

DARTFORD BOROUGH COUNCIL

CABINET

MINUTES of the meeting of the Cabinet held on Thursday 5 September 2019 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 A R Lloyd
Councillor Mrs P A Thurlow
Councillor R J Wells

ALSO PRESENT: Councillor D J Mote

30. APOLOGIES FOR ABSENCE

There were no apologies for absence.

31. DECLARATIONS OF INTEREST

There were no declarations of interests.

32. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 25 JULY 2019

RESOLVED:

That the minutes of the meeting of the Cabinet held on 25 July 2019 be confirmed as an accurate record.

33. URGENT ITEMS

There were no urgent items.

34. TO RECEIVE THE MINUTES OF THE CABINET ADVISORY PANEL HELD ON 2 SEPTEMBER 2019

The Cabinet received the minutes of the meeting of Cabinet Advisory Panel B held on 2 September 2019 and had regard to the Panel's views throughout the meeting.

35. REFERENCES FROM OTHER COMMITTEES

There were no references from other committees.

36. FUTURE HIGH STREETS FUND BID

The Cabinet considered a report detailing progress with the Council's bid for funding from the Future High Streets Fund in respect of the Co-Op

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development scheme and setting out the next stages in the bid process. The Council's initial 'Expression of Interest' had been selected to go forward to the next assessment stage which would involve producing a full business case for submission to the Ministry of Housing, Communities & Local Government in November 2019 (MHCLG).

The Chairman stressed that this scheme was an important part of plans to reinvigorate the High Street which also reflected the changing nature and mix of offerings needed to have a vibrant High Street. He said that the Council was a key player in taking this forward and that it was right for the Council to invest in the future of the scheme.

The Strategic Director (Internal Services) explained that the MHCLG was looking for schemes that were 'shovel ready' and could progress quickly and to be considered as 'shovel ready', the scheme would need to have planning permission in place. In order to progress the Co-Op project so that it could form a central part of the Council's bid, the developer for this project now needed to submit a planning application. In normal circumstances the developer would wait until any viability issues with the scheme had been identified and addressed before submitting a planning application. Given the timescales involved this would not be possible and in order to submit an application the developer was therefore looking for the Council to underwrite the costs of moving the scheme to the planning stage to the sum of £1.4m to mitigate the developer's risk in the event that the scheme was unable to proceed.

The Chairman explained that the Council would be an important stakeholder and that it was proper for the Council to have 'skin in the game'. He felt that a potential contribution of £1.4M in order to progress a scheme that was likely to involve a much greater total investment was reasonable in order to move the project forward. He noted that some Members of the Cabinet Advisory Panel had expressed concern that the Council was being asked to provide a guarantee to underwrite the developer's costs, and ultimately their profits, to the tune of £1.4M when there was no certainty that the Council's bid for Central Government funding would be successful. However the Cabinet Advisory Panel had welcomed the regeneration opportunities arising from the development and strongly supported the bid and endorsed the recommendations contained in the report. It was however suggested that the Cabinet might wish to caveat the underwriting of the developers costs to install a timeframe, or backstop, to the period during which it was prepared to underwrite these costs as well as capping the amount at £1.4M. Cabinet felt that, given that the amount was capped at £1.4M and that any further expenditure would require further Cabinet approval, it was unnecessary to install a backstop.

The Chairman thanked the Cabinet Advisory Panel for its comments and support and examined the various elements of the scheme and their readiness to progress and felt that the scheme stood a strong chance of moving forward. He noted that plans for a new health hub in Kent, similar to that proposed as part of the Co-Op scheme were at a similar stage of progression and that funding decisions on both were likely to be made next

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Spring. Members welcomed the proposed scheme and the need for regeneration of the site and noted the good progress of other development works in the town centre. The Chairman stressed that this was only the first phase of proposed works for the High Street and outlined his vision for creating a welcoming, but compressed, High Street which reflected modern needs and expectations whilst retaining an old fashioned feel.

A Member asked what would happen if the scheme ultimately became unviable for the current developer and what the Council would get in return if it had to make payment to the developer. The Strategic Director (Internal Services) explained that the Council would explore other funding options and look to work with other partners and that, by that stage, there would be far more information available as a result of technical evaluations having been carried out and detailed plans would have taken shape and could inform future decision making for the site. The Cabinet asked for clarification over whether the Council would own the plans and intellectual property prepared by the developer in the event that it was called upon to pay the costs as it felt that the Council should benefit from any work that it paid for.

RESOLVED:

1. That progress on the Future High Streets Fund bid be noted; and
2. That the Council underwrites the planning costs, in the sum of £1.4M, in respect of the Co-Op scheme, in the event that the scheme does not proceed.

37. CONSULTATION ON CHANGES TO THE TRANSPORT FOR LONDON BUS SERVICES 428 AND 492

The Chairman reminded Cabinet that the Council had only recently concluded discussions with Transport for London (TfL) regarding the routing of bus services in the town centre and adjoining areas to improve traffic flows and better meet the need of bus users. The current consultation on proposed changes to TfL bus services 428 and 492 was therefore a cause of some concern. Whilst it might be appropriate for bus companies to examine services where they felt that there was duplication of services this was not the case here and one of the proposals for the 492 would remove an important route at the same time as the new secondary school at Stone was due to open. He felt that the introduction of this proposal in particular should be deferred so that the demand implications arising from the opening of the new school could be properly assessed.

The Head of Regeneration explained the proposed changes to Transport for London bus services 428 and 492 from January 2020, which were currently subject to public consultation until 10 September 2019. The proposed changes would result in a reduction in connectivity between certain parts of the London Borough of Bexley, including Erith and Sidcup, and the north-west part of Dartford through to Bluewater and vice-versa. The report detailed

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specific impacts likely to arise as a result of the proposed changes including the likely additional pressures on remaining bus services and impacts on users, including school children, people travelling along London Road and users of Darent Valley Hospital. TfL had taken the approach that its sole responsibility was to London's bus users whereas the proposals affected users across the London/Kent boundary and had significant implications on cross-connectivity.

The proposals had been discussed extensively by the Cabinet Advisory Panel and the Joint Transportation Board. There had been concerns about increased costs for passengers arising from having to change buses in order to get to their destinations, increased journey times and the safety implications for school children having to break their journeys and the impact for people accessing Darent Valley Hospital. Detailed work was being carried out with TfL and KCC to seek to alleviate and mitigate the impact on customers in the Dartford area. There had been discussions with Arriva regarding the possibility of Arriva bus services covering the removed section of the 492 bus route but the company had not been keen to do so and it was therefore important to keep lobbying TfL. The Council had therefore prepared a formal objection to the proposals in respect of proposed changes to the 492 bus route and the London Borough of Bexley and Kent County Council (KCC) also intended to object to TfL's proposals. KCC had now agreed that a joint objection should be lodged by them and Dartford.

The Chairman welcomed this approach but wondered whether the joint response to the consultation was sufficiently candid or robust. TfL needed to appreciate the strength of feeling and opposition to their proposals and the disappointment at the approach being taken by TfL given more productive co-operation with them over changes to other bus services in the town centre. He felt that a joint response with KCC should be made but that it would also be appropriate for the Council to make a separate representation to make the strength of its opposition clear. Members reflected that the 492 currently delivered a very good service that was well used and felt that if TfL had concerns about its commercial viability it could have considered other options such as reducing the frequency of the service in order to make it more viable rather than deleting the route. The implications for people living in the West of Dartford travelling to Bluewater were also discussed. The Chairman noted that the proposals had generated considerable local concern and campaign groups had been set up to oppose the changes and that a petition had been set up. He recognised the intention of the petitioners but felt that people should be encouraged to make their views known to TfL by responding to the consultation individually as otherwise he feared that TfL would treat the petition as a single consultation response which would not do justice to the strength of opposition.

The Cabinet noted that the Cabinet Advisory Panel had strongly endorsed the recommendations contained in the report and had been concerned at the impact that the proposed changes to the bus routes would have on local bus users and welcomed the ongoing efforts with partners to mitigate these impacts.

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RESOLVED:

1. That the concerns highlighted in paragraphs 3.7-3.12, 3.16-17 and Appendix B to the report be the basis for a joint formal objection with KCC to Transport for London's consultation, in particular to not support the proposed changes to bus route 492;
2. That the Council should make separate robust and candid representations to TfL to ensure that TfL is fully aware of the strength of the Council's objections to its proposals; and
3. That officers continue to liaise with Transport for London, Kent County Council and non-Transport for London bus service operators beyond the consultation closing date of 10 September 2019 to seek a resolution that will alleviate the impact of proposed changes on customers in the Dartford area, in line with the identified mitigations sought, as set out in paragraph 3.19.

38. MINUTES OF THE STRATEGIC HOUSING BOARD ON 10 JULY 2019

The Chairman welcomed Councillor Mote, Chairman of the Strategic Housing Board, to the meeting. He reminded the Cabinet that the Strategic Housing Board was a new body set up at the Annual Council meeting in May and would operate at the same level as the Development Control Board, although it was not a quasi-judicial body. The Board's remit was to examine housing issues at a strategic level and to develop a better understanding of the nature of the local housing economy, key players, demographics and the needs of local people and how these could be delivered. The minutes of the first meeting were submitted for the Cabinet's consideration.

Councillor Mote explained that the first meeting of the Board had been scene setting to develop a better understanding of the Board's remit but that he expected to develop momentum quickly moving forward.

RESOLVED:

That the minutes of the Strategic Housing Board held on 10 July 2019 be noted.

39. REVIEW OF CHARGING PERIODS FOR HIGHFIELD ROAD CAR PARKS

The Cabinet considered a report which reviewed the operation of the Highfield Road (Spring Vale) and Highfield Road (South) pay and display car parks following changes introduced following the review of Fees and Charges applying from 1 April 2018 and the making of the Dartford Borough Council (Off Street Parking Places) Order 2018. The new order amended the operating hours of off-street car parks in the town centre area from 0800-18.30 to 08.00 to 20.00 hours and subsequently included a new pay and display car park at the former informal car park at Highfield Road (South). The Joint Transportation Board (JTB) on 11 June 2019 received a petition and

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deputation from local residents and the users of the Gurdwara asking the Council to shorten the hours of operation of the Highfield Road (Spring Vale) car park back to 18.30 hours as they considered that the extended hours had impacted heavily on users to the point that the car park was now severely under-utilised during the evenings. The JTB had asked for a report to be prepared detailing usage levels and revenues generated by the town centre car parks and arising from this that Cabinet be asked to review the charging periods and possibly to reduce them if justified by the usage levels. The data collected suggested that the trend in town centre car parks over the last 12 months remained largely unchanged indicating that there had been no significant factors that had affected car park usage after 18.30 but that there was reluctance to pay to use the Highfield Road (Spring Vale) car park after 18.30.

Cabinet had considered objections to the proposal to create a formal pay and display car park at Highfield Road (South) at its meeting on 24 May 2018. Cabinet had confirmed the proposal but asked that a review into usage and any displacement arising from this should be reviewed after 6 months. Due to the need to carry out preparatory works the pay and display operation did not come into effect until February 2019. Usage figures collected since that time suggested that the car park had previously attracted a significant level of parking linked to residential properties, unauthorised long stay uses and by employees of commercial businesses. The car park had subsequently become little used but there had been no evidence of disproportionate displacement into adjoining residential streets and no complaints from local residents or Members.

It was noted that the Cabinet Advisory Panel had questioned the level of displacement from the Highfield Road (South) car park and felt that, given that the car park was not now being used, the degree of upset caused to local residents, and the minimal level of revenue generated by the car park, the charges should either be removed or that some form of dispensation or permit should be given to residents. The Cabinet Advisory Panel agreed to recommend that the Cabinet should reconsider the charging regimes for both of the car parks in light of the impact on residents arising from the changes and the level of displacement observed by local Members. In particular that the hours of operation of the Highfield Road (Spring Vale) car park should revert to 08.00 to 18.30 and that the Highfield Road (South) car park should either be a free car park or that some form of dispensation or permit scheme should be introduced for local residents.

The Chairman said that it was clear that users of the Spring Vale car park, including the Gurdwara and local residents, were keen for the charging period to end at 18.30 and would benefit from this change. The situation with the Highfield Road (South) car park had correctly been subject to review as it had been clear that the car park had attracted unauthorised long stay uses, dumped vehicles, car repair work and use by employees of commercial businesses before the introduction of the pay and display arrangements. These uses were not the reason why the Council provided car parks. The fact that the car park was now significantly under-used pointed to the fact that much of the previous usage was not legitimate. The current level of usage

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now meant that the car park was not serving a valuable purpose nor supporting town centre regeneration. He noted the views expressed by the Cabinet Advisory Panel and felt that there was merit in considering some form of paid resident's permit parking scheme in the car park and possibly in Highfield Road. He felt that part of the car park should still remain available on a pay and display basis. The Cabinet felt that this would provide a reasonable compromise to meet the needs of local residents and car park users.

RESOLVED:

1. That the charging period for pay and display car parking at the Highfield Road (Spring Vale) car park should be 08:00 to 18:30; and
2. That consideration be given to the introduction of a Residents' Permit parking scheme at the Highfield Road (South) car park and along Highfield Road as outlined above and that a scheme be developed for consultation with affected residents.

40. KENT HEALTH AND SAFETY FLEXIBLE WARRANTS

The Cabinet considered a report which detailed the potential benefits to the Council through participation in a Kent-wide Local Authority Health and Safety Flexible Warranting Scheme similar to that previously operated in conjunction with the Health and Safety Executive from 2007 to 2013/14. It was proposed that the Council should sign up to the Memorandum of Understanding so that flexible warranting arrangements could be introduced by September 2019.

RESOLVED:

That Dartford Borough Council be a signatory to the Kent Health and Safety Flexible Warrant Scheme.

41. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN - ANNUAL REVIEW LETTER 2019

The Cabinet received the Local Government and Social Care Ombudsman's Annual Review letter for 2019. Five new complaints had been lodged with the Ombudsman in 2018/19, down from 16 in the previous year. During 2018/19 the Ombudsman made decisions on three of these complaints, declining to investigate two and upholding one whilst decisions were still pending on two further complaints. The report also detailed how complaints were logged and monitored and the processes in place to ensure that all complaints were addressed and lessons learnt where appropriate.

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That the Local Government and Social Care Ombudsman's Annual Review Letter 2019, attached at Appendix A to the report and the corresponding data tables at Appendices B, C and D to the report, be noted.

42. CORPORATE PLAN KEY ACTIONS AND PERFORMANCE INDICATORS FOR QUARTER 1 - 2019/20

The Cabinet received a report which provided details of the latest set of Corporate Plan key actions and performance indicators for the first quarter of 2019/20.

RESOLVED:

That the Cabinet notes the contents of the key action and performance indicator monitoring reports attached at Appendices A and B to the report.

43. MINUTES OF THE POLICY OVERVIEW COMMITTEE HELD ON 18 JUNE 2019

The Cabinet received the minutes of the Policy Overview Committee held on 18 June 2019.

It was noted that a Member of the Cabinet Advisory Panel had wished for the Cabinet's attention to be drawn to the first bullet point of the resolution contained in minute 9 of the Policy Overview Committee minutes (page 101 in the agenda). This related to the need for 'sign-posting' on the Council's web site for customers wishing to claim Universal Credit to be improved. She wondered whether it would be possible for the Cabinet to stipulate a timeframe for this to happen as claiming universal credit correctly was a time sensitive issue and she felt that this action needed to be put in place as soon as possible so that people were not left waiting for longer due to lack of awareness of their entitlement.

The Cabinet endorsed this point and asked for the necessary 'sign-posting' to be placed on the Council's web site.

RESOLVED:

That the minutes of the Policy Overview Committee held on 18 June 2019 be noted.

The meeting closed at 8.00 pm

Councillor J A Kite, MBE
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