

MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 2 March 2016 at 6.00 pm.

Present:

Chairman: Councillor S S Chandler

Councillors:

| | | |
|---------------|------------------|----------------|
| J S Back | R J Frost | K E Morris |
| S F Bannister | B Gardner | D P Murphy |
| T J Bartlett | B J Glayzer | M J Ovenden |
| P M Beresford | D Hannent | A S Pollitt |
| P M Brivio | P J Hawkins | G Rapley |
| B W Butcher | P G Heath | A F Richardson |
| P I Carter | J M Heron | M Rose |
| N J Collor | S Hill | D A Sargent |
| M D Conolly | M J Holloway | F J W Scales |
| M I Cosin | S J Jones | P Walker |
| D G Cronk | L A Keen | P M Wallace |
| N Dixon | N S Kenton | P A Watkins |
| M R Eddy | P S Le Chevalier | |
| A Friend | S M Le Chevalier | |

Also Present: Mr J Goodhew (Dover Harbour Board)

Officers:

- Chief Executive
- Director of Environment and Corporate Assets
- Director of Finance, Housing and Community
- Director of Governance
- Head of Finance
- Team Leader – Democratic Support
- Democratic Support Officer

74 APOLOGIES

Apologies for absence were received from Councillors T A Bond, T P Johnstone, S C Manion and K Mills.

75 MINUTES

The Minutes of the meeting held on 27 January 2016 were approved as a correct record and signed by the Chairman.

76 DECLARATIONS OF INTEREST

Councillor N Dixon declared an interest by reason of his employment in Minute No. 79 (Motions).

77 ANNOUNCEMENTS

The Chairman of the Council made the following announcements:

(a) Related Party Transactions

Members were advised that they needed to complete the Related Party Transaction forms that had been circulated to them and return the completed forms to the finance team.

(b) Purdah Advice

Members were reminded that the Monitoring Officer had issued advice in respect of the Purdah restrictions for the forthcoming Kent Police and Crime Commissioner Election to be held in May 2016.

78 VARIATION OF THE ORDER OF AGENDA ITEMS

The Chairman proposed with the consent of the meeting that the order of agenda items be varied to take Agenda Item 9 (Motions) next in proceedings.

RESOLVED: That the order of the agenda be varied.

79 MOTIONS

- (1) In accordance with Council Procedure Rule 13, Councillor P Walker gave notice of his intention to move the following Motion:

"This Council is extremely concerned by Dover Harbour Board's proposals to extract sands and gravels from the Goodwin Sands, which protect the historic anchorage of The Downs and the coastline of the northern part of this district, and calls on Dover Harbour Board to provide a detailed briefing session to members as soon as possible."

The Motion was duly seconded.

An AMENDMENT was moved by Councillor P A Watkins and duly seconded as followed:

"Some local people are concerned by Dover Harbour Board's proposals to extract sands and gravels from the Goodwin Sands, which protect the historic anchorage of The Downs and the coastline of the northern part of this district, and call on Dover Harbour Board to provide a detailed briefing session to members as soon as possible."

In accordance with Council Procedure Rule 15.7, Councillor P Walker with the consent of the meeting and his seconder agreed to accept the Amendment.

On being put to the meeting, the substantive Motion was CARRIED.

RESOLVED: Some local people are concerned by Dover Harbour Board's proposals to extract sands and gravels from the Goodwin Sands, which protect the historic anchorage of The Downs and the coastline of the northern part of this district, and call on Dover Harbour Board to provide a detailed briefing session to members as soon as possible.

- (2) Presentation from Dover Harbour Board in respect of the Extraction of Sands and Gravels from the Goodwin Sands

The Chairman informed Members that Mr J Goodhew, General Manager Special Projects for Dover Harbour Board, was present to provide Members with the presentation called for in Councillor P Walker's Motion.

Following the presentation, Members raised their concerns over the environmental impact of the proposals and whether the impact on potential submerged prehistoric archaeology had been properly considered.

80

LEADER'S TIME

The Leader of the Council, Councillor P A Watkins, included the following matters in his report:

- (a) That Dover Harbour Board had broadly supported the Council's position in respect of Operation Stack and the route of the 3rd Thames Crossing.
- (b) The appointment of 2 community directors to Dover Harbour Board on 25 March 2016, as required under the Harbour Revision Order.
- (c) That the Portfolio Holder for Access and Licensing, Councillor N J Collor, had been appointed to a task force called by the Mr C Elphicke, MP for Dover in respect of the Shakespeare Tunnels. It was expected that an announcement would be made in the next 2 weeks.
- (d) That the 5 East Kent Leaders had met to discuss the devolution agenda and major issues such as jobs, skills and healthcare. There were also opportunities to devolve powers to Town and Parish Council's that could be considered.
- (e) That the South East Local Enterprise Partnership had provided funding for the Albert Road development to improve road access.
- (f) That 2 local bids had been submitted to the Coastal Communities Fund.

The Leader of the Main Opposition Group, Councillor M R Eddy, included the following matters in his report:

- (a) That a presentation on the 3rd Thames Crossing had been given at Kent County Council and to express concern over the whether the needed improvements to the M2 and M20 would be delivered.
- (b) That the appointment of 2 community directors to Dover Harbour Board did not meet the aspirations previously expressed by the MP for Dover, Mr C Elphicke as part of his People's Port campaign.
- (c) That in respect of the 5 East Kent Leaders meeting, the delivery of local authority services was of immense importance to everyone.
- (d) To look forwards to the announcement on the Shakespeare Tunnels expected in the next 2 weeks.

- (e) To ask the Leader of the Council to advise what the views of Kent County Council and local Town and Parish Councils were on devolution and what appetite there was for it at Town and Parish Council level.
- (f) That while any relief for the Deal Road network was welcomed to question the limited nature of the improvements due to the size of the Albert Road area.
- (g) To express support for the bids to the Coastal Communities Fund.

The Leader of the Other Opposition Group, Councillor A F Richardson, included the following matters in his report:

- (a) To call for variable speed limits to be introduced on the TAP route between Dover and Folkestone and an end to the 40mph speed limit in place.
- (b) To look forwards to the announcement on the Shakespeare Tunnels expected in the next 2 weeks.
- (c) To question what consultation would be undertaken with both elected Members and the public in respect of the devolution agenda.

In response, the Leader of the Council raised the following matters in his right of reply:

- (a) That he was the most open of the East Kent Leaders in respect of the devolution agenda through the updates he provided to the Council. Members were advised that the financial pressures on the Council meant it was not tenable beyond 2019 and his preference was for a 5 authority unitary council for East Kent that would be larger than East Sussex in population terms. The unitary authority would allow for highways services to be brought back under local control and unify waste services. There was also the opportunity to provide those parishes with an adopted Neighbourhood Plan greater control in planning matters. However, this was not currently on the table and was opposed by the West Kent authorities.
- (b) To advise that he had never been part of the original People's Port campaign so could not comment on whether its aspirations had been achieved.

81 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no seat allocations or group appoints advised by the Group Leaders.

82 QUESTIONS FROM THE PUBLIC

There were no questions from the public received.

83 QUESTIONS FROM MEMBERS

In accordance with Rule 12 of the Council Procedure Rules, Members of the Executive responded to the following questions:

- (1) Councillor S F Bannister asked the Leader of the Council, Councillor P A Watkins:

“Does the Leader of the Council agree with me that the violence that occurred in Dover on 30 January this year should be deplored and that the Police should be adequately supported so that, at all future demonstrations, all the laws of Britain can be enforced, including those covering breaches of the peace, intimidation, criminal damage, use of racist language and incitement to racial hatred?”

In response the Leader of the Council confirmed his agreement with the questioner.

In accordance with Council Procedure Rule 12.5, Councillor S F Bannister exercised his right to ask one supplementary question.

- (2) Councillor P M Brivio asked the Portfolio Holder for Housing, Health and Wellbeing, Councillor P M Beresford:

“What does the Portfolio Holder for Housing, Health and Wellbeing think the changes, to be introduced through the Housing and Planning Bill currently going through Parliament, will have on tenants in the Dover District Council area if the "pay to stay" provisions become law?”

In response, the Portfolio Holder for Housing, Health and Wellbeing advised that the Council did not require tenants to provide any evidence of their income and therefore was not able to forecast how many tenants had an income above the £30,000 family income threshold. However, 66% of tenants were in receipt of housing benefit and should therefore be unaffected.

In accordance with Council Procedure Rule 12.5, Councillor P M Brivio exercised her right to ask one supplementary question.

- (3) Councillor M I Cosin asked the Portfolio Holder for Housing, Health and Wellbeing, Councillor P M Beresford:

“According to the budget presentations, the 500 social houses promised by the Conservatives before last May's elections are now "on hold". Can the Portfolio Holder for Housing, Health and Wellbeing tell the Council how long these much needed homes may be delayed?”

In response, the Portfolio Holder for Housing, Health and Wellbeing advised that the Housing Revenue Account (HRA) was facing a number of financial pressures which would need to be reflected in the development of a new HRA Business Plan. The development of the new Plan would commence once details of welfare reform measures and plans for Councils to sell high value assets were known and it would set out the Council's future plans for housing stock investment, debt management and new housing delivery.

In accordance with Council Procedure Rule 12.5, Councillor M I Cosin exercised her right to ask one supplementary question.

- (4) Councillor P J Hawkins asked the Leader of the Council, Councillor P A Watkins:

“Does the Leader share our concerns over the potential changes to Sunday trading laws and will he write to the Secretary of State in support of the Keep Sunday Special campaign?”

In response the Leader of the Council stated that he did not share the questioner’s concerns and that he supported the view of the Local Government Association that it should be a matter for local authorities to determine.

In accordance with Council Procedure Rule 12.5, Councillor P J Hawkins exercised her right to ask one supplementary question.

- (5) Councillor A S Pollitt asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“Does the Portfolio Holder for Corporate Resources and Performance agree with me that transparency is needed in the provision of all public services and that the Freedom of Information legislation should apply to all those bodies, whether public or private sector, that provide services funded by the public purse?”

In response the Portfolio Holder for Corporate Resources and Performance advised that he had no problem with the Council being accountable for its actions. The Council had received 1175 Freedom of Information (FOI) requests in 2013/14, 1136 FOI requests in 2014/15 and 947 FOI requests so far for the period 2015/16. Of these requests, 441 were related to Building Control in 2013/14, 405 in 2014/15 and 336 so far for the period 2015/16

In accordance with Council Procedure Rule 12.5, Councillor A S Pollitt exercised his right to ask one supplementary question.

- (6) Councillor L A Keen asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

“What steps is the Portfolio Holder for Access and Licensing taking to ensure that parking enforcement is equitably applied across the district in order to regulate car and lorry parking in rural as well as urban areas?”

In response the Portfolio Holder for Access and Licensing advised that the Council’s Civil Enforcement Officers patrolled all areas in the district where there were parking regulations in place and took enforcement action where contraventions of the regulations were observed. The Council’s parking team was now fully staffed enabling the Council to maximise its patrols in both urban and rural areas and particular attention was paid to areas where there were known problems.

In accordance with Council Procedure Rule 12.5, Councillor L A Keen exercised her right to ask one supplementary question.

84 MEMBERS' ALLOWANCES SCHEME 2016/17

The Team Leader – Democratic Support introduced the report on the Members’ Allowances Scheme 2016/17, which recommended that Members’ Allowances remained frozen at existing levels. Members were advised that the East Kent Joint

Independent Remuneration Panel had raised no objection to the proposed level of allowances.

It was moved by Councillor M D Conolly, duly seconded and

RESOLVED: (a) That the recommendation of the East Kent Joint Independent Remuneration Panel be noted.

(b) That the Members' Allowance Scheme 2016/17, as set out in Appendix 1 of the report, be made.

85 PAY POLICY STATEMENT 2016/17

The Director of Governance presented the Pay Policy Statement for 2016/17.

It was moved by Councillor M D Conolly, duly second and

RESOLVED: That the Pay Policy Statement as set out in Appendix 1 of this report be approved and published on the Council's website.

86 DRAFT CORPORATE PLAN 2016-2020

Councillor P A Watkins presented the Draft Corporate Plan 2016-2020 incorporating the recommendations made by the Cabinet at its meeting held on 29 February 2016.

It was moved by Councillor P A Watkins, duly seconded and

RESOLVED: (a) That the revised Draft Corporate Plan 2016-2020 be approved, subject to the inclusion of the amendments below:

(i) That under 'Priority 1: Thriving Economy' the following text be added: 'Enabling and supporting growth of the economy and opportunity for investment and jobs. Working with KCC and others, to actively participate and support the development and implementation of a traffic management plan for Sandwich Town, to protect and enhance heritage, improve visitor experience, maximise the tourism sector and increase employment.'

(ii) That wording be included recognising the contribution of the community and voluntary sector.

(b) That the revised Draft Corporate Plan 2016 – 2020 be published on the Council's website for consultation as an evolving document.

87 COUNCIL BUDGET 2016/17 AND MEDIUM TERM FINANCIAL PLAN 2016/17–2019/20

The Director of Finance, Housing and Community gave a presentation to the Council on the Budget 2016/17 and Medium Term Financial Plan 2016/17 – 2019/20.

It was moved by Councillor M D Conolly, and duly seconded, that the recommendations set out in the report incorporating the recommendations of the Cabinet at its meeting held on 29 February 2016, be approved.

An AMENDMENT was moved by Councillor P Walker and duly seconded as followed:

“That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account Budget, the Council Tax Resolution and the content of the MTFP be approved with the amendment that £58,000, equalling the additional income generated by increasing the Council Tax by an additional 0.97%, be added to line L5601 (Tourism Development) on page 98 of the budget papers to provide staffing support, and that the contribution to reserves (page 63) be reduced accordingly from £450,000 to £392,000.”

Councillor P A Watkins suggested that the Amendment be withdrawn in favour of a commitment from the Cabinet to work with Councillor P Walker to look at other ways of achieving the principle behind his Amendment.

Councillor P Walker with the consent of his seconder agreed to withdraw his Amendment.

- RESOLVED: (a) That the General Fund Revenue Budget, the Capital and Special Projects programmes, the Housing Revenue Account budget, the Council Tax Resolution and the content of the MTFP be approved.
- (b) That it be noted that it is the view of the Director of Finance, Housing and Community (Section 151 Officer) that the budget has been prepared in an appropriate and prudent manner and that, based upon the information available at the time of producing the report, the 2016/17 estimates are robust and the resources are adequate for the Council's current spending plans in 2016/17.
- (c) That the various Council recommendations at the end of the sections within the attached budget and MTFP, and summarised in Annex 14 to Appendix 1 of the report, be approved as follows:
- (i) Approve the General Fund Revenue Budget for 2016/17 and the projected outturn for 2015/16.
 - (ii) Approve the policies and protocols regarding the General Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 6.
 - (iii) Approve the 2015/16 Projected Outturn and the 2016/17 HRA budget at Annex 7 of the report.
 - (iv) Delegate to Cabinet the approval of individual projects to be financed by the HIR.
 - (v) Approve the Capital and Special Projects programmes.
 - (vi) Approve that capital resources required to finance new projects are secured before new projects commence.

- (vii) Approve the Treasury Management Strategy, including the Prudential Indicators and Minimum Revenue Provision statement.
- (viii) Approve the Council Tax Resolution as set out at Annex 10A of the report.
- (ix) That it be noted that, if the formal Council Tax Resolution at Annex 10A of the report is approved, the total Band D Council Tax will be as set out at Annex 14 of the report.

The Team Leader – Democratic Support advised that the vote would have to be a recorded vote in accordance with Council Procedure Rule 18.6. The manner of voting was as followed:

FOR

AGAINST

ABSTAIN

J S Back
 S F Bannister
 T J Bartlett
 P M Beresford
 P M Brivio
 B W Butcher
 P I Carter
 S S Chandler
 N J Collor
 M D Conolly
 M I Cosin
 D G Cronk
 N Dixon
 M R Eddy
 A Friend
 R J Frost
 B Gardner
 B J Glayzer
 D Hannent
 P J Hawkins
 P G Heath
 J M Heron
 S Hill
 M J Holloway
 S J Jones
 L A Keen
 N S Kenton
 P S Le Chevalier
 S M Le Chevalier
 K E Morris
 D P Murphy
 M J Ovenden
 A S Pollitt
 G Rapley
 A F Richardson
 M Rose
 D A Sargent
 F J W Scales
 P Walker
 P M Wallace
 P A Watkins

(Councillor S J Jones declared a Disclosable Pecuniary Interest (DPI) in the AMENDMENT by reason of her involvement in a tourism interest and withdrew from the meeting for the consideration of the AMENDMENT.)

88 URGENT BUSINESS TIME

There were no items of urgent business.

The meeting ended at 9.14 pm