

DARTFORD BOROUGH COUNCIL

**CABINET**

**MINUTES** of the meeting of the Cabinet held on Thursday 24 March 2022 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 D J Mote  
Councillor Mrs P A Thurlow  
Councillor R J Wells

**ALSO PRESENT:** Sarah Martin, Chief Officer & Director of Corporate Services  
Caroline Hicks, Director of Growth & Community  
Alan Twyman, Democratic Services Manager

**125. APOLOGIES FOR ABSENCE**

There were no apologies for absence from Members of the Cabinet.

Members noted that the Director of Housing & Public Protection was on holiday and hoped that he would enjoy a good break.

**126. DECLARATIONS OF INTEREST**

There were no declarations of interests.

**127. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 24 FEBRUARY 2022**

The Cabinet considered the minutes of its meeting held on 24 February 2022.

RESOLVED:

That the minutes of the meeting of the Cabinet held on 24 February 2022 be confirmed as an accurate record.

**128. URGENT ITEMS**

There were no urgent items.

**129. TO RECEIVE THE MINUTES OF CABINET ADVISORY PANEL B HELD ON 21 MARCH 2022**

The Cabinet received the minutes of the meeting of Cabinet Advisory Panel B held on 21<sup>st</sup> March 2022 and had regard to the Panel's views throughout the meeting.

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**130. REFERENCES FROM COMMITTEES**

There were no references from other committees.

**131. LONDON ROAD - CLIFF RETENTION WORKS**

The Director of Growth & Community introduced a report which updated Members on the essential works required to stabilise the chalk cliff face on the border of Worcester Park & London Road, Greenhithe and to maintain its safety in the future. The report detailed the works to be carried out and the steps to be taken to mitigate the disruption likely to arise whilst the works are being undertaken. Given the urgency of the works an expedited procurement process had been carried out, in accordance with the Council's procurement policies, and the three completed tenders had been evaluated, as detailed in exempt Appendix A to the report. All of the tenders had been within the budget envelope for the project and the value of this work exceeded the Council's financial threshold and was a 'key decision'. The Cabinet was being asked to give delegated authority to the Director of Housing & Public Protection to appoint a contractor to undertake the essential stabilisation works to the cliff.

The Director of Growth & Community said that the recommended contractor, who had been ranked first following evaluation, was well known to the Council having previously undertaken similar work at Eagles Road to a high standard and that the contractor had a good record for engaging with local people whilst works were underway.

The Chairman said that although he understood that around 50 properties would be directly affected by disruption associated with the works, and that the period of disruption was likely to be relatively short in each case as the works would be undertaken in phases rather than along the whole of the cliff face at any one time, he felt that residents to the south of Steele Avenue, who could see the works taking place, should also receive the letter to be sent to residents to explain the proposals and timing for the remedial works. He stressed the need for good engagement with local residents and that there should be an opportunity for residents and local Members to meet the contractor to understand the need for the works and to remind people of the success of the similar works previously carried out at Eagles Road.

The Cabinet Portfolio Holder for Housing said that one of the aspects that had contributed to the success of the previous works was the importance that the contractor had placed on respecting the ecology of the site and that the contractor employed a good team of specialist ecologists and had ensured that works respected the local ecology. The Director of Growth & Community confirmed that the contractor would attach the same importance to ecology during the proposed works and would work around bat and bird nests that were encountered.

The Cabinet Portfolio Holder for Finance said that he supported the works as they were required on grounds of safety but wondered whether there

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were other sites owned by the Council where the Council could be liable to undertake similar costly works. He felt that where the Council sold land for future development the contract should seek to mitigate the Council's liability for any residual land retained by the Council, or to seek to share the risk with the developer, or to insure against future liability in some way.

The Cabinet noted the comments made by the Cabinet Advisory Panel and received a plan of the site, as recommended by the Panel.

RESOLVED:

1. That the essential works (as detailed in the body of the report), to stabilise the cliff on the border of Worcester Park & London Road, Greenhithe, be noted; and
2. That the Director of Housing and Public Protection be granted delegated authority to appoint the contractor (highlighted in red script in exempt Appendix A to the report), to undertake the essential stabilisation works to the cliff.

**132. PROPOSED LONDON RESORT: DEVELOPMENT CONSENT ORDER TIMETABLE AND LOCAL IMPACT REPORT**

The Cabinet received a report which updated Members on the proposed London Resort and the Development Consent Order timetable and Local Impact Report. The report reminded Members that the proposal for the London Resort leisure and entertainment scheme is a Nationally Significant Infrastructure Project (NSIP), and that an application for a Development Consent Order had been submitted to the Planning Inspectorate in December 2020. The application would be determined by the Secretary of State (the Department of Levelling Up and Communities). The process for determining the application was subject to legislation under the Planning Act 2008, which was distinct to that for applications for planning permission determined directly by the Council. The report detailed progress on the London Resort application for a Development Consent Order and set out the next steps.

The Examining Authority (ExA) had issued its indicative programme for the examination of the application. In April 2021, the applicant indicated to the ExA that a substantial amount of additional environmental information was needed as a result of the SSSI designation and in response to feedback from Interested Parties, including the Council. This additional information was initially due to be submitted to the ExA in September 2021, but had been delayed a number of times since. The ExA had asked the applicant to submit this information on the 15<sup>th</sup> March 2022. This information was also needed by the Council in order to fully understand the proposed development, including the potential significant effects that it might have on the environment. The delays in the applicant providing this additional information had made the Examination programme challenging.

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As part of the Examination process, relevant local authorities are invited to submit a Local Impact Report (the 'LIR') giving details of the likely impact of the proposed development on their area. The LIR assists the Secretary of State in coming to a view on the important and relevant considerations that should be taken into account in the determination of the application. The LIR is a factual document that sets out key local issues, with regard to relevant policies and guidance and would also give a view of the adequacy of the application material. The report indicated the proposed content of the LIR which was now required to be submitted by the 12<sup>th</sup> April 2022. The Cabinet was asked to grant delegated authority to allow for the LIR to be produced and submitted within this timeframe.

The Cabinet noted the comments made by the Cabinet Advisory Panel and expressed its thanks to the Head of Planning and her team for the work they had carried out to produce such a comprehensive technical report whilst continuing to deliver on many other competing priorities.

RESOLVED:

1. That a joint Local Impact Report (the LIR), on behalf of Dartford Borough Council, Kent County Council and the Ebbsfleet Development Corporation, be submitted to the Examining Authority and that delegated authority be granted to the Head of Planning Services, in consultation with the Leader of the Council, to amend the LIR to include Gravesham Borough Council as a party to the joint LIR;
2. That the Council's Written Representation(s) be subsequently reported to Cabinet;
3. That delegated authority is granted to the Head of Planning Services to complete the joint Local Impact Report for the London Resort proposal, in consultation with the Director of Growth and Community;
4. That delegated authority is granted to the Head of Planning Services to negotiate the Development Consent Order and heads of the s106 agreement, agree Statements of Common Ground, submit and discuss Local Impact Reports (both the Council's and those of other authorities), respond as part of the examination process, represent the Council's case at examination, respond to the Planning Inspectorate and generally to deal with any other matters in connection with the London Resort Nationally Significant Infrastructure Project; and
5. That delegated authority be granted to the Head of Planning, in consultation with the Director of Growth and Community to pursue a costs claim, where considered appropriate, against the applicant for the London Resort Development Consent Order.

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**133. DISPOSAL OF LAND AT STONE LODGE FOLLOWING PROVISION OF COMMUNITY FACILITIES FOR LEISURE, RECREATION AND EDUCATION**

The Cabinet received a report which advised Members of the outcome of the recent competitive bidding process for the proposed sale of land on the Stone Lodge site in furtherance of the comprehensive Stone Lodge Development Brief, and sought approval for the preferred developer's financial bid. The report reminded Members that the Stone Lodge Development Brief had been approved by the Cabinet at its meeting on 23 July 2015 in order to drive forward aspirations for recreational, leisure and educational uses within the Stone Community. The aim was to ensure that the benefits of community facilities and investment reached communities other than those in the town centre and urban settlements. The Brief provided a flexible framework for guiding development on the site in the context of local plan policies and was prepared to assist in the assessment of submitted development proposals.

The Cabinet declared the land at Stone Lodge surplus to requirements on 22 October 2015 in order to unlock the first of a number of projects of benefit to the local community. Since that date a number of major leisure, recreational and educational projects have been provided, including a new secondary school, public space and a highly successful community clubhouse, sports pitches and playspace operated by Darent Valley Rugby Club. The community facilities delivered so far were popular, successful and contribute significantly to the local area.

The current recommendation related to two parcels of land that were not designated for leisure, residential, education or public open space and their disposal was in accordance with the Council's objective to retain the majority of the site as open space (19ha). The residential development plots (edged red on the plan at Appendix A to the report), were provided for in the Stone Lodge Development Brief and would deliver 130 -140 homes, contributing to the Borough's housing needs. 30% of the new homes would be affordable, ensuring that a mix of types and tenures were available for the community. The report detailed the bidding and assessment processes that had been followed and sought approval for the disposal of the land to the preferred developer.

The Chairman said that the Council had resisted an opportunity to maximise income by disposing of the site for solely, or mainly, residential development and had chosen instead to see projects of significant community value on a majority of the site. The current proposal was effectively the final piece of the jigsaw. He welcomed the support of the Cabinet Advisory Panel and noted the Panel's comments.

**RESOLVED:**

1. That Cabinet approve the disposal of land at the Stone Lodge (comprising two plots totalling approximately 3 hectares), as shown for identification purposes only edged in red on the plan at Appendix A to the report, at the

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- sale price set out in the preferred developer's offer, in exempt Appendix B to the report; and
2. That the Director of Growth and Community, in consultation with the Head of Legal Services, be authorised to finalise the Heads of Terms at exempt Appendix C to the report and complete the sale of the land at Stone Lodge.

**134. DRAFT VULNERABLE ADULTS HOUSING POLICY 2022**

The Cabinet received a report which detailed the outcome of a review of the way that vulnerable adults access and receive services to ensure that the Council's Housing Service was responding appropriately and sensitively to the needs of residents that are vulnerable. This review encompassed an evaluation of the support available for vulnerable adults in order to identify any gaps in provision and to plan accordingly by including them in the new Draft Vulnerable Adults Housing Policy and identifying actions to take forward to improve the services to vulnerable residents. This review was also timely in the light of the Charter for Social Housing Residents (White Paper)'s expectations for social housing landlords to be responsive towards supporting positive mental health and wellbeing of residents. Alongside of this, a review had also been carried out of how the Council could identify and tackle loneliness through greater awareness and tackling this in the Council's policy and procedural framework, resident involvement and working with partners.

The Cabinet noted the comments made by the Cabinet Advisory Panel.

The Cabinet Portfolio Holder for Housing welcomed the policy and said that he would ask officers to link this into the Housing 'Signpost' online service.

**RESOLVED:**

1. That the draft Vulnerable Adults' Housing Policy, attached at Appendix A to the report, be approved; and
2. That the Director of Housing and Public Protection be granted delegated authority to approve any in-year amendments to the Policy, as required.

**135. COVID-19 IMPACT - PLACES LEISURE - FAIRFIELD LEISURE CENTRE**

The Chief Officer & Director of Corporate Services presented a report which detailed the Covid-19 recovery financial arrangements for 2022/23 in respect of the contract with Places Leisure for the operation of Fairfield Leisure Centre and ancillary matters. The report outlined the impact that the various lockdowns and other Covid restrictions had on the operation of the Fairfield Leisure Centre, the financial support provided by the Council, both directly as part of the contractual agreement and via the provision of grant and other funding. It was the intention that from 1 April 2022 the contractual risk should transfer back to Places Leisure, as envisaged in the contract, whilst also recognising that income had still not reached pre-pandemic levels. A revised management fee for 2022/23 was therefore proposed to reflect this position.

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The Cabinet noted the support that had been provided by the Council, including payments that had been triggered by a qualifying 'Change in Law' clause in the contract with Places Leisure. The Cabinet Portfolio Holder for Finance said that the Council should take steps to ensure that resources were available to maintain the Leisure Centre to ensure that the Council could continue to receive a good revenue stream from future management contracts.

RESOLVED:

That, for the reasons outlined in the body of the report and exempt Appendix A, the revised Covid-19 recovery financial arrangements agreed with Places Leisure (the operator of Fairfield Leisure Centre) for the financial year 2022/23, be noted.

**136. LONDON ROAD CLIFF RETENTION WORKS - EXEMPT APPENDIX A (EXEMPT CATEGORY SO 46(1)(B) ANNEX 1 PARAGRAPH 3)**

That, following discussion of the main report (minute 131 above), the contents of Exempt Appendix A to the report be noted.

**137. DISPOSAL OF LAND AT STONE LODGE FOLLOWING PROVISION OF COMMUNITY FACILITIES FOR LEISURE, RECREATION AND EDUCATION - EXEMPT APPENDICES B TO D (EXEMPT CATEGORY SO 46(1)(B) ANNEX 1 PARAGRAPH 3)**

That, following discussion of the main report (minute 133 above), the contents of Exempt Appendices B to D to the report be noted.

**138. COVID-19 IMPACT - PLACES LEISURE - FAIRFIELD LEISURE CENTRE - EXEMPT APPENDIX A (EXEMPT CATEGORY SO 46(1)(B) ANNEX 1 PARAGRAPH 3)**

That, following discussion of the main report (minute 135 above), the contents of Exempt Appendix A to the report be noted.

The meeting closed at 7.27 pm

Councillor J A Kite, MBE  
CHAIRMAN

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