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25 February 2014

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 5 March 2014 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.

Where a Member does not have either a Disclosable Pecuniary Interest (DPI) or Other Significant Interest (OSI) but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a Voluntary Announcement of Other Interests (VAOI). A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

3 **MINUTES** (Pages 8 - 15)

To confirm the attached Minutes of the meeting held on 29 January 2014.

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).)

7 **COUNCIL BUDGET 2014/15 AND MEDIUM TERM FINANCIAL PLAN 2014/15 - 2016/17**

The Cabinet at its meetings on 3 February 2014 and 3 March 2014 and the Scrutiny (Policy and Performance) Committee at its meeting on 11 February 2014 considered the report of the Director of Finance, Housing and Community (circulated separately) upon the Council Budget 2014/15 and Medium Term Financial Plan 2014/15 – 2016/17. The following is recommended to Council:

Cabinet - 3 March 2014

The recommendations of Cabinet will be circulated at the meeting

Scrutiny (Policy and Performance) Committee – 11 February 2014

The recommendations of the Scrutiny (Policy and Performance) Committee will be circulated at the meeting.

Cabinet – 3 February 2014

It was agreed:

- (a) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account budget and the content of the Medium-Term Financial Plan (MTFP) be forwarded to the Scrutiny (Policy and Performance) Committee for consideration.
- (b) That it be noted that the MTFP will be subject to the addition of the Council Tax Resolution, Treasury Management Strategy and other minor adjustments before being presented to Council in March.

8 **PLANNING APPEAL - AWARD OF COSTS** (Pages 16 - 19)

The Cabinet at its meeting on 3 March 2014 considered the attached report of the Chief Executive upon the Planning Appeal – Award of Costs.

The recommendations of Cabinet will be circulated at the meeting.

9 **PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL) -**

AUTHORITY TO ENTER INTO AGREEMENT AND APPOINTMENT OF A MEMBER (Pages 20 - 87)

The Cabinet at its meeting on 3 March 2014 considered the attached report of the Director of Environment and Corporate Assets upon the Parking and Traffic Regulations Outside London (PATROL) – Authority to enter into Agreement and Appointment of a Member.

The recommendations of Cabinet will be circulated at the meeting.

10 **PAY POLICY STATEMENT 2014/15** (Pages 88 - 97)

To consider the attached report of the Director of Governance.

11 **PROVISIONAL PROGRAMME OF MEETINGS 2014/15** (Pages 98 - 102)

To consider the attached report of the Director of Governance.

12 **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.

(a) **To Chairmen/Vice-Chairmen of Committees**

To receive answers in respect of questions from Members of the Council to the Chairman or Vice-Chairman of the Council or the Chairman of any Committee or Sub-Committee asked in accordance with Rule 12 of the Council Procedure Rules.

- (1) Councillor B Gardner will ask the Chairman of the Planning Committee:

Now that Kent Highways have clearly stated that they regard it as their purpose to promote development, how does the Chairman of the Planning Committee think that the people of Middle Deal and Sholden will understand the reasons why the Minters Yard applications and both of the Sholden Housing applications were so favourable to development?

- (2) Councillor A S Pollitt will ask the Chairman of the Planning Committee:

Given the recent severe weather, what measures does the Chair of Planning propose to introduce other than minimum 'green' standards as a requirement to ensure more sustainable and ecologically friendly house building in the Dover District?

(b) **To the Executive**

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.

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

Given the progress that has been made in securing planning consent, commercial interest and the publication of the Compulsory Purchase Orders for the St James town centre development, could the Leader and Portfolio Holder for Regeneration advise on the next steps and the timescales for the likely delivery of the scheme?

- (4) Councillor P Walker will ask the Portfolio Holder for Environment, Waste and Planning:

What action has the Portfolio Holder for the Environment, Waste & Planning taken to determine whether changes have taken place before necessary planning permission has been obtained at the Lydden Racing Circuit and what action will he take if it is shown that material changes have taken place without necessary permissions?

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

Can the Portfolio Holder for Community, Housing etc advise members whether the budget for discretionary housing benefit to assist those affected by the bedroom tax is likely to be oversubscribed this financial year and how many Dover District tenants have been unlawfully charged or obliged to move due to the bedroom tax provisions?

- (6) Councillor R J Thompson will ask the Portfolio Holder for Housing, Children's Services and Safeguarding, Youth and Community Safety:

According to the minutes (item 7) of the Youth Advisory Group meeting held on 16 January 2014, Dover District Council is providing financial support to the new build Youth Centre in Deal, what financial assistance will this Council be giving to the people of Aylesham and their representative bodies to enable them to acquire the Aylesham Youth Centre which will otherwise be disposed of by Kent County Council?

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

Could the Portfolio Holder for Health and Public Protection comment on the impact of the intervention by Mr Charles Elphicke which resulted in a considerable delay in building a new hospital in Dover?

- (8) Councillor S J Jones will ask the Portfolio Holder for Corporate Resources and Performance:

As councillors will shortly be receiving iPads for their work, when does the Portfolio Holder for Finance and Performance believe the Council will start to make savings by sending agendas and minutes electronically, as opposed to sending them in the post? In his reply, could he also indicate where the money for the iPads will come from and how much does the Portfolio Holder believe it will cost the Council to update the council chamber with power sockets so

councillors can use their iPads throughout a meeting?

13 **MOTIONS**

In accordance with Council Procedure Rule 13, Councillor M R Eddy will move:

This Council, while welcoming the Environment Agency's investment in marine flood protection measures at Sandwich and Deal, calls upon:

1. The government to take action to combat flooding in inland flood risk areas of our district, such as East Studdal and the Alkham Valley;
2. The government to put ideology aside and seek appropriate assistance from the European Union for what is a widespread weather phenomenon;
3. Kent County Council to maintain, and renew as appropriate, highways drainage;
4. The privatised water companies to use their profits to improve their mains drainage systems to accommodate the water flows generated by increasingly common severe weather events.

For its part, this Council will also carry out a survey of all the drains and drainage gullies on car parks owned and managed by the Council and/or East Kent Housing and will produce a plan to replace impermeable surfacing with permeable surfaces.

14 **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.

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