

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 14 December 2015.

PRESENT:

The Mayor

Councillor I D Armitt JP

The Deputy Mayor

Councillor J Burrell

Councillor Mrs A D Allen, MBE

Councillor A R Lloyd

Councillor A Bardoe

Councillor M A Maddison

Councillor S H Brown

Councillor T A Maddison

Councillor L A Canham

Councillor C S McLean

Councillor P F Coleman

Councillor D J Mote

Councillor P Cutler

Councillor J M Ozog

Councillor M J Davis

Councillor Mrs J A Ozog

Councillor B Garden

Councillor D Page

Councillor J S Hawkes

Councillor M I Peters

Councillor D E Hunnisett

Councillor D J Reynolds

Councillor S R Jarnell

Councillor L J Reynolds

Councillor J Jones

Councillor A S Sandhu, MBE

Councillor Dr B K Kaini

Councillor Mrs R L Shanks

Councillor K M Kelly

Councillor C J Shippam

Councillor P Kelly

Councillor Mrs R F Storey

Councillor J A Kite, MBE

Councillor D Swinerd

Councillor E J Lampkin

Councillor Mrs P A Thurlow

Councillor R J Wells

ABSENT:

Councillor R M Currans

Councillor D A Hammock

Councillor J A Hayes

Councillor M B Kelly

Councillor R Lees

Councillor R S L Perfitt

Councillor B E Read

59. PRAYERS: REVEREND MARCEL MCCARRON

Reverend Marcel McCarron led the Council in prayer.

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60. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Currans, Hammock, Hayes, Lees, Perfitt and Read.

61. 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 had a prejudicial interest in the matter that it would impede the transaction of business.

No other declarations were made.

62. MINUTES

RESOLVED:

That the minutes of the meeting of the General Assembly of the Council held on 12 October 2015 be confirmed as an accurate record.

63. MAYOR'S ANNOUNCEMENTS

The mayor made the following announcements:

- **Raffle in support of the Mayor's Charity**

The Mayor thanked Members for supporting the raffle to win "Jeremy Bear". The raffle had raised over £300 for the Mayor's Charity and the Leader of the Council would be making the draw for the prize in the Mayor's Parlour following the council meeting.

- **Dick Whittington Pantomime at The Orchard Theatre**

The Mayor congratulated the cast and management at The Orchard theatre for putting on a splendid Christmas pantomime with high quality effects which had made this an outstanding production and one of the best in the region.

- **Christmas events**

The Mayor announced that he had attended many Christmas events, including opening Christmas fairs, opening The Gym, attending a pole fitness session, attending a mess dinner and appearing on stage in a non-singing role in a production of Die Fledermaus.

- **Dartford Royal Mail Depot**

The Mayor informed Members that he and the Mayoress had paid an early morning visit to the Royal Mail depot in Dartford and had thanked the postal workers for all their hard work delivering Christmas post.

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- **Carol Concert**

The Mayor reminded Members that the annual carol service would be taking place in Central Park on 16 December and hoped that they would be able to attend.

64. LEADER'S ANNOUNCEMENTS

The Leader of the Council stated that in view of the length of the agenda his announcements would be brief. He echoed the comments of the Mayor about the high quality of the Dick Wittington pantomime at The Orchard theatre and particularly the impressive 3D special effects.

The Leader also wished Councillor Jan Ozog a happy birthday.

65. QUESTIONS FROM POLITICAL GROUP LEADERS

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

“Q1. Does the Leader of the Council believe that the local government funding settlement in last months Autumn Statement leaves the finances of this authority more secure or less secure over the next decade?

Q2.With the Council's own figures showing recycling rates consistently falling below the modest target this administration has set; does the Leader of the Council agree there now needs to be urgent action to raise recycling rates in the Borough?

Q3.Last month 4,000 working families in Dartford breathed a sigh of relief following the Chancellor's U-turn on the tax credit cut. Will the Leader of the Council now assure those families that they will not see a new cut to their family income when Universal Credit is introduced next year?”

In accordance with Standing Order 14 the questions and answers, including a supplementary question and answer in each case, are recorded in a book kept for this purpose in the Members' area.

66. MOTIONS

The Shadow Leader introduced a motion of which he had given notice in accordance with Standing Order 10. He explained that the Housing and Planning Bill currently being debated in Parliament threatened the provision of affordable homes to rent and buy in the Borough by reducing the supply of affordable housing. New powers for the Secretary of State and planning legislation would impact upon the Council's ability to determine the appropriate mix of housing to meet the needs of the public. Plans to extend right-to-buy to housing association tenants without a programme to replenish housing stock would further reduce the supply of social housing whilst the Government's intention to provide “starter” homes would also be beyond the

means of most people requiring affordable housing who he stated would need to have an annual income of £52,000 to afford a “starter home. He moved the motion in the following terms:

“This Council Notes:

That the Housing and Planning Bill is currently being debated in Parliament and that if passed, the bill would threaten the provision of affordable homes for rent and buy in the borough through:

- Undermining section 106 requirements on private developers to provide affordable homes.
- Legislating for the 'starter homes' programme that will be unaffordable to many families and young people in the borough and will be built at the expense of genuinely affordable homes to rent and buy.
- Extending the right-to-buy to housing association tenants which risks reducing the amount of available social housing in the borough.
- Undermining localism by introducing new open-ended powers for the Secretary of State including the ability to override the council's local plan, to mandate rents for social tenants, and to impose a levy on existing council housing stock.

This Council Resolves:

- To report on the likely impact of the extension of right-to-buy and the 'starter homes' requirement on the availability of affordable homes in the borough.
- To report on the potential impact of changes to the planning process on the Council's ability to control development in the borough”.

The motion was seconded by the Deputy Shadow Leader who reserved her right to speak until later in the debate.

The Leader of the Council stated that the motion was poorly drafted and clearly was a generic Labour motion as similar motions were being debated at a number of other authorities. He reminded Members that following the elections in May 2015 the Shadow Leader had promised to be a “constructive opposition” whilst holding the administration to account but in fact this promising start had quickly been replaced by tribal, militant and nasty politics. The motion betrayed a lack of understanding of the Housing and Planning Bill. The Leader of the Council noted the failure of previous governments to deliver promises on affordable housing. He pointed to the average number of affordable housing completions in Dartford during the 12 years of his party’s administration, 131 with a peak of 265 in 2009, with the number of completions during the last year of a Labour administration in 2002 being only 23, and cited the Council’s delivery of new Council homes. He also noted the positive impact that the provision of “starter home” would have in providing new homes for young families and how if no “starter homes” were built these potential home owners would have to seek recourse to private rented homes or social housing pushing up rentals and taking up properties that could be released for those residents who needed them most.

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The Leader of the Council also pointed to the many people who had benefitted from opportunities under right-to-buy and found opposition to this to be unfair and hypocritical. He commented upon the need for a mechanism to mandate rents for social tenants to stop abuses of the system by people who could easily afford to rent privately or buy their own home but chose to stay in social housing thereby denying these properties to people in need. Finally he derided the proposed resolution which asked the Council to report on the impact of the changes in the proposed Bill, which he said already happened as a matter of course.

The Leader of the Council moved that the motion be now put to the vote. This was seconded and carried.

The motion was put to the vote and was defeated.

The Leader of the Council commented that it had been with great reluctance that he had felt compelled to propose a closure motion but it was simply not acceptable for Council time to be taken up debating motions which had originated from central party offices seeking to promote party dogma and stifling debate on genuine issues of importance and concern to local people. There was a strong tradition of valuable cross-party debate at General Assembly of the Council meetings and he very much hoped that this would continue without the need for such procedural motions in the future.

In reply the Shadow Leader stated that it was not right that debate on what he regarded as an important issue had been prevented by resorting to a procedural motion, nor was it the role of the Leader of the Council to comment on the content and quality of motions put forward by his Group but to respond to them by way of debate.

67. URGENT ITEMS

There were no urgent items.

68. COUNCIL IN COMMITTEE

It was moved by Councillor J A Kite, seconded by Councillor C J Shippam 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, COUNCILLOR J A KITE, IN THE CHAIR

69. REFERENCES FROM OTHER COMMITTEES (IF ANY)

There were no references from other committees.

70. LOCAL SCHEME OF SUPPORT FOR COUNCIL TAX 2016/17

The General Assembly of the Council considered a report which had been considered by the Cabinet on 3 December 2015 recommending that the 2015/16 Council Tax Support Scheme be rolled forward to 2016/17 with effect from 1 April 2016.

It was noted that this was the fourth year that a local scheme of support for council tax, replacing former council tax benefit, had been in place and that the local scheme was in line with schemes adopted across the Kent authorities. A full review of the existing scheme of support for Council Tax would need to be carried out in light of Government proposals to change future welfare benefits for working age recipients and the Kent authorities would be appointing a consultant to undertake this work.

RESOLVED:

That the Local Scheme of Support for Council Tax for 2015/16 be rolled forward to 2016/17, with effect from 1 April 2016.

71. SETTING OF THE COUNCIL TAX BASE FOR THE BOROUGH FOR 2016/17

The Council was asked to determine the tax base for the Borough for 2016/17, 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 2016/17 shall be:

For the whole of Dartford Borough: 34,242.99

For parts of Dartford Borough:

Bean Parish	559.07
Darenth Parish	1,498.77
Longfield and New Barn Parish	2,502.14
Southfleet Parish	575.74
Stone Parish	3,860.81
Sutton-at-Hone and Hawley Parish	1,446.02
Swanscombe and Greenhithe Town	4,723.68
Wilmington Parish	2,943.04

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72. FINANCIAL CONTRIBUTIONS TO PARISH AND TOWN COUNCIL'S 2016/17

The General Assembly of the Council agreed the level of financial contributions to be paid to Parish Councils and to Swanscombe and Greenhithe Town Council for 2016/17 by way of section 136 funding, through the Capacity Building Fund and by way of contributions to compensate for lost council tax income in local areas from the Council Tax Support scheme.

RESOLVED:

1. That, subject to para. 2.2. below, the Council, under the provisions of Section 136 of the Local Government Act 1972, make the following contributions towards the expenses of parish and town councils' concurrent functions in 2016/17:

	£
Bean	1,728
Darenth	3,796
Longfield	3,177
Stone	10,764
Sutton-at-Hone and Hawley	4,544
Swanscombe and Greenhithe	14,105
Wilmington	6,886

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 the 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 next working day) or seven days following receipt of the parish or town councils' 2015/16 accounts, certified as correct by the clerk.

4. That the Council continue to operate the Capacity Building fund and make a contribution of £50,000 into the fund in 2016/17.

5. That the Managing Director, in consultation with the Leader and Deputy Leader of the Council, be granted delegated authority to agree the bidding criteria for the capacity building fund.

6. That the Council make the following contributions 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 introduction of the council tax support scheme:

	£
Bean	865
Darenth	4,986
Longfield	1,637
Southfleet	514
Stone	18,206
Sutton-at-Hone and Hawley	4,506
Swanscombe and Greenhithe	37,431
Wilmington	3,416

73. MEMBERS ALLOWANCES SCHEME - FINAL REPORT FROM THE INDEPENDENT REMUNERATION PANEL

The General Assembly of the Council considered the final report of the Independent Remuneration Panel on its review of the Scheme of Members Allowances. The Leader of the Council thanked the members of the Panel for their work on the review and also the Members who had been interviewed by the Panel as part of the review. He noted that the Scheme had not been uplifted for many years, which had been appropriate during the years of austerity. The Panel was recommending a small uplift in allowances which was reflective of the work and sacrifices made by Members in carrying out their Council duties and the Leader hoped that Members would now feel able to accept this modest increase. He noted that the Panel had recommended an increase to the Special Responsibility Allowance for the Leader of the Council but confirmed that he personally would not be taking the increase. The Shadow Leader of the Council announced that he would be donating the increase in his allowance to charity.

RESOLVED:

1. That the recommendations of the Independent Remuneration Panel's review of the Members' Allowances Scheme be accepted; and
2. That the revised Scheme of Members' Allowances, as detailed in Appendix C to the report, be approved with effect from 1 April 2016.

74. PUBLICATION OF THE DEVELOPMENT POLICIES LOCAL PLAN

The General Assembly of the Council considered a report seeking the agreement of Members to publication of the draft Development Policies Local Plan and ancillary documentation. These documents had taken into account evidence and responses from previous stages of consultation and the publication of the draft Plan and documentation allowed for final

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representations to be made by the public during a six week period beginning in January 2016.

Any representations by the public would inform 'Public Examination' of the Plan by the Planning Inspectorate. The Plan would not normally be expected to change in substance after this point prior to Examination, unless issues of significance had been identified which would lead the Council to review its position.

Members were also asked to approve supporting statutory reports and documents, including a formal programme for future planning policy, which also outlined the steps and issues necessary to be addressed prior to the adoption of the Development Policies Local Plan which was expected to be in late 2016.

Members welcomed the draft Plan and associated documents which built upon earlier plans and the Core Strategy and thanked the Head of Regeneration and her team for their hard work in producing these and also the Members of the Local Development Framework Working Group which had considered the documents in detail.

RESOLVED:

1. That the Development Policies Local Plan, and associated Policies Map data, at Appendices A and B (respectively) to the report, be published for written representations by the public;
2. That the Head of Regeneration be granted delegated authority to agree final graphics, diagrams and appendices and non-material editing of the Plan (Appendix A), and supporting documents, for publication;
3. That the Development Policies Local Plan Publication Consultation Statement, Sustainability & Habitats Regulations Assessments, and Customer Access Review Full Assessment, at Appendices C to G, be endorsed;
4. That the Local Development Scheme 2016-2018 at Appendix F to the report be endorsed;
5. That the Duty to Cooperate: A Protocol for Action and Communication at Appendix H to the report be endorsed;
6. That the Development Policies Local Plan supporting statutory documents (Appendices B to E) be made available for public consultation and that a charge be applied, as set out in paragraph 7.3 of the report;
7. That the Head of Regeneration be granted delegated authority, in consultation with the Local Plan Members' Working Group to determine whether or not the representations made on the published documents

referred to in paragraph.2.1 above, raise any matters of major significance;

8. That should issues of major significance be raised (those that would prevent the documents referred to in paragraph 2.1 above proceeding directly to submission for 'Examination in Public' by the Planning Inspectorate) a further report be submitted to the General Assembly of the Council; and
9. That, in the event no issues of major significance are raised by the public in representation on Publication documents, the Head of Regeneration be granted delegated authority in order that the Development Policies Local Plan and supporting documents be submitted for 'Examination in Public' by the Planning Inspectorate.

75. ADOPTION OF DRAFT GAMBLING POLICY - JANUARY 2016 TO JANUARY 2019

Members considered a report recommending the adoption of a new Draft Gambling Policy. This had been considered by the Cabinet at its meeting on 3 December 2015 and the Cabinet had endorsed the policy and recommended its adoption by the Council. The new Draft Gambling Policy would replace the existing 3 year licensing policy which was due to expire on 2 January 2016. Members noted that the new policy had been subject to public consultation but that no responses had been received.

RESOLVED:

That the General Assembly of the Council adopts the draft Gambling Policy at Appendix A to the report to be the Council's statutory Gambling Policy for the period 3 January 2016 until 2 January 2019.

76. REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2015

The General Assembly of the Council noted the outcome of the light touch review of Polling Districts and Polling Places 2015 and the recommendation to designate the polling place for Greenhithe polling district as a 250m geographical zone from the position of the Dance Union Studio, Unit 1, North Star Boulevard, Greenhithe. This would replace the temporary polling station currently used in the polling district which had struggled to cope with the numbers of electors within the district at the combined elections in May 2015. No other changes to polling changes were proposed, however the review recognised the need for change in the future given the scale and pace of development within the Borough. This would be picked up as part of any boundary review being required by the Local Government Boundary Commission.

RESOLVED:

1. That the General Assembly of the Council notes the outcome of the light touch review of Polling Districts and Polling Places 2015; and

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2. That the change of polling place in Greenhithe Polling District to a 250 metre radial geographical area from the Dance Union Studio, North Star Boulevard, Greenhithe be agreed.

77. PROPOSED FLEXIBLE RETIREMENT - STRATEGIC DIRECTOR (EXTERNAL SERVICES)

The General Assembly of the Council noted a request from the Strategic Director (External Services) to move to flexible retirement from 1st April 2016 reducing paid hours to 30 per week, generally over 4 days, but working flexibly to ensure that all important meetings would still be covered.

Members commented on the value and experience of the Strategic Director (External Services) and the strength of the officer corps in general and were happy to approve the request.

RESOLVED:

That the flexible retirement of the Strategic Director (External Services) from 1st April 2016 be agreed and that her salary and associated allowances be reduced to reflect the change in hours.

78. 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 I D ARMITT JP IN THE CHAIR

79. RESERVED MINUTES

No Cabinet minutes had been reserved for debate.

The meeting closed at 8.01 pm

MAYOR