

Public Document Pack



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6 May 2014

To the Members of the Council,

You are hereby summoned to attend the **ANNUAL MEETING** of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 14 May 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 ELECTION OF A CHAIRMAN

To elect a Chairman of the Council for the ensuing municipal year.

Upon election, the procedure will be followed:

- (a) The Chairman will sign the Declaration of Acceptance of Office.

- (b) The Chairman will address the Council.
- (c) The retiring Chairman (if applicable) will be presented with the past Chairman's badge.
- (d) The Retiring Chairman (if applicable) will address the Council.

2 **APPOINTMENT OF A VICE-CHAIRMAN**

To appoint a Vice-Chairman of the Council for the ensuing municipal year. The Vice-Chairman will sign the Declaration of Acceptance of Office.

3 **APOLOGIES**

To receive any apologies for absence.

4 **DECLARATIONS OF INTEREST** (Page 5)

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

5 **MINUTES** (Pages 6 - 17)

To confirm the attached Minutes of the meeting held on 5 March 2014.

6 **ANNOUNCEMENTS**

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

7 **APPOINTMENT OF CABINET**

To receive any changes to the Members of the Cabinet and related portfolios.

8 **APPOINTMENT OF SHADOW CABINET**

To note the composition of the Shadow Cabinet. The Shadow Cabinet must directly reflect the composition of the Cabinet (in accordance with the Council Procedure Rules).

9 **ESTABLISHMENT AND COMPOSITION OF COMMITTEES** (Pages 18 - 25)

(a) **Committees**

To appoint the following Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions:

Dover Joint Transportation Board
East Kent (Joint Arrangements) Committee
Electoral Matters Committee
General Purposes Committee
Governance Committee
Joint Health, Safety and Welfare Consultative Forum
Joint Staff Consultative Forum
Licensing Committee

Planning Committee
Regulatory Committee
Scrutiny (Community and Regeneration) Committee
Scrutiny (Policy and Performance) Committee
Standards Committee

(b) **Review of Allocation of Seats to Political Groups**

To determine the allocation of seats to political groups in accordance with Section 15 of the Local Government and Housing Act 1989. The attached report of the Chief Executive and Director of Governance sets out the recommended allocation of seats to political groups.

(c) **Chairmen, Vice-Chairmen and Spokespersons of Committees**

To appoint the Chairman, Vice-Chairman and Controlling Group Spokespersons and Deputy Controlling Group Spokespersons of the above Committees as appropriate.

10 **PROGRAMME OF MEETINGS 2014/15** (Pages 26 - 29)

To approve a programme of ordinary meetings of the Council for the ensuing year. The Council, at its meetings on 5 March 2014, provisionally approved the programme subject to ratification at this meeting.

11 **ANNUAL REPORT OF THE STANDARDS COMMITTEE**

To consider the joint report of the Chairman of the Standards Committee and the Monitoring Officer (to follow).

12 **ANNUAL REPORT ON SCRUTINY**

To consider the report of the Monitoring Officer (to follow).

13 **ANNUAL REPORT OF THE GOVERNANCE COMMITTEE**

To consider the joint report of the Chairman of the Governance Committee and the Director of Governance (to follow).

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.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered 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.

Other Significant Interest (OSI)

Where a Member is declaring an 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.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or 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 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.

MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 5 March 2014 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

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

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

531 **APOLOGIES**

Apologies for absence were received from Councillors T J Bartlett, P J Hawkins, G J Hood, G Lymer, K E Morris, A S Pollitt, J F Tranter and R S Walkden.

532 **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Members.

533 **MINUTES**

The Minutes of the meeting held on 29 January 2014 were approved as a correct record and signed by the Chairman.

534 **ANNOUNCEMENTS**

The Chairman made the following announcements:

- (a) That Council staff be thanked for their hard work during the recent flood emergency to help local communities.

- (b) That a 'Fly a Flag for the Commonwealth' event would take place on 10 March 2014, during which the Chief Executive would raise a flag in celebration of the Commonwealth.

535 LEADER'S TIME

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

- (a) Recent flooding had affected at least 30 properties in several areas of the District. It was estimated that, working with partner agencies, Council staff had managed to save 16 properties as a result of their efforts to assist homeowners in protecting properties. It was possible that performance in other areas might be affected by staff resources having been diverted to the flooding emergency. Work would continue over the coming weeks to administer financial help to householders affected.
- (b) The Council was one of only 10 successful bidders, out of 128 who submitted entries, to receive funding of £100,000 as part of a central government initiative to assist bidders in better managing their heritage assets. The funding would be used to set up a trust in order to access further funding for the District's heritage assets.
- (c) There were radical changes planned for the delivery of healthcare through the Better Care Fund. Kent was taking part in a pilot project to develop an integrated scheme involving social and mental health services where funds would be diverted back into the community in order to enable patients to be discharged from hospital earlier in order to receive care at home which would be better coordinated and managed. Initial proposals would be submitted to Government by the end of March, with delivery starting in 2015.
- (d) There was likely to be a reduction in Government funding for transport projects. Loans for such projects were currently on hold, but those which could potentially be affected included the Waterfront Development at Dover, Middle Deal Road/Albert Road/Minter's Yard access, and changes to the Duke of York's roundabout. In relation to Connaught Barracks, it was likely that the Homes and Communities Agency would transfer the

historic Fort Burgoyne element to a special trust. Consultation on the first phase of development of the officers' mess site had started.

- (e) In relation to other regeneration matters, 73 companies were now based at Sandwich Discovery Park, employing around 1,500 people. The electrification of the High Speed rail line from Ashford to Canterbury was on schedule with Government funding allocated. A new apprenticeship scheme at the East Kent Light Railway was bearing fruit, with rail industry jobs guaranteed for apprentices on completion.
- (f) The former P & O computer site at Fanum House was due for demolition in the week beginning 10 March.
- (g) East Kent College had taken over K College in Dover and Folkestone. A meeting had taken place with the principal who was also an educational representative on the South East Local Enterprise Partnership. Hadlow College had taken over K College at Ashford.

The Opposition Group Leader, Councillor M R Eddy, responded by referring to:

- (a) Praise for Council staff and their efforts during the flooding and recognised that performance might be affected in other areas as a consequence. Canute Road, Deal had been badly affected due to the inadequacy of soakaways.
- (b) Concerns about performance in Planning and the levels of staffing in Planning and Legal sections.
- (c) Welcomed the receipt of £100,000 funding for the management of the Council's heritage assets. The District was blessed with impressive assets which needed to be preserved, conserved and presented to the public effectively in order to boost tourism.
- (d) The new healthcare proposals sounded positive but success depended on how effectively they were delivered. It was not helpful that the District was divided between two Clinical Commissioning Groups, the effect of which was likely to weaken the Council's input.

- (e) It was disappointing that funding for transport projects was likely to be reduced. As a hub, the District needed an effective transportation network.
- (f) Further education changes were welcome, but educational attainment at primary and secondary level needed improvement in order to take advantage of the opportunities offered by these changes.

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

- (a) Agreed that the District's division into two Clinical Commissioning Groups was not ideal. Proposals were underway to merge the Canterbury and Ashford Health and Wellbeing Boards.
- (b) Transport was a critical issue for the District because of the port. A priority for the Council was the construction of a third Thames Crossing, although this could have an adverse impact on the A2 depending on where it was sited.
- (c) Flooding at Canute Road, Deal had been caused by blocked drains, but the number of dropped pavements there was also an issue.
- (d) Major changes were underway in Planning, and their relocation in offices with Regeneration would facilitate a cohesive approach.

536 SEAT ALLOCATION AND GROUP APPOINTMENTS

No changes were made to the existing allocations and appointments.

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

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

Members also considered Cabinet decisions CAB 102 and 121 of 3 February and 3 March 2014 respectively, and the recommendations of the Scrutiny (Policy and Performance) Committee of 11 February 2014 (Minute No 487).

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

RESOLVED: (a) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account Budget, the Council Tax Resolution and the content of the Medium-Term Financial Plan be approved.

(b) That it be noted that it is the view of the Director of Finance, Housing and Community that the budget has been prepared in an appropriate and prudent manner and that, based upon the information available, the budgets are robust and the estimated General Fund and Housing Revenue Account balances and reserves are considered adequate for the Council's current spending plans;

(c) That, in setting the Budget for 2014/15, the grants to other organisations as determined by Cabinet and set out at Annex 11 of the report be released.

(d) That the various recommendations at the end of the sections within the Budget and Medium-Term Financial Plan, and summarised at Annex 14 to Appendix 1 of the report, be approved, as follows:

(i) Approve the General Fund Revenue Budget for 2014/15 and the projected outturn for 2013/14.

(ii) Approve the policies and protocols regarding the General Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 6 of the report.

- (iii) Approve the 2013/14 projected outturn and the 2014/15 Housing Revenue Account budget at Annex 7 of the report.
- (iv) Approve the Capital and Special Projects programmes.
- (v) Approve that capital resources required to finance new projects are secured before new projects commence.
- (vi) Approve that retained poolable housing capital receipts are used to fund capital allowances on Regeneration and Decent Homes agendas.
- (vii) Approve the Treasury Management Strategy, including the Prudential Indicators and Minimum Revenue Provision statement.
- (viii) Approve the Council Tax Resolution as set out at Annex 10A of the report.
- (ix) Note that, if the formal Council Tax Resolution at Annex 10A is approved, the total Band D Council Tax will be as set out at Annex 14 of the report.

538 PLANNING APPEAL - AWARD OF COSTS

Council considered the report of the Chief Executive on Planning Appeals – Award of Costs which had been presented to Cabinet at its meeting held on 3 March 2014.

It was moved by Councillor N S Kenton and duly seconded

- (a) That the release of £8,010 from General Fund Balances to meet the costs award for application 12/500 be approved.

- (b) That the release of up to £28,822 from the General Fund Balances to meet the costs award for application 12/311 be approved.

It was moved as an AMENDMENT by Councillor B Gardner and duly seconded that an additional recommendation be added as follows:

- (c) That this Council writes to the Minister for Communities and Local Government to inform him of the financial consequences of current Government policy and the impact that this is having on local decision-making and on local residents.

On being put to the vote the amendment was CARRIED.

On being put to the meeting, the substantive Motion was CARRIED.

RESOLVED: (a) That the release of £8,010 from General Fund Balances to meet the costs award for application 12/500 be approved.

- (b) That the release of up to £28,822 from the General Fund Balances to meet the costs award for application 12/311 be approved.

- (c) That this Council writes to the Minister for Communities and Local Government to inform him of the financial consequences of current Government policy and the impact that this is having on local decision-making and on local residents.

539 PARKING AND TRAFFIC REGULATIONS OUTSIDE LONDON (PATROL) -
AUTHORITY TO ENTER INTO AGREEMENT AND APPOINTMENT OF A
MEMBER

The Council considered the report of the Director of Environment and Corporate Assets which had been presented to Cabinet at its meeting held on 3 March 2014.

It was moved by Councillor N J Collor, duly seconded and

RESOLVED: That Councillor N J Collor be appointed to serve on the PATROL Adjudication Joint Committee and Councillor T A Bond to act as

substitute member. The term of office of the appointed Members to be until the appointment is terminated by the Council or until the Members become disqualified from acting the terms of the Joint Committee arrangements, whichever shall be the earlier.

540 PAY POLICY STATEMENT 2014/15

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

RESOLVED: That the Pay Policy Statement for 2014/15, as set out at Appendix 1 of the report, be approved for publication on the Council's website.

541 PROVISIONAL PROGRAMME OF MEETINGS 2014/15

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

RESOLVED: That the Programme of Ordinary Meetings for 2014/15 be approved in principle, subject to final ratification at the Annual Meeting of Council.

542 QUESTIONS FROM MEMBERS

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

- (1) Councillor B Gardner asked the Chairman of the Planning Committee, Councillor F J W Scales, how, now that Kent Highways have clearly stated that they regard it as their purpose to promote development, does he think that the people of Middle Deal and Sholden will understand the reasons why the Minter's Yard applications and both of the Sholden housing applications were so favourable to development.
- (2) In the absence of Councillor A S Pollitt, the Chairman of the Council advised that a written response would be sent to him in respect of the following question:

"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?”

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

- (1) Councillor P Walker asked the Leader of the Council, Councillor P A Watkins, if, given the progress that had been made in securing planning consent, commercial interest and the publication of the Compulsory Purchase Orders for the St James’s town centre development, he and the Portfolio Holder for Regeneration could advise on the next steps and the timescales for the likely delivery of the scheme.
- (2) Councillor P Walker asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton, what action he had taken to determine whether changes had taken place before necessary planning permission had been obtained at the Lydden Racing Circuit and what action would he take if it was shown that material changes have taken place without necessary permissions.
- (3) Councillor P M Brivio asked the Portfolio Holder for Housing, Children’s Services and Safeguarding, Youth and Community Safety, Councillor S S Chandler, to advise Members whether the budget for discretionary housing benefit to assist those affected by the bedroom tax was likely to be oversubscribed this financial year and how many Dover District tenants had been unlawfully charged or obliged to move due to the bedroom tax provisions.
- (4) Councillor R J Thompson asked the Portfolio Holder for Housing, Children’s Services and Safeguarding, Youth and Community Safety, Councillor S S Chandler, that, according to the minutes (Item 7) of the Youth Advisory Group meeting held on 16 January 2014, Dover District Council was providing financial support to the new build Youth Centre in Deal, therefore what financial assistance would this Council be giving to the people of Aylesham and their representative bodies to enable them to acquire the Aylesham Youth Centre which would otherwise be disposed of by Kent County Council.

- (5) Councillor M R Eddy asked the Portfolio Holder for Health, Wellbeing and Public Protection, Councillor P G Heath, to comment on the impact of the intervention by Mr Charles Elphicke which resulted in a considerable delay in building a new hospital in Dover.
- (6) Councillor S J Jones asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly, as councillors would shortly be receiving iPads for their work, when did the Portfolio Holder for Finance and Performance believe the Council would 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 would come from and how much did the Portfolio Holder believe it would cost the Council to update the Council chamber with power sockets so Councillors could use their iPads throughout a meeting.

543 MOTIONS

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

‘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.'

The Motion was duly seconded.

It was moved by Councillor P A Watkins, and duly seconded, that the Motion be AMENDED as follows:

'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, where possible, flooding in inland flood risk areas of our district, such as East Studdal and the Alkham Valley.
2. The government to 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 review 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 report to replace impermeable surfacing with permeable surfaces.'

Councillor M R Eddy, with the consent of his seconder, accepted Councillor P A Watkins's proposals within his original Motion.

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

RESOLVED: That 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, where possible, flooding in inland flood risk areas of our district, such as East Studdal and the Alkham Valley.
2. The government to 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 review 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 report to replace impermeable surfacing with permeable surfaces.'

544 URGENT BUSINESS TIME

There was no urgent business to transact.

The meeting ended at 8.33 pm

Subject:	REVIEW OF ALLOCATION OF SEATS TO POLITICAL GROUPS
Meeting and Date:	COUNCIL – 14 MAY 2014
Report of:	JOINT REPORT OF THE CHIEF EXECUTIVE AND THE DIRECTOR OF GOVERNANCE
Classification:	UNRESTRICTED

Purpose of the report: The prompt and correct allocation of committee seats is vital to maintaining an effective and transparent governance framework.

- Recommendation:** *That it be recommended to Council:*
- (a) *That the report setting out the recommended allocation of seats to political groups be adopted.*
 - (b) *That the Dover Joint Transportation Board and the two Overview and Scrutiny Committees be considered as ordinary Committees for the purposes of calculating the allocation of seats for political groups.*
 - (c) *That the Council appoints its Committees with the sizes and allocation of seats between political groups as set out in Appendix 1 of the report, and invites the Group Leaders to make nominations to fill the seats on these Committees.*
 - (d) *That the Council appoints a Licensing Committee with 15 seats and, whilst noting that the duty to ensure political proportionality does not apply, resolves that the Licensing Committee should reflect the proportionality of the Council.*
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1. Summary

A review of the allocation of seats to political groups is required at, or as soon as practicable after, each Annual Meeting of the Council in accordance with the provisions of the Local Government and Housing Act 1989.

2. Introduction and Background

2.1 The political composition of the Council is 26 Conservative and 19 Labour. To be counted as a political group for the purposes of the political balance rules a party is required to have at least two members and have formally notified the authority that it is a political group.

2.2 Section 15 of the Local Government and Housing Act 1989 (specifically subsections (3) to (5)) prescribes the Council's duty to determine the allocation of seats which states the basic principles of seat allocation.

2.3 In summary, these principles of determination are that:

- (a) All the seats are not allocated to the same group;
- (b) The majority of the seats go to the group (if any) which has an overall majority on the Council (i.e. 23 or more seats);
- (c) Subject to the above two principles, that the number of seats on the total of all the ordinary committees allocated to each group bears the same proportion to the proportion on the full Council; and
- (d) Subject to (a) and (c), that the number of seats on each ordinary Committee and each Sub-Committee allocated to each group bears the same proportion to the proportion on the full Council.

Variations to Political Balance Principles

- 2.4 Prior to the allocation of seats, the Council may make variations to the principles of political balance in cases where a decision is taken to do so with no members voting against it.
- 2.5 If a political group fails to express its wishes within a period of three weeks of being notified of its allocation (which shall be taken as commencing from 14 May 2014, the date of the Council meeting where this report is considered), the Council at its first meeting after this period may make such appointment as it sees fit by majority vote regardless of the principles of political balance.

Definition of Ordinary Committees

- 2.6 The total number of seats on ordinary Committees of the Council is 65 seats if the Dover Joint Transportation Board and the two Overview and Scrutiny Committees are treated as an ordinary committee (as they have been historically) for the purposes of seat allocation.
- 2.7 It is necessary to treat the Dover Joint Transportation Board and the Overview and Scrutiny Committees as a "different provision ... approved by the authority" (Section 17 Local Government and Housing Act 1989) for the purposes of this report. If any Member of the authority votes against recommendation (b) of this report, the two Overview and Scrutiny Committees and the Dover Joint Transportation Board will be excluded from the list of ordinary Committees and the allocation recalculated without it.
- 2.8 For the purposes of this report it should be remembered that it is only the 7 district council seats on the Dover Joint Transportation Board that are included in the political balance calculations. The 7 Kent County Council seats (4 Labour, 3 Conservative as of 2 May 2013) are not included in any of the calculations.
- 2.9 It is the view of the Solicitor to the Council that Section 21 (11) of the Local Government Act 2000 (under which Scrutiny Committees are appointed), makes the Scrutiny Committees 'bodies' to which the political balance rules apply. However, what it does not do is to make them 'ordinary Committees' for the purposes of the political balance rules.
- 2.10 The preferred approach is include the Dover Joint Transportation Board and the 2 Overview and Scrutiny Committees as ordinary committees of the council as it codifies the approach that has traditionally been taken to the determination of seats on ordinary committees.

In-Year Changes to Political Balance 2013-14

- 2.11 There have been no changes to the Council's political balance or committee structure since the last annual meeting.

Allocation of Seats – Ordinary Committees

- 2.12 The process for allocating seats is set out in detail in the appendix to this report and in summary form below.
- 2.13 The first stage in the process is to calculate the proportional entitlement to seats of each political group based on the overall political composition of the council. This allocated to the Conservative Group an overall entitlement to 37.5556 seats (rounded to nearest whole number, 38 seats) and to the Labour Group an entitlement of 27.4444 seats (rounded to nearest whole number 27 seats), out of a total of 65 available seats on Ordinary Committees.
- 2.14 The second stage in the process is to allocate the seats based on the proportional entitlement for each committee, the calculations for which are set out in greater detail in Annex 1 of this report. This allocated 65 of the 65 available seats for Ordinary Committees.
- 2.15 There is no over or under-allocation of seats to any political group this year (on 65 seats), and it is therefore not proposed that any adjustments be made to the initial proportional entitlement.
- 2.16 The allocation of 65 seats proposed the annex to this report is consistent with the overall proportional entitlement to seats for each political group based on the overall political composition of the council and consistent with the principles set out in paragraph 2.3 of this report.

Allocation of Seats – Non-Ordinary Committees

- 2.17 In addition to the ordinary Committees of the Council, there are four non-ordinary Committees of the Council. Although these are not bound by the same requirements for political balance as the ordinary Committees it should be noted that they have historically been allocated on that principle. The four non-ordinary Committees are the Licensing Committee, the East Kent (Joint Arrangements) Committee, the Joint Staff Consultative Forum and the Joint Health, Safety and Welfare Consultative Forum.
- 2.18 The terms of reference of the East Kent (Joint Arrangements) Committee specify that its membership is composed of the Leader and Deputy Leader of the Council. As less than three members are appointed by the Council, it is not required to be politically balanced.
- 2.19 Pursuant to Section 6 of the Licensing Act 2003, the Licensing Committee must have at least ten, but no more than fifteen, members. The current arrangement of fifteen members allows the Licensing Committee to appoint five broadly area-based sub-committees to conduct hearings. The Licensing Committee is not subject to the requirements of the Local Government and Housing Act 1989 with regard to political proportionality, although this principle has been applied in allocating the seats at the annual Council meetings held since May 2006. It is however at the discretion of the Council to set the size of the Licensing Committee and the allocation of seats, subject to the restriction mentioned above.

Allocation of Seats – Executive Committees

- 2.20 The allocation of seats on Executive Committees is a matter for the Cabinet and not covered by this report.

Allocation of Seats - South Kent Coast Health and Wellbeing Board

- 2.21 The South Kent Coast Health and Wellbeing Board is a sub-committee of Kent County Council's Health and Wellbeing Board, although it is administered by Dover District Council. As such the two Dover District Council members appointed to it are outside the scope of this report.

3. Identification of Options

- 3.1 Option 1 – To adopt the recommendations as set out in this report.
- 3.2 Option 2 – To not adopt the recommendations set out in the report and make an alternative proposal within the statutory framework.

4. Evaluation of Options

- 4.1 Option 1 is the preferred option as this would maintain the current arrangements with minor alterations.
- 4.2 Option 2 is not the preferred option as the allocation of seats set out in the report represents the best method of fulfilling the principles set out in paragraph 2.3 of the report. In the event that the Council wishes to make variations to the allocation that are contrary to the principles of political balance it would require the unanimous approval of Council.

5. Resource Implications

- 5.1 None.

6. Appendices

Appendix 1 – Summary of the Proposed Allocation of Seats (65 Ordinary Seats)

7. Background Papers

Localism Act 2011
Local Government Act 1972
Local Government and Housing Act 1989
Local Government Act 2000
Licensing Act 2003
Local Government and Public Involvement in Health Act 2007

Contact Officer: Rebecca Brough, Team Leader - Democratic Support

**Allocation of Seats
Political Balance Arrangements
Local Government & Housing Act 1989**

65 ORDINARY COMMITTEE SEATS

Ordinary Committees

Total Membership of Committees:

Planning Committee	10 on 1 Committee	= 10
Scrutiny (Policy & Performance) Committee	10 on 1 Committee	= 10
Scrutiny (Community & Regeneration) Committee	10 on 1 Committee	= 10
Dover Joint Transportation Board	7 on 1 Committee	= 07
Governance Committee	6 on 1 Committee	= 06
Regulatory Committee	5 on 1 Committee	= 05
General Purposes Committee	5 on 1 Committee	= 05
Standards Committee	7 on 1 Committee	= 07
Electoral Matters Committee	5 on 1 Committee	= 05
Total Number of Seats on Committees		= 65

Membership of Political Parties as a % of Total Membership

	Number	%
Conservative	26	57.77
Labour	19	42.22
Total	45	100.00

Overall Entitlement to Seats

Conservative	57.77% of 65 seats equals 37.5556	Equals	38 seats
Labour	42.22% of 65 seats equals 27.4444	Equals	27 seats
Total			65

Allocation of Seats

The initial allocation of seats based on the principles of proportionality allocates 65 out of the 65 seats (38 Conservative Seats and 27 Labour Group seats). Having allocated seats to committees in accordance with the political balance rules any seats remaining unallocated are allocated to the group with the nearest whole number having regard to the overall proportionality.

Planning Committee (10 Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	5.7778 seats	Equal to	6
Labour	42.22%	Equals	4.2222 seats	Equal to	4
Unallocated Seats					0
Total					10

The initial allocation based on proportionality allocates 10 of the 10 seats.

Scrutiny (Policy and Performance) Committee (10 Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	5.7778 seats	Equal to	6
Labour	42.22%	Equals	4.2222 seats	Equal to	4
Unallocated Seats					0
Total					10

The initial allocation based on proportionality allocates 10 of the 10 seats.

Scrutiny (Community & Regeneration) Committee (10 Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	5.7778 seats	Equal to	6
Labour	42.22%	Equals	4.2222 seats	Equal to	4
Unallocated Seats					0
Total					10

The initial allocation based on proportionality allocates 10 of the 10 seats.

Governance Committee (6 Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	3.4667 seats	Equal to	3
Labour	42.22%	Equals	2.5333 seats	Equal to	3
Total					6

There is no adjustment of seats required for this committee. At .4667 the entitlement for the Conservative group is rounded down to 3 seats and the .5333 entitlement for the Labour Group is rounded up to 3 seats.

Dover Joint Transportation Board (7 DDC Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	4.0444 seats	Equal to	4
Labour	42.22%	Equals	2.9556 seats	Equal to	3
Total					7

The initial allocation based on proportionality allocates 7 of the 7 seats.

Regulatory Committee (5 Seats)

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	2.8889 seats	Equal to	3
Labour	42.22%	Equals	2.1111 seats	Equal to	2
Total					5

The initial allocation based on proportionality allocates 5 of the 5 seats.

General Purposes Committee (5 Seats)

Political Group	Proportional Entitlement			
Conservative	57.77%	Equals	2.8889 seats	Equal to 3
Labour	42.22%	Equals	2.1111 seats	Equal to 2
Total				5

The initial allocation based on proportionality allocates 5 of the 5 seats.

Electoral Matters Committee (5 Seats)

Political Group	Proportional Entitlement			
Conservative	57.77%	Equals	2.8889 seats	Equal to 3
Labour	42.22%	Equals	2.1111 seats	Equal to 2
Total				5

The initial allocation based on proportionality allocates 5 of the 5 seats.

Standards Committee

Political Group	Proportional Entitlement			
Conservative	57.77%	Equals	4.0444 seats	Equal to 4
Labour	42.22%	Equals	2.9556 seats	Equal to 3
Total				7

The initial allocation based on proportionality allocates 7 of the 7 seats.

Member Appointments Falling Outside Of The Political Balance Rules**(a) The Licensing Committee**

The Political Balance Rules do not apply to this Committee. In accordance with previous practice it is suggested that the following should be appointed:

Licensing Committee (15 Seats)

Political Group	Proportional Entitlement			
Conservative	57.77%	Equals	8.6667 seats	Equal to 9
Labour	42.22%	Equals	6.3333 seats	Equal to 6
Total				15

(b) The East Kent (Joint Arrangements) Committee

If proportionality were to be applied to this committee then it would split the seats between both political groups. However, as the committee has no requirement to be politically balanced and the terms of reference of the committee require the appointment to be the Leader and Deputy Leader of the Council, it is proposed that the appointments be made as per the terms of reference.

The East Kent (Joint Arrangements) Committee

Political Group		
Conservative	Equal to	2
Labour	Equal to	0
Total		2

(c) Other Bodies – Advisory Bodies Not Open to Public*Joint Staff Consultative Forums*

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	2.8889 seats	Equal to	3
Labour	42.22%	Equals	2.1111 seats	Equal to	2
Total					5

Joint Health, Safety and Welfare Consultative Forums

Political Group	Proportional Entitlement				
Conservative	57.77%	Equals	2.8889 seats	Equal to	3
Labour	42.22%	Equals	2.1111 seats	Equal to	2
Total					5

Subject:	PROGRAMME OF ORDINARY MEETINGS 2014/15
Meeting and Date:	Council – 14 MAY 2014
Report of:	David Randall, Director of Governance
Classification:	Unrestricted

Purpose of the report:	The Constitution requires that the Programme of Ordinary Meetings be set at the Annual Meeting of the Council.
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Recommendation:	Council is requested to ratify the Programme of Ordinary Meetings for 2014/15.
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1. Summary

In order to provide Members, Officers, other partner local authorities and the general public with as much notice as possible, a provisional Programme of Ordinary Meetings is presented to the Council in January each year prior to its final ratification at the Annual Meeting of the Council.

2. Introduction and Background

- 2.1 The Programme of Ordinary Meetings for 2014/15 is based on a 6-8 week cycle that commences with a meeting of the Cabinet and ends with a meeting of the Council. In between those two points all other committee business takes place.
- 2.2 Wherever possible efforts have been made to avoid school holiday dates although this has not always been achievable.
- 2.3 It should be emphasised that the programme set out in Appendix 1 only applies to Committees with scheduled meetings. It does not apply to any Committees that are called on an ad-hoc basis as business warrants, such as the General Purposes Committee.

3. Identification of Options

- 3.1 There are three options available to the Council:
- 3.2 Option A – To approve the Programme of Ordinary Meetings for 2014/15 as set out in Appendix 1.
- 3.3 Option B – To approve the Programme of Ordinary Meetings for 2014/15 with amendments.
- 3.4 Option C – To not approve the Programme of Ordinary Meetings for 2014/15.

4. Evaluation of Options

- 4.1 The recommended option is Option A as this supports the existing decision route cycle and avoids wherever possible school holidays and significant local Elections and Party Conferences.

4.2 Options B and C are not recommended as it may require adjustments to the existing decision route cycle.

4.3 In the event that any Member wishes to propose Option B, thereby changing the provisional Programme of Ordinary Meetings, they are asked to contact the Democratic Services Manager prior to the date of the meeting at which this report is considered in order that the feasibility of rearranging the meeting can be established.

5. **Resource Implications**

There are no resource implications arising from this report as set out. However, if significant changes were to be made to the Programme of Ordinary Meetings then this may need to be re-evaluated.

6. **Appendices**

Appendix 1 – Programme of Ordinary Meetings 2014/15

7. **Background Papers**

None.

Contact Officer: Rebecca Brough, Team Leader – Democratic Support 01304 872304

DOVER DISTRICT COUNCIL – PROGRAMME OF MEETINGS – 2014/15

Committee	Start at	2014									2015			
		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May ^(J)
Cabinet	11.00 am	12	2	7		8	6	3	1	5	2 ^(E)	2 30	13	
Council	6.00 pm	14 ^(A)		23		17		26		28 ^(C)		4 ^(B)		20 ^(A)
Dover Joint Transportation Board	6.00 pm			10		11			11		26		16	
Governance Committee	6.00 pm		26			25 ^(D)			4			26		
Licensing Committee	5.00 pm	27						26				30		
Planning Committee	6.00 pm	8	5	17	28	18	16	13	18	22	12	12	9	28
Regulatory Committee	10.00 am		17			9		18			10		14	
Scrutiny (Community & Regeneration) Committee	6.00 pm	21	11	9		10	8	5	3	7	4	11	15	
Scrutiny (Policy & Performance) Committee	6.00 pm	27	10	15		23	14	11	9	13	10 ^(F)	10 31	14	
South Kent Coast Health and Wellbeing Board	3.30 pm		24			16		25		20		31		
Standards Committee	10.00 am		25			10			17			25		
Joint Staff and Health & Safety Consultative Fora ^(G)	2.30 pm		4			3			17			11		
Scrutiny Call-In Meetings ^(I)	6.00 pm	27	17	24		23	21	18	16	20	17	17	23	
Publication of Notice of Forthcoming Key Decisions	N/A	2	6	4	8	5	3 & 31	28	22	30	27	13	3	

Footnotes

- (A) Denotes the Annual Meeting of Council.
The AGM for the municipal year 2013/14 is to be held on 14 May 2014.
- (B) Denotes Budget and Council Tax Setting Meeting
- (C) Council Tax Base
- (D) Final Accounts
- (E) Budget and Medium-Term Financial Plan

- (F) Budget Scrutiny Meeting
- (G) Denotes that these meetings are not open to the public
- (I) These meetings will not be held unless an Executive decision is called in by Scrutiny
- (J) The date for the ordinary election of the Council is **Thursday 7 May 2015**.

All meetings generally commence at the times indicated above but are subject to change.

These meetings will be held at the Council Offices, White Cliffs Business Park, Dover CT16 3PJ unless otherwise indicated

DOVER DISTRICT COUNCIL – PROGRAMME OF MEETINGS – 2014/15

Access to Meetings and Information	Democratic Support
<p>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.</p> <p>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.</p> <p>Agenda papers are published five clear working days before the meeting and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Alternatively, a limited supply of agendas will be available at the meeting, free of charge.</p> <p>All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. The Council's website contains copies of most minutes and agendas from 2001 onwards. Basic translations of specific reports and the Minutes are available on request in 12 different languages and in large print.</p> <p>In addition to the Council's website, Agendas and Minutes can be downloaded to an Apple iPad or Android Device using the modern.gov App from the appropriate App Store and selecting Dover District Council from the list of authorities.</p> <p>Photography and/or use of recording devices is not permitted at Council, Cabinet and Committee meetings without prior written consent from Democratic Services. Any requests must be made in writing to the Head of Democratic Services at Dover District Council, White Cliffs Business Park, Dover, Kent CT16 3PJ or by email at democratic.services@dover.gov.uk or by telephone on 01304 872304.</p>	<p>The Director of Governance is Mr David Randall. The Head of Democratic Services is Ms Louise Cooke.</p> <p>If you require any further information about the contents of a Committee agenda or your right to gain access to agenda and minutes held by the Council please contact a member of the Democratic Support team:</p> <p>Rebecca Brough Team Leader - Democratic Support Telephone: (01304) 872304 Email: rebecca.brough@dover.gov.uk</p> <p>Kate Batty-Smith Democratic Support Officer Telephone: (01304) 872303 Email: kate.batty-smith@dover.gov.uk</p> <p>Jemma Duffield Democratic Support Officer Telephone: (01304) 872305 Email: jemma.duffield@dover.gov.uk</p> <p>Requests to Speak at Planning Committee, Scrutiny Committees or Council should be sent to:</p> <p>Democratic Services Telephone: (01304) 872303 / 872304 / 872305 Fax: (01304) 872452 Email: democratic.services@dover.gov.uk</p>

