

DARTFORD BOROUGH COUNCIL

CABINET

MINUTES of the meeting of the Cabinet held on Thursday 23 September 2021 at 7.00 pm

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

ALSO PRESENT: Sarah Martin, Chief Officer & Director of Corporate Services
Peter Dosad, Director of Housing & Public Protection
Caroline Hicks, Director of Growth & Community
Sonia Collins, Head of Planning Services
Alan Twyman, Democratic Services Manager

40. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Lloyd.

41. DECLARATIONS OF INTEREST

There were no declarations of interests.

42. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 22 JULY 2021

The Cabinet considered the minutes of the meeting held on 22 July 2021.

RESOLVED:

That the minutes of the meeting of the Cabinet held on 22 July 2021 be confirmed as an accurate record.

43. URGENT ITEMS

There were no urgent items.

44. TO RECEIVE THE MINUTES OF CABINET ADVISORY PANEL A HELD ON 20 SEPTEMBER 2021

The Chairman noted that no Members of the Labour Group had been able to attend the Cabinet Advisory Panel and said that if any Member of the Group wished to discuss anything contained in the agenda they should contact the appropriate Cabinet Member who would be happy to help.

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The Cabinet received the minutes of the meeting of Cabinet Advisory Panel A held on 20 September 2021 and had regard to the Panel's views throughout the meeting.

RESOLVED:

That the minutes of the meeting of Cabinet Advisory Panel A held on 20 September 2021 be noted.

45. REFERENCES FROM COMMITTEES

There were no references from other committees.

46. POLICY FOR PUBLICISING ENVIRO-CRIMES, ASBO'S, VERDICTS AND SENTENCES

The Director of Housing & Public Protection presented a report which proposed the introduction of a policy to support and enhance the Council's regulatory and enforcement activities. The report explained that the Council had a number of teams delivering regulatory and enforcement functions which protected the public, public funds, the environment and groups such as consumers, residents, tenants, workers and businesses. It also had a wide range of responsibilities and powers in relation to anti-social behaviour, mainly within three distinct service areas; Community Safety, Environmental Health, and Housing Services. The Council's teams worked together closely and the Council actively pursued fraud and criminal offences. It was felt however that these regulatory and enforcement activities would be further supported and enhanced if a Council-wide policy was developed which provided guidance on the publication of environmental crime, criminal behaviour orders, verdicts and sentences via the Council's media channels. This approach would support the proactive work undertaken by the Council and also act as a deterrent to potential future offenders. The policy also set out the parameters for publicising such matters, to ensure that any decisions to publicise activities would be for a legitimate purpose, be necessary and proportionate, and that the handling of data would be in accordance with legislation and the Council's policies for data handling, equalities and diversity. The policy would improve the effectiveness, transparency and accountability of enforcement activities and also assist with preventing and detecting crime, identifying offenders and discouraging offending and re-offending. The policy would also be supported by a Communications & Media Protocol for Investigating Officers.

The Chairman welcomed the introduction of the policy but was concerned about the wording of paragraph 6.3 of the policy which stated that 'in order for the publication of the image to be necessary in pursuit of a legitimate purpose, all other reasonable means of tracing or identifying the suspect must have failed.' He felt that this was too high a threshold and suggested that the second part of the sentence should be reworded as follows 'when other reasonable means of identifying and tracing the suspect have been carried out.' He felt that this was more realistic and achievable.

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The Cabinet Portfolio Holder for Community Safety also questioned the wording of the disclaimer, detailed in paragraph 5.7.4(e) of the policy, which sought to preclude the storage, recording, republishing or other processing of details of sentencing outcomes published on the Council's web site without the explicit agreement of the Council. He pointed out that it would be impossible for the Council to enforce this and that once material had been published on social media it was frequently shared and retweeted. The Chairman agreed and said that, whilst the Council could delete material from its own social media channels whenever it wished, it could not control or delete anything that had been shared or forwarded from that post as it effectively lived forever on social media. He felt that if this was not a legal requirement this should be removed from the disclaimer. The Director of Housing & Public Protection said that he would raise both of these issues with the Head of Legal Services.

The Chairman noted the discussion that had taken place at the Cabinet Advisory Panel, which had supported the introduction of the policy. He noted the suggestion that the Council should publish a timeline of live cases on its web site and he felt that this could be explored further down the line once the policy had been implemented, where the Council determined that the issue was significant.

RESOLVED:

That the Policy for Publicising Environmental Crime, Criminal Behaviour Orders, Verdicts and Sentences, set out in Appendix A to the report, be endorsed.

47. COMMUNICATIONS AND MEDIA PROTOCOL FOR INVESTIGATING OFFICERS

The Director of Housing & Public Protection explained that a Communications & Media Protocol for Investigating Officers had been developed to underpin the new Policy for Publicising Environmental Crime, Criminal Behaviour Orders, Verdicts and Sentences. The report detailed how the Protocol would ensure that the Council communicated effectively with residents on its regulatory and enforcement activities and would provide guidance to investigating Officers across Council departments on their communications relating to their regulatory and enforcement activities, thereby ensuring that these were lawful, well-coordinated, effectively managed and responsive to the diverse information needs of the Council and the public. The Protocol provided a guide and set of principles to work by, which had been written with the aim of protecting the reputation of the Council in publicising environmental crime, criminal behaviour orders, verdicts and sentences, and providing it with the framework to deliver much improved communications to the public on its regulatory and enforcement activities. The Protocol would also ensure that any instruction to the Communications Team to publicise an image, environmental crime, criminal behaviour orders and verdicts and sentences, including sharing with the media, would be for a legitimate purpose, and be necessary and proportionate.

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RESOLVED:

That the Communications & Media Protocol for Investigating Officers, attached at Appendix A to the report, be endorsed.

48. DARTFORD TOWN CENTRE - PARKING STUDY - OBJECTIVES AND APPROACH

The Head of Planning Services introduced a report which detailed parking pressures on the roads around Dartford Town centre arising from town centre activities, development and commuter parking. To address this a more integrated approach was required to address on-street and off-street parking, as well as parking for new development and to look beyond purely reactive measures. In order to fully understand the parking issues it was proposed to carry out a comprehensive parking study of the Town Centre and its environs. The area for study had been determined by identifying a radius of 10 minute walking time from Dartford railway station and extending the area to the nearest 'natural boundary'. In view of the scale and diverse nature of this area it was proposed to break the area down into sub-zones, in consultation with local ward Members, to be prioritised for detailed analysis, investigation and consultation with stakeholders and residents. The initial study would examine on-street parking and an evaluation of the current on-street parking controls and enforcement. The challenge was to find a balance between the needs of residents, businesses and visitors, and to minimise the impact of commuter parking on local residents, whilst being mindful of any potential displacement of parking pressures.

The area under review contained a total of 106 roads and over 8,000 properties, including the High Street and the core of the Town Centre. Should parking controls be deemed to be necessary, if supported by residents, it was likely that each sub-area/zone would have its own individual consultation, with parking permits being issued in appropriate streets within that zone only, in order to stop inter-zone commuting. The report outlined the scope, methodology and stages of the proposed study and the Cabinet was asked to agree the identified provisional study area and arrangements for consultation with ward Members, Officers and Kent County Council Highways. A further report would then be submitted to Cabinet with regard to priority areas for further work and more detail on the consultation stage and survey work.

The Chairman noted that in the past it had only been possible to examine one or two parking schemes a year due to a lack of resource, and despite an increase in that resource, the study needed to be realistic and achievable. Ward Member support had always been important in taking parking schemes forward and he welcomed the proposed involvement of Ward Members in the study. He felt that it was important that Members recognised that they must be partners in the consultation study and should work with officers to ensure that they did not make promises to residents that were undeliverable and which could be thrown back at the Council as a result. He also felt that there should be clear and specific criteria of the circumstances where schemes would be progressed and when they would not be pursued arising from the study.

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The Cabinet Portfolio Holder for Community Safety explained how the parking consultation in Bow Arrow Lane had been driven by the local Ward Members who had sent out letters in their own name, but printed by the Council, and had delivered these themselves. The Council would then follow up by delivering consultation leaflets. It was felt that this could provide a good model for the wider study.

The Cabinet noted the comments made at the Cabinet Advisory Panel but did not support extending the study area to the A282.

RESOLVED:

1. That the provisional area for the Parking Study be agreed, as identified in Appendix A to the report, and the work on identification of the priority areas be undertaken, as set out in paragraph 7.2 of the report; and
2. That a further report be presented to the Cabinet in due course setting out:
 - (i) the results of the Identification Stage;
 - (ii) the recommended priorities for consultation and further investigation; &
 - (iii) details of the proposed Stage 1 informal consultation and the area(s) that this will relate to.

49. REVISION TO PART 1 OF THE APPROVED SCHEME OF DELEGATIONS TO OFFICERS: 1-4-1 RIGHT-TO-BUY REPLACEMENT SCHEME DELEGATIONS

The Cabinet considered a report which proposed increasing the financial threshold for the delegated authority of the Director of Housing & Public Protection applying to the 1-4-1 Right-to-Buy Replacement Scheme property sales and purchases, from £300,000 to £500,000. The Director of Housing & Public Protection explained that the current financial limit of £300,000 was impacting on the Council's ability to purchase larger houses on the open market due to rising property prices both nationally and locally, whilst there was a shortage of available 3 and 4 bedroom properties to rent within the Council's housing stock to meet the needs of larger families. Raising the financial threshold would better place the Council to acquire larger family homes for Council housing should they become available to purchase.

The Chairman said that it was not only the rising property prices that had been problematic but also the valuations assigned to some of the properties. The Director of Housing & Public Protection said that there was now a better understanding of the local housing market which was addressing this.

RESOLVED:

That, for the reasons referred to in paragraphs 3.3 and 3.5 of the report, the financial threshold relating to the 1-4-1 Right-to Buy Replacement Property

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Sales and Purchases delegation, within which the Director of Housing & Public Protection is authorised to act, be increased to £500,000.

50. STREET NAMING AND NUMBERING: SITE 1 - NORTHFLEET WEST SUB-STATION (PHASE 2C) AND SITE 2 - STONE LODGE DEVELOPMENT COMPLEX ACCESS ROAD

The Cabinet considered a report which sought approval for the names of two new roads for the next phase of the Northfleet West Sub-station and the main access to the Stone Lodge Development Complex. The proposed names had been submitted for consultation to Council Members, the Emergency Services, Royal Mail and the developer, who were happy with them, and complied with the Council's policy on Street Naming. Suitable suffixes would be chosen once the final road names had been approved.

RESOLVED:

1. That the single new road name for the next phase of the Northfleet West Sub-station development be approved as Rixson; and
2. That the single new road name for the access way to the Stone Lodge Development Complex be approved as Stone Lodge.

51. OMBUDSMAN ANNUAL REVIEW LETTER

The Cabinet considered a report which presented the Local Government and Social Care Ombudsman's Annual Review Letter 2021 relating to complaints against the Council and decisions made by the Ombudsman for the year ending 31 March 2021, statistics as to the outcomes of investigations, and the Housing Ombudsman's Landlord Performance Data for 2019/20.

RESOLVED:

1. That the Local Government and Social Care Ombudsman's Annual Review Letter 2021, at Appendix A to the report, and the corresponding data tables at Appendix B to the report, be noted; and
2. That the Housing Ombudsman's Landlord Performance Data 2019/20, at Appendix C to the report, be noted.

52. COMMITTEE MINUTES

The Cabinet received the minutes of the meeting of the Strategic Housing Board held on 14 July 2021 and of the meeting of the Policy Overview Committee held on 20 July 2021.

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RESOLVED:

That the minutes of the meetings of the Strategic Housing Board held on 14 July 2021 and of the Policy Overview Committee held on 20 July 2021 be noted.

The meeting closed at 7.38 pm

Councillor J A Kite, MBE
CHAIRMAN

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