

# Public Document Pack



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01 March 2024

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **COUNCIL** on Wednesday 6 March 2024 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

2 **MINUTES** (Pages 2 - 12)

To confirm the attached Minutes of the meeting held on 31 January 2024.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a horizontal line. The signature is fluid and cursive.

Chief Executive

**MINUTES OF PROCEEDINGS**

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 31 January 2024 at 6.00 pm.

Present:

Chairman: Councillor G Cowan

Councillors:

J S Back	M F Hibbert	M J Nee
T J Bartlett	S Hill	D J Parks
M Bates	N S Kenton	M P Porter
D G Beaney	R M Knight	J L Pout
S H Beer	J P Loffman	O C de R Richardson
E A Biggs	S M S Mamjan	M W Rose
S B Blair	S C Manion	C A Vinson
P M Brivio	K Mills	H M Williams
D G Cronk	M W Moorhouse	L M Wright
D R Friend	D P Murphy	C D Zosseder

Officers: Chief Executive  
Strategic Director (Corporate and Regulatory)  
Strategic Director (Finance and Housing)  
Strategic Director (Place and Environment)  
Solicitor to the Council and Monitoring Officer  
Head of Corporate Services and Democracy  
Democratic Services Officer  
Democratic Services Officer

48 **APOLOGIES**

Apologies for absence were received from Councillor C F Woodgate.

49 **MINUTES**

The Minutes of the meetings held on 18 October 2023 and 29 November 2023 were approved as a correct record for signing by the Chairman.

50 **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Members.

51 **ANNOUNCEMENTS**

The Chairman of the Council announced with great sadness the death of two former district councillors.

(1) **Death of former District Councillor George E Ruck**

Councillor Ruck (Labour Party) had represented the Dover River Ward between 1973 – 1979 and St Radigund's Ward between 1979 – 1983. During his service on the Council he had served on the following committees:

- Leisure and Recreation Committee 1974 – 1980, 1981 – 1983
- Policy and Resources Committee 1980 – 1981
- Working Party on Tourism 1982 - 1983
- Finance Sub-Committee 1974 – 1975, 1977 – 1980
- Planning Committee 1975 – 1983

He was also a former Mayor of Dover.

Councillor K Mills advised that while he had not been on the Council during Councillor Ruck's time, he had known him following his time as a district councillor. He spoke to Councillor Ruck's commitment to serving the people of Dover and expressed his sympathies to Councillor Ruck's family.

Councillor T J Bartlett advised that while he didn't know Councillor Ruck personally, he was well-known in Dover and expressed his sympathies to Councillor Ruck's family.

## (2) Death of former District Councillor Sue Delling

Councillor Delling (Labour Party) had represented the Mill Hill Ward between 2003 – 2007. During her service on the Council she had served on the following committees:

- Planning Committee 2003 – 2005, 2006-7
- Regulatory Committee 2005 – 06
- Scrutiny (Performance) Committee 2005 – 06
- Licensing Committee 2005 – 07

She was also a former Mayor of Deal.

Councillor K Mills read out a statement from Councillor P M Brivio who was absent from the meeting as she was still travelling back from Councillor Delling's funeral which had been held earlier that day. He spoke to Councillor Delling's caring nature and her commitment to the people of Deal. One of her main legacies was helping with the achievement of Fairtrade status for Deal in 2010. He expressed his sympathies to her family.

Councillor T J Bartlett spoke to Councillor Delling's commitment to Fairtrade and the people of Deal. He expressed his sympathies to her family.

The Chairman asked Members to stand in silence as a mark of respect for the two former district councillors.

## 52 LEADER'S TIME

The Leader of the Council, Councillor K Mills, included the following matters in his report:

- (a) To welcome the new staff who had joined the Council. He stressed that the most important asset for any organisation was its staff. He also thanked those that had left the organisation for their service. He expressed regret that the legal advice he had been provided meant that he couldn't identify any specific individuals by name without their permission as he would have liked to do so.

- (b) That the introduction of the European Entry Exit System (EES) from October 2024 would be major concern for the district. He would be meeting with residents and businesses about it. However, DDC was not the highways authority or the police authority. He would be inviting the Kent Resilience Forum (KRF) to address local business and residents about it as he was not satisfied with how traffic had been managed in the past. He stressed the importance of junctions being policed and that large lorries should not be allowed into the town. He advocated that Sevington should be used as an overflow lorry park. Residents of Aycliffe and Capel had been adversely impacted by traffic in TAP, etc. in the past. He called upon all groups to work together to achieve a resolution.
- (c) That he had written to the Chancellor to ask for an extension to the Household Support Grant which was due to end in March 2024. It had been a vital lifeline for those families in need.
- (d) To welcome Laser Light Communications Inc to the district who were opening a cutting-edge communications centre in the district. It would create 80 high end jobs at the Western Heights.
- (e) To express concern that there was no update on the Levelling Up Fund bid for the Port of Dover as there was a time limit on this funding.
- (f) To thank staff for their hard work at Christmas 2023. He felt that the Council had a lot to offer the community and that programmes could be expanded further. The Council could when working with other organisations deliver much more.
- (g) To reflect on the Deal Christmas Tree. The tree delivered was not what had been ordered and it was corrected within 48 hours with the help of a local trader.
- (h) To thank all those that responded to the Car Parking charge proposals. The Car Parking Strategy review, which had been funded for the last 18 months but not undertaken, would now go ahead. There would be consultation with the town and parish councils over the proposals.
- (i) To advise that following Cabinet accepting the recommendation from Overview and Scrutiny Committee in respect of the Special Designated Road status, he had written an open letter to the Government. The local MP also wrote three days later. To express disappointment that the Junior Transport Minister had visited the district but was too busy to meet with the Council's leadership or officers.

The Leader of the Council then invited the Deputy Lader, Councillor J L Pout, to provide an oral report to the Council as part of his Leader's Time.

- (j) Councillor J L Pout advised that the media had picked up on the story of what was happening between the Dover Port Health Authority and DEFRA. The Dover Port Health Authority had a long history of protecting the UK.

The Government had advised that checks would move to Sevington, 22 miles away from Dover, which would require a change to the law. The Dover Port Health Authority had been asked to continue with checks and would

also move work into Coquilles. However, the Council's funding had been cut and it was difficult to see how it could do more work for less funding.

The Chair of the Environment, Food and Rural Affairs Committee had written to the Secretary of State to raise a number of serious issues including DEFRA's plan to cut the funding for Products of Animal Origin (POAO) checks at the Port of Dover, moving checks 22 miles away to Sevington and asking for an explanation as to how the cut in funding had been calculated by DEFRA and what impact they thought it would have on UK biosecurity. One of DEFRA's main goals was supposed to be improving UK biosecurity. There were also concerns as to whether a vehicle would drive 22 miles from Dover to Sevington as directed.

The Leader of the Main Opposition Group, Councillor T J Bartlett, included the following matters in his report:

- (a) To thank those that had left the council and wish them well for the future.
- (b) To express support for the retention of the Household Support Grant.
- (c) To welcome the news of the Parking Strategy review and ask that parish councils be consulted as part of it. To enquire how the Leader of the Council felt the "Free from Three" Christmas Parking scheme had gone.
- (d) To express pleasure at the turnout in the Market Square Christmas event despite the weather and thank the teams responsible for delivering it.
- (e) To thank the Leader for keeping him involved in the Bench Street Levelling-Up Project. To ask for an update on the Maison Dieu works and to ask whether the cross-party working group would be continued.
- (f) To ask if there were any updates in respect of the Regent and the Roman Painted House. He had advised a resident to write to the Leader in respect of the Roman Painted House as he didn't know the current position.
- (g) To seek reassurance that the recent IT issues that have affected Members and the public had been resolved and suggest a cross-party discussion with Members responsible for IT.
- (h) To offer his support to Councillor J L Pout in respect of the issues at the Port of Dover and advise that if there was anything cross-party that could be done, he was happy to offer help. He took on board the comments of Councillor J L Pout.
- (i) To welcome the comment from the Leader about involving more organisations in community events as this was something he was passionate about.
- (j) To welcome any new businesses to the district and in particular at the Western Heights.

In response the Leader of the Council advised:

- (a) To welcome the cross-party support in respect of the Household Support Grant and ask the Opposition Group to apply any pressure that it was able to on the Government. He advised that he had signed a letter on behalf of the Local Government Association with other Councils of all political compositions.
- (b) In respect of parking charges, he would be looking to engage with parish councils and residents. He didn't believe that one size fitted all in respect of parking charges.
- (c) He had been advised that the responses in respect of Christmas Parking were split 50/50 on whether it was a good idea or not. He had asked officers to gather more detail so it could be properly assessed to see what had worked and not worked. It was important to help businesses in these difficult times.
- (d) That he had no update in respect of the Regent. In respect of Maison Dieu, he would look into the issue of the working group. He welcomed cross-party support where there was a consensus on the matter.
- (e) To welcome the letter from a resident on the Roman Painted House. He had asked officers to look into the matter.
- (f) To thank the work of IT officers in resolving the recent problems. The Council had not been as badly affected as others in East Kent.

The Leader of the Council then invited the Deputy Lader, Councillor J L Pout, to provide an oral report to the Council in respect of IT.

Councillor J L Pout advised that nearly all systems used by residents were available online again. Those that weren't available when he was last updated might by now be working. Emails had been sent to all Members updating them on the situation.

Councillor J L Pout also welcomed the offer of help in respect of Port Health.

53 SEAT ALLOCATION AND GROUP APPOINTMENTS

Councillor T J Bartlett, duly seconded by Councillor C A Vinson, advised the following changes to Conservative Group appointments:

Committee	Change
General Purposes Committee	D R Friend (replaces D P Murphy)
General Purposes Committee	M P Porter (replaces M W Rose)

RESOLVED: That the following changes to Conservative Group nominations be agreed:

Committee	Change
General Purposes Committee	D R Friend (replaces D P Murphy)
General Purposes Committee	M P Porter (replaces M W Rose)

54 QUESTIONS FROM THE PUBLIC

## QUESTION 1

RAISED BY GRAHAM WANSTALL, A MEMBER OF THE PUBLIC, UNDER COUNCIL PROCEDURE RULE 11:

“2024 marks a century since Pencester Gardens was opened to the public in 1924. What plans does Dover District Council have to celebrate this important anniversary for Dover?”

RESPONSE FROM THE LEADER OF THE COUNCIL, COUNCILLOR K MILLS:

“Thank you for drawing attention to the forthcoming anniversary of the opening by Major Astor of Pencester Gardens, built in the aftermath of WW1 on the site of a former timber yard and tannery in the centre of Dover.

We do intend to mark this anniversary and are currently reviewing a range of ideas for an appropriate way to do this.”

A supplementary question was asked in accordance with Council Procedure Rule 11.8.

## 55 QUESTIONS FROM MEMBERS

In accordance with Rule 12(1) of the Council Procedure Rules, Members of the Cabinet responded to the following questions:

### QUESTION 1

COUNCILLOR D G BEANEY ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE SERVICES, COUNCILLOR C D ZOSEDER:

“Please could the portfolio holder explain what steps she has taken to address the use of the main Kearsney Abbey car park by Southern Water sewage tankers, which caused a significant reduction in the number of available parking spaces over the Christmas holidays and continue to limit visitor numbers to this award-winning park?”

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE SERVICES, COUNCILLOR C D ZOSEDER, STATED:

“The Southern Water tankers have been in use to relieve pressures in the sewage system caused by ground water entering the system due to recent high levels of rainfall. This is in accordance with the measures set out in their Alkham Valley Infiltration Reduction Plan.

Without the tankers moving the mix of ground and foul water to another part of the system, such as the Kearsney Abbey Wastewater Pumping Station, there is a significant risk of overflow and a pollution incident.

In the circumstances it is not appropriate for the Council to inhibit or hamper this work in any way and increase the risks of pollution.

Naturally there is the wider issue as to whether privatised utilities such as Southern Water are performing as well as they should and in the public interest and I am grateful to Councillor Beaney for raising the general point – but we must accept the current urgent work, unless the Councillor is suggesting we should try to prevent Southern Water accessing their pumping station?”

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

## QUESTION 2

COUNCILLOR M BATES ASKED THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT:

“Can the portfolio holder provide any data as to the amount of diseased meat that Port Health along with Border Force intercepted in 2023?”

IN RESPONSE THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT, STATED:

“Thank you for your question. No data exists that would confirm if the meat we have intercepted is diseased. If meat intercepted is identified as illegal (because it doesn't comply with import controls) it is destroyed with minimal further handling (such as sampling to determine if it were diseased).

The total weight of meat and meat products intercepted at Dover, since the legislation came into effect in September 2022 to 27<sup>th</sup> January 2024, is 65,590.47kg.

If the Shadow Portfolio holder requires additional details, or data for a specific time-period i.e. a calendar year, or a financial year, or a specific month, the team would be happy to assist and or provide this information as part of the scheduled Shadow briefings.”

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

## QUESTION 3

COUNCILLOR M BATES ASKED THE LEADER OF THE COUNCIL, COUNCILLOR K MILLS:

“Can the Leader of the Council explain why the Head of Community and Digital Services role, which includes responsibility for parking services and led on the now cancelled transformation programme, has remained vacant for over six months?”

IN RESPONSE THE LEADER OF THE COUNCIL, COUNCILLOR K MILLS, STATED:

“To provide an answer to your question the Council would need to resolve to exclude the press and public. It is not particularly convenient to do that for what would be a short answer that could potentially lead to the disclosure of personal information so in accordance with Council Procedure Rule 12.4, I am declining to answer the question in this meeting. However, I would be prepared to meet with you outside this meeting.”

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

## QUESTION 4

COUNCILLOR D R FRIEND ASKED THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS:

“Can the portfolio holder provide an update on planning enforcement action being taken to address the long-standing issue of the condition of 57 New Street in Sandwich?”

IN RESPONSE THE PORTFOLIO HOLDER FOR PLANNING AND BUILT



ENVIRONMENT, COUNCILLOR E A BIGGS, STATED:

“The condition of this property has been a concern to many of us for some years. However, as this is the subject of ongoing enforcement action, it would not be appropriate for me to comment further on the action being taken in a public meeting. I am sure the officers involved will be pleased to brief you and your fellow ward member in private on the work they are undertaking.”

QUESTION 5

COUNCILLOR D R FRIEND ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER:

“Can the portfolio holder provide an update on progress to deliver the planned improvements to The Bulwarks play in Sandwich?”

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER, STATED:

“A budget is being prepared to deliver improvements at The Bulwarks play area. A bid has been submitted to the Council’s Medium Term Financial Plan for up to £30k, if approved this will be added to the goodwill payment of £15k that was secured from Southern Water. The Head of Parks Open Spaces and Countryside will visit Sandwich Town Council on 29th January to begin discussions regarding a possible collaboration on this project.”

QUESTION 6

COUNCILLOR C A VINSON ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER:

“Can the portfolio holder detail what plans are in place to spend the following s106 contributions detailed on p18 of the Council’s 2022/23 Infrastructure Funding Statement:

1. £22,765.19 “towards to the provision of additional play equipment at Market Wood Play Area”
2. £29,334.87 “towards refurbishment of a playing pitch at Marke Wood Recreation Park”
3. £10,945.20 “towards increasing the capacity of existing open space within the Marke Wood site”

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER, STATED:

- (1) A budget is being prepared to improve the play area at Marke Wood, including replacement of the multi-play unit that was removed last summer. A bid has been submitted to the DDC Medium Term Financial Plan for £40k towards the Marke Wood play area. If approved this will be added to the S106 contribution of £22,765 that was received in 2019. Discussions are underway with Walmer Town Council to explore a possible collaboration on the project. The Portfolio holder is due to meet WTC councillors on 3<sup>rd</sup> April.
- (2) The contribution of £29,334 was received during 2019 and 2020. The Council is in discussion with the Kent County Football Foundation about a possible pitch improvements project, using grant funding that can be accessed by football clubs. Discussions are also under way with Cinq Ports Football Club to develop a proposal for extending their lease. Details will be provided in an

upcoming report to Cabinet.

- (3) The contribution of £10,945 was received in 2019. Discussions are underway with Walmer Town Council to explore whether there are shared priorities for the use of this funding. This work will build on the information gained through public consultation that was undertaken in May 2023.

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

#### 56 DRAFT CALENDAR OF MEETINGS 2024/25

The report on the Draft Calendar of Meetings 2024/25 was presented by the Head of Corporate Services and Democracy.

Members were advised that there was alteration to the dates in the agenda papers to move the Licensing Committee meeting scheduled for 27 November 2024 to 16 October 2024.

It was moved by Councillor J L Pout, seconded by Councillor K Mills, and

RESOLVED: That the Draft Calendar of Ordinary Meetings for 2024-25, with the amendment to move the Licensing Committee meeting scheduled for 27 November 2024 to 16 October 2024, be approved in principle subject to final ratification at the Annual Meeting of Council on Wednesday 22 May 2024.

#### 57 REVISION TO CONTRACT STANDING ORDERS

The report on the Revision to Contract Standing Orders was presented by the Solicitor to the Council and Monitoring Officer.

It was moved by Councillor J L Pout, duly seconded by Councillor S H Beer, and

RESOLVED: That the revised Contract Standing Orders be adopted.

#### 58 RISK MANAGEMENT STRATEGY

The report on the Risk Management Strategy was presented by the Head of Corporate Services and Democracy.

It was moved by Councillor S H Beer, duly seconded by Councillor J L Pout, and

RESOLVED: (a) That the Council adopt the new Risk Management Strategy and accompanying tool kit.

(b) That the Risk Management Strategy be incorporated into the Local Code of Corporate Governance.

#### 59 COUNCIL TAX BASE AND COUNCIL TAX REDUCTION SCHEME 2024/25

The report on the Council Tax Base and Council Tax Reduction Scheme 2024/25 was presented by the Strategic Director (Finance and Housing).

It was moved by Councillor J L Pout, duly seconded by Councillor S H Beer, and

RESOLVED: (a) Determine that for the financial year 2024/25, the empty homes discount for properties unoccupied and unfurnished ('Class C' properties) remains at 0%, so that Council Tax will be payable in full on these properties.

(b) Approve the District's Council Tax Base for 2024/25 as 40,874.50 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2.

(c) Formally approves the application of the 100% Council Tax premium on properties empty for 1 year but less than 5 years, applicable from 1 April 2024, in line with the Levelling-Up and Regeneration Act 2023.

Determines the "Long Term Empty Premium" for properties that have been left empty and substantially unfurnished:

(i) for periods of 1 year but less than 5 years, a Long Term Empty premium to be charged at 100%; and

(ii) for periods of 5 years but less than 10 years, a Long Term Empty premium to be charged at 200%; and

(iii) for periods of 10 years or more a Long Term Empty premium to be charged at 300%.

(d) Formally approves ceasing new applications for the council Tax 'Class D' discount, for properties undergoing structural alteration and/or major repair, on 1 April 2024.

(e) Formally approves the CTRS as set out in this report, effective from 1 April 2024.

(f) Formally approves the application of a 100% Council Tax premium on properties that are unoccupied and furnished, often referred to as 'second homes' ('Class B' properties), applicable from 1 April 2025, in line with the Levelling-Up and Regeneration Act 2023.

In accordance with Council Procedure Rule 18.6 (Voting on Budget Decisions) a recorded vote was held, the result of which was as followed:

FOR (31)	AGAINST (0)	ABSTAIN (0)
J S Back		
T J Bartlett		
M Bates		
D G Beaney		
S H Beer		
E A Biggs		
S B Blair		
P M Brivio		

FOR (31)	AGAINST (0)	ABSTAIN (0)
G Cowan		
D G Cronk		
D R Friend		
M F Hibbert		
S Hill		
N S Kenton		
R M Knight		
J P Loffman		
S M S Mamjan		
S C Manion		
K Mills		
M W Moorhouse		
D P Murphy		
M J Nee		
D J Parks		
M P Porter		
J L Pout		
O C de R Richardson		
M Rose		
C A Vinson		
H M Williams		
L M Wright		
C D Zosseder		

60 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 7.18 pm