

DARTFORD BOROUGH COUNCIL

CABINET

MINUTES of the meeting of the Cabinet held on Thursday 9 December 2021 at 7.00 pm

PRESENT: Councillor J A Kite, MBE (Chairman)
Councillor C J Shippam (Vice-Chairman)
Councillor S H Brown
Councillor A R Lloyd
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

76. APOLOGIES FOR ABSENCE

There were no apologies for absence.

77. DECLARATIONS OF INTEREST

There were no declarations of interests.

78. CONFIRMATION OF THE MINUTES OF THE CABINET MEETING HELD ON 28 OCTOBER 2021

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

RESOLVED:

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

79. URGENT ITEMS

There were no urgent items.

80. TO RECEIVE THE MINUTES OF THE CABINET ADVISORY PANEL HELD ON 6 DECEMBER 2021

The Cabinet received the minutes of the meeting of Cabinet Advisory Panel A held on 6 December 2021 and had regard to the Panel's views throughout the meeting.

CHAIRMAN'S INITIALS

RESOLVED:

That the minutes of the meeting of Cabinet Advisory Panel A held on 6 December 2021 be noted.

81. REFERENCES FROM COMMITTEES

There were no references from other committees.

82. COMMUNITY INFRASTRUCTURE LEVY - ANNUAL REVIEW 2021

The Head of Planning Services presented an update of the Indicative 5-Year Delivery Programme of potential infrastructure projects that could be supported by funding secured through Dartford's Community Infrastructure Levy (CIL). The report also set out the context for the Delivery Programme in terms of the level of CIL funding received by the Council; the progress that had been made over the past year on the delivery of strategic infrastructure projects, as identified in Dartford's Infrastructure Delivery Plan (IDP), and the reported CIL income and expenditure in the annual Infrastructure Funding Statement.

Details of the CIL receipts were shown in Appendix A to the report. In the financial year 2020/21 the Council's CIL receipts had amounted to £7.090m. 15% of the CIL receipts from development in their areas had been transferred to the Parish/Town Councils and the Council also retained 15% of CIL receipts in unparished parts of the borough from developments in those areas. The total amount of CIL receipts retained for funding strategic infrastructure projects in 2020/21 was £5.930m. For the current financial year up to the end of September the Council's CIL receipts amounted to £3.776m, which could yield up to a further £3.2m for strategic infrastructure. In total the amount of CIL funding retained by the Council for strategic infrastructure works was £16.8m

Appendix B to the report detailed the IDP which was divided into three sections. Part 1 of the IDP described fully funded projects which were either being delivered or programmed to be delivered in line with development. These included Phase 1A of the Dartford Town Centre Regeneration project, improvement works to the Bean and Ebbsfleet junction on the A2, short term improvements to the A282(M25) junction 1A, Fastrack tunnels linking Bluewater with Whitecliffe, the construction of Stone Lodge secondary school, additional educational provision within Whitecliffe and community facilities in Ebbsfleet Garden City. Part 2 of the IDP described projects that could potentially be enabled by CIL monies, including the remaining phases of the Dartford Town Centre Regeneration Project, further primary school provision in Dartford Central Area and Stone, provision of a medical centre in Stone/Greenhithe, the provision of a crossing over the River Darent and enhancements to the Darent Valley Path. The report highlighted the Cabinet's decision on 28 October 2021 to allocate £4.15m of retained CIL funds for the remaining phases and additional works contained in the Dartford Town Centre Regeneration Project.

CHAIRMAN'S INITIALS

CABINET
THURSDAY 9 DECEMBER 2021

The remaining projects considered to be necessary to support development in the Borough and which were likely to meet the CIL Assessment Criteria were detailed in the indicative 5 year CIL Delivery Programme attached at Appendix C to the report. These projects would be brought forward following assessment against criteria established under the CIL Governance arrangements. The final Part of the IDP detailed those schemes that were less advanced but where feasibility work was 'ongoing' including scope for future Fastrack projects, medium/long term improvements for the A282(M25) Junction 1A, improvements to the network of safe cycle and pedestrian routes and the expansion of health provision through further engagement with Darent Valley hospital/NHS. The report also detailed the work of the Leader's Advisory Group on CIL and the amount of CIL income distributed to the Parishes and Town Council along with the amounts available to spend on projects in unparished areas. The use of CIL to part-fund an area-based parking study in the town centre was also reported and it was proposed to use this to develop a framework for bringing forward further projects in unparished areas that could be part-funded by CIL and to apply a simplified form of assessment based on the criteria used to assess larger projects.

The Head of Planning Services said that although the total CIL receipts received by the Council had increased significantly in recent years there were some very high cost infrastructure works on the horizon that could be supported by CIL funding. A new primary school; for example was estimated to cost £7-10m and significant improvements to Junction 1A could cost in the region of £100m. She also noted that although the Council had not previously used the CIL funding pot, some of the strategic infrastructure works projects identified to support growth had been funded from s106 funds from developments. She also updated on the Leaders Advisory Group on CIL held on 1st December 2021, referred to at paragraph 5.1 of the agenda report, confirming the support from key stakeholder organisations, attending the meeting being: Kent County Council, the Ebbsfleet Development Corporation, National Highways, the Environment Agency, and Kent & Medway CCG..

The Chairman stressed his desire to release CIL funding to support projects in the community as soon as possible, including unparished areas, and the need to have a communications strategy in place to respond to any enquiries about the use of CIL. He considered there were small scale projects that could be carried out in the town centre that could be funded by the unparished CIL. The Head of Planning Services explained that there was a requirement to consult with communities before allocating CIL and that it was particularly difficult to identify community consultees in the unparished areas.

The Chairman also noted that the parishes received a CIL allocation and said that there was an expectation that they should contribute a fair share of their CIL funding to projects which benefitted their residents and should not rely solely on the Council to fund such projects through CIL. He reminded the Cabinet that the CIL allocations given to Parishes did not constitute a grant that they could use as they felt free to do.

CHAIRMAN'S INITIALS

CABINET
THURSDAY 9 DECEMBER 2021

In response to a question, the Head of Planning Services, clarified the separate projects under development for the River Darent area, which were still looking at options and feasibility.

The Cabinet welcomed public support for the town centre improvements, which had been well received, but stressed the importance of ensuring that the condition of the town centre was prioritised when minor repairs might be needed and that some design modifications might help to address issues such as damage caused to street furniture by reversing vehicles.

RESOLVED:

1. That the CIL income received by the Council, as set out in Appendix A to the report, and the level of CIL funding held for strategic infrastructure projects, be noted;
2. That the revised and updated Infrastructure Delivery Plan, as set out in Appendix B to the report, be approved for publication and forms the basis for ongoing liaison with the relevant infrastructure providers and further development of the identified schemes;
3. That the Indicative 5-Year Delivery Programme as set out in Appendix C to the report be agreed and forms the Council's priority strategic infrastructure projects for the allocation of CIL funding;
4. That, once individual projects within the Indicative 5-Year Delivery Programme are sufficiently progressed to demonstrate they are deliverable, further reports be submitted to Cabinet for decisions on the release of CIL funding contributions towards the projects;
5. That authority be delegated to the Head of Planning Services to complete and publish the Draft Infrastructure Funding Statement, as set out in Appendix D to the report, in accordance with Government guidance; and
6. That further work be undertaken on the governance arrangements, to enable the release of CIL funds retained for unparished areas, with the intention of a further report to Cabinet early in 2022, for approval of these arrangements.

83. ACCEPTANCE OF TENDER - HOUSING REVENUE ACCOUNT HOUSING - SHELTERED SCHEME FIRE ALARM AND SMOKE DETECTION UPGRADE

The Director of Housing & Public Protection introduced a report which described the tender arrangements for a contract for the upgrade and installation of new fire alarm and smoke detection for the Council's sheltered housing schemes. The report explained that the Council had 12 sheltered housing schemes accommodating approximately 450 residents over the age of 55, many of whom were elderly or vulnerable. Following inspections of the existing alarm and smoke detection system used by the sheltered housing schemes by the Kent Fire and Rescue Services it was recommended that the existing systems would benefit from modernisation.

CHAIRMAN'S INITIALS

CABINET
THURSDAY 9 DECEMBER 2021

The most significant enhancement would be the upgrading of each flat's fire alarm system to provide an early warning linked to the existing careline system. This link would either alert a Housing Scheme Officer or the careline system operator of a fire activation within a flat (depending on the time of day) and that officer would be able to use a speech module to communicate directly with the resident and then either escalate to the fire brigade, in the event of an actual fire, or silence the alarm panel. Additional smoke and heat sensors would also be installed to individual tenant's homes, increasing the level of coverage and meeting modern building regulation standards. Heat sensors in each kitchen/lounge would help to prevent false alarms which could arise with the existing smoke detectors which could currently activate as a result of tenant's cooking. None of the Council's sheltered schemes were classified as 'high rise' within the meaning of the new Housing Safety Bill.

The report detailed the tender procurement and evaluation process. 12 completed tenders had been received and evaluated using a weighting of 60:40 on quality:price. 10 of the bids went through a full evaluation, the outcome of which was detailed in Exempt Appendix A to the report and the tender returns had provide reassurance of the current market costs, and the tendered costs were considered to be reasonable and within budget parameters. Tenants and residents had also been consulted. Following evaluation it was recommended that the contract be awarded to Company A, as detailed in Exempt Appendix A to the report, for a two year period from 17 January 2022.

The Cabinet noted the comments made by the Cabinet Advisory Panel which had welcomed the improvements and supported the recommendations.

RESOLVED:

That, for the reason detailed in the body of the report, the Council enters into a contract with Company A (as referred to in exempt Appendix A to the report) on terms to be agreed by the Head of Legal Services for the upgrade and installation of new fire alarm and smoke detection to the Council's sheltered housing schemes, for 2 years, from 17 January 2022.

84. PURCHASE OF LAND FOR COUNCIL HOUSING

The Director of Housing & Public Protection introduced a report which sought approval to make an offer to purchase land in Dartford, in order to build Council homes for council social rent, utilising funds within the 1-4-1 replacement HRA property budget. Cabinet approval was necessary as the offer price exceeded the financial threshold for a decision to be taken under delegated authority. The land for sale was being sold on the open market with planning permission in place for 8 x 2 bedroom flats and represented a good opportunity for the Council to develop a small site in the Town Centre for Council social rented housing.

The Cabinet noted the comments made by the Cabinet Advisory Panel which had supported the recommendations.

CHAIRMAN'S INITIALS

CABINET
THURSDAY 9 DECEMBER 2021

RESOLVED:

1. That, for the reasons detailed in the body of the report, the Director of Housing and Public Protection be granted delegated authority to bid for land advertised for sale (as described in exempt Appendix A to the report) and at the offer price referred to in exempt Appendix A; and
2. That, in the event the Council's offer is successful, the Director of Housing and Public Protection be granted delegated authority to enter into a contract for the purchase of the land, for council social rented housing,

85. SPIRITS REST HORSE SANCTUARY/HOPE COTTAGES - THE HIGHWAYS ENGLAND (A2 BEAN AND EBBSFLEET JUNCTION IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019

Members considered a report which sought the Cabinet's agreement to accept compensation offered by Highways England Company Limited, following negotiations for the compulsory acquisition of council owned land known as Spirits Rest Horse Sanctuary (Plots 1/5a, 1/5b, 1/6a and 1/6b) and the sub-soil rights in a small land strip fronting Hope Cottages (Plots 31a and b). The land was required for proposed highways improvements to the A2 Bean & Ebbsfleet junction. The compensation also covered residual land that was not required for the junction improvements and an injurious affection claim in respect of a row of Council owned semi-detached properties known as Hope Cottages. The Council's Valuer considered that the compensation offered by the independent CPO Valuer represented fair compensation for the market value of the land being acquired and the injurious affect on the Council's retained landholding, and also covered the Council's legal fees. The report also explained that the horse sanctuary had been successfully relocated prior to the compulsory acquisition and that the operators are happy with their new location.

The Cabinet noted the comments of the Cabinet Advisory Panel which had supported the recommendation.

The Chairman welcomed the relocation of the horse sanctuary to a better location with improved facilities.

RESOLVED:

1. That, the compulsory acquisition by Highways England Company Ltd of Council owned land known as Spirits Rest Horse Sanctuary (Plots 1/5a, 1/5b, 1/6a and 1/6b) and the sub-soil rights in a small land strip fronting Hope Cottages (Plots 31a and b), as identified at Appendix A to the report, for the A2 Bean & Ebbsfleet Junction Improvements, be noted;
2. That the CPO Valuer's recommendation on compensation, as set out in exempt Appendix B to the report, be agreed; and
3. That the Director of Growth and Community be authorised to finalise the transaction with Highways England Company Limited.

CHAIRMAN'S INITIALS

86. LOCAL SCHEME OF SUPPORT FOR COUNCIL TAX 2022/23

The Chief Officer & Director of Corporate Services presented a report which proposed that the Cabinet should recommend that the current Local Council Tax Reduction Scheme should roll forward to 2022/23. She reminded the Cabinet that a major review of the Scheme had been undertaken in 2019/20 and that since then the scheme had been rolled-forward on an annual basis. In response to a question she confirmed that Kent County Council were supportive of the scheme in its current format.

RESOLVED:

That the General Assembly of the Council be recommended to roll forward the Local Council Tax Reduction Scheme 2021/22, to be effective from 1 April 2022.

87. FINANCIAL CONTRIBUTIONS TO PARISH AND TOWN COUNCILS 2022/23

The Cabinet considered a report which detailed the level of proposed financial contributions to be paid to Parish and Town Councils in 2022/23. The Cabinet considered the future of the Capacity Building Fund and the context to the original creation of the fund. It was felt that it was no longer cost effective for the Council to administer and operate this as a separate fund and that instead the funding should be transferred to the Green Fund, which parishes were able to access.

RESOLVED:

1. That the following contributions be made to Parish and Town Councils, to compensate for lost council tax income in local areas from the council tax support scheme:

	£
Bean	334
Darenth	1,923
Longfield	631
Southfleet	198
Stone	7,021
Sutton at Hone and Hawley	1,737
Swanscombe and Greenhithe	14,435
Wilmington	1,317

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

CHAIRMAN'S INITIALS

CABINET
THURSDAY 9 DECEMBER 2021

- 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 2022 (or next working day) and the second, the latter of 30 September 2022 (or next working day) or seven days following receipt of the Parish or Town Councils' 2021/22 accounts, certified as correct by their Clerks; and
 4. That the Council discontinues the operation of the Capacity Building Fund and instead makes a contribution of £20,000 into the Green Fund in 2022/23.

88. REVENUE BUDGET MONITORING 2021/22 - PROJECTED OUTTURN

The Chief Officer & Director of Corporate Services presented a report which detailed the projected outturn on the General Fund and the Housing Revenue Account, and the reasons for significant variances. The projected outturn on the General Fund showed a potential net underspend on the budget of £2.09m and had benefitted from an overachievement of £1.4m interest from externally managed investment funds. The Housing Revenue Account showed a projected deficit of £5.96m, which was £2m lower than budgeted mainly due to delayed capital works. The balance at the year-end for the HRA was estimated to be £6.6m.

The Chairman sought, and received, clarification that the reported underachievement of income from partners was due to Covid restrictions rather than any performance issues.

The Cabinet Portfolio Holder for Finance thanked the Finance Team for keeping him informed of developments with the budgets and noted the overachievement of interest from externally managed funds, which had benefitted from having a split portfolio approach. He also noted that the Council had benefitted from the continued retention of income from business rates. He highlighted the need to remain vigilant on expenditure on temporary accommodation where there was a net overspend of over £500,000.

The Director of Housing & Public Protection explained that the use of temporary accommodation was a last resort and that the Council continually used innovative solutions to ensure that this was minimised.

RESOLVED:

That Cabinet notes the projected outturn position for the General Fund and the Housing Revenue Account as set out respectively in Appendices A, B and C to the report.

CHAIRMAN'S INITIALS

89. CAPITAL PROGRAMME BUDGET MONITORING 2021/22 - PROGRESS AND PROJECTED OUTTURN

The Chief Officer & Director of Corporate Services presented a report which informed Members of the progress to date on schemes in the approved Capital Programme and of the latest position on capital resources. She noted that one of the biggest variances was the underspend on the Town Centre Public Realm Improvements due to general delays within the building sector and labour and materials shortages.

RESOLVED:

That the progress made to date on the 2021/22 Capital Programme be noted.

90. REPORT OF DELEGATED ACTION TAKEN UNDER STANDING ORDER 38 - STREET NAMING AND NUMBERING FIRST PHASE - ALKERDEN EBBSFLEET VALLEY

The Cabinet received a report, in accordance with the requirements of Standing Order 38(2)(b), which advised it of a delegated action taken under Standing Order 38(2)(a) by the Chief Officer & Director of Corporate Services, in consultation with the Cabinet Chairman, to endorse the name of a new single road for the first phase of the Alkerden Ebbsfleet Valley development as Portbridge Gardens. Potential buyers of properties to be built had been unable to obtain mortgages until postal addresses had been allocated and the developer was concerned that there was insufficient time to go through the standard street naming process as postal addresses were needed as soon as possible.

RESOLVED:

That Cabinet note the action taken by the Chief Officer & Director of Corporate Services, in consultation with the Cabinet Chairman, under Standing Order 38(2)(a), in relation to the allocation of a new single road name for the first phase of the Alkerden Ebbsfleet Valley development.

91. COMMITTEE MINUTES

The Cabinet received, for information, the minutes of the meetings of the Policy Overview Committee held on 14 September 2021 and the Strategic Housing Board held on 13 October 2021.

RESOLVED:

That the minutes of the meetings of the Policy Overview Committee held on 14 September 2021 and of the Strategic Housing board held on 13 October 2021 be noted.

CABINET
THURSDAY 9 DECEMBER 2021

92. ACCEPTANCE OF TENDER - HOUSING REVENUE ACCOUNT HOUSING - SHELTERED SCHEME FIRE ALARM AND SMOKE DETECTION UPGRADE - EXEMPT APPENDIX A (EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3

That, following discussion of the main report (minute 82 above), the contents of Exempt Appendix A be noted.

93. PURCHASE OF LAND FOR COUNCIL HOUSING - EXEMPT APPENDIX A (EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3

That, following discussion of the main report (minute 83 above), the contents of Exempt Appendix A be noted.

94. SPIRITS REST HORSE SANCTUARY/HOPE COTTAGES - THE HIGHWAYS ENGLAND (A2 BEAN AND EBBSFLEET JUNCTION IMPROVEMENTS) COMPULSORY PURCHASE ORDER 2019 - EXEMPT APPENDIX B (EXEMPT CATEGORY SO 46 (1) (B) ANNEX 1 PARAGRAPH 3

That, following discussion of the main report (minute 84 above), the contents of Exempt Appendix B be noted.

The meeting closed at 7.50 pm

Councillor J A Kite, MBE
CHAIRMAN

CHAIRMAN'S INITIALS