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10 September 2013

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 18 September 2013 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
J S Back	B Gardner	A S Pollitt
B W Bano	J H Goodwin	J A Rook
T J Bartlett	D Hannent	M A Russell
P M Beresford	P J Hawkins	F J W Scales
T A Bond	P G Heath	A R Smith
P M Brivio	G J Hood	C J 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	J F Tranter
N J Collor	S M Le Chevalier	R S Walkden
M D Conolly	G Lymer	P Walker
G Cowan	S C Manion	P M Wallace
J A Cronk	K Mills	P A Watkins

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 6 - 12)

To confirm the attached Minutes of the meeting held on 24 July 2013.

4 **ANNOUNCEMENTS**

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

5 **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.)

6 **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).)

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 J Hawkins will ask the Portfolio Holder for Access and Property Management:

Can the Portfolio Holder for Access and Property Management inform the Council of how many Fixed Penalty Notices have been issued to date by our Enforcement Officers for littering and dog fouling since the decision was taken not to use Xfor?

- (2) Councillor A S Pollitt will ask the Portfolio Holder for Access and Property Management:

Can the Portfolio Holder for Access and Property Management inform the Council of the current use of the former South Deal Primary School buildings and what action this Council, Kent County Council and or the owners/occupiers taking to ensure that the boundaries and unbuilt land are suitably maintained?

- (3) Councillor P M Brivio will ask the Portfolio Holder for Housing, Children's Services and Safeguarding, Youth and Community Safety:

Could the Portfolio Holder for Housing, Children's Services and Safeguarding, Youth and Community Safety say how many tenants have been summonsed for court proceedings as a result of changes to housing benefit legislation?

- (4) Councillor B W Bano will ask the Portfolio Holder for Access and Property Management:

What is the Portfolio Holder for Access and Property Management doing to influence the investment decisions of Network Rail for Control Period 5, and in particular to improve access for disabled passengers where required?

- (5) Councillor P Walker will ask the Leader of the Council:

What steps is the Leader taking to establish a published programme of training, including updating, for all members?

- (6) Councillor L A Keen will ask the Portfolio Holder for Environment, Waste and Planning:

What action is the Portfolio Holder for Environment, Waste and Planning taking to alleviate the current loss in Green Waste income of £35,000 reported in the June 2013 budget monitoring report?

- (7) Councillor B Gardner will ask the Portfolio Holder for Environment, Waste and Planning:

Over the summer I have repeatedly requested specific information from Planning Officers and so far have been provided with information which only partly answers those questions and which was available from public sources. On the last occasion I stressed that I required the information to formulate a question for this meeting. Can the Portfolio Holder for Environment, Waste and Planning tell the Council when I am likely to receive the information I have requested, or should I submit a Freedom of Information enquiry so that I have some hope of receiving the information?

- (8) Councillor M R Eddy will ask the Portfolio Holder for Health, Well-Being and Public Protection:

What action has the Portfolio Holder for Health and Well-being taken to ensure that the outpatients services currently provided at Deal Hospital are retained there?

8 **MOTIONS**

- (1) In accordance with Council Procedure Rule 13, Councillor P M Wallace will move:

"This Council resolves to submit the following proposal to Government under the provisions of the Sustainable Communities Act: that the Secretary of State for Communities and Local Government gives Local Authorities the power to introduce a local levy of 8.5% of the rate on large retail outlets in their area with a rateable value of not less than £500,000 and requires that the revenue from this levy be retained by the Local Authority in order to be used to improve local economic activity, local services and facilities, social and community well-being and environmental protection. This Council further resolves to work together with Local Works to gain support for the proposal from other councils."

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

"This Council resolves to request that the Secretary of State for Communities and Local Government considers proposals to help protect community pubs in England by ensuring that planning permission and community consultation are required before community pubs are allowed to be converted to betting shops, supermarkets and pay-day loan stores or other uses, or are allowed to be demolished."

- (3) In accordance with Council Procedure Rule 13, Councillor M R Eddy will move:

"This Council is concerned by the prospect of fracking and related drilling activity in the Dover District area and requests that a report is brought forward to the next meeting of this Council to inform the Council of the nature of the process, the potential impact on subsurface water resources and

geological formations, the type and scale of the surface structures, and the impact of anti-fracking demonstrations in the light of recent experience in Sussex on the local communities and on the police."

9 **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 Rebecca Brough, Team Leader - Democratic Support, telephone: (01304) 872304 or email: rebecca.brough@dover.gov.uk for details.

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