

MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 29 January 2014 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

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

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance, Housing and Community
Director of Governance
Team Leader – Democratic Support

462 APOLOGIES

Apologies for absence were received from Councillors G J Hood and N S Kenton.

463 DECLARATIONS OF INTEREST

Councillor S C Manion declared an Other Significant Interest (OSI) in Minute No 473(b) by reason of his membership of Kent County Council Planning Committee and withdrew from the meeting for the consideration of the matter.

464 MINUTES

The Minutes of the meeting held on 27 November 2013 were approved as a correct record and signed by the Chairman.

465 ANNOUNCEMENTS

The Chairman of the Council made the following announcements:

- (a) To congratulate the P&O Choir on being awarded 'Workplace Choir of the Year' on BBC's 'The Choir'.

- (b) To congratulate Deal High Street on being named Daily Telegraph High Street of the Year 2013.

466 PARTNERSHIP ACCORD BETWEEN DOVER AND CALAIS

The Chairman advised that this item had been withdrawn.

467 LEADER'S TIME

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

- (a) The signing of the Partnership Accord between Calais and Dover.
- (b) That there had been discussions in respect of what services could be offered at Deal Hospital.
- (c) That he had attended a meeting where the Kings Fund had given a presentation on the shift of funding from the health sector to the social and community sector. As part of this, there was a need for the public to be better informed about the major shift in resources resulting from the Better Care Fund.
- (d) That the Council was one of six District Council representatives with a place on the Board of the Local Enterprise Partnership (LEP) in Kent under its federated model of governance. The Council continued to lobby for improvements to the A2 and other routes to improve the flow of freight.
- (e) The news that Viking Recruitment had commenced construction of its Maritime Skills Academy.

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

- (a) To congratulate Deal High Street on being named Daily Telegraph High Street of the Year 2013.
- (b) A meeting being held at Deal Town Hall on the future services for Deal Hospital.
- (c) To welcome the news of the Partnership Accord between Calais and Dover and encourage opportunities for further European cooperation.
- (d) To highlight the implications of any third Thames crossing for traffic flows to/from the Port of Dover.
- (e) The importance of improving employment and skills in the District and the usefulness of maintaining a place on the Board of the LEP. The need to improve secondary school performance in Deal as part of this was highlighted.

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

- (a) That the widening of the Jubilee Way was part of the bid for 'Growth without Gridlock'.
- (b) That a proposal had been made to the LEP for funding to increase business capacity in North Deal to relieve commercial transport pressure on roads in other parts of the town.

468 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no new appointments.

469 QUESTIONS FROM MEMBERS

In accordance with Rule 12(1) of the Council Procedure rules, Chairmen of Committee(s) responded to the following questions:

- (1) Councillor B Gardner asked the Chairman of the Planning Committee, Councillor F J W Scales, if he considered it appropriate for a statutory, public sector consultee to provide the Planning Committee with information which "promoted development" rather than providing technical input to inform the decisions of the Committee.
- (2) Councillor M R Eddy asked the Chairman of the Governance Committee, Councillor T J Bartlett, if further to his previous question to the Chairman of the Governance Committee at the full council meeting of 27 November 2013, and to the Department of Communities and Local Government's letter of 26 November, his letter to the Chairman of Governance of 5 December and the Chairman's response to him of 18 December, if he could outline the reasons for stating in his letter of 18 December that he had no intention of reporting to members the Council's official response to DCLG as "the exchange of letters was purely between officers".

In accordance with Rule 12(1) of the Council Procedure Rules, Members of the Cabinet responded to the following questions:

- (3) Councillor P Walker asked the Leader of the Council, Councillor P A Watkins, if he could outline the disciplinary powers that are in force in cases where Councillors do not receive adequate and/or timely responses from the officers of this council.
- (4) Councillor B Gardner asked the Leader of the Council, Councillor P A Watkins, to explain the logic and thinking behind the decision to make all calls from Whitfield Offices "caller number withheld".
- (5) Councillor B W Bano asked the Leader of the Council, Councillor P A Watkins, to commit to an annual audit of individual member training requirements with a view to better informing the member training programme.
- (6) Councillor M R Eddy asked the Portfolio Holder for Access and Property Management, Councillor N J Collor, that given in the review of on and off street parking charges considered by Cabinet on 9 January 2012, it was stated that increased charges or reductions in parking times were required, *inter alia*, because: "maintenance costs are expected to rise over the next year or so as pay and display machines are in need of replacement and

some resurfacing and relining works to car parks cannot be deferred much longer" and the fact that the Council had, according to its own figures submitted to Government, generated a total surplus of over £2.5 million over the three years from 2009/2010 to 2011/2012, if he could advise how much had been invested in car park resurfacing/relining and new pay and display machines in financial year 2012/2013 and the first half of 2013/2014.

- (7) Councillor G Cowan asked the Portfolio Holder for Access and Property Management, Councillor N J Collor, as the council had made a surplus of more than £1 million from parking for the second year running, and the Portfolio Holder was aware that the council had increased off street parking charge time from 17:30 to 18:00 hours but at the same time single yellow lines had remained at 17:30, would he agree that it was time to revisit off street parking times and return to the original time of only charging up to 17:30.
- (8) Councillor L A Keen asked the Leader of the Council, Councillor P A Watkins, in the absence of the Portfolio Holder for Environment, Waste and Planning to inform the Council of what action is being taken by this Council to reduce the alarming increase in fly-tipping rates which has taken place since Kent County Council introduced changes at their tips in 2012.
- (9) Councillor P M Brivio asked the Portfolio Holder for Housing, Children's Services and Safeguarding, Youth and Community Safety, Councillor S S Chandler, if she anticipated an increase in homelessness due to the action of some private sector landlords who have decided not to house those in receipt of housing benefit, and if so, what effect would this have on already hard pressed budgets if there was to be an increase in the costly use of Bed and Breakfast.

470 COUNCIL TAX BASE 2014/15

It was proposed by Councillor M D Conolly, duly seconded and:

- RESOLVED: (a) That the empty homes discount is reduced to 0% for Class C empty properties, and the second homes discount be removed so that Council Tax would be payable in full on these properties for the financial year 2014/15.
- (b) That the Council Tax Reduction Scheme not be revised or replaced with another scheme.
- (c) That the District's Council Tax Base for 2014/15 be approved as 35,070.45 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2.

471 PROVISIONAL PROGRAMME OF MEETINGS

The Director of Governance introduced the report on the Provisional Programme of meetings for 2014/15.

It was moved by Councillor F J W Scales, and duly seconded, that:

RESOLVED: That the Provisional Programme of meetings be deferred for consideration until the next meeting to permit Democratic Services to review the proposed dates for the Planning Committee, the Licensing Committee and the Annual Meeting of Council in 2014.

472 LOCALISM ACT 2011 - REVIEW OF THE CODE OF CONDUCT FOR MEMBERS AND PROPOSED AMENDMENTS

The Director of Governance introduced the report.

It was moved by Councillor C J Smith, duly seconded, and

- RESOLVED:
- (a) That the Council revise the Code of Conduct for Members as indicated at Appendix 1 and incorporate the proposed amendments bringing them into effect on 1 February 2014.
 - (b) That the Council commends the revised Code of Conduct to the town and parish councils within the district incorporating the additional change explained at paragraph 3.4 of the report.
 - (c) That the Council adopt the practice of inviting members to make voluntary declarations of interest as explained at paragraph 4 of the report.

473 MOTIONS

- (a) In accordance with Council Procedure Rule 13, Councillor R J Frost gave notice of his intention to move the following Motion:

"Dover District Council welcomes the Government's proposals to curb the excesses of 'payday loan' companies.

Furthermore DDC will investigate the feasibility and costs of banning payday loan advertising sites from the council's entire computer network and asks KCC to do the same for all computers accessed in Libraries and Schools in the district."

The Motion was duly seconded.

It was moved by Councillor M R Eddy, and duly seconded, that the Motion be amended as followed:

"Following cuts to both in work and out of work benefits, more and more people are feeling the only places to which they can turn to get by are foodbanks and payday lenders. Dover District Council welcomes the Government's better late than never proposals to curb the excesses of 'payday loan' companies.

Furthermore DDC will investigate the feasibility and costs of banning payday loan advertising sites from the Council's entire computer network and asks KCC to do the same for all

computers accessed in the Dover Gateway and in Libraries and Schools across the district.

DDC calls on the Government to take swift action to cap the cost of credit, give powers to councils to curb payday lenders on the High Streets and to raise a levy on payday lenders to fund and support credit unions.

This Council seeks urgently to implement the measures in its control and calls on KCC and the Government to do the same."

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

"That the question now be put."

On being put to the vote the amendment was LOST.

It was moved by Councillor M R Eddy that the Motion be amended as followed:

"Dover District Council welcomes the Government's proposals to curb the excesses of 'payday loan' companies.

Furthermore DDC will investigate the feasibility and costs of banning payday loan advertising sites from the council's entire computer network and asks KCC to do the same for all computers accessed in the Dover Gateway, Libraries and Schools across the district."

Councillor R J Frost, with the consent of his seconder, accepted Councillor M R Eddy's amendment within his original Motion.

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

RESOLVED: (a) That Dover District Council welcomes the Government's proposals to curb the excesses of 'payday loan' companies.

(b) Furthermore DDC will investigate the feasibility and costs of banning payday loan advertising sites from the council's entire computer network and asks KCC to do the same for all computers accessed in the Dover Gateway, Libraries and Schools across the district.

(b) In accordance with Council Procedure Rule 13, Councillor M R Eddy gave notice of his intention to move the following Motion:

"This Council seeks, as a matter of urgency, clarification from the Prime Minister of his scheme to provide financial incentives to local authorities which allow fracking within their areas. Specifically clarification is sought on the following issues:

1. As planning applications for mineral extraction are determined by the county council, will compensatory finance be provided to the county council or to the district council within which the fracking actually takes places?
2. As fracking, in its strictest sense, applies to the extraction of gas from shale, will the similar methodologies used in coal bed methane extraction be included in these compensatory mechanisms?
And
3. What proposals does the Prime Minister have to ensure that sufficient funds will be available to local authorities at district and county level and at national level to deal with any environmental damage and other consequential losses if the proposed compensatory mechanisms prove to be insufficient?"

The Motion was duly seconded.

It was moved by Councillor M D Conolly that the Motion be amended to add the following:

- "4. Will the business rates from fracking sites be simply be included in the current Business Rates arrangements, whereby:
- After 50% of total Business Rates goes to the Government, and
 - A Further 50% of what remains goes to the Government as levy,
 - And only 5% is left for upper tiers
 - And 20% for districts

Or will it be a genuine 100% retained by Councils, in addition to all other funding from Government."

Councillor M R Eddy, with the consent of his seconder, accepted Councillor M D Conolly's amendment within his original Motion.

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

RESOLVED: This Council seeks, as a matter of urgency, clarification from the Prime Minister of his scheme to provide financial incentives to local authorities which allow fracking within their areas. Specifically clarification is sought on the following issues:

1. As planning applications for mineral extraction are determined by the county council, will compensatory finance be provided to the county council or to the district council within which the fracking actually takes places?

2. As fracking, in its strictest sense, applies to the extraction of gas from shale, will the similar methodologies used in coal bed methane extraction be included in these compensatory mechanisms? And
3. What proposals does the Prime Minister have to ensure that sufficient funds will be available to local authorities at district and county level and at national level to deal with any environmental damage and other consequential losses if the proposed compensatory mechanisms prove to be insufficient?
4. Will the business rates from fracking sites be simply be included in the current Business Rates arrangements, whereby:
 - After 50% of total Business Rates goes to the Government, and
 - A Further 50% of what remains goes to the Government as levy,
 - And only 5% is left for upper tiers
 - And 20% for districts

Or will it be a genuine 100% retained by Councils, in addition to all other funding from Government.

474 URGENT BUSINESS TIME

There were no items of urgent business.

The meeting ended at 7.55 pm