

Public Document Pack



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25 May 2018

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** will be held in the Council Chamber at these Offices on Wednesday 6 June 2018 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Jemma Duffield on (01304) 872304 or by e-mail at rebecca.brough@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Chief Executive

Scrutiny (Community and Regeneration) Committee Membership:

L A Keen (Chairman)
G Cowan (Vice-Chairman)
T A Bond
P I Carter
N Dixon
R J Frost
P J Hawkins
P D Jull
M J Ovenden
N A G Richards

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 4)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES**

To confirm the Minutes of the meeting of the Committee held on 25 April 2018 and 15 May 2018 (to follow).

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak does not apply to any items on the agenda.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

6 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE**

The following decisions were taken by the Cabinet at its meeting held on 4 June 2018 in respect of recommendations from the Scrutiny (Community and Regeneration) Committee:

- Cabinet Decision on the Recommendations of the Scrutiny (Community and Regeneration) Committee

7 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE**

There are no items for consideration.

8 **ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION**

- (a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees.

There are no items for consideration.

- (b) Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members. Call-Ins are heard by the Scrutiny (Policy and Performance) Committee unless it decides to refer the matter to the Scrutiny (Community and Regeneration) Committee.

There are no items for consideration.

(c) Public Petitions

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 5 - 7)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 8 - 9)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **NOISE NUISANCE** (Page 10)

The Environmental Protection Manager will attend to answer the key questions set by the committee in respect of noise nuisance.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Jemma Duffield, Democratic Services Officer, telephone: (01304) 872304 or email: rebecca.brough@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.



Notice of Forthcoming Key Decisions

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 4 May 2018

Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Neighbourhood Plans	June 2013 and ongoing (see entry)
2	Review of Tenancy Strategy and Tenancy Policy	To be confirmed
3	Review of Local Plan	(i) 1 March 2017; (ii) 1 October 2018; and (iii) October 2019
4	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
5	To consider an options appraisal and feasibility study for Tides Leisure & Indoor Tennis Centre and seek approval to progress to the detailed design phase	2 July 2018
6	Dover Waterfront Masterplan Area Action Plan	To be confirmed
7	Planning Enforcement Plan	4 June/2 July 2018 (to be confirmed)
8	Representations on the Thanet District Council Local Plan	To be confirmed
9	To seek approval for public consultation on the draft Sandwich Walled Town Conservation Area Appraisal	1 October 2018 and date to be confirmed
10	Hackney Carriage and Private Hire vehicles - access for wheelchair users	4 June/2 July 2018
11	Development of a social lettings agency	2 July 2018
12	Approval of project to develop housing to be occupied on an interim basis by homeless households	14 May 2018
13	To seek Cabinet approval for public consultation on draft Upper Deal Conservation Area Character Appraisal	2 July 2018 and date to be confirmed
14	Letting of the café/restaurant on Deal Pier	4 June 2018
15	Aylesham Village Expansion – Acquisition of Third-Party Land	10 September/1 October 2018 (to be confirmed)
16	Statement of Community Involvement	14 May and 10 September 2018
17	Dover District Council Local Development Scheme	14 May 2018
18	Kent Environment Strategy	14 May 2018
19	Transfer of Freehold of Sandwich Guildhall	4 June 2018

Key Decisions 2018/19	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
20	Sandwich Historical Boatyard	4 June 2018
21	To decide on requirements for a new Public Spaces Protection Order following public consultation	2 July 2018
22	To consider the cessation of cash and cheque transactions at Council Offices	2 July 2018
23	Creation of a local property company	2 July 2018

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website (www.dover.gov.uk).

OVERVIEW AND SCRUTINY WORK PROGRAMME 2018/19

SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
6 June 2018	Environmental Health - Noise Nuisance	Single Meeting	Director of Governance	£0		To receive answers to the key questions set by the committee.
4 July 2018	Gypsy, Travellers and Travelling Showpeople Accommodation Assessment	Single Meeting	Chief Executive	£0		To receive a presentation.
Date tbc	Private sector landlords	Single Meeting	Director of Finance, Housing and Community	£0		To scrutinise the arrangements for private sector landlords in the district. [Date to be confirmed]
August 2018	No Scheduled Meeting					
12 September 2018	Crime and Disorder Update	Single Meeting	Director of Finance, Community & Housing	£0		To receive an update. [Date to be confirmed.]
3 October 2018	Regeneration Update	Single Meeting	Head of Inward Investment	£0		To receive an update. [Date to be confirmed.]
7 November 2018						
5 December 2018						

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
16 January 2019						
13 February 2019						
13 March 2019						
3 April 2019						

Please note items beyond the current month are subject to change depending on Forward Plan, etc.

Municipal Year 2018/19

Agreed for Inclusion?	Subject	Resource Implications	Action
Yes	Local Plan	None	To receive updates at milestones in the process. Key dates are October 2018 and July 2019.
Yes	Manston Airport	TBC	Update on the situation in respect of Manston Airport



Scrutiny (Community & Regeneration) Committee
Wednesday 6 June 2018 at 6.00pm
Key Questions for Noise Nuisance

Noise

- Q1. When does noise become a nuisance?
- Q2. Where can the guidance on what constitutes a noise nuisance be found? Is there a difference for noise in the daytime and noise at night?
- Q3. How do you complain about noise disturbances at night?
- Q4. Is recreational noise treated differently from industrial noise?
- Q5. Are domestic noise complaints about neighbours treated differently from non-domestic noise – i.e. events, businesses, etc. Is the legislation different?
- Q6. Can people complain about pre-existing noises? e.g. from a public house, school or factory that has operated?
- Q7. Do the noise regulations apply to bird scarer guns, particularly when deployed next to residential areas?
- Q8. Do moped riders who ride through towns with altered manifolds constitute a noise nuisance?
- Q9. How many times over the last year or so has sound equipment been seized because of noise complaints – for domestic and business premises?

Noise and Council Tax

- Q10. Does noise constitute a reason for re-banding of a property's Council Tax due to loss of amenity?