

# Public Document Pack



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27 February 2015

Dear Councillor

I am now able to enclose, for consideration at the meeting of the **COUNCIL** on Wednesday 4 March 2015 at 6.00 pm, the following reports that were unavailable when the agenda was printed.

2 **MINUTES** (Pages 2 - 13)

To confirm the Minutes of the meeting held on 28 January 2015 (to follow).

Yours sincerely

A handwritten signature in black ink, appearing to be "N. Smith", written over a large, sweeping flourish.

Chief Executive

**MINUTES OF PROCEEDINGS**

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 28 January 2015 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

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

Officers:

- Chief Executive
- Director of Finance, Housing and Community
- Director of Governance
- Director of Shared Services
- Head of Regeneration and Development
- Policy and Projects Manager
- Senior Planner (Policy)
- Head of Democratic Services
- Team Leader – Democratic Support

60 **APOLOGIES**

Apologies for absence were received from Councillors J H Goodwin, D Hannent, G J Hood, S M Le Chevalier, K Mills, F J W Scales, C J Smith, J F Tranter and R S Walkden.

61 **MINUTES**

The Minutes of the meeting held on 26 November 2014 were approved as a correct record and signed by the Chairman.

62 **DECLARATIONS OF INTEREST**

The following declarations of interest were made by Members:

Councillor B W Bano made a Voluntary Announcement of Other Interests (VAOI) in Minute No. 76 (Motion No. 1) by reason of his son being a tenant of a private landlord.

Councillor P I Carter declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S S Chandler declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of her husband's ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor J A Cronk declared an Other Significant Interest (OSI) in Minute No. 76 (Motion No. 1) by reason of being a tenant of a private landlord.

Councillor B Gardner declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P G Heath declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor N S Kenton declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor G Lymer declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P S Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S R Nicholas declared a declared an Other Significant Interest (OSI) in Minute No. 76 (Motion No. 1) by reason of her son being a private landlord and withdrew from the meeting for the consideration of that item of business.

Councillor J A Rook declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of her husband's ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P A Watkins declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

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## ANNOUNCEMENTS

The Chairman of the Council made the following announcements:

(a) Dover Athletic Football Club

Following Dover Athletic's loss to Crystal Palace to offer congratulations on progressing as far as the Third Round of the FA Cup.

(b) Former Councillor Antony Johnstone

To inform the Council of the death of former Councillor Antony Johnstone who represented the old Cornillo Ward from 1983 to 1987.

Councillors P A Watkins and S C Manion spoke of their memories of Mr Johnstone.

(c) Holocaust Memorial Day

The Chairman announced that Holocaust Memorial Day on 27 January 2015 marked the 70<sup>th</sup> Anniversary of the liberation of Auschwitz concentration camp.

Councillor M R Eddy spoke about Holocaust Memorial Day and the recent event organised by Deal Town Council to mark it.

Councillors B W Bano and G Lymer lit candles in remembrance of Holocaust Memorial Day.

Members and officers stood in silence as a mark of respect for former Councillor Antony Johnstone and Holocaust Memorial Day.

(d) Mr Dominic Whelan

The Chairman introduced Mr Whelan who had recently been appointed as the new Director of Shared Services for East Kent Services.

64 LEADER'S TIME

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

(a) The appointment of the Director of Environment and Corporate Assets as one of two district council representatives on a Department of Environment, Food and Rural Affairs (DEFRA) committee on waste.

(b) To outline the potential solutions to mitigate the impact of Operation Stack on Dover and the importance of maintaining awareness of the underlying issues with Government and other organisations. The importance of proper traffic management for routine freight traffic was emphasised as well as the need for a multi-agency solution with all agencies taking responsibility for their parts in managing Operation Stack (such as keeping lanes open for non-freight traffic and ensuring that roundabouts on the Port approach were staffed). There was concern expressed that inadequate traffic management could impact on the Council's and other local regeneration initiatives.

The Leader of the Council had recently taken the relevant Kent County Council Cabinet Member on a tour of the areas impacted by Operation Stack and would be meeting with the relevant Government Minister on it.

- (c) That a meeting had been held with local groups such as the Dover Society and the Dover Town Team on the improvements required post-St James' Development (DTIZ) to keep the regeneration of Dover moving.
- (d) That a major announcement was expected to be made the following day in respect of regeneration. The details of the announcement were embargoed at the time of the Council meeting.
- (e) That the Leader of the Council and the Head of Inward Investment had met with the Department of Business, Innovation and Science to discuss European funding opportunities for local businesses and clarify issues relating to 'assisted area status'. There would be a seminar organised for local businesses to raise awareness of funding opportunities.

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

- (a) To congratulate Dover Athletic on their progress in the FA Cup and the recent 6-1 victory over Dartford in the Conference.
- (b) To congratulate the Director of Environment and Corporate Assets on his appointment.
- (c) To agree with the Leader of the Council that an East Kent transport solution was necessary to resolve the issues of routine freight movement to and from the Port of Dover. The issue of Kent Police not putting up notices where roads had been closed as a result of Operation Stack was also raised.
- (d) To welcome the comments of the Leader of the Council in respect of post-St James' Development (DTIZ) improvements.
- (e) To urge the Government, Kent County Council and Dover District Council to provide support for small businesses in accessing European funding.
- (f) To ask whether the Leader of the Council had held any meetings with Ministers in respect of immigration.

In response the Leader of the Council stated:

- (a) To highlight the bureaucracy facing small businesses in even expressing an interest in applying for European funding and the assistance that could be provided to them by the Council and other organisations.
- (b) The deficiencies in signage relating to Operation Stack due to the absence of gantries on large stretches of the approach roads to Dover and the need for the Highways Agency and Kent Police to ensure marshalling arrangements for lorries were in place as a consequence. The Leader of the Council urged that the freight levy be used to benefit the area where the greatest impact was felt (i.e. Dover).
- (c) That he had not had a meeting with the Immigration Minister.

There were no questions received from Members of the public.

66 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no items of business.

67 COUNCIL TAX BASE 2015/16

The Council considered the report of the Director of Finance, Housing and Community.

The Director of Governance advised that in accordance with Council Procedure Rule 18.6 this item was considered to be a budget decision within the meaning given to it in the Local Authorities (Standing Orders)(England) Regulations 2001 and therefore a recorded vote would be held.

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

RESOLVED: (a) That the Council Tax Discounts not be revised.

(b) That the Council Tax Reduction Scheme not be revised or replaced with another scheme.

(c) That the District's Council Tax Base for 2015/16 be approved as 35,503.73 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2.

The manner of voting was as followed:

FOR

AGAINST

ABSTAIN

J S Back  
B W Bano  
T J Bartlett  
P M Beresford  
T A Bond  
P M Brivio  
B W Butcher  
P I Carter  
S S Chandler  
N J Collor  
M D Conolly  
G Cowan  
J A Cronk  
M R Eddy  
R J Frost  
B Gardner  
P J Hawkins  
P G Heath  
S J Jones  
L A Keen  
N S Kenton  
P S Le Chevalier  
G Lymer  
S C Manion

K E Morris  
S R Nicholas  
M J Ovenden  
A S Pollitt  
J A Rook  
M A Russell  
A R Smith  
J M Smith  
R J Thompson  
P Walker  
P M Wallace  
P A Watkins

68 ADOPTION BY THE COUNCIL OF BYELAWS FOR THE REGULATION OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN COLOURING, COSMETIC PIERCING AND ELECTROLYSIS

The Council considered the report of the Director of Governance.

It was moved by Councillor P A Watkins and duly seconded

RESOLVED: (a) That the adoption and the making of the proposed model byelaw at Appendix 1 be approved.

(b) That the consequent revocation of the existing byelaws previously adopted by the Council in 1984 and 1986 be approved.

(c) That the Director of Governance be authorised to apply to the Secretary of State for Health for confirmation of the byelaws following the necessary period of publication.

69 ADOPTION OF THE DOVER DISTRICT COUNCIL LAND ALLOCATIONS LOCAL PLAN

The Head of Regeneration and Development and the Policy and Projects Manager presented the Council's Land Allocations Local Plan.

It was moved by Councillor J A Cronk, and duly seconded

"That the Land Allocations Local Plan be deferred until further consultation could be undertaken."

In accordance with Council Procedure Rule 14, it was moved by Councillor P A Watkins, and duly seconded

"That the question be now put."

On being put to the vote the closure Motion was CARRIED.

On being put to the vote the original Motion was LOST.

It was moved by Councillor P A Watkins and duly seconded

- RESOLVED: (a) That the Land Allocations Local Plan (as set out in Appendix 1) and update to the Policies Map as modified by the Inspector together with further minor modifications recommended by Officers (as set out in Appendix 2) be approved and adopted.
- (b) That the Head of Regeneration and Development be authorised to make any further necessary minor modifications in conjunction with the Portfolio Holder for Environment, Waste and Planning.
- (c) That the Head of Regeneration and Development be authorised to carry out all administrative procedures to adopt the Land Allocations Local Plan and Policies Map.

70 WORTH NEIGHBOURHOOD DEVELOPMENT PLAN

The Council considered the report of the Senior Planner and Urban Designer.

It was moved by Councillor N S Kenton, duly seconded and

- RESOLVED: (a) That the Worth Neighbourhood Development Plan, as set out at Appendix 1 of the report, be made part of the Development Plan for the Worth Neighbourhood Area, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004.
- (b) That the 'Decision Statement', as set out at Appendix 2 of the report, be published in accordance with Section 38A(9)(10) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

71 ESTABLISHMENT OF EAST KENT SERVICES COMMITTEE AND ASSOCIATED ARRANGEMENTS

The Council considered the report of the Director of Governance.

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

- RESOLVED: (a) That the operating arrangements, terms of reference and rules of procedure (at Schedules 1 and 2 of the report) for a new joint committee, to be known as the East Kent Services Committee, be approved.
- (b) That the Protocol on Scrutiny of the East Kent Services Committee, set out at Schedule 3 of the report, be adopted.
- (c) That the collaboration objectives and partnership values set out at Schedule 4 of the report be reaffirmed.
- (d) That Councillors P A Watkins and M D Conolly be appointed to the East Kent Services Committee, with Councillors S S Chandler and N S Kenton as substitute executive members. Thereafter the Council will appoint members in accordance with the constitution.
- (e) That the arrangements for the discharge of functions and delegations contained in Schedule 5 of the report be approved.



- (f) That the Chief Executive be authorised to discharge the powers and functions as described in the section of the report headed 'The Proposed Collaboration Agreement', together with any other functions as may be appropriate to ascribe to him in the proposed collaboration agreement.
- (g) That the revised arrangements at (a) to (f) above be effective from 10.30 am on 11 February 2015, subject to the Cabinets and Councils of each of the authorities having made the decisions set out at (a) to (h) in identical terms.
- (h) That the Chief Executive be authorised to approve, on behalf of the Council, a collaboration agreement incorporating the above resolutions and any other necessary terms to ensure the efficient and equitable delivery of the collaboration objectives and partnership values as set out in the report.

72 SCHEME OF OFFICER DELEGATIONS

The Council considered the report of the Director of Governance.

It was moved by Councillor J A Cronk, duly seconded and

RESOLVED: (a) That the description for the delegation relating to the Dangerous Wild Animals Act 1976 be corrected from 'sale' to 'keeping'.

- (b) That the Director of Governance be given delegated authority to make corrections to clerical and typographical errors in the Constitution.

73 SOCIAL MEDIA POLICY FOR MEMBERS

The Council considered the report of the Director of Governance.

It was moved by Councillor B W Butcher, duly seconded and

RESOLVED: (a) That the Social Media Policy for Members, be approved and incorporated into the Council's Constitution.

- (b) That the Director of Governance and Monitoring Officer be authorised to make minor changes to the policy to reflect legislative changes.

74 DRAFT PROGRAMME OF MEETINGS 2015/16

The Council considered the report of the Director of Governance.

It was moved by Councillor J A Cronk, duly seconded and

RESOLVED: That the draft Calendar of Ordinary Meetings for 2015/16 be approved.

75 QUESTIONS FROM MEMBERS

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

- (1) Councillor P J Hawkins asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

"Local residents are becoming impatient at the apparent lack of progress in bringing the former Regent Cinema on Deal seafront back into use. The Portfolio Holder for Access and Property Management told us in September that the owners were preparing a revised planning application. In early December, the Portfolio Holder for Access and Property Management advised me that the owners were "in discussions with our officers on some changes to the planning permission". I know the Portfolio Holder for Environment, Waste and Planning has been included in the loop regarding this. Will the Portfolio Holder for Environment, Waste and Planning inform the Council when he expects to see positive movement towards the building being open and available for community use?"

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

"Could the Portfolio Holder for Corporate Resources and Performance inform the Council what measures have been taken by Dover District Council to ban payday loan advertising sites from the council's entire computer network and what action has been taken to lobby Kent County Council to do the same for all computers accessed in KCC libraries and schools?"

- (3) Councillor P M Wallace asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

"According to a survey conducted by the Sunday Telegraph, at least 30 Conservative-led local authorities are planning to reject demands to freeze council tax rates this year. Will Dover District Council be one of them?"

- (4) Councillor M R Eddy asked the Portfolio Holder for Health, Wellbeing and Public Protection, Councillor P G Heath:

"Could the Portfolio Holder for Health, Well-Being and Public Protection inform the Council of the number of vehicle fires in the Dover District area over calendar years 2012, 2013 and 2014 and the time of day when the Fire and Rescue Service attended? Could he also inform the Council of the Fire and Rescue Service's views on the cause of these fires?"

- (5) Councillor A S Pollitt asked the Portfolio Holder for Health, Wellbeing and Public Protection, Councillor P G Heath:

"Could the Portfolio Holder for Health, Well-Being and Public Performance inform the Council if there has been an increase in public health funerals in the past 2 years in the Dover District Council area? There are media reports that there is a growing trend for public health funerals across the country. In his response, could he give local and national figures and inform the Council whether he expects that there will be a growing trend of public health funerals, which will have a bearing on future budgets?"

MOTIONS

In accordance with Council Procedure Rule 14, the Chairman moved, and which was duly seconded, that the order of business in the agenda be changed to reverse the order in which the Motions be considered.

RESOLVED: That the order of business be changed to reverse the order in which the Motions were to be considered.

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

"In the interests of transparency and improved decision making, this Council instructs officers to develop proposals for introducing 30 minute Public and Member Question Time sessions in the meetings of Cabinet and Council committees, thereby improving participation in the decision-making processes of this Council."

The Motion was duly seconded.

An AMENDMENT was moved by Councillor P A Watkins and duly seconded that

"That consideration of the Motion be deferred and officers be instructed to produce a report in respect of the Motion to be considered at the first ordinary meeting of the Council after the May 2015 elections."

The proposer of the Motion and his seconder accepted the Amendment, which was put to the vote and

RESOLVED: That consideration of the Motion be deferred and officers be instructed to produce a report in respect of the Motion to be considered at the first ordinary meeting of the Council after the May 2015 elections.

In the absence of the Chairman and Vice-Chairman, the Head of Democratic Services called for nominations for Chairman for the next item of business.

It was moved by Councillor N J Collor and duly seconded, that Councillor M D Conolly be elected Chairman for the consideration of the remaining items of business.

It was moved by Councillor M R Eddy and duly seconded, that Councillor B W Bano be elected Chairman for the consideration of the remaining items of business.

On being put to the meeting it was

RESOLVED: That Councillor B W Bano be elected Chairman for the remaining items of business.

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

"In view of the successful "Selective Licensing" schemes for the registration of private landlords, particularly in London and more locally in parts of Thanet,

this Council calls on Cabinet to draw up plans to implement a similar scheme in this district as soon as possible in order to drive up the quality of privately rented housing available to our residents."

It was moved by Councillor P M Brivio, duly seconded and

RESOLVED: That In view of the successful "Selective Licensing" schemes for the registration of private landlords, particularly in London and more locally in parts of Thanet, this Council calls on Cabinet to draw up plans to implement a similar scheme in this district as soon as possible in order to drive up the quality of privately rented housing available to our residents

Councillor B W Bano made a Voluntary Announcement of Other Interests (VAOI) in Minute No. 76 (Motion No. 1) by reason of his son being a tenant of a private landlord.

Councillor P I Carter declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S S Chandler declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of her husband's ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor J A Cronk declared an Other Significant Interest (OSI) in Minute No. 76 (Motion No. 1) by reason of being a tenant of a private landlord.

Councillor B Gardner declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P G Heath declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor N S Kenton declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor G Lymer declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P S Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor S R Nicholas declared a declared an Other Significant Interest (OSI) in Minute No. 76 (Motion No. 1) by reason of her son being a private landlord and withdrew from the meeting for the consideration of that item of business.

Councillor J A Rook declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of her husband's ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

Councillor P A Watkins declared a Disclosable Pecuniary Interest (DPI) in Minute No. 76 (Motion No. 1) by reason of his ownership of privately rented property and withdrew from the meeting for the consideration of that item of business.

77 URGENT BUSINESS TIME

There were no items of urgent business.

The meeting ended at 9.05 pm