

DARTFORD BOROUGH COUNCIL

**CABINET**

**MINUTES** of the meeting of the Cabinet held on Thursday 25 March 2021 at 5.00 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 A R Lloyd  
Councillor Mrs P A Thurlow  
Councillor R J Wells

**ALSO PRESENT:** Sheri Green - Strategic Director (External Services)  
Sarah Martin - Strategic Director (Internal Services)  
Peter Dosad - Head of Housing Services  
Marie Kelly-Stone - Head of Legal Services  
Sonia Collins - Head of Planning Services  
Alan Twyman - Democratic Services Manager

**196. APOLOGIES FOR ABSENCE AND CHANGE OF ORDER OF BUSINESS**

There were no apologies for absence.

In addition to members of the Cabinet the Chairman welcomed Councillor Mote, Chairman of the Strategic Housing Board, to the meeting for his input on the housing related reports on the agenda.

The Chairman informed Members that he proposed to change the order of the reports on the agenda and would be bringing forward item 11, Government Consultation on Changes to the National Planning Policy Framework and New National Model Design Code, and item 12, Strategic Asset Management Plan 2021-2024, in order to release the officers present for those items as soon as they had been considered.

**197. DECLARATIONS OF INTEREST**

There were no declarations of interests.

**198. CONFIRMATION OF THE MINUTES OF THE CABINET MEETING HELD ON 28 JANUARY 2021**

The Cabinet considered the minutes of the Cabinet meeting held on 28 January 2021.

**RESOLVED:**

That the minutes of the meeting of the Cabinet held on 28 January 2021 be confirmed as an accurate record.

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**199. URGENT ITEMS**

There were no urgent items.

**200. TO RECEIVE THE MINUTES OF THE CABINET ADVISORY PANEL HELD ON 22ND MARCH 2021**

The Cabinet received the minutes of the meeting of Cabinet Advisory Panel B held on 22<sup>nd</sup> March 2021 and had regard to the Panel's views throughout the meeting.

RESOLVED:

That the minutes of the meeting of Cabinet Advisory Panel B held on 22<sup>nd</sup> March 2021 be noted.

**201. REFERENCES FROM COMMITTEES**

There were no references from other committees.

**202. GOVERNMENT CONSULTATION ON CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK AND NEW NATIONAL MODEL DESIGN CODE**

The Head of Planning Services presented a report which detailed the Council's proposed response to the Government Consultation on changes to the National Planning Policy Framework (NPPF) and New National Model Design Code (NNMDC). Members were reminded that the NPPF had originally been introduced in 2012 and that it had already been changed since that time. The consultation related to the latest set of proposed changes, which included changes arising from case-law and Ministerial guidance.

The Council's proposed response welcomed many of the changes, some of which were already observed in Dartford, such as the need to align growth with infrastructure provision, the provision of multi-functional green infrastructure and the protection of trees. However there were also some concerns which the response also sought to address. Primarily the potential impacts on plan writing of the suggestion that plans look ahead for at least 30 years rather than 15 years where larger scale development forms part of the strategy for the area.

Whilst the Council supported the principle of the use of Design Codes and Design Guides, and the increased emphasis within the NPPF on good design, there was concern that the production of such documents would require considerable resource input and skills which were not currently available on a permanent basis within Planning Services. The response therefore identified the need for forward-funding from government to meet these additional costs should there be a requirement on local planning authorities to produce local Design Codes.

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The Chairman asked whether the Council would be able to procure the skills necessary to produce the design codes and was advised that such staff were currently working in Planning Services on temporary contracts and that the skill-sets could be obtained providing funding allowed for this.

RESOLVED:

That the responses to the questions, set out in Appendix C to the report, form the Council's response to the Government's Consultation on the Changes to National Planning Policy and the new National Model Design Code.

**203. STRATEGIC ASSET MANAGEMENT PLAN 2021-2024**

The Head of Legal Services presented the Strategic Asset Management Plan for 2021-2024 which provided an overview of the Council's land and property portfolio (excluding the Housing Revenue Account, housing stock and amenity land) and set out the key strategic aims for the Council's approach to asset management and how these would be achieved through the use, maintenance and management of the Council's property assets (land and buildings) over the lifetime of the Plan. The Head of Legal Services reminded the Cabinet of the revised organisational structure that was about to be implemented, which included the creation of an integrated corporate property management service which would centralise estate related budgets, decision making and activities within a Property Services team, to be managed by a Property Services Manager, under the direction of the new Director of Growth and Community. The review of the Strategic Asset Management Plan would provide an overview and reference point for the new Director and Property Services Team.

The Cabinet welcomed the report and discussed which Cabinet portfolio should have responsibility for the oversight of strategic assets. It was agreed that the Cabinet Portfolio Holder for Finance should take the operational lead in overseeing strategic assets in the first instance but that some matters might come within the remit of the Cabinet and the General Assembly of the Council.

RESOLVED:

1. That the Strategic Asset Management Plan 2021-2024, at Appendix A to the report, be adopted; and
2. That the Director for Growth and Community be granted delegated authority to make in-year amendments to the adopted Strategic Asset Management Plan 2021-2024.

**204. DRAFT ANTI-SOCIAL BEHAVIOUR POLICY**

The Chairman congratulated the Head of Housing Services on his appointment as the new Director of Housing and Public Protection and wished him well in the new role.

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The Strategic Director (External Services) commended the revised policy to the Cabinet as being both comprehensive and clearly outlining the responsibilities of the varying Council departments, agencies and external partners in dealing with anti-social behaviour.

The Head of Housing Services then presented an overview of the revised and updated draft Anti-Social Behaviour Policy, which followed a review of the current policy, which had been introduced in 2015. When the policy was last updated in 2015 it reflected the powers that were made available to local authorities to tackle anti-social behaviour introduced under the Anti-Social Behaviour, Crime and Policing Act 2014 and also incorporated the existing Statement of Housing Landlords Policy on anti-social behaviour to ensure that the Council's approach to anti-social behaviour was contained in a single, comprehensive policy document. This policy had now been reviewed to include key updates and the general layout of the Policy had also been revised to ensure ease of reading and transparency. The report outlined the contents of each section of the policy and reported the positive responses received from the Dartford Tenants & Leaseholders Forum and the Tenancy Management sub-group of the Kent Housing Group, who had been consulted on the revised policy.

The Head of Housing Services informed Members that he felt that, from the housing perspective, the revised policy gave his staff the 'tools' that they needed to tackle anti-social behaviour, and emphasised the importance of having a 'victim-centred' policy and strong cross-agency working. He noted the timeliness of the review of the existing arrangements given the significant increase in the incidence of anti-social behaviour during lock-down.

The Chairman noted that this item had been discussed by the Cabinet Advisory Panel which had endorsed the recommendations in the report but had made a number of suggestions. This had included a proposal to include 'misogyny' in the definition of a non-hate crime and clarification of how the revised policy, and the expectations contained therein, would be publicised.

The Head of Housing Services explained that the Police were planning to include misogyny in its own definition on a trial/experimental basis and he proposed to amend the Council's policy on the same basis. He suspected that such behaviour had been encountered within existing definitions of anti-social behaviour but that there would now be a very specific definition.

The Chairman said that, ideally, there should be a system whereby the victim felt that they had been listened to and appropriately supported but that would also stop the perpetration of the anti-social behaviour, but he accepted that this was not always the case. He stressed the importance of the police taking a firm line on anti-social behaviour in order that the increase in incidence during the pandemic did not become treated as a new norm.

The Head of Housing explained that the vast majority of cases handled by the Council tended to involve fairly low level instances of anti-social behaviour and noted the reluctance of the courts to impose legal sanctions that could involve the loss of tenancies. He felt that whilst legal sanctions were applied well in tackling serious cases, and actions to deal with low level anti-social

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behaviour were generally effective, there were cases that fell between these parameters which were more problematic. Addressing other comments raised by the Cabinet Advisory Panel he informed Members that the Council was working on a strong Communications Plan, as outlined to the Advisory Panel, and confirmed that any substantive changes to the policy would be brought to the Cabinet for approval rather than being implemented under delegated authority.

The Chairman of the Strategic Housing Board confirmed that anything relevant from the work undertaken by the Board would be fed into the communications strategy that was being developed.

**RESOLVED:**

1. That the draft Anti-Social Behaviour Policy, attached at Appendix A to the report, be approved; and
2. That the Strategic Director (External Services) be granted delegated authority to approve any in-year amendments to the Policy, as required

**205. DRAFT PRIVATE SECTOR HOUSING ENFORCEMENT AND LICENSING POLICY**

The Head of Housing Services presented proposed changes to the Private Sector Housing Enforcement and Licensing Policy, introduced in 2018, which reflected operational and legislative changes. The Policy set out the general principles, relevant legislation and guidance, to be followed in relation to enforcement action taken by the Council in respect of private sector housing in the borough. The revised policy reflected operational and legislative changes. This included a new piece of legislation on the powers to enforce the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020, including a statement of principles for the issuing of financial penalties under the Regulations. The policy had also been updated to include a statement of principles for the issuing of financial penalties under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended). The report outlined the major changes to the Private Sector Housing Enforcement and Licensing Policy and presented a revised draft Policy for adoption.

The Head of Housing Services explained that the revised policy strengthened the Council's ability to deal with poor quality private rented properties, outlined the Council's expectations on the respective rights and obligations of responsible landlords and tenants, and gave the Council more powers to deal with contraventions.

The Chairman noted that the Cabinet Advisory Panel had sought, and received, clarification, of the information available on the regulation and enforcement of housing standards. This included the information available on the Council's web site relating to private landlords and tenants and the promotion of awareness of the services available with key partners such as

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the Citizens Advisory Bureau, Shelter and local solicitors. The Cabinet Advisory Panel had also been concerned about the possibility of landlords taking retaliatory action against tenants who reported alleged contraventions and had been advised of some of the protections in place to deter this.

The Chairman explained that tenants had a right to live in safe and decent accommodation but that, unfortunately, this was not always respected.

The Head of Housing Services explained that part of the Council's approach was to try and communicate expectations and to educate landlords and tenants. Where contraventions were reported the Council sought to promote a conciliatory resolution but that some landlords would always be bad and that the Council would take the necessary enforcement action.

The Cabinet Portfolio Holder for Finance suggested that the ability to name and shame bad landlords on a national database of rogue landlords could be a powerful tool for dealing with serious contraventions.

The Head of Housing re-iterated that the policy sought to be fair to both landlords and tenants in a balanced way and sought to improve the quality of accommodation available in the private rented sector.

**RESOLVED:**

1. That the draft Private Sector Housing Enforcement and Licensing Policy, attached at Appendix A to the report, be approved; and
  
2. That the Strategic Director (External Services) be granted delegated authority to approve any in-year amendments to the Policy as required.

**206. EXTERNAL WALL INSULATION WORKS**

The Head of Housing Services informed the Cabinet of a successful bid to the Department of Business, Energy & Industrial Strategy for funding to deliver energy efficient External Wall Insulation to its housing properties. In recent years the Council had installed external wall insulation to 300 of its 800 solid walled properties through a mixture of funding from the Housing Revenue Account and from Government Green Homes Grant. Following the award of a further £500,000 Green Homes Grant the Council would be able to install external wall insulation to another 100 properties. However the funding was provided on condition that the works should begin in March 2021 and be completed by September 2021. Authority was therefore being sought to waive contract standing orders in order to procure a contractor to deliver the works to meet this timeframe. It was intended to replicate the contract for the current supplier delivering external wall insulation to the housing stock and that this would be based on previously competitively tendered schedule of rates and contract terms and conditions.

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The Cabinet welcomed the funding and the benefits that would accrue to Council tenants from the additional external wall insulation works.

RESOLVED:

That, for the reasons detailed in para.3.10 of the report, Contract Standing Order 7.5 be waived and the contract for the External Wall Insulation Works to solid walled Council housing stock properties, be awarded to a former incumbent contractor on previously competitively tendered schedule of rates and contract terms and conditions.

**207. SHELTERED HOUSING ALARM INSTALLATION**

The Head of Housing Services reminded the Cabinet of the greater emphasis being placed on landlords to manage the risk of fire following the Grenfell fire. As a responsible landlord the Council had arranged for the inspection of the Council's 12 sheltered housing schemes by Kent Fire & Rescue services. Following these visits, and as a result of changes in fire safety guidance, it was recommended that the existing fire alarm systems should be replaced to provide an early warning system offering links into the care line system that already exists. This link would alert the care line operator of a fire activation and allow residents to talk to a call handler from within their homes to get further advice on what to do in the event of a fire. The new linked system would provide additional smoke and fire sensors within each individual resident's home and provide immediate alerts if the system was triggered either within an individual unit or a communal area.

The Chairman noted that the Cabinet Advisory Panel had questioned whether the additional functionality of the upgraded alarm system was justified in terms of value for money. He insisted that the cost of the system was immaterial against the need to ensure residents' safety. He noted that the new system offered other clear improvements as well as improving communication with individual residents, some of which would be vulnerable. He was also keen that the enhanced protection did not deter some resident's from declaring an emergency when one occurred.

The Head of Housing Services confirmed that, whilst the existing alarm system was extremely safe, the new system contained many additional sensors and enhancements and provided an extra layer of protection. To an extent this was introducing a future-proofed system. In terms of resident's not declaring an emergency in appropriate circumstances, he explained that call-handlers would have access to more data from the additional sensors included in the new system that would enable them to accurately assess the severity of an incident. He also outlined the fire inspection and testing regimes applied to the sheltered housing schemes.

RESOLVED:

That, subject to compliance with Contract Standing Orders, the Strategic Director (External Services) be authorised to enter into a contract with the

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successful tenderer to deliver fire alarm replacement works in the Council's sheltered housing schemes.

**208. NEW TOWN CENTRE PARKING**

The Strategic Director (External Services) presented a report which detailed the creation of 53 new parking spaces in Dartford town centre and proposed charging regimes for Mansion House Gardens Car Park (off-street) and Overy Liberty, Market Street and Lowfield Street (on-street) parking. The new parking provided 20 on-street parking spaces and 33 in the Mansion House Gardens car park, which more than off-set the 30 parking spaces lost when the Iceland car park closed. The report also noted that the suspension of parking charges and enforcement during the pandemic, whilst initially helpful to local residents, had resulted in spaces designated as short-stay parking being occupied for longer periods and had placed pressure on short-stay parking in the town centre. It was therefore proposed that charges and enforcement for on-street parking should be re-introduced from 1<sup>st</sup> April 2021, prior to the scheduled re-opening of non-essential retail shops on 12<sup>th</sup> April, in order to encourage the rate of churn to free-up short-term spaces for visitors to the town centre. It was not proposed to reinstate charges in existing Council car parks, or to start charging for parking in the Mansion House Gardens car park, at this time and current thinking was to possibly align the reintroduction of car park charges with the proposed ending of COVID restrictions in June.

The Cabinet noted that the Council was the only authority in Kent to suspend parking charges throughout lockdown and also noted the enforcement arrangements that had been implemented to allow local residents with permits to park a second vehicle in controlled parking zones (CPZ's) and to prioritise spaces for their use during a time when many were being required to work from home. Normal enforcement arrangements for CPZ's would resume at the time that charges and enforcement were reintroduced in the car parks.

The Chairman stressed his belief that the Council had acted in the best interests of local residents throughout the pandemic and that it had been correct to suspend parking charges. The phased reintroduction of car parking charges was now necessary to support the recovery phase of the response to the pandemic. He stressed the Council's approach to charging for parking was never about raising revenue and that parking services in Dartford were basically cost neutral, with charges barely covering the cost of provision and enforcement, and being the lowest in Kent. In addition to welcoming the new parking spaces he also highlighted the improved signage.

The Cabinet Portfolio Holder for Community Safety welcomed the provision of new, high quality, parking in the town centre and felt that the timing for the reintroduction of charges was correct. However he was keen to ensure that people were made aware of the reintroduction of charging and enforcement and asked what steps were being taken to do this.

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The Chairman explained that a press release would be issued and messaging put on social media. He also asked whether it might be possible to place notices at payment machines where these existed. The Cabinet Portfolio Holder for Finance wondered whether it might be possible to attach advisory fliers to cars using the spaces in the days leading to the reintroduction of charges, although there were concerns that this could lead to an increase in street litter.

RESOLVED:

1. That the delivery of fifty three (53) new parking spaces in Dartford town centre be noted;
2. That, subject to completion of a Parking Places Order, the creation of the Mansion House Gardens pay and display car park, be noted and the charges, as set out in Appendix A to the report, be agreed;
3. That the parking charges for Overy Liberty, Market Street and Lowfield Street (on-street) parking, as set out in Appendix A to the report, be agreed;
4. That the resumption of the charging and enforcement regime for all on-street spaces on 1 April be agreed; and
5. That the decision to reinstate charges in the Council's car parks be delegated to the Director of Housing and Public Protection, in consultation with the Chairman of Cabinet.

**209. RISK BASED VERIFICATION OF HOUSING BENEFIT AND COUNCIL TAX REDUCTION**

The Strategic Director (Internal Services) advised the Cabinet of the proposed ending of the current risk based verification arrangements for assessing Housing Benefit and Council Tax Reduction applications using externally provided software. Since 2017, when the Risk Based Verification (RBV) policy had been introduced to assist in the timely and accurate assessment of claims, the Department for Work and Pensions (DWP) and HMRC had significantly improved the data which they shared with local authority Benefit Services. Taking into consideration the new and improved data sharing that was now in place with the DWP and HMRC, it was proposed that the Benefit Service would cease to process Housing Benefit/Council Tax Reduction claims received after 31 March 2021 under the RBV Policy. All claims received from 1 April 2021, would be processed in accordance with Regulation 86 of the Housing Benefit regulations and/or Rule 48 of the Local Council Tax Reduction Scheme.

RESOLVED:

1. That, for the reasons outlined in the report, the Risk Based Verification Policy be revoked; and

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2. That Housing Benefit/Council Tax Reduction claims received after 31 March 2021, be processed in accordance with Regulation 86 of the Housing Benefit Regulations and/or Rule 48 of the Local Council Tax Reduction Scheme.

**210. COUNCIL TAX HARDSHIP RELIEF SUPPORT SCHEME 2021**

The Strategic Director (Internal Services) introduced a report which outlined the additional financial support available for low-income households, and for households suffering financial hardship as a consequence of the Covid-19 pandemic, by providing additional council tax relief through the Council Tax Hardship Relief Support Scheme. The scheme, which was funded by Kent County Council but administered by Dartford Borough Council, would reduce the 2021/22 council tax bills for all existing Council Tax Reduction Scheme working age households by a maximum of £50. New claimants throughout the year would also receive up to the maximum £50 reduction. The Scheme would also provide council tax relief due to financial hardship to support those who had been seriously impacted by the pandemic and suffered a loss in income or a change in financial circumstances, such as furlough or redundancy.

The Chairman welcomed the new scheme and highlighted the support available from the Council to those experiencing financial hardship. He encouraged anyone experiencing financial difficulties to explore ways in which the Council could help, whether by providing direct assistance, guidance or by offering advice.

RESOLVED:

That the additional funding to be provided by Kent County Council for the purpose of providing council tax relief, as detailed in paragraphs. 3.3 and 3.4 of the report, be noted.

**211. CLOSING REMARKS**

In closing the meeting the Chairman stressed the need for people to continue to observe social distancing and to apply common sense as lockdown arrangements were progressively relaxed and asked for continuing forbearance as services started to get up and running. He also encouraged the uptake of vaccine.

The meeting closed at 6.00 pm

Councillor J A Kite, MBE  
CHAIRMAN

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