



Council Meeting

**Council Offices
White Cliffs Business Park
Dover**

Wednesday, 17 September 2014

Summons and Agenda

Nadeem Aziz
Chief Executive



Democratic Services
White Cliffs Business Park

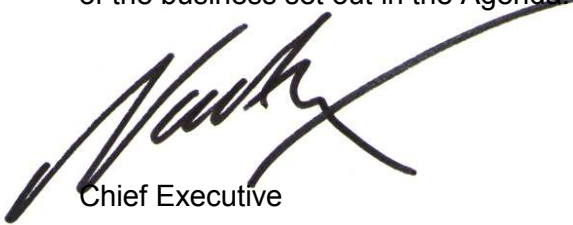
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9 September 2014

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 17 September 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 **MINUTES** (Pages 7 - 11)

To confirm the attached Minutes of the meeting held on 23 July 2014.

3 **DECLARATIONS OF INTEREST** (Page 12)

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

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 **QUESTIONS FROM THE PUBLIC**

To receive answers in respect of questions from the public to Members of the Executive asked in accordance with Rule 11 of the Council Procedure Rules.

In accordance with Council Procedure Rule 11, Ms Anne Morgan will ask the Portfolio Holder for Access and Waste Management, Councillor N J Collor, the following question:

"Could you please tell me what is being done to ensure that the residents living adjacent to Cooting Road in Aylesham can live in peace and free from noise, refuse and human waste caused by the lorry drivers who park in Cooting Road overnight just yards from our homes, especially at weekends. The situation is becoming intolerable?"

(A maximum of three minutes is allowed for the question to be read. Up to 15 minutes is allowed for this part of the meeting. Members of the public may ask one supplementary question without notice in addition to their original question. The supplementary question must arise directly out of the original question or the reply. Afterwards at the Chairman's discretion, any other Member may speak for up to two minutes on a question or reply.)

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).)

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 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.

- (1) Councillor P J Hawkins will ask the Portfolio Holder for Access and Property Management, Councillor N J Collor:

“Local residents have raised concerns about the lack of progress in bringing the Regent Cinema on Deal Seafront back into use, seemingly caused in part by objections raised by KCC. Will the appropriate Cabinet Member clarify the current situation, including any action being taken by this Council to ensure the building is open and available for community use as soon as possible?”

- (2) Councillor B W Bano will ask the Portfolio Holder for Access and Property Management, Councillor N J Collor:

“Will we ever see the introduction of 20 mph speed limits around our local schools?”

- (3) Councillor L A Keen will ask the Portfolio Holder for Access and Property Management, Councillor N J Collor:

“Can the Cabinet Member for Access and Property outline what steps Dover District Council is taking, in liaison with KCC Highways as necessary, to resolve the lorry parking problem in Cooting Road, Aylesham?”

- (4) Councillor A S Pollitt will ask the Portfolio Holder for Health, Well-being and Public Protection, Councillor P G Heath:

“Can the Portfolio Holder for Health, Well-Being and Public Protection inform the Council of how the usage of foodbanks has developed month by month over the last two years?”

- (5) Councillor M R Eddy will ask the Leader of the Council, Councillor P A Watkins:

“Is the Leader comfortable with the standard of service that East Kent Shared Services provides to this Council in the collection of Council Tax?”

- (6) Councillor P M Brivio will ask the Portfolio Holder for Health, Wellbeing and Public Protection, Councillor P G Heath:

“Now that local authorities have a responsibility for public health, is it not time for the Portfolio Holder for Health and Well-Being to consider

adopting a "Cumulative Impact Policy" regarding applications for licences in certain parts of the district (as adopted by Canterbury City Council)?"

- (7) Councillor P Walker will ask the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

"In March this year, it was agreed that a working group should be set up to examine the impact of Mr Pickles's changes to the process of determining the award of costs in planning appeals. When is this group actually going to meet?"

- (8) Councillor B W Bano will ask the Portfolio Holder for Health, Well-being and Public Protection, Councillor P G Heath:

"Can the Portfolio Holder for Health and Well-Being outline what actions he has taken to ensure that the safe and effective services required of the East Kent Hospital University Foundation Trust, following the recent CQC inspection, will be supported by adequate funding from the Clinical Commissioning Group?"

9 **MOTIONS**

- (1) In accordance with Council Procedure Rule 13, Councillor K Mills will move:

"This council agrees to identify what impact the changes imposed on the Young Person's Travel Pass compared to the Freedom Pass have on young people within the district accessing youth provision, be it provided by CXK or the voluntary sector. These findings should be reported back to the Policy and Performance Scrutiny Committee."

- (2) In accordance with Council Procedure Rule 13, Councillor G Cowan will move:

"This council notes:

- that inappropriate and offensive outbursts on social media have once again been made by a District Councillor
- these comments follow previous racist outbursts on social media by the same District Councillor which led the Council's Deputy Leader to state there was no place in our society for this kind of language
- comments such as those made by the councillor concerned damage the reputation of Dover District Council and the office of councillor
- changes made to the standards procedure mean that councils are effectively unable to take action against councillors who bring their role and/or their council into disrepute

This council instructs:

- the Monitoring Officer to deliver training for all councillors covering the Nolan Principles of Standards in Public Life and the appropriate use of

social media and urges political groups to encourage all members to attend

- the Leadership of Dover District Council to lobby Central Government to strengthen the standards procedure in local government to enable councils to take appropriate action against councillors who bring the council into disrepute.”

10 **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 will be published on our website as soon as practicably possible after 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.

MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 23 July 2014 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

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

Officers: Chief Executive
 Director of Finance, Housing and Community
 Solicitor to the Council
 Head of Inward Investment
 Head of Democratic Services
 Team Leader – Democratic Support

25 **APOLOGIES**

Apologies for absence were received from Councillors J A Cronk, R J Frost, G J Hood, S J Jones, K Mills, K E Morris, C J Smith and J F Tranter.

26 **MINUTES**

The Minutes of the Annual Council and the Extraordinary Council meetings held on 14 May 2014 were approved as a correct record and signed by the Chairman.

27 **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Members.

28 **ANNOUNCEMENTS**

There were no announcements.

29 **THANET PARKWAY PRESENTATION**

The Council received a presentation from Ms A Carruthers and Mr F Qadir (Kent County Council) on the proposals for a Thanet Parkway Station.

RESOLVED: That the presentation be noted.

LEADER'S TIME

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

- (a) The transport improvement projects that had secured funding under the Growth Deal (Local Enterprise Partnership), including Albert Road, Deal, Jubilee Way, Dover and access to the Connaught barracks site. In addition to those projects that had secured funding, other bids (such as Aylesham) were waiting for consideration if any of the approved projects could not be delivered.
- (b) That as of July 2014, there were now 1700 people employed on the Discovery Park site with the 100th company expected to sign up shortly.
- (c) The need to access grant funding from as many sources as possible, including European funding (European Social Fund and the European Regeneration and Development Fund) and the additional funding streams made available through Assisted Area Status.
- (d) The visit by the Minister for Business and Enterprise, the Rt Hon Matthew Hancock MP, to the Multipanels site at Tilmanstone. The company had expanded beyond the original 50 jobs intended to be employed on the site and was also using local logistics firms. The Minister also visited the East Kent Railway where apprentices were being prepared for jobs with Network Rail.
- (e) That the South Kent Coast Health and Wellbeing Board would continue to monitor any closure or amalgamation of local GP Surgeries and press NHS Estate Services and the Clinical Commissioning Group over any deficiencies in provision.
- (f) The recent Accommodation Strategy which had found that there was an imbalance in the types of accommodation with a surplus of residential care beds and a deficit of nursing and extra care beds.
- (g) That he had recently met with the 'Flying Flags' interest group about how the Council could mark military and other events and the need for a local services group in the absence of a Dover branch of the British Legion.

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

- (a) That while he welcomed the LEP transport funding he had expressed concern over future development in Deal without sufficient infrastructure in place.
- (b) To welcome European funding and emphasise the need to secure more European funding in the future.
- (c) A recent meeting with the Shadow Transport Minister.
- (d) To support the need for a local services group.
- (e) That Concordia Health Limited, the company that had recently announced its intention to end its contract at a GP surgery in Broadstairs was also the operator of the Dover Medical Practice that was threatened with possible closure.

The Leader of the Council declined his opportunity to respond to points raised by the Leader of the Opposition Group in his report.

31 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no changes made to the existing allocations and appointments.

32 STATE OF THE DISTRICT 2014

The Leader of the Council, Councillor P A Watkins, introduced the State of the District 2014.

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

RESOLVED: That the annual State of the District report and the actions being taken through the Corporate Plan 2012-2016, be noted.

33 INDIVIDUAL ELECTORAL REGISTRATION (IER)

The Head of Democratic Services gave a presentation to the Council on the arrangements for Individual Electoral Registration (IER).

RESOLVED: That the presentation be noted.

34 REMUNERATION ARRANGEMENTS FOR INDEPENDENT AND SUBSTITUTE INDEPENDENT PERSON

The Team Leader – Democratic Support introduced the report on the proposed Remuneration Arrangements for Independent and Substitute Independent Person.

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

RESOLVED: (a) That the Independent Person be paid an allowance of £927 per annum backdated to the start of the municipal year and be entitled to claim travel and subsistence at the same rates as if s/he were a member of the authority.

(b) That the Substitute Independent Person be paid an allowance of £232 per annum backdated to the start of the municipal year and be entitled to claim travel and subsistence at the same rate as if s/he were a member of the authority.

35 QUESTIONS FROM MEMBERS

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 Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

“How are priorities for dealing with Planning Applications decided upon?”

(2) Councillor P A Walker asked the Leader of the Council, Councillor P A Watkins, in the absence of the Portfolio Holder for Skills, Training, Tourism and Culture, Councillor C J Smith:

“How much has been spent exclusively on Tourism in the current financial year, and how much was spent in the previous year?”

- (3) Councillor G Cowan asked the Portfolio Holder for Access and Property Management, Councillor N J Collor:

“Can the Portfolio Holder for Access and Property Management list all those council owned properties within the St Margaret's parish council area which have been sold or for which offers have been received in the last two years?”

- (4) Councillor B Gardner asked the Portfolio Holder for Access and Property Management, Councillor N J Collor:

“Does the Portfolio Holder for Access and Property Management believe that any lessons have been learnt in the process of providing beach huts on Walmer Beach?”

- (5) Councillor B W Bano asked the Portfolio Holder for Health, Well-being and Public Protection, Councillor P G Heath:

“Could the Portfolio Holder for Health and Public Protection report on the progress in the District regarding the Kent and Medway Suicide Prevention Strategy, with particular reference to Young People, and in doing so can he inform the Council about the mechanisms in place locally to implement the strategy and how successful have these been?”

36

MOTIONS

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

"This Council supports the campaign to retain Manston as an operational airport, recognising the role and place it can have in the UK aviation industry, making better use of regional capacity in accordance with the views of the South East Local Enterprise Partnership, while making a significant contribution as one of the strategic priorities for regeneration of the East Kent area."

The Motion was duly seconded.

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

RESOLVED: That this Council supports the campaign to retain Manston as an operational airport, recognising the role and place it can have in the UK aviation industry, making better use of regional capacity in accordance with the views of the South East Local Enterprise Partnership, while making a significant contribution as one of the strategic priorities for regeneration of the East Kent area.

- (b) In accordance with Council Procedure Rule 13, Councillor B W Bano, gave notice of his intention to move the following Motion:

"Given Dover's position as the Gateway to Europe by land, sea and air, this Council views with concern the prospect of the withdrawal of the UK from the European Union which will have a devastating impact on inward investment into the District and on the wider East Kent economy. The recent closure of Manston airport highlights the need to be actively and positively engaged with the EU which has a major role to play in the maintenance and development of crucial international transport infrastructure."

The Motion was duly seconded.

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

37 URGENT BUSINESS TIME

There were no items of urgent business.

The meeting ended at 9.30 pm

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.