

# Public Document Pack



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06 March 2013

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **COUNCIL** on Wednesday 6 March 2013 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

3 **MINUTES** (Pages 2 - 9)

To confirm the attached Minutes of the meeting held on 30 January 2013.

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

**MINUTES OF PROCEEDINGS**

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 30 January 2013 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

J S Back	J H Goodwin	K E Morris
B W Bano	D Hannent	M J Ovenden
T J Bartlett	P J Hawkins	A S Pollitt
P M Beresford	P G Heath	J A Rook
P M Brivio	G J Hood	M A Russell
B W Butcher	S J Jones	F J W Scales
P I Carter	L A Keen	A R Smith
S S Chandler	N S Kenton	C J Smith
N J Collor	S M Le Chevalier	J M Smith
M D Conolly	P S Le Chevalier	R J Thompson
M R Eddy	G Lymer	R S Walkden
R J Frost	S C Manion	P Walker
B Gardner	K Mills	P A Watkins

Also Present: Mr A Stevens, Assistant Director EK Services

Officers:  
 Chief Executive  
 Director of Environment and Corporate Assets  
 Director of Finance, Housing and Community  
 Director of Regeneration and Development  
 Solicitor to the Council  
 Democratic Services Manager  
 Team Leader – Democratic Support

449 **APOLOGIES**

Apologies for absence were received from Councillors T A Bond, G Cowan, J A Cronk and J F Tranter.

450 **DECLARATIONS OF INTEREST**

Councillor B Gardner advised that he had been granted a dispensation by the Monitoring Officer enabling him to participate in Minute No 458 despite his Disclosable Pecuniary Interest arising from being a private landlord.

451 **MINUTES**

The Minutes of the meeting held on 12 December 2012 were approved as a correct record and signed by the Chairman, subject to the following amendment:

Minute No 347 – Opposition Leader Time

- (b) That at the Kent Health Overview and Scrutiny Committee meeting Councillor M R Eddy had raised the issue of *the impact of Buckland Hospital on Deal Hospital outpatient services*.

452 ANNOUNCEMENTS

There were no announcements.

453 LEADER'S TIME

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

- (a) A meeting with the new Chairman of Dover Harbour Board, Mr George Jenkins. Following the decision by the Minister of State for Transport on the future of the Port, it was expected that all Dover Harbour Board appointments would be up for renewal at the expiry of the one year extension granted in 2012. Mr Jenkins was a former Chairman of East Kent Hospitals Trust. The meeting discussed the redevelopment of the water front and opportunities for Dover Harbour Board to work with local colleges to provide training on maritime skills. The Harbour Revision Order covered the locations identified for regeneration and also covered the access issues.
- (b) His positive meeting with the government minister with responsibility for ports during a visit to Dover during which he discussed the opportunities for redevelopment of the Port of Dover.
- (c) That there were now approximately 1,000 people employed on the Enterprise Zone site. The issue of business rates for the empty buildings on the site had been raised with the Government.
- (d) That the Council had decided not to proceed with the contract with XFor as it was no longer the company that the Council had agreed to contract with. There was no financial loss to the Council in this decision as the contract, which would have started on 1 February 2013, had not yet been signed. However, the Council would still continue with a zero tolerance policy on environmental enforcement matters using current Council staff.
- (e) That 50 jobs were being created on the Tilmanstone Colliery site with the location of a new factory fabricating a type of sheeting.
- (f) That the Council was looking at opportunities for local business to apply to the European Union's R&D Fund which was currently underspent.

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

- (a) To welcome Mr George Jenkins' appointment as Chairman of Dover Harbour Board.
- (b) To express concern that the maritime skills training referred to by the Leader would be delivered given Kent County Council's decision to close Walmer Science College.

- (c) To welcome the news about the new jobs being created in Tilmanstone.
- (d) That more should be done to develop relationships with Europe to attract funds to assist the district.
- (e) To draw comparisons between the situation with XFor and the contract for the cleaning of public toilets. To express concerns over the commitment to zero tolerance enforcement would be delivered without extra resources.
- (f) The threat by the Secretary of State for Communities and Local Government, Rt Hon Eric Pickles MP, to punish those Councils who use 'loopholes' to raise their council tax.

The Leader of the Council responded to points raised by the Deputy Leader of the Opposition Group in his report as followed:

- (a) That the situation where some councils were 'precept outsourcing' to other precepting bodies was not the same as that of this Council. The current cap of a rise above 2% or £5 to trigger a local referendum was set by the Department of Communities and Local Government and the proposed Council Tax increase was below that.
- (b) To state that as a former governor of Walmer Science College he had great sympathy for its situation.
- (c) That the maritime skills work discussed was aimed at a higher education rather than school level and to remind members of the good work being undertaken by Viking in the private sector.

#### 454 SEAT ALLOCATION AND GROUP APPOINTMENTS

It was noted that Councillor P Walker had been appointed to fill the vacancy following the death of Councillor D G Smallwood as a member of the Licensing Committee.

#### 455 QUESTIONS FROM MEMBERS

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

- (a) Councillor A S Pollitt asked a question of the Portfolio Holder for Health Wellbeing and Public Protection, Councillor P G Heath, in respect of whether there had been an increase in the number of public health funerals in the past two years and whether he expected a growing trend in future years with the resulting budgetary implications.

Councillor P G Heath advised that there was no reason to believe the number of Public Health Act funerals would significantly change from the level seen over the last five years.

- (b) Councillor P M Brivio withdrew her question.
- (c) Councillor P Walker asked a question of the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly, in respect of the

level of business rates in the district compared to equivalent businesses in other parts of the region.

Councillor M D Conolly advised that business rates were set on a national level by central Government and applied to the rateable value of the premises regardless of location. The Council's role was purely that of acting as the collection agency.

- (d) Councillor P M Brivio asked a question of the Portfolio Holder for Access and Property Management, Councillor N J Collor, in respect of the situation over Bushy Ruff House which was in a state of dereliction.

Councillor N J Collor advised that although the Council no longer owned Bushy Ruff House having sold it in 1985, officers were seeking to contact the owners.

- (e) Councillor P Walker asked a question of the Portfolio Holder for Corporate Performance and Resources, Councillor M D Conolly, as to the number of empty business properties in the Dover District.

Councillor M D Conolly advised that there were 427 empty business properties in the district.

- (f) Councillor M R Eddy asked a question of the Portfolio Holder for Access and Property Management, Councillor N J Collor, in respect of why he allowed a press release to be issued that committed to a 'freeze' in car parking charges prior to any decision being made by Cabinet.

Councillor N J Collor advised that the press release indicated that the freezing of parking charges was a proposal only and invited Councillor M R Eddy and others to make representations in accordance with the Notice of Forthcoming Key Decisions should they disagree with his proposal.

- (g) Councillor P Walker asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton, to confirm if utilising the services of consultants that planning applications would be fully processed within target times.

Councillor N S Kenton advised that while the Council was working on improving the processing times for planning applications and reducing the number of outstanding applications, outcomes might not improve until the first Quarter of 2013-14 when the new structure and performance management systems were in place. In addition, there might still be occasions when it was necessary to concentrate resources on major applications with corporate implications.

- (h) Councillor L A Keen asked the Portfolio Holder for Community, Housing and Youth, Councillor S S Chandler, to explain how the Council would monitor and evaluate the effectiveness of the new youth service provision arrangements and whether this would be done partly through the scrutiny process.

Councillor S S Chandler advised that the Dover District Locality Board would review the new youth service provision arrangements.

456 PROVISIONAL PROGRAMME OF ORDINARY MEETINGS 2013/14

The Democratic Services Manager presented the report on the provisional Programme of Ordinary Meetings 2013/14. It was stated that in addition to the programme set out in the report an additional date for a Dover District Locality Board meeting had been agreed for 25 June 2013.

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

RESOLVED: That the Programme of Ordinary Meetings for 2013/14, including the additional Dover District Locality Board meeting for 25 June 2013, be approved in principle subject to final ratification at the Annual Meeting of Council in May 2013.

457 DELIVERING EFFECTIVE SERVICES - CHANGES TO THE CHIEF OFFICER STRUCTURE (CMT)

The Chief Executive presented the report on Changes to the Chief Officer Structure as part of the Delivering Effective Services review. An amended version of the report had been circulated to Members superseding the version originally included within the agenda papers.

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

- RESOLVED:
- (a) That the redistribution of Chief Officer functions and responsibilities be approved from 1 April 2013.
  - (b) That the changes to the Scheme of Officer Delegations (Council Functions) set out at Appendix 1 of the report be approved from 1 April 2013.
  - (c) That it be noted that the Leader of the Council would be separately requested to approve changes to the Scheme of Officer Delegations (Executive Functions) from 1 April 2013.

458 COUNCIL TAX REDUCTION SCHEME

The Portfolio Holder for Corporate Performance and Resources introduced the report on the proposed Council Tax Reduction Scheme.

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

RESOLVED: That, in accordance with Section 13A of the Local Government Finance Act 1992 as inserted by Section 10 of the Local Government Finance Act 2012 and the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, the Council makes a local council tax reduction scheme with effect from 1 April 2013 adopting as a scheme the text of the default scheme as set out in the Council Tax Reduction Scheme (Default Scheme)(England) Regulations 2012 (as the present text is amended from time to time) subject to the modifications detailed in subparagraphs 3.1(c)(i) to 3.1(c)(vi) of the report as follows:

- (i) Calculation of award for working age applicants has the result reduced by 6%;
- (ii) Second Adult Rebate (Alternate Maximum Council Tax Reduction) is removed for working age applicants;
- (iii) War pensions are fully disregarded as they have been under local provisions under Council Tax Benefit;
- (iv) An amendment on how Extended Payments for movers are dealt with;
- (v) A provision to end reduction periods under the scheme should the award be reduced to nil; and
- (vi) A provision relating to carrying out an annual review of applicable amounts and non-dependant deductions.

459 COUNCIL TAX BASE 2013/14

The Director of Finance, Housing and Community presented the report on the Council Tax Base 2013/14.

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

- RESOLVED: (a) That the District's Council Tax base for 2013/14 be approved as 34,757.85.
- (b) That the Council's Tax Base for the town and parish parts of the Council's administrative area be approved as follows:

<u>Part of Council's Area</u>	<u>Taxbase</u>	
	<u>2012/13</u>	<u>2013/14</u>
Alkham	319.15	295.62
Ash	1,214.70	1,085.28
Aylesham	1,102.77	837.88
Capel-le-Ferne	693.75	606.29
Deal	7,252.96	6,125.36
Denton	176.67	165.54
Dover	9,551.58	7,457.80
Eastry	878.96	751.40
Eythorne	877.59	758.93
Goodnestone	186.04	170.52
Great Mongeham	288.72	260.66
Guston	426.54	394.30
Hougham Without	191.53	181.94
Langdon	240.58	218.74
Lydden	251.38	239.61
Nonington	309.66	287.68

<u>Part of Council's Area</u>	<u>Taxbase</u>	
	<u>2012/13</u>	<u>2013/14</u>
Northbourne	294.97	260.97
Preston	281.03	252.16
Ringwould with Kingsdown	1,056.26	963.13
Ripple	162.78	140.50
River	1,524.40	1,471.64
St Margarets-at-Cliffe	1,287.70	1,216.05
Sandwich	2,032.33	1,823.45
Shepherdswell with Coldred	769.62	718.31
Sholden	439.75	388.65
Staple	236.06	224.89
Stourmouth	120.00	112.85
Sutton	321.19	290.75
Temple Ewell	635.26	608.77
Tilmanstone	155.51	145.79
Walmer	3,442.60	3,143.32
Whitfield	1,872.25	1,705.16
Wingham	707.38	645.48
Woodnesborough	429.42	379.88
Worth	457.35	428.55
Total	40,188.44	34,757.85

460 PURCHASE OF NOISE RECORDING EQUIPMENT

Councillor P G Heath introduced the report on the Purchase of Noise Recording Equipment.

It was moved by Councillor P G Heath, duly seconded

RESOLVED: That the inclusion of the noise monitoring equipment within the Capital Programme be approved.

461 MOTION

Councillor B W Bano gave notice under Rule 13 of the Council Procedure Rules of his intention to move the following motion:

"In view of the recently published concerns over poor quality of care of elderly and vulnerable people, Council requests the Shadow Health and Well Being Board to consider taking steps, including the appointment of a lead member, to ensure that all necessary quality assurance and other mechanisms are in place to ensure that these issues are addressed to assure the health and well being of local elderly and vulnerable people."

The Motion was moved by Councillor B W Bano, and duly seconded, and on being put to the vote it was CARRIED.

RESOLVED: That in view of the recently published concerns over poor quality of care of elderly and vulnerable people, Council requests the Shadow Health and Well Being Board to



consider taking steps, including the appointment of a lead member, to ensure that all necessary quality assurance and other mechanisms are in place to ensure that these issues are addressed to assure the health and well being of local elderly and vulnerable people.

462 URGENT BUSINESS TIME

There were no items of urgent business.

The meeting ended at 7.30 pm