

Public Document Pack



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4 September 2017

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** will be held in the Council Chamber at these Offices on Wednesday 13 September 2017 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough on (01304) 872304 or by e-mail at rebecca.brough@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background.

Chief Executive

Scrutiny (Community and Regeneration) Committee Membership:

L A Keen (Chairman)
G Cowan (Vice-Chairman)
P J Hawkins
T A Bond
P I Carter
N Dixon
R J Frost
M J Ovenden
G Rapley
N A G Richards

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

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

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

4 **MINUTES** (Pages 6 - 18)

To confirm the attached Minutes of the meetings of the Committee held on 14 June 2017, 12 July 2017 and 1 August 2017.

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak only applies to agenda item 11.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day before the meeting.

6 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE**

The following decisions were taken by the Cabinet at its meeting held on 4 September 2017 in respect of recommendations from the Scrutiny (Community and Regeneration) Committee:

- Revision of Private Sector Housing Assistance Policy
- Development of New Affordable Housing - Foxborough Lane, Woodnesborough
- Aylesham Village Expansion - Retail Units, Third Party Land and Post Development Improvements
- Development of New Affordable Housing on Land at New Dover Road, Capel-le-Ferne

7 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE**

There are no items for consideration.

8 **ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION**

- (a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees.

There are no items for consideration.

(b) Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members. Call-Ins are heard by the Scrutiny (Policy and Performance) Committee unless it decides to refer the matter to the Scrutiny (Community and Regeneration) Committee.

There are no items for consideration.

(c) Public Petitions

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 19 - 22)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 23 - 25)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **DOVER DISTRICT COUNCIL LOCAL DEVELOPMENT SCHEME** (Pages 26 - 45)

To consider the attached report of the Chief Executive.

12 **REGENERATION UPDATE - DOVER WATERFRONT AND TOWN CENTRE REGENERATION**

To receive an update from the Head of Inward Investment.

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.
- 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 the meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** held at the Council Offices, Whitfield on Wednesday, 14 June 2017 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: T A Bond
P I Carter
G Cowan
P J Hawkins
G Rapley
N A G Richards

Officers: Team Leader – Democratic Support
Democratic Support Officer

12 APOLOGIES

Apologies for absence were received from Councillors N Dixon and R J Frost.

13 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute members appointed.

14 DECLARATIONS OF INTEREST

Councillor N A G Richards declared a Disclosable Pecuniary Interest (DPI) in Minute No. 22 by reason of his being a tenant of Town and Country Housing and gave notice of his intention to withdraw from the meeting for the consideration of that item of business.

15 MINUTES

The Minutes of the meetings held on 15 March 2017 and 19 April 2017 were approved as a correct record and signed by the Chairman.

16 PUBLIC SPEAKING

The Team Leader – Democratic Support advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

17 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE

The Team Leader – Democratic Support advised Members of the decisions of the last meeting of the Cabinet relating to recommendations previously made by the Committee.

RESOLVED: That the decisions be noted.

18 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE

There were no items of business.

19 ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION

There were no items of business.

20 NOTICE OF FORTHCOMING KEY DECISIONS

The Team Leader – Democratic Support presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

RESOLVED: That the Notice of Forthcoming Key Decisions be noted.

21 SCRUTINY WORK PROGRAMME

The Team Leader – Democratic Support presented the Scrutiny Work Programme to the Committee for its consideration.

Members agreed that in addition to the items previously identified for the Work Programme that the issue of exploring the utilisation of long term commercial empty properties in Dover for residential use be included within the work programme. Councillor N A G Richards cited Camelot Europe as an example of this.

RESOLVED: That the Work Programme be noted subject to the inclusion of an additional item on the use of commercial properties for residential purposes.

22 REGISTERED PROVIDERS OF SOCIAL HOUSING

The Chairman welcomed the representatives of Registered Providers of Social Housing (RPs) to the meeting who were present to answer key questions set by members of the Committee. The following RPs were in attendance:

<u>Attendee</u>	<u>Representing</u>
Deborah White	West Kent Housing
Paul Tewkesbury	Housing and Care 21
Jo Ellis	Town and Country Housing Group
Keith Cane	Town and Country Housing Group

Q1. What role is there for Dover District Councillors in raising concerns on behalf of tenants and where can the information on your organisations points of contact be found?

Members were advised that each Registered Provider had its own complaints process set out in leaflets and on their websites.

Town and Country Housing Group

There was a three stage process at Town and Country Housing Group for handling complaints and at every stage they liaised with the tenants. The three stages were (1) a manager review of the complaint; (2) a review by another manager; and (3) a board review.

Complaints were acknowledged within 24 hours and the customer contacted with a view to try to resolve the situation 48 hours. If this was not possible a resolution was sought at the first stage of the process within 10 days. If a complaint progressed to the second stage it would be responded to within a further 10 days and complaints that reached the third stage had a target of 30 days for a board review.

Complaints could be made face-to-face, by email, by letter or by telephone and the details of the complaint would be captured in the Customer Relationship Management (CRM) software to provide an audit trail.

There was a role for councillors in supporting tenants through both the Town and Country Housing Group complaints process and in referring complaints to the Housing Ombudsman. When the Housing Ombudsman received a referral it looked for the involvement of a third party, known as a 'designated person'. A designated person was considered to be a local Member of Parliament, local councillor or recognised tenant panel and where a designated person was involved in referring a complaint to the Housing Ombudsman it was dealt with more quickly than the complaints not involving a designated person.

Town and Country Housing Group owned and managed c.700 units in the Dover District. In respect of the five complaints received since 1 April 2016 and all but one had been resolved at the first stage and none had reached the third stage.

West Kent Housing

West Kent Housing operated a 3 stage complaint system as followed: (1) tenant to approach on-site scheme manager; (2) review by a manager; and (3) a board panel review. If a tenant wanted a councillor to assist them in the complaints process they could as long as the tenant advised West Kent Housing in writing.

Under the 'Make it Right' system operated by West Kent Housing the intention was to ensure that the most appropriate person dealt with the complaint and tenants received a response within 10 days, although a longer period for a response could be negotiated if required. However, most complaints were dealt with within the first 2 days. If a complaint required going to the second stage, this would also be responded to within 10 days.

Complaints could be made face-to-face, by email, by letter or by telephone on a Freephone number.

As West Kent Housing's 'Beeches' scheme (c.50 units) in the Dover District was relatively new there had been no complaints received to date.

Housing and Care 21

There was a scheme manager on each site who tenants could contact and there were contact cards available at each site with three key contacts. The complaints process consisted of a single stage followed by referral to the Ombudsman.

Complaints could be made by telephone, e-mail or face-to-face to the on-site scheme manager.

Q2. What, if any, are the arrangements are there for involving tenants in the management of properties?

There were a number of ways that tenants could become involved in the management of properties and receive information on outcomes resulting from tenant involvement.

Town and Country Housing Group

- On-line surveys
- Telephone calls after contacts (i.e. following repair work)
- 'Block Champions' to raise issues for local residents
- Pop-up events at local events
- Resident panels
- Tenant scrutiny panel (10 residents plus an independent chair)
- 2 elected tenant representatives on the Board
- Tenants' Matters magazine distributed electronically or by paper version if required

West Kent Housing

- 3 elected tenants representatives on the Board
- Tenant auditors who work with internal audit; mystery shoppers; tenant scrutiny through topic specific panels
- Focus groups to look at policies/issues of specific concern to tenants (i.e. 'Emerald Forum' for older people or groups for tenants with support needs)
- Publish 'You Said, We Did' to feedback the outcome of complaints and engagement by tenants.

Housing and Care 21

- Tenant Board members
- Tenants Forums
- Outcomes are published in the tenants' magazine which was distributed to all residents
- Each individual scheme operated under 'choice and consensus' where the residents could define policies for that specific scheme (i.e. pet policies)

Q3. What is the nature of your tenancy agreements?

In responding to the question Members asked that reference be made to dealing with over-occupancy and the termination of joint tenancies due to a relationship breakdown.

Members were reminded that emergency housing needs were a matter for the local authority not Registered Providers.

Town and Country Housing Group

The permitted number of occupants at letting was determined by the type and size of property and tenants were encouraged to register for mutual exchange if their occupancy needs changed. In respect of the termination of a joint tenancy, only the courts could determine who would keep the tenancy if there was no mutual agreement. There were grounds in respect of abuse where a Registered Provider could apply to court to take back possession of the property.

West Kent Housing

The occupancy number was determined by the property and West Kent Housing encouraged tenants to join the local authority register (as West Kent Housing did not have a waiting list) if their occupancy needs changed. Couples were issued with joint tenancies and in the event of a relationship breakdown the tenancy would be assessed and changed as required.

Housing and Care 21

Housing and Care 21 provided retirement and extra care housing for older people, so the issue of over-occupancy did not tend to arise.

Q4. What are your organisations service standard for responding to issues raised by tenants?

This question had been answered as part of the responses to Question 1.

Q5. What provisions are there for enabling the safe and accessible storage of mobility scooters, especially at properties targeted towards tenants with mobility problems?

Town and Country Housing Group

Specialist schemes had storage facilities for mobility scooters but in other schemes it had to be determined where they could be stored in accordance with safety rules as mobility scooters were combustible.

In respect of charging the mobility scooters, while new schemes had dedicated charging places older schemes did not. Tenants' mobility scooters should not be charged through a scheme's general power supply as the cost of electricity was shared equally amongst all tenants in the scheme.

Housing and Care 21

While newer schemes had dedicated storage areas and charging points the majority of older schemes did not. Housing and Care 21's policy on the storage and charging of mobility scooters had been updated to reflect current safety advice.

Members were encouraged to visit the Dorset and Wiltshire Fire and Rescue Service website to see the advice on the fire risk posed by mobility scooters.

Q6. What are the procedures for dealing with anti-social or problematic behaviour from tenants?

All of the registered providers advised that they would work with the police and local partner agencies in the tackling of anti-social behaviour issues and reminded Members that tenants were not the only cause of anti-social behaviour. There were instances where tenants had been the subject of anti-social behaviour caused by people from outside the Registered Providers housing scheme.

Town and Country Housing Group

The Neighbourhood Manager was the first point of contact for tenants with concerns and attempts would be made to see if the problem could be resolved without formal intervention. Town and Country Housing Group also had a specialist anti-social behaviour officer.

In order to secure an eviction it was necessary to provide the court with evidence and a clear line was drawn between nuisance and anti-social behaviour.

Housing and Care 21

Where possible attempts were made to mediate and resolve issues informally in a sensitive manner as communal living required people to get along. If there was a need to go to court for an eviction order then it needed to be clearly evidenced.

West Kent Housing

West Kent Housing tried to be proactive in dealing with potential anti-social behaviour issues and would work with local partner agencies as needed.

Q7. What use, if any, is made of the DDC 'rural exceptions' policy when planning house-building and in terms of your organisations experience how useful is it?

Town and Country Housing Group

Members were advised that they did not have any such schemes in the Dover district but that they would speak to their development team and let Members know at a later date.

West Kent Housing

West Kent Housing had not used the rural exceptions policy at Dover District Council. However, experience elsewhere had demonstrated that it was often difficult to successfully apply.

Housing and Care 21

Housing and Care 21 had not used the rural exceptions policy at Dover District Council.

Q8. How effective are the joint arrangements with DDC Housing for allocating properties to tenants?

All the Registered Providers present indicated that the more information that the local authority could provide the easier it was to effectively allocate tenants to accommodation.

Town and Country Housing Group

New schemes were initially 100% local authority tenant nominations. Town and Country Housing Group had a good working relationship with Dover District Council.

West Kent Housing

West Kent Housing provided extra care accommodation in the district and as a result 100% of its tenants were local authority nominees.

Housing and Care 21

70% of tenants in the district were local authority nominees.

- RESOLVED: (a) That the Registered Providers be thanked for attending and answering the committee's questions.
- (b) That details of the housing ombudsman service and contact details for the Registered Providers present be circulated to the members of the Committee.

(Councillor N A G Richards declared a Disclosable Pecuniary Interest (DPI) in Minute No. 22 by reason of his being a tenant of Town and Country Housing and withdrew from the meeting for the consideration of this item of business.)

The meeting ended at 7.50 pm.

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Minutes of the meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** held at the Council Offices, Whitfield on Wednesday, 12 July 2017 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: T A Bond
P I Carter
G Cowan
B J Glayzer (as substitute for Councillor G Rapley)
P J Hawkins
M J Ovenden
N A G Richards

Officers: Director of Finance, Housing and Community
Head of Strategic Housing
Planning Deliver Manager
Team Leader – Democratic Support
Democratic Support Officer
Director of Finance, Housing and Community
Head of Strategic Housing
Planning Delivery Manager
Team Leader – Democratic Support
Democratic Support Officer

23 APOLOGIES

Apologies for absence were received from Councillors N Dixon, R J Frost and G Rapley.

24 APPOINTMENT OF SUBSTITUTE MEMBERS

In accordance with Council Procedure Rule 4, Councillor B J Glayzer was appointed substitute for Councillor G Rapley.

25 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

26 MINUTES

The Minutes of the meeting of the committee held on 16 June 2017 were approved as a correct record and signed the Chairman.

27 PUBLIC SPEAKING

The Team Leader – Democratic Support advised that no members of the public had registered to speak on items on the agenda to which the public speaking protocol applied.

28 DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

The Committee made no recommendations to Cabinet at its last meeting.

29 ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE OR ANOTHER COMMITTEE

There were no items of business to consider.

30 ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION

There were no items of business to consider.

31 NOTICE OF FORTHCOMING KEY DECISIONS

The Team Leader – Democratic Support presented the Notice of Forthcoming Key Decisions to the Committee for its consideration.

RESOLVED: That the Notice of Forthcoming Key Decisions be noted.

32 SCRUTINY WORK PROGRAMME

The Team Leader – Democratic Support presented the Scrutiny Work Programme to the Committee for its consideration.

Councillor N A G Richards was asked to provide contact details for Camelot Europe for a suitable date to be arranged for their attendance at a meeting of the Committee to discuss the use of long term empty commercial properties in the district.

As requested by the Committee, the Head of Community Services would attend a meeting of the Committee in November 2017 to discuss the new role and work of the department.

RESOLVED: (a) That the Scrutiny Work Programme be noted.

- (b) That the meeting with East Kent Hospitals University Foundation Trust (EKHUFT) be arranged to be held on 1st August 2017 and that the invitation be extended to the Clinical Commissioning Group (CCG).
- (c) That Stagecoach and KCC be invited to a future meeting to discuss the proposed changes to the bus service within the district.

33 REVISION OF EXISTING HOUSING ASSISTANCE POLICY

The Director of Finance, Housing and Community presented the Revision of Existing Housing Assistance Policy to the Committee, which had previously been considered at the meeting of the Cabinet on 3 July 2017. The policy was required to assist with delayed hospital discharge (bed-blocking), bring more empty homes into use and to provide more assistance to enable people to live independently at home for longer.

An increase in funding from central Government for Disabled Facilities Grants had been made available to councils and would allow the Council to consider additional types of assistance and included: a Stairlift Grant and the provision of a Hospital Discharge/Admissions Prevention Service through the Handy Person Service. The additional funding would help to ensure that disabled people could live independently for longer and help to reduce bed-blocking due to the safer home environment. This would also help to alleviate hospital admissions. Members were advised that the number of grant applications that could be made were not limited.

Additional funding had also been made available to help meet the demand for the Kent County Council's No Use Empty scheme, providing interest free loans limited up to a maximum of £25k per unit to bring empty properties back into use. The Council would fund up to a maximum of five dwellings per project, providing an additional £15k per unit with each loan being secured by a registered charge on the property. Councillor N A G Richards asked for the criteria to be made available that was used to prioritise the wards of Castle, Maxton & Elms Vale and Tower Hamlets as priority areas for the loans as he believed the Buckland ward should also be included.

The enhanced scheme would be communicated through DDC's communication team as well as various care providers which would include KCC's Occupational Therapists (OTs), Hospital OTs and the Clinical Commissioning Group. Members welcomed and encouraged the policy for the additional funding available.

RESOLVED: That Decision CAB26 be endorsed.

34 DEVELOPMENT OF NEW AFFORDABLE HOUSING - FOXBOROUGH LANE, WOODNESBOROUGH

The Director of Finance, Housing and Community introduced the Development of New Affordable Housing – Foxborough Close, Woodnesborough report to the Committee, which had previously been considered at the meeting of the Cabinet on 3 July 2017. The Council had purchased a small area of land from Town & Country

Housing Group (TCHG) in Foxborough Close for a nominal purchase price of £1, on the understanding that the land would be developed to provide affordable housing.

The land obtained adjoined a disused play area owned by the Council and once combined would be suitable for the construction of a pair of two bedroom semi-detached houses. There were concerns from some members that the play area would be removed and were advised that there was a leisure facility which included a new play area at the new village hall.

Members were advised that the Right to Buy scheme would apply and that restrictions would apply under the scheme's legislation which restricted the sale of the properties for no less than the build cost.

RESOLVED: That Decision CAB25 be endorsed.

35 AYLESHAM VILLAGE EXPANSION – RETAIL UNITS, THIRD PARTY LAND AND POST DEVELOPMENT IMPROVEMENTS

The Planning Delivery Manager presented the Aylesham Village Expansion – Retail Units, Third Party Land and Post Development Improvements report to the Committee, which had previously been considered at the meeting of the Cabinet on 3 July 2017. The report outlined a range of projects at Aylesham to support the ongoing village expansion; these included:

- £130,000 for the fit out of four Council-owned units in Market Place, Aylesham;
- £10,000 for legal and related advice to support the purchase of required third party land within the Aylesham Garden Village Development;
- £25,000 to undertake further works aimed at enhancing and protecting improvements that have been made to the village, but fall outside of the current planning permission;
- £15,000 to support the installation of CCTV in the Market Place and surrounding area.

These projects would be added to the Medium Term Capital Programme and funded from the Aylesham capital receipt.

There had been interest in the retail units from various businesses including a dentist's, balloon shop and barbers to date. DDC's property services would work with the tenants to incorporate appropriate shop fittings and would set rent levels for each unit. Members welcomed the retail offer and the employment opportunities they would create.

New parking spaces had been provided next to the Health Centre and behind the Co-Op. Members were advised there were no plans to change the parking arrangements at the front of the Co-Op. Members were keen for the improvements that needed to be made to the newly landscaped areas around Market Place to be practical but for the residents to be consulted and were advised that there was an ongoing consultation with the parish council to discuss these options.

With regard to infrastructure provision Councillor N A G Richards was concerned that three play areas had been removed to make way for the expansion project and wanted assurance that provisions were in place to cater for the younger generations in the village to help prevent crime and anti-social behaviour. The Planning Delivery Manager advised that £10m of infrastructure works had already taken place. A new park had been constructed off Central Boulevard and there were plans for open space at Ratling Road and allotments. It was hoped that the new residents would generate both leisure and commercial demand.

RESOLVED: That Decision CAB29 be endorsed.

36 EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by Councillor G Cowan, duly seconded and

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the remainder of the business on the grounds that the item to be considered involved the likely disclosure of exempt information as defined in the paragraph of Part 1 Schedule 12A of the 1972 Act.

37 DEVELOPMENT OF NEW AFFORDABLE HOUSING ON LAND AT NEW DOVER ROAD, CAPEL-LE-FERNE

The Head of Strategic Housing introduced the report on the Development of New Affordable Housing on Land at New Dover Road, Capel-le-Ferne.

Members welcomed the benefit that new affordable houses would bring to the district.

RESOLVED: That Decision CAB33 be endorsed.

The meeting ended at 7.23 pm.

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Minutes of the meeting of the **SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE** held at the Council Offices, Whitfield on Tuesday, 1 August 2017 at 6.00 pm.

Present:

Chairman: Councillor L A Keen

Councillors: S F Bannister (as substitute for Councillor G Cowan)
P J Hawkins
T A Bond
P I Carter
N Dixon
M R Eddy (as substitute for Councillor N A G Richards)
R J Frost
M J Ovenden
G Rapley

Officers: Team Leader – Democratic Support
Democratic Support Officer

38 APOLOGIES

Apologies for absence were received from Councillors G Cowan and N A G Richards.

39 APPOINTMENT OF SUBSTITUTE MEMBERS

It was noted that, in accordance with Rule 4 of the Council Procedure Rules, Councillors S F Bannister and M R Eddy had been appointed as substitutes for Councillors G Cowan and N A G Richards respectively.

40 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

41 EMERGENCY TRANSFER OF ACUTE MEDICINE - KENT & CANTERBURY HOSPITAL

In the absence of the representative from East Kent Hospitals University Foundation Trust this item of business was deferred to a new meeting date.

The Chairman called upon Members to set some key questions which would be sent to East Kent Hospitals University Foundation Trust for the rescheduled meeting date.

The meeting ended at 7.09 pm.



Notice of Forthcoming Key Decisions

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 1 September 2017

Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Neighbourhood Plans	June 2013 and ongoing (see entry)
2	Dover Town Centre Regeneration: To consider progress on the Compulsory Purchase Order and any issues arising which may go beyond the scope of the resolutions incorporated in Minute CAB 87	8 September 2014/24 April 2015/7 March 2016 and as necessary
3	Approval to develop detailed plans for replacement of Dover Leisure Centre	25 July/20 September and 15 December 2016 (special Cabinet meetings) and 11 September 2017 (special Cabinet meeting)
4	Statutory Brownfield Register	Decision to be taken by the Head of Regeneration and Development – December 2017
5	Review of Tenancy Strategy and Tenancy Policy	2 October/6 November 2017
6	Review of Local Plan	1 March 2017 and dates to be confirmed
7	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
8	Approval for public consultation on draft South Barracks Conservation Area Appraisal	3 July 2017 and 6 November 2017
9	To consider the results of public consultation on the Waterloo Crescent Conservation Area Appraisal and approve public consultation on proposed boundary extensions	8 May 2017
10	To consider the results of public consultation on the extension of the Nelson Street Conservation Area boundary and the introduction of an Article 4 Direction	8 May and 6 November 2017
11	Approval to cease providing a face-to-face customer service function at Aylesham, Deal and Sandwich area offices	3 July and 4 September 2017
12	Approval of revisions to the 2012 Housing Assistance Policy	3 July 2017
13	Approval of amended Dover District Council Events Policy and Land Hire Agreement	4 September 2017

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
14	Approval to release funding and carry out regular beach maintenance works between Oldstairs Bay and Sandwich Bay	12 June 2017
15	Local Plan Review – Engagement Strategy	8 May 2017
16	Appointment of contractor to carry out building extension and repair works at Kearsney Abbey and Russell Gardens as part of the Heritage Lottery Funded ‘Parks for People’ project	Decision to be taken by the Portfolio Holder for Property Management and Public Protection – July/August 2017
17	Appointment of contractor to carry out landscape and watercourse restoration works at Kearsney Abbey and Russell Gardens as part of DDC’s Heritage Lottery Funded ‘Parks for People’ project	Decision to be taken by the Portfolio Holder for Property Management and Public Protection – July/August 2017
18	To approve the policy on civil penalties and rent repayment orders for private landlords	2 October 2017
19	To seek approval for wet and dryside improvements to Tides Leisure and Indoor Tennis Centre, Deal	4 December 2017
20	Dover Waterfront Masterplan Area Action Plan	4 December 2017/15 January 2018 and dates to be confirmed
21	Planning Enforcement Plan	6 November 2017 and dates to be confirmed
22	Representations on the Thanet District Council Local Plan	5 March 2018
23	Fit-out of Aylesham retail units and related funding	3 July 2017
24	Project approval for development of land at Foxborough Close, Woodnesborough to provide affordable housing	3 July 2017
25	Approval of project to deliver new modular homes to provide temporary housing for homeless households	2 October 2017
26	To consider a revised East Kent Growth Framework	4 September 2017
27	The Open Golf Championship 2020	4 September 2017
28	Local Development Scheme	4 September 2017
29	To seek approval for public consultation on the draft Sandwich Walled Town Conservation Area Appraisal	5 March 2018 and date to be confirmed
30	Approval of contracts for works to Middle Street Car Park, Union Road Car Park and general maintenance work to remaining car parks.	4 September 2017

Key Decisions 2017/18	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
31	Approval to carry out works to area adjacent to River Dour and garages to the rear of Dolphin House, Dover	2 October 2017
32	Approval to carry out urgent repairs to Deal Pier	2 October 2017
33	Award of replacement pitched roofing contract 2017-2020	2 October/6 November 2017
34	Future and funding of Inspire Fund	15 January 2018

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website (www.dover.gov.uk).

OVERVIEW AND SCRUTINY WORK PROGRAMME 2017/18

SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE

Month	Scrutiny (Community and Regeneration) Committee	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
May 2017	Local Plan Engagement Strategy	Single Meeting	Chief Executive	£0	£0	To consider the report.
June 2017	Registered Providers of Social Housing	Single Meeting	Director of Finance, Housing & Community	£0	£0	To scrutinise Registered Providers of Social Housing.
July 2017	Approval of revisions to the 2012 Housing Assistance Policy	Single Meeting	Director of Finance, Housing & Community	£0	£0	To consider the report.
	Development of New Affordable Housing - Woodnesborough	Single Meeting	Director of Finance, Housing and Community	£0	£0	To consider the report.
	Aylesham Village Expansion – Retail Units, Third Party Land and Post Development Improvements	Single Meeting	Chief Executive	£0	£0	To consider the report.
	Development of New Affordable Housing on Land at New Dover Road, Capel-le-Ferne	Single Meeting	Director of Finance, Housing and Community	£0	£0	To consider the report.
August 2017	Temporary Transfer of Services from Kent and Canterbury Hospital	Single Meeting	East Kent Hospitals University Foundation Trust	£0	£0	Meeting did not go ahead due to non-attendance of EKHUFT.

Month	Scrutiny (Community and Regeneration) Committee	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
September 2017	Local Development Scheme	Single Meeting	Chief Executive	£		To consider the report.
	Regeneration Update – Dover Waterfront and Town Centre Regeneration	On-going	Head of Inward Investment	£		To receive an update on regeneration in the Dover District. To scrutinise the regeneration proposals for the area around the ‘Banksy’ building and connectivity to the waterfront, bench street, Dover museum and the crypt.
	Temporary Transfer of Services from Kent and Canterbury Hospital	Single Meeting 19 September 2017	East Kent Hospitals University Foundation Trust	£		To receive an update from EKHUFT.
October 2017	To approve the policy on civil penalties and rent repayment orders for private landlords	Single Meeting	Director of Finance, Housing & Community	£0		To consider the report.
	Explore utilising long term commercial empty properties in Dover	Single Meeting	Camelot Europe	£		To receive a presentation from Camelot Europe in respect of the potential alternative uses of vacant property [Added
Oct-Nov 2017	Review of Tenancy Strategy and Tenancy Policy	Single Meeting	Director of Finance, Housing and Community	£		To consider the report. [Selected from the Forward Plan]
Nov 2017	East Kent Housing – Proposed new formal resident involvement structure	Single Meeting	East Kent Housing	£		To consider the report.
	Communication and Engagement	Single Meeting	Director of Community Services	£0		To scrutinise the council's communication and engagement with local residents.

Month	Scrutiny (Community and Regeneration) Committee	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
Dec 2017 – May 2018	To be confirmed					

The following items have been identified for inclusion within the Work Programme (date to be confirmed):

Agreed for Inclusion?	Subject	Resource Implications				Action
Agreed	Private sector landlords	Single Meeting	Director of Finance, Housing and Community	£0		To scrutinise the arrangements for private sector landlords in the district.

Subject:	DOVER DISTRICT COUNCIL LOCAL DEVELOPMENT SCHEME
Meeting and Date:	Cabinet – 4 September 2017
Report of:	Nadeem Aziz, Chief Executive
Portfolio Holder:	Councillor Nick Kenton, Portfolio Holder for Environment, Waste and Planning
Decision Type:	Key
Classification:	Unrestricted
Purpose of the report:	To seek approval for the revised Local Development Scheme (LDS) dated September 2017.
Recommendation:	That Cabinet approves and brings into force the revised LDS attached at Appendix 1.

1. Summary

- 1.1 The Local Development Scheme (LDS) sets out the timetable for the production of key planning documents that will form part of the District's Local Plan. It is a legal requirement, and as such, it is important that it is kept up-to-date to reflect the Council's progress and keep residents and key stakeholders informed.
- 1.2 This LDS supersedes the Council's previous LDS published on 1st March 2017 and is attached at Appendix 1. It has been updated to take into account changes to the preparation, consultation and adoption of:
- Dover Waterfront Area Action Plan;
 - District Local Plan; and
 - A number of Conservation Area Character Appraisals.

2. Introduction and Background

- 2.1 A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made publicly available on the Council's website and be kept up-to-date to enable local communities and interested parties to keep track of progress.
- 2.2 It is important that the local community, businesses and others with an interest in the future planning of the District are aware of the planning documents that we intend to produce and the timescale for their preparation, consultation and adoption.
- 2.3 Although consultations on the District Local Plan will continue to be advertised and interested parties notified in accordance with the Council's Statement of Community Involvement and the District Local Plan Engagement Strategy, the LDS provides information about when consultations are likely to happen.

- 2.4 The LDS is also a useful tool for establishing and reflecting the Council's priorities and enables work programmes to be set for the preparation of planning documents. It also provides a context for the review of planning documents once they have been prepared.
- 2.5 The LDS which was agreed by Cabinet on the 1st March 2017 has now been updated in order to take into account changes to the preparation, consultation and adoption of
- Dover Waterfront Area Action Plan (AAP);
 - District Local Plan; and
 - A number of Conservation Area Character Appraisals.

The key updates in this LDS are set out below.

Dover Waterfront Area Action Plan

- 2.6 Dover Harbour Board has now commenced work on implementing its consent under a Harbour Revision Order for new facilities at the Western Docks through its Western Docks Revival project. This project, which is now well underway, is also providing the enabling works for the Dover Waterfront regeneration scheme (Policy CP8 in the Core Strategy).
- 2.7 Officers from Dover District Council have been working in partnership with Dover Harbour Board, a landowner, a range of stakeholders and local organisations on proposals for the Dover Waterfront AAP area. The work will create a mixed use development that will complement and build on the momentum that will be generated when the St James' development opens. It will improve connections with the town centre and create a continuous commercial area stretching from the St James' development to the seafront. The site's location offers a unique opportunity to create a mixed waterfront development but it also brings with it the challenge associated with bringing forward a regeneration scheme next to a busy trunk road in a manner that complements the town centre.
- 2.8 The previous version of the LDS identified the Dover Waterfront AAP as being progressed as either a Supplementary Planning Document (SPD) or a residual Local Development Document (LDD). As a result of a recent High Court case, it has become clear that work on the Dover Waterfront AAP and the associated public realm works cannot be prepared as a SPD or as a residual LDD because the emerging proposals involve land beyond that allocated under Policy CP8 to accommodate a cable car connection from the town centre to Dover Castle and proposals for new development along the new Marina Curve. Without the inclusion of these it would not have the added advantage of enabling the scheme to make a really positive contribution to the regeneration of the town. As a result of this, the proposals need to be prepared as a Development Plan Document (DPD) and examined by an independent Inspector that has been appointed by the Secretary of State before it can be adopted by the Council. Once it has been adopted by the Council it will have the same planning status as the District Local Plan.
- 2.9 The proposed timetable for the production, consultation and adoption of the Dover Waterfront AAP is set out in Chapter 3 of the LDS. The preparation of this document will have resources implications for the Regeneration Delivery team in terms of staff time and additional expenditure. In order for the team to be able to undertake the

additional work that will be involved with an AAP, it is recommended that the District Local Plan review timetable be amended.

District Local Plan review

- 2.10 The proposed timetable for the District Local Plan review has been adjusted in order to allow the work on the Dover Waterfront AAP to be progressed alongside work on the District Local Plan review. This has resulted in an extension to the programme for preparing the District Local Plan. Whilst it is fully acknowledged that this is not ideal, it is inevitable with the current level of planning officers within the Regeneration Delivery section.

Conservation Area Character Appraisals (CACA)

- 2.11 A considerable amount of progress has been made with working with a range of local organisations to adopt CACAs (Waterloo Crescent, Dover and Nelson Street, Deal). Consultation on the Deal South Barracks CACA has commenced and subject to any comments that are received, it should be adopted by November 2017.
- 2.12 The Conservation Studio has now been appointed to prepare a Sandwich Walled Town CACA. The Deal Society has also recently started work on the preparation of the Upper Walmer CACA. The proposed timetable for the production, consultation and adoption of the CACAs has been set out in Chapter 3 of the LDS.

Duty to Co-operate

- 2.13 The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 2.14 The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.
- 2.15 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their DPDs (this includes Local Plans and the AAPs). If a local planning authority cannot demonstrate that it has complied with the duty then a DPD will not be able to proceed further in examination.
- 2.16 Given this, it will be necessary to ensure that the Council undertakes a level of cross boundary working as part of the preparation of the evidence base that will be used to underpin the District Local Plan review, the policies and allocations and work on the AAP.

3. Identification of Options

- 3.1 To accept the changes to the revised LDS.
- 3.2 Not to accept the changes to the revised LDS.

4. Evaluation of Options

- 4.1 It is a legal requirement that local planning authorities produce a LDS to update residents and key stakeholders of their progress with producing planning documents and inform them of when they will be consulted as part of the plan making process. It is, therefore, important that the LDS reflects the current work programme and the Council's priorities.
- 4.2 Given this, option 1 is preferred as it would ensure that the LDS is up to date and accurately reflects the work priorities of the Council in accordance with the Government's Regulations.

5. **Resource Implications**

- 5.1 Once agreed by Cabinet, a copy of the LDS will be placed on the Council's website.
- 5.2 Whilst the work that has been undertaken to-date on the Dover Waterfront AAP and the public realm are all within the existing District Local Plan budget, there would be additional expenditure of £30,000 to prepare the work on the AAP which is not in the current District Local Plan budget. This expenditure would cover the cost of holding an independent examination and associated costs. It is proposed to finance this work from other existing revenue resources, with the majority of the spend expected to take place in 2018/19.

6. **Corporate Implications**

- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB/KW).
- 6.2 Comment from the Solicitor to the Council: No comment.
- 6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

7. **Appendices**

Appendix 1 – Local Development Scheme, September 2017

Contact Officer: Adrian Fox, Policy and Projects Manager, 42474.

District Local Plan



Making
your district
a better
place

Local
Development
Scheme
September 2017

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1 Introduction

1.1 What is the Local Development Scheme

1.1 A Local Development Scheme (LDS) is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It must be made publicly available on the Council's website and be kept up-to-date to enable local communities and interested parties to keep track of progress.

1.2 This LDS supersedes the Council's previous LDS published on 1st March 2017. It has been updated to take into account changes to the preparation, consultation and adoption of:

- Dover Waterfront Area Action Plan;
- District Local Plan; and
- A number of Conservation Area Character Appraisals.

1.2 What is the Development Plan

1.3 Local Planning Authorities are required to produce a Development Plan for their area. The Development Plan currently consists of:

- Dover District Core Strategy (2010)
- Dover District Land Allocations Local Plan (2015)
- Dover District Local Plan 2002 (saved policies)
- Worth Neighbourhood Plan (2015); and
- Kent Minerals and Waste Local Plan (2016)

1.4 The National Planning Policy Framework emphasises the need to involve all sections of the community in Plan-making. The Council also has a legal duty to consult residents and businesses when appropriate. Many individuals and organisations contribute to the preparation of planning documents. These are set out in the Council's Statement of Community Involvement (SCI) which explains how to become involved in decisions about plan-making and planning applications.

1.3 Why do we need a Local Development Scheme

1.5 It is important that the local community, businesses and others with an interest in the future planning of the District are aware of the planning documents that we intend to produce and the timescale for their preparation, consultation and adoption.

1.6 Although consultations on the District Local Plan will continue to be advertised and interested parties notified in accordance with the Council's Statement of Community Involvement and the Local Plan Engagement Strategy, the LDS provides information about when consultations are likely to happen.

1.7 The LDS is also a useful tool for establishing and reflecting the Council's priorities and enables work programmes to be set for the preparation of planning documents. It also provides a context for the review of planning documents once they have been prepared.

1.4 Will there be further revisions to the Local Development Scheme

1.8 Progress on meeting the milestones in the LDS is reviewed annually as part of the preparation of the Authority Monitoring Report (AMR) which is published on the Council's website:

www.dover.gov.uk/Authority_Monitoring_Report.aspx

2 Local Policy Documents and Guidance

2.1 Existing Position

Statement of Community Involvement

2.1 The Statement of Community Involvement sets out how, when and where the Council will consult with local and statutory stakeholders both during production of development plan documents, and within the development management function. The Council is required by law to produce a SCI and, once adopted, provisions that relate to plan-making become binding.

2.2 The SCI was adopted by the Council in May 2016:

www.dover.gov.uk/Statement-of-Community-Involvement.aspx

Core Strategy

2.3 The Core Strategy is the principal document in the Local Plan. It was adopted in February 2010 and contains the Council's vision and spatial strategy for the future development of the District for the period up to 2026. The Core Strategy allocates four strategic sites for housing and mixed use development, which are central to the success of the Plan. It also contains a separate section on Development Management Policies, which replaced some of the 'saved' Local Plan policies. These policies form part of the Development Plan and are used in the decision making process.

Saved Dover District Local Plan Policies 2002

2.4 The Dover District Local Plan was adopted in 2002 and covered the period to 2006. In September 2007 the Secretary of State confirmed that a number of the existing Local Plan policies could be 'saved' until they are subsequently superseded by new or revised policies.

Land Allocations Local Plan

2.5 The Land Allocations Local Plan was adopted by the Council in January 2015. Its primary purpose is to allocate land for development and to set out any issues or criteria that subsequent planning applications will need to address. In setting out what type of development is promoted where, the Plan provides local communities, landowners, developers and infrastructure providers a large degree of certainty about the future pattern of development in the District. Specific development proposals for the sites identified in the Plan will, however, need to gain planning permission before development can take place.

Worth Neighbourhood Plan

2.6 Regulations introduced by the Government in 2012 concerning neighbourhood planning make provision for Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build.

2.7 Worth Parish Council is the first Parish in the District to produce a Neighbourhood Plan and to go successfully through the referendum process. The Worth Neighbourhood Plan was made part of Council's Development Plan for Worth on the 28th January 2015.

Authority Monitoring Report

2.8 The Council publishes this document at the end of each year. The report monitors the effectiveness of planning policies and proposals, and records progress with meeting the milestones identified in the LDS.

Local Plan Evidence Base

2.9 A robust evidence base was prepared to support the planning policies in the Core Strategy and Land Allocations Local Plan. This is published in the form of background documents. Further information on the Council's current evidence base is available on www.dover.gov.uk/Planning/Planning-Policy/Evidence-Base/Home.aspx

The Policies Map

2.10 The Council has to have an adopted Policies Map in the Local Plan which needs to be updated when Development Plan Documents are adopted.

Supplementary Planning Documents

2.11 Supplementary Planning Documents (SPDs) should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework. They should build upon and provide more detailed advice or guidance on the policies in the Local Plan. They should not add unnecessarily to the financial burdens on development. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents. In exceptional circumstances a Strategic Environmental Assessment may be required when producing a Supplementary Planning Document.

2.12 The Council has prepared a number of SPDs and SPGs are these are available on:

www.dover.gov.uk/Planning/Planning-Policy/Supplementary-Planning-Documents/Home.aspx

2.2 Development Planning Documents Under Preparation

District Local Plan Review

2.13 The 2014/2015 Authority Monitoring Report signalled the need to review key parts of the Council's Adopted Core Strategy (CS) evidence base. Two important studies have now been completed: The Strategic Housing Market Assessment (SHMA) and the Economic Development Needs Assessment (EDNA); both of these studies have indicated that there is a strong case to review the Council's Adopted CS and the Adopted Land Allocations Local Plan (LALP). Allied to this the CS was

based on housing figures in the Regional Spatial Strategy (RSS) that has now been revoked, the economic growth targets have not been met and the current strategy is dated and is not in conformity with the national policy because it preceded the publication of the NPPF.

2.14 The policies in the Adopted CS predate and in some case are not compliant with the NPPF/PPG as they were prepared when the RSS was in place. At the time of preparing the CS the Council made a specific policy decision to not repeat policies in the RSS or the Government's Planning Policy Guidance which were in force at the time. This means that as part of a District Local Plan Review it will be important to carefully consider whether there is a need for any locally distinct policies for example, a policy on design. A comprehensive review will need to be undertaken all of the policies in the CS/LALP along with the 'saved' 2002 Local Plan policies in order to update and amalgamate them into one set of policies that is compliant with current Government policy and practice.

2.15 A Local Plan Review would have the added advantage that all of the Development Management Policies could be consolidated into one single Local Plan which would make it easier for Members, the general public/developers/Town/Parish Councils to understand the planning policy framework that operates in the District.

Regulation 18

2.16 The first stage of preparing a Local Plan is Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In accordance with the Regulations, this stage of the Local Plan making process would invite interested parties/specific consultation bodies/Town/Parish Councils to make representations about what a Local Plan ought to contain, it would set out what studies have already been completed and which ones were currently underway and what studies would need to be commissioned. This would be different to how the Council prepared the CS and the LALP in that it would not be necessary to seek approval from Cabinet on a draft (Preferred Options) Local Plan or authority to consult on the draft Local Plan. In accordance with the Regulations there would be extra engagement and informal consultation before Regulation 19 – see below.

Regulation 19

2.17 Formal public consultation on a draft Local Plan would take place at the next stage of the Local Plan making process (Regulation 19) prior to the submission of the Local Plan to the Secretary of State for an independent Examination.

2.18 The new timetable for the production and consultation of the District Local Plan Review is set out in Chapter 3.

Evidence Base

2.19 In order to withstand close scrutiny at an Examination a District Local Plan Review would need to be based on proportionate up-to-date relevant evidence about the economic, social and environmental characteristics and prospects of the District. The following studies are either underway or will be commissioned:

- Strategic Housing Market Assessment - available on the DDC website
- Economic Development Needs Assessment - available on the DDC website
- Strategic Housing Land Availability Assessment - due to be undertaken
- Refresh of Dover Transportation Study - currently underway
- Update of the District Retail Needs Assessment - currently underway
- Update of the District Strategic Flood Risk Assessment - currently underway
- Affordable Housing Viability Assessment - due to be undertaken
- Local Plan viability work - due to be undertaken
- Evidence base to support the Bus Rapid Transit - due to be undertaken
- Playing Pitch Strategy and Review of Playing Area Provision - due to be undertaken
- Green Infrastructure/Landscape Character Assessment - due to be undertaken
- Gypsy and Traveller Accommodation Needs Assessment - due to be undertaken

Sustainability Appraisal and Habitat Regulations Assessment

2.20 A Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA) is a legal requirement for certain plans and proposals including the District Local Plan and Neighbourhood Plans. This ensures that social, economic and environmental considerations are taken fully into account at every stage of the process for preparing Development Plan Documents.

2.21 A Habitat Regulations Assessment (HRA) considers the potential effects of plans on protected wildlife habitats in the Natura 2000 network, Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar areas.

2.22 The timetable for the production and consultation of the SA and HRA is set out in Chapter 3.

Dover Waterfront Area Action Plan

2.23 Dover Harbour Board has now commenced work on implementing its consent under a Harbour Revision Order for new facilities at the Western Docks through its Western Docks Revival project. This project, which is now well underway, is providing the enabling works for the Dover Waterfront regeneration scheme (Policy CP8 in the Core Strategy).

2.24 Officers from Dover District Council have been working in partnership with Dover Harbour Board, a landowner, a range of stakeholders and local organisations on proposals for Dover Waterfront Area Action Plan (AAP) area. The work will create a mixed use development that will complement and build on the momentum that will be generated when the St James's development opens. It will improve connections with the town centre and create a continuous commercial area stretching from the St James's development to the seafront. The site's location offers a unique opportunity to create a mixed waterfront development but it also brings with it the challenge associated with bringing forward a regeneration scheme next to a busy trunk road in a manner that complements the town centre.

2.25 The previous version of the LDS identified the Dover Waterfront AAP as being progressed as either a Supplementary Planning Document (SPD) or a residual Local Development Document (LDD). As a result of a recent High Court case, it has become clear that work on the Dover Waterfront AAP and the associated public realm works cannot be prepared as a SPD or as a residual LDD. This is because the emerging proposals involve land beyond that allocated under Policy CP8 to accommodate a cable car connection from the town centre to Dover Castle and proposals for new development along the Marina Curve. Without the inclusion of these it would not have the added advantage of enabling the scheme to make a really positive contribution to the regeneration of the town. As a result of this the proposals need to be prepared as a Development Plan Document (DPD) and examined by an independent Inspector that has been appointed by the Secretary of State before it can be adopted by the Council. Once it has been adopted by the Council it will have the same planning status as the District Local Plan.

2.26 The timetable for the production, consultation and adoption of the Area Action Plan is set out in Chapter 3 of the LDS.

Local Development Documents

2.27 The Dover District Heritage Strategy (2012) acknowledges that most of the districts conservation areas do not have an approved character appraisal, and it recommends that the Council should encourage local community groups to carry out such appraisals in conjunction with the Council.

2.28 A conservation area appraisal should consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change, or the need for further planning control. This information will be helpful to those considering investment in an area, and can be

used to guide and inform new development. Character appraisals also have a wider application as educational and informative documents for the local community. There is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990, for local planning authorities to review their conservation areas and to formulate and publish proposals for their preservation and enhancement. A Conservation Area Character Appraisal considers what features contribute to the historic and architectural character and appearance of the conservation area, and helps to identify opportunities for beneficial change or the need for further planning control, for example through the use of Article 4 directions.

2.29 The Council's Heritage team are currently working on the Character Appraisals. The timetable for the production and consultation on these are set out in Chapter 3.

Neighbourhood Plans

2.30 The Localism Act 2011 enables local communities to produce Neighbourhood Plans to support development in their area. If the Plans are adopted by the Council they will have the same weight as other Development Plan documents for the District.

2.31 The first stage in producing a Neighbourhood Plan is to designate a Neighbourhood Area. There are currently four Parish Councils in the District with Neighbourhood Area designations who are at different stages in the planning process:

- Ash;
- Sandwich;
- St Margarets at Cliffe; and
- Shepherdswell with Coldred.

2.32 Whilst the Council is not responsible for the production of Neighbourhood Plans and therefore no timetable can be included in the LDS for them, officers need to explore with the Town/Parish Councils that have a designated Neighbourhood Area if there are any issues holding back the progression of their Neighbourhood Plans and offer assistance where appropriate.

2.33 The Council will monitor the progress of Neighbourhood Plans in the District through the AMR.

Monitoring

2.34 The Council will continue to review the effectiveness of its planning policies and evidence base annually through the AMR.

Duty to Co-operate

2.35 The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

2.36 The duty to cooperate is not a duty to agree. But local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

2.37 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

2.38 Local planning authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

2.39 Given this it will be necessary to ensure that the Council undertakes a level of cross boundary working as part of its District Local Plan Review and the evidence base that underpins this and the Area Action Plan.

2.40 The various meetings that have taken place in connection with the duty to cooperate are recorded annually in the AMR.

3 Timetable for the Preparation of Future Planning Documents

Local Plan Document	2017			2018			2019			2020						
	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Local Plan Review SA/HRA																
Dover Waterfront Area Action Plan																
South Barracks Conservation Area Character Appraisal																
Sandwich Walled Town CACA																
Upper Walmer CACA																

C = Consultation (Reg 18) P = Publication (Reg 19) S = Submission E = Examination in Public A = Adoption

