assembly of the Council held on 7 October 2013 be confirmed as an accurate record.

65. MAYOR'S ANNOUNCEMENTS

- **Support for the Mayor**

The Mayor thanked Members for their good wishes and support during her recent ill health. She also thanked the Deputy Mayor for attending many events during this period on her behalf and also Councillors Mrs Allen and Lampkin who had also represented her on occasion, and Councillor Coleman for his personal support.

- **Councillor Steve Doran**

The Mayor welcomed Councillor Doran to the Council following her success in the by-election for Swanscombe ward.

- **Councillor John Muckle**

The Mayor congratulated Councillor John Muckle on being made an Honorary Alderman by Kent County Council the previous week in recognition of his 21 years of service on the County Council. Members joined in congratulating Councillor Muckle on his achievement.

- **Niall Lester**

The Mayor paid tribute to the Council's Animal Welfare Officer, Niall Lester, for the work he carried out in his spare time in support of the New Hope Animal Rescue Charity. This involved rescuing dogs from emergency situations and taking care of them until new homes could be found for them. Niall ran the charity and also raised funds for this important work. This work had recently been recognised by the International Fund for Animal Welfare at

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an awards ceremony at the House of Lords where Niall received the IFAW Dog Rescue award from Bill Oddie.

The Leader of the Council congratulated Niall on his award and expanded on Niall's reputation in the local community where his work was highly regarded. He felt that this deserved recognition of the contribution that Niall has made to the people of Dartford and took pleasure in presenting the Council's Dartfordian award to Niall for his animal rescue and welfare work.

66. LEADER'S ANNOUNCEMENTS

- **Councillor John Muckle**

The Leader of the Council added his congratulations to Councillor John Muckle for being made an Honorary Alderman by Kent County Council.

- **Councillor Steve Doran**

The Leader of the Council extended a warm welcome to Councillor Steve Doran and hoped that she would find her time as a Member an enriching experience.

- **Christmas Pantomime**

The Leader commented on the success of the Christmas pantomime, Cinderella, at the Orchard Theatre. This had built upon successes over many years and the pantomime was a great advertisement and draw for Dartford.

- **Carol Concert in the Park**

The Leader also highlighted the popularity of the 4th annual Carol Concert in the Park which had been attended by 550 people. He thanked the Salvation Army, Wilmington Grammar School for Girls, and DAOD's for their participation.

- **Carol Concert at the Arrow Riding School**

The Leader advised Members that he had attended the recent carol concert at the Arrow Riding School and encouraged Members to attend if the opportunity arose in future as it was a very moving and enriching experience.

- **Kent County Council (KCC) Consultation on Children's Centres**

The Leader drew attention to the outcome of the consultation exercise on the future of Children's Centres in Kent. This had been a well conducted exercise which had involved genuine consultation and the feedback had informed KCC's decision making and produced an excellent outcome for Dartford. He commended the work carried out by Councillor Jenny Whittle, the KCC Cabinet member for Specialist Children's Services.

- **River Crossing**

The Leader welcomed the Government's announcement that option B for the proposed new river crossing would not be pursued. Although this meant that a decision was still awaited on the other two options it did mean that there was a greater degree of certainty over the future of the Swanscombe Peninsula. This would assist in progressing the Paramount Park project where funding discussions were being impacted by uncertainty as to whether the river crossing would go through Swanscombe. The delay in deciding upon whether to progress options A and C, whilst frustrating, did seem to indicate that the Government was giving further consideration to environmental mitigation measures and option C. He assured the GAC that the Council was taking every opportunity to dissuade the Government from selecting a crossing which would put further pressure on the M25 and surrounding support roads and believed that the message was getting across.

- **Small Business Saturday**

The Leader highlighted the success of Small Business Saturday and thanked Councillor Keith Kelly for his organisational work to promote the event.

- **Visit by Brandon Lewis MP**

The Leader reported that Brandon Lewis MP, Minister for Communities and Local Government had paid a visit to Dartford at short notice. The Minister had spoken to retailers, young entrepreneurs, market traders and stakeholders and had been very impressed with Dartford and the energy generated by the Portas project.

- **The Mayor, Councillor Mrs Patsy Thurlow**

Finally the Leader expressed how pleased he was to see the Mayor restored to better health and carrying out her duties. He wished her a Merry Christmas and hoped that she would continue to make a good recovery.

67. QUESTIONS FROM POLITICAL GROUP LEADERS

There were no questions from the Group Leaders.

68. MOTIONS

No motions had been submitted.

69. URGENT ITEMS

There were no urgent items.

70. COUNCIL IN COMMITTEE

It was moved by Councillor J A Kite, seconded by Councillor A R Martin and

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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, COUNCILLOR J A KITE IN THE CHAIR

71. REFERENCE FROM CABINET - 5 DECEMBER 2013 - LICENSING POLICY

The General Assembly of the Council considered the proposed Licensing Policy for the period 7 January 2014 to 6 January 2019. Previously Licensing Policies were required to be reviewed and published every three years but the requirement had been changed to require Licensing Authorities to publish a statement of its Licensing Policy every five years. The proposed policy represented a refresh of the existing policy and had been through public consultation and endorsed by Cabinet on 5 December 2013.

RESOLVED:

That the General Assembly of the Council adopts the Licensing Policy 2014-2019, as endorsed by the Cabinet.

72. REVIEW OF MEMBER CODE OF CONDUCT AND ARRANGEMENTS

The GAC considered the outcome of the review of the Member Code of Conduct introduced in 2012 to take account of the revised Seven Principles of Public Life that had been issued by the Committee on Standards in Public Life. An amended definition of a “prejudicial interest” was also proposed along with revised arrangements to enable the Monitoring Officer to refer minor cases back to a Parish/Town Council for local resolution within agreed terms. Members were also reminded that advice had been issued to all Members on the need to declare membership of trade unions when the Council considered any relevant items. The proposed amendments to the Code of Conduct had already been considered by the Audit Board and the Cabinet which had endorsed the recommendations.

RESOLVED:

1. That Members note the outcome of the review as set out in the report to Cabinet attached at Appendix A to the report.
2. That the amended Member Code of Conduct, attached at Appendix B to the report be adopted.
3. That it be noted that the Monitoring Officer will be supplying Members with two copies of the new Code, one for signing and return and the other for retention.

4. That the amended definition of Prejudicial Interest attached as Appendix C to the report, be adopted.
5. That it be noted that the Monitoring Officer will be meeting with the Chairmen and Clerks of the Parish/Town Councils to discuss the Code of Conduct and associated Arrangements.

73. SETTING OF COUNCIL TAX BASE FOR THE BOROUGH 2014/15

The Council was asked to determine the tax base for the Borough for 2014/15, including those parts relating to Parishes, in accordance with section 35 of the Local Government Finance Act 1992.

RESOLVED:

1. That, subject to the matters contained in this 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 2014/2015 shall be:

	£
For the whole of Dartford Borough:	32,349.72
For parts of Dartford Borough:	
Bean Parish	549.12
Darenth Parish	1,455.77
Longfield and New Barn Parish	2,375.88
Southfleet Parish	550.29
Stone Parish	3,535.55
Sutton-at-Hone and Hawley Parish	1,420.58
Swanscombe and Greenhithe Town	4,420.07
Wilmington Parish	2,867.09

74. FINANCIAL CONTRIBUTIONS TO PARISH AND TOWN COUNCILS

The GAC was asked to agree the level of financial contributions to be paid to Parish and Town Councils in 2014/15 and to note the intention on funding in future years. It was noted that the payments made by the Council under s136 of the Local Government Act 1972 were discretionary and that Dartford was one of the few remaining Council's that made such a contribution. However it was noted that Government grant to the Council was being reduced and it was felt that there should also be a commensurate reduction in the amount of s136 funding to the Parishes. For this reason it was proposed to reduce the level of grant funding in 2014/15 by 25% of the £100,000 awarded in 2013/14 level and in 2015/16 to 50%. However at the same time it was proposed to establish a Capacity Building Fund for which Parishes could bid on a project

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basis to assist them in becoming less reliant on core funding from the Council. The Council would contribute £25,000 in 2014/15 and £50,000 in 2015/16 and the overall amount of funding available to the Parishes would remain at the current level of £100,000 but with an increasing proportion being allocated on the merits of individual projects. It was noted that some Parishes were unhappy with the revised funding arrangements but that there was a positive dialogue underway through the Parish Forum and other channels of communication.

RESOLVED:

1. That the Council, under the provisions of Section 136 of the Local Government Act 1972, make the following contribution to the expenses of parish and town councils on concurrent functions in 2014/15:

	£
Bean	2,880
Darenth	6,327
Longfield	5,294
Stone	17,941
Sutton-at-Hone & Hawley	7,574
Swanscombe and Greenhithe	23,508
Wilmington	11,477

2. That the contributions be made, subject to the parish and town councils submitting suitably analysed details of estimated net expenditure for the ensuing year, by 31 January each year, and actual net expenditure for the preceding year no later than six months after the end of each financial year, in a format prescribed by this Council.
3. That the payments be made in two equal instalments; the first on 30 April (or next working day) and the second, the latter of 30 September or seven days following receipt of the parish's 2012/13 accounts, certified as correct by the clerk of the parish.
4. That the Council establishes a parish and town council Capacity Building Fund of £25,000 and invites bids from parish and town councils.
5. That the Managing Director, in consultation with the Leader and Deputy Leader of the Council be given delegated authority to agree the bidding criteria for the Capacity Building Fund.
6. That the Council makes the following contribution to parish and town councils, being the estimated central government grant received by the

Council to compensate for lost council tax income in local areas from the council tax support scheme:

	£
Bean	1,126
Darenth	6,487
Longfield	2,129
Southfleet	669
Stone	23,687
Sutton-at-Hone & Hawley	5,862
Swanscombe and Greenhithe	48,701
Wilmington	4,445

75. LOCAL SCHEME OF SUPPORT FOR COUNCIL TAX

Members were reminded that the Council was required to approve a local scheme of support for Council Tax each year and that this had to be done by 31st January of the preceding financial year. The current scheme, which replaced council tax benefit, was based on the Government default scheme but with a reduction in eligibility of 18.5% for working age claimants which had been mitigated to 8.5% due to a transitional arrangement put in place by the Government. For the next financial year there was no transitional arrangement in place and the proposed scheme for 2014/15 provided for the full 18.5% reduction. This was a common standard agreed by the Kent districts.

Members discussed the merits of the Local Scheme of Support for Council Tax and the implications for people on low incomes. Welfare provision across Kent was also discussed along with the drivers for re-focussing support. It was noted that it was a requirement to put a scheme in place on an annual basis and the proposal was to apply the Scheme agreed by the Kent Districts based on the Government default scheme and to uprate allowances, premiums and disregards in line with Government figures.

RESOLVED:

1. That the Council Tax Support Scheme for 2014/15 be based on the Government default scheme, but with a reduction in eligibility of 18.5% for working age claimants.
2. That personal allowances, premiums and disregards, and the gross income and non-dependent deductions for additional adults be increased in line with increases in similar allowances approved by Government.

76. COMMUNITY INFRASTRUCTURE LEVY

The General Assembly of the Council was reminded that the Community Infrastructure Levy (CIL) was a new planning charge which will largely replace

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section 106 agreements as the main mechanism of collecting funds from developers as their contribution towards providing infrastructure to support development in the Borough. In order to do so the Council had produced a draft CIL Charging Schedule which had been subject to public consultation and examination by an Independent Examiner, who had concluded that the proposed scheme was appropriate. Members were therefore asked to approve the proposed charging scheme which would take effect from 1 April 2014. It was noted that unlike s106 funding CIL expenditure was not tied to a specific project but was pooled on a borough-wide basis allowing infrastructure works to be prioritised by the Council. Whilst key elements of infrastructure were the responsibility of other public authorities these service providers would expect to receive an element of CIL receipts to contribute to their delivery of these services. It was also noted that 15% of CIL would be allocated to local projects and where there were Parish/Town Councils these bodies would receive these monies and be responsible for how it is spent.

Members commented upon the considerable work carried out by the Local Development Framework Working Party and officers to introduce CIL and develop an acceptable charging scheme. The Shadow Leader noted a reference to the need to develop suitable mechanisms with local communities to agree how to spend neighbourhood funding and requested that there be cross party involvement on this.

RESOLVED:

That the Community Infrastructure, attached at Appendix A to the report, be approved with a commencement date of 1 April 2014.

77. ARMED FORCES COMMUNITY COVENANT

The Council had been approached about producing a Community Covenant with the armed forces which would form a statement of mutual support between the local community and the armed forces. As a result of this approach a steering group chaired by the Council's lead member for the Armed Forces, Councillor Cannon, had been set up involving veterans and representatives of the armed forces. There had also been discussions with Kent County Council and other relevant public bodies. This work had resulted in the production of a draft Dartford Armed Forces Community Covenant and a detailed action plan which had been agreed by the Cabinet on 24 October and which the Council was requested to adopt.

The Leader of the Council paid tribute to the work carried out by Councillor Cannon, the steering group and the Policy Manager and highlighted the strong ties between the Council, the local community and the armed services.

RESOLVED:

1. That the General Assembly of the Council approves the draft Dartford Armed Forces Covenant as set out in Appendix A to the report.

2. That the General Assembly of the Council approve the draft Community Covenant Action Plan as set out in Appendix B to the report.

78. APPOINTMENT OF STRATEGIC DIRECTOR (INTERNAL SERVICES)

At its meeting on 7 October 2013 the General Assembly of the Council approved a new senior management structure with effect from 1 April 2014 which included appointing a new Strategic Director (Internal Services). The recruitment process had been commenced with a view to the shortlisted candidates being considered by the Appointments Panel on 15 January 2014 some 6 weeks before the next scheduled meeting of the GAC. Currently any appointment would be made by the GAC but in view of the timing issues, and the desirability of having the new director in post as soon as possible, Members were asked to delegate the appointment of the Strategic Director (Internal Services) to the Appointments Panel. The appointment would then be reported to the next meeting of the GAC.

RESOLVED:

That the Appointments Panel be authorised to make the appointment to the post of Strategic Director (Internal Services) and report the appointment to the Council.

79. CREATION OF A NEW POLLING DISTRICT IN LITTLEBROOK WARD

Members were asked to establish a new polling district in Littlebrook ward to provide suitable polling arrangements for residents of the new Waterside at the Bridge residential development. It had not been anticipated that work would begin on the development until 2014 but the project had been delivered ahead of schedule with 35 of the 90 properties already occupied and the remaining properties likely to be sold by June 2014. This meant that potentially 220-240 new residents/electors could be in place by that time and another plot of land in the same area had also been earmarked for development. These residents were currently in River View Polling District but were separated from the other residential areas in this polling district by Bob Dunn way. In order to vote at elections they would currently have a 2k walk to the polling station via an underpass whereas an alternative polling station venue, The Bridge Management Centre, was in the same location as the development and much closer. In order to designate the Management Centre as the new polling place for these residents it would be necessary to split the existing River View polling district and to create a separate new polling district, to be called Waterside, to the north of Bob Dunn Way. If approved the new polling district would be incorporated into the annual register of electors, to be published on 17 February 2014.

RESOLVED:

1. That a new polling district within Littlebrook Ward (HC Waterside) be agreed.
2. That the polling place for the new Waterside polling district be The Management Centre, Marsh Street North, DA1 5PF.

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3. That the boundaries for HC Waterside and HB River View be as set out at Appendix B to the report.

80. SWANSCOMBE WARD BY-ELECTION - 5 DECEMBER 2013

The General Assembly of the Council considered a report which detailed the results of the Swanscombe by-election on 5 December 2013 and the consequent change in the political balance of the groups on the Council. This had resulted in the Labour Group being entitled to two additional committee seats to be vacated by the Swanscombe and Greenhithe Residents Association on the Audit Board and the Appointments Panel respectively. In reviewing the proportionality of the groups it had been found that the proportionality calculation was closer to the exact entitlements of the respective groups if one additional seat was also created on one of the Council committees. The Leader of the Council therefore moved an amendment to the recommendations in the report, which was duly seconded, that an additional seat should be created on the Crime and Disorder (Overview and Scrutiny) Committee to be filled on the nomination of the Leader of the Labour Group. The amendment was carried.

The Shadow Leader welcomed the newly elected Councillor Doran to the Council and nominated her to serve on the Audit Board and the Crime and Disorder (Overview and Scrutiny) Committee, and himself to sit on the Appointments Panel. The nominations of Councillor Doran and Councillor Baker to sit on Cabinet Advisory Panel B were also noted.

Following the death of the late Councillor Bobby the position of Deputy Leader of the Swanscombe and Greenhithe Residents Association remained vacant. This would be filled on the nomination of the Leader of the Swanscombe and Greenhithe Residents Association.

RESOLVED:

1. That the results of the by-election held on 5 December 2013 and the election of Councillor Steve Doran to the Council be noted.
2. That the size and membership of political groups formed by members of the Council as set out in Appendix A to the report be noted.
3. That the allocation of seats to the political groups on Standing Committees (excluding the Cabinet), Boards and Panels at Appendix B to the report (as amended), be noted.
4. That the Council agrees to expand the membership of the Crime and Disorder (Overview and Scrutiny) Committee by one and receives a nomination from the Leader of the Labour Group for the vacancy and that Appendix B to the report be amended accordingly. That the Council receives nominations as to membership from the Leader of the Labour Group for the vacancies on the Audit Board and Appointments Panel

along with any other changes that he may wish to make to his Group's existing memberships on other Committees, Boards and Panels.

5. That the Council notes the nomination of Councillor Steve Doran and Councillor D J Baker to membership of Cabinet Advisory Panel B, and of Councillor Doran to membership of the Audit Board and the Crime and Disorder (Overview and Scrutiny Committee) and of Councillor Prout to the Appointments Panel.
6. That the Council notes the appointment of a new Deputy Leader of the Swanscombe and Greenhithe Residents Association on the nomination of the Group Leader.

81. RECONVENING OF THE GENERAL ASSEMBLY OF THE COUNCIL

It was moved by Councillor J A Kite, seconded by Councillor A R Martin and

RESOLVED:

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

THE MAYOR, COUNCILLOR MRS P A THURLOW IN THE CHAIR

82. RESERVED MINUTES

No Cabinet minutes were reserved for debate.

The Mayor concluded by wishing all Members of the Council a Merry Christmas and a Happy New Year and invited them to join her in the Mayors Parlour.

The meeting closed at 8.15 pm

MAYOR

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