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3 December 2012

To the Members of the Council,

You are hereby summoned to attend a meeting of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 12 December 2012 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

S R Nicholas (Chairman)	M R Eddy	K E Morris
P S Le Chevalier (Vice-Chairman)	R J Frost	M J Ovenden
N J Collor	B Gardner	A S Pollitt
J S Back	J H Goodwin	J A Rook
B W Bano	D Hannent	M A Russell
T J Bartlett	P J Hawkins	F J W Scales
P M Beresford	P G Heath	A R Smith
T A Bond	G J Hood	C J Smith
P M Brivio	S J Jones	J M Smith
B W Butcher	L A Keen	R J Thompson
P I Carter	N S Kenton	J F Tranter
S S Chandler	S M Le Chevalier	R S Walkden
M D Conolly	G Lymer	P Walker
G Cowan	S C Manion	P A Watkins
J A Cronk	K Mills	<i>Vacancy</i>

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST**

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

Where a Member has a new or registered Disclosable Pecuniary Interest (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.

Where a Member is declaring an Other Significant Interest (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.

3 **MINUTES** (Pages 7 - 19)

To confirm the attached Minutes of the meeting held on 26 September 2012 and the extraordinary meeting held on 3 October 2012.

4 **ANNOUNCEMENTS**

To receive any announcements from the Chairman, Leader, Members of the Cabinet or Head of Paid Service.

5 **NATIONAL GRID NEMO INTERCONNECTOR**

To receive a presentation on behalf of the National Grid.

6 **LEADER'S TIME**

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

(Up to fifteen minutes is allowed for the Report of the Leader (and Cabinet), up to ten minutes is allowed for the Leader of the Major Opposition Group (or his nominee) to respond, up to five minutes is allowed for the Leader of any other Opposition Group (or his nominee) to respond. The Leader is allowed up to five minutes as a Right of Reply or 25% of the time given to the Opposition Group Leaders, whichever is the greatest.)

7 **SEAT ALLOCATION AND GROUP APPOINTMENTS**

To receive from Group Leaders any changes to seat allocations or appointments.

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

8 **QUESTIONS FROM MEMBERS**

Up to 60 minutes is allowed for this part of the meeting unless extended by the Chairman of Council on a motion moved, duly seconded and approved by the Council. Members may ask one supplementary question in addition to their original question.

To receive answers in respect of questions from Members of the Council to a Member of the Executive asked in accordance with Rule 12 of the Council Procedure Rules.

- (1) Councillor P M Brivio will ask the Portfolio Holder for Corporate Resources and Performance:

Can you confirm that Dover District Council like several other local authorities, pay employees a living wage?

- (2) Councillor P M Brivio will ask the Portfolio Holder for Corporate Resources and Performance:

Has this Council considered the extra resources that will be needed following the introduction of Universal Credit in 2013?

- (3) Councillor P Walker will ask the Portfolio Holder for Corporate Resources and Performance:

Now that a further £68,900 has been identified to be taken from Special Project Reserves on in-year savings to make up the shortfall in funding re the Olympic Torch event, can the Portfolio Holder please clarify the amount of in-year savings expected from the current year's budget?

- (4) Councillor L A Keen will ask the Leader of the Council:

What is DDC doing to ensure that the underspend revealed at the recent Locality Board meeting within the £136,000 allocated for youth work bids in Dover District will be retained for the benefit of Dover young people, and not spent by KCC elsewhere?

- (5) Councillor A S Pollitt will ask the Portfolio Holder for Corporate Resources and Performance:

How satisfied is the Portfolio Holder that the Council is getting sufficient returns from its outside fund managers?

- (6) Councillor S J Jones will ask the Portfolio Holder for Environment, Waste and Planning:

Can you inform this Council when will the criteria for the issuing of fixed penalty notices be made available for consideration by Councillors (or Cabinet)?

- (7) Councillor B W Bano will ask the Portfolio Holder for Health, Well-Being and Public Protection:

Can you inform the Council what steps you are taking to prevent the closure of Outpatients clinics at Deal Hospital?

9 **DELIVERING EFFECTIVE SERVICES - CHANGES TO THE CHIEF OFFICER STRUCTURE** (Pages 20 - 25)

To consider the attached report of the Head of Paid Service.

10 **OLYMPIC CELEBRATIONS BUDGET** (Pages 26 - 31)

The Cabinet at its meeting on 3 December 2012 considered the attached report of the Director of Governance upon the Olympic Celebrations Budget. The Cabinet recommended the following to Council:

"It was agreed to recommend to Council that the transfer of £68,900 from the Special Projects Reserve to meet the expenditure on the Olympic celebrations be approved."

11 **LOCALISM ACT 2011 - MEMBER DISPENSATION** (Pages 32 - 37)

To consider the attached report of the Monitoring Officer.

12 **REVIEW OF PARLIAMENTARY CONSTITUENCY BOUNDARIES** (Pages 38 - 57)

The Electoral Matters Committee at its meeting on 4 December 2012 considered the attached report of the Democratic Services Manager upon the Review of Parliamentary Constituency Boundaries. The Committee recommended the following to Council:

"That it be recommended to the Council that it endorse the views of the Electoral Matter Committee in respect of the Boundary Commission England's revised proposals for parliamentary constituencies as follows:

- (a) That support be expressed for the new constituency name of Dover and Deal CC.
- (b) That the decision to accept the representation previously submitted by the Council in response to the initial proposals with regard to the inclusion of both Little Stour and Ashstone and Sandwich wards within a Thanet constituency be welcomed.
- (c) That the inclusion of the North East Downs ward within the constituency of Dover and Deal CC be supported."

13 **TERMS OF REFERENCE OF THE JOINT HEALTH, SAFETY AND WELFARE CONSULTATIVE FORUM**

At its meeting held on 10 October 2012 (Minute No 7), the Joint Health, Safety and Welfare Consultative Forum received a report on health and safety inspections which are being carried out at all of the Council's premises. The

Director of Environment and Corporate Assets has delegated powers to agree remedial works arising from the inspections, but it is proposed that any other matters should be referred to Cabinet or Council or Corporate Management Team, as appropriate. Governance Committee has been requested to recommend to Council that the Terms of Reference of the Joint Health, Safety and Welfare Consultative Forum be amended to enable it to submit recommendations and advice on health and safety issues to Cabinet.

The recommendation of Governance Committee will be circulated at the meeting.

14 **REGULATION OF INVESTIGATORY POWERS ACT 2000 - JUDICIAL APPROVAL** (Pages 58 - 60)

To consider the attached report of the Solicitor to the Council.

15 **MOTIONS**

(1) In accordance with Council Procedure Rule 13, Councillor L A Keen will move:

"Dover District Council pledges its support and all possible assistance to Aylesham community groups in their application to KCC to run the former KCC Aylesham Youth Club Building to preserve it as a community asset for the benefit of local groups and residents."

(2) In accordance with Council Procedure Rule 13, Councillor B W Bano will move:

"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 take 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."

16 **URGENT BUSINESS TIME**

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.

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. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- 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 Louise Cooke, Democratic Services Manager, telephone: (01304) 872352 or email: louise.cooke@dover.gov.uk for details.

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