

## MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 7 March 2018 at 6.00 pm.

Present:

Chairman: Councillor S S Chandler

Councillors:

|               |              |                  |
|---------------|--------------|------------------|
| J S Back      | N Dixon      | P S Le Chevalier |
| S F Bannister | M R Eddy     | S M Le Chevalier |
| T J Bartlett  | A Friend     | S C Manion       |
| P M Beresford | R J Frost    | K Mills          |
| T A Bond      | B Gardner    | K E Morris       |
| P M Brivio    | B J Glayzer  | D P Murphy       |
| B W Butcher   | D Hannent    | M J Ovenden      |
| P I Carter    | P J Hawkins  | G Rapley         |
| N J Collor    | P G Heath    | M Rose           |
| M D Conolly   | M J Holloway | D A Sargent      |
| M I Cosin     | S J Jones    | F J W Scales     |
| G Cowan       | P D Jull     | P Walker         |
| D G Cronk     | N S Kenton   | P M Wallace      |

Officers:

- Chief Executive
- Director of Environment and Corporate Assets
- Director of Finance, Housing and Community
- Director of Governance
- Head of Legal Services
- Democratic Services Manager

### 71 APOLOGIES

Apologies for absence were received from Councillors N Dixon, J M Heron, L A Keen, A M Napier and A S Pollitt.

### 72 MINUTES

The Minutes of the meeting held on 31 January 2018 were approved as a correct record and signed by the Chairman.

### 73 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

### 74 ANNOUNCEMENTS

The Chairman of the Council, Councillor S S Chandler, made the following announcements:

- To report that the Councillor M J Holloway, the Portfolio Holder for Community Services, and herself had attended the first Dover Youth Conference hosted at the Duke of York's Royal Military School, Dover. The conference coincided with safeguarding week and had been organised by

Dover District Council and the Dover District Community Safety Partnership.  
The conference had been attended by 800 Year 8 students.

- (b) To advise that Agenda Item 11 (Ward Pattern Submission to the Local Government Boundary Commission for England) would be deferred to a future meeting.

75 RICHBOROUGH CONNECTION PROJECT

The Council received a presentation from Mr S Self and Mr S Acoyie on the progress of the Richborough Connection Project.

Members were advised that the Nemo Link between Richborough and Belgium would be connected by October 2018. The work on the Richborough 400KV substation had progressed well and there would be 60 pylons constructed (replacing the current 80 pylons) for the Richborough to Canterbury (Broad Oak substation) overhead line to connect Richborough to the national grid.

As part of the archaeological work there had been c.40 boreholes dug with a number of finds, such as roman pottery being made.

RESOLVED: That the presentation be noted.

76 LEADER'S TIME

The Leader of the Council, Councillor K E Morris, included the following matters in his report:

- (a) That the new cinema at the St James development would be opening that week and the opening dates of other businesses would be announced soon. There would be free parking at St James that weekend as well.
- (b) That the Council had been awarded £15.8 million for a Bus Rapid Transit scheme. It was hoped that the scheme would open in 2021.
- (c) That Dover District Council along with Canterbury City Council and Shepway District Council had written to the Secretary of State to ask for more lorry parking facilities.
- (d) That the Local Government Boundary Commission for England was consulting widely in respect of the Electoral Review of the Council.
- (e) That early meetings had been held on developing a High Street incentive scheme.
- (f) That the Development Consent Order for Manston Airport would be submitted shortly. The Council supported the site remaining an airport.
- (g) To advise that the change of administration at Thanet District Council had seen the Conservative Group take charge with Councillor Bayford as the new Leader.
- (h) To express the hope that the former UKIP members of Dover District Council would continue to do good work as independents.
- (i) That the latest round of Coastal Community Fund bids was open and that the Council was involved with bids for Sandwich and Dover.

- (j) That he had written to both government ministers in respect of the issue of the chimes at Sandwich and had received one reply.
- (k) That there had been a reduction in the number of homelessness presentations for the district. In contrast the numbers countywide were rising.
- (l) That the Age Concern Centre in Sandwich and the Citizens Advice Bureau in Deal would be offering advice to residents on council services.

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

- (a) To welcome the news of the new cinema opening in St James.
- (b) To express disappointment that the Regent in Deal was not open as a cinema.
- (c) To welcome the news of the funding for a Bus Rapid Transit scheme. He paid tribute to Councillor P Walker who had been a proponent of the scheme.
- (d) To agree that a solution to the problem of lorry parking was desperately needed and to suggest that there needed to be more lorry parks further up the transport network to alleviate the problems experienced in the district.
- (e) To welcome the Chairman's announcement that the report on the Council's submission to the Local Government Boundary Commission for England had been deferred.
- (f) To suggest that Thanet District Council would not be controlled by the Conservative group for long.
- (g) To express concern that 'pop-up' area offices such as the ones in Sandwich and Deal did not have all the facilities available, such as direct access to systems that a proper area office would.
- (h) That while recognising the willingness of the Council to do something concerning homelessness to express disappointment that the Council had not pressed the government for additional funding on the matter. To also state that homelessness did not just affect the unemployed.

In response, the Leader of the Council raised the following matters in his right to reply:

- (a) That while agreement had been reached with the Citizens Advice Bureau and Age Concern Centre the delivery style for council services had yet to be finalised.
- (b) That homelessness was not just a financial issue and that the Council was tackling the issue through a number of approaches such as modular housing, the buying back of old council housing stock and the purchase of other properties.

77 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no items of business.

78 QUESTIONS FROM THE PUBLIC

There were no valid questions from the public received within the notice period.

79 REVIEW OF ALLOCATION OF SEATS TO POLITICAL GROUPS

The Democratic Services Manager presented the Review of Allocation of Seats to Political Groups.

Members were advised that following the dissolution of the UKIP group a review of the seat allocation on committees had been held.

- RESOLVED: (a) That the Dover Joint Transportation Board and the 2 Overview and Scrutiny Committee be considered as Ordinary Committees for the purposes of calculating the allocation of seats for political groups.
- (b) That a Licensing Committee be appointed with 15 seats and, whilst noting the duty to ensure political proportionality does not apply to the Licensing Committee, its seats be allocated to reflect the overall proportionality of the Council.
- (c) That, having noted the allocation of seats calculated in accordance with the provisions of the Local Government and Housing Act 1989, the Council Committees be constituted as indicated below for the remainder of the municipal year and the Boards and Forums be constituted with the membership, Chairman, Vice-Chairman and Spokespersons as shown:

| <u>Dover Joint Transportation Board</u>                           | <u>East Kent Services Committee</u> |
|---|-------------------------------------|
| J S Back  | K E Morris                          |
| D G Cronk   | M D Conolly                         |
| A Friend  | N J Collor (Substitute)             |
| P D Jull  | T J Bartlett (Substitute)           |
| M J Ovenden   |                                     |
| D A Sargent   |                                     |
| P Walker  |                                     |
| 7 Kent County Council Division Members for the Dover District     |                                     |
| 3 Town Council Representatives (non-voting)                       |                                     |
| 2 Kent Association of Local Councils Representatives (non-voting) |                                     |

| <u>Electoral Matters Committee</u> | <u>General Purposes Committee</u> |
|------------------------------------|-----------------------------------|
| K E Morris Chairman                | S M Le Chevalier Chairman         |
| S S Chandler Vice-Chairman         | M D Conolly Vice-Chairman         |
| P M Brivio                         | P M Brivio                        |
| M R Eddy                           | M R Eddy                          |
| F J W Scales                       | D P Murphy                        |

Governance Committee

P G Heath      Chairman  
D Hannent      Vice-Chairman  
B W Butcher  
P I Carter  
M I Cosin  
M R Eddy  
S J Jones

Joint Health, Safety and Welfare  
Consultative Forum

M D Conolly  
M I Cosin  
P G Heath  
S M Le Chevalier  
K Mills  
5 Staff Representatives

Joint Staff Consultative Forum

M D Conolly  
M I Cosin  
P G Heath  
S M Le Chevalier  
K Mills  
5 Staff Representatives

Licensing Committee

B W Butcher  
S F Bannister  
P M Brivio  
D G Cronk  
M R Eddy  
A Friend  
B Gardner  
D Hannent  
P D Jull  
P S Le Chevalier  
S M Le Chevalier  
A M Napier  
M J Ovenden  
D P Murphy  
M Rose

Planning Committee

F J W Scales      Chairman  
B W Butcher      Vice-Chairman  
P M Beresford  
S F Bannister  
T A Bond  
D G Cronk  
B Gardner      Spokesperson  
D P Murphy  
M J Ovenden  
P M Wallace

Regulatory Committee

B W Butcher      Chairman  
P S Le Chevalier      Vice-Chairman  
D P Murphy  
B Gardner  
S J Jones

Scrutiny (Community &  
Regeneration) Committee

L A Keen      Chairman  
G Cowan      Vice-Chairman  
T A Bond      Spokesperson  
P I Carter  
N Dixon  
R J Frost  
P J Hawkins  
P D Jull  
M J Ovenden      Deputy

Scrutiny (Policy & Performance)  
Committee

K Mills      Chairman  
M I Cosin      Vice-Chairman  
P M Beresford  
T A Bond  
R J Frost      Deputy  
                    Spokesperson  
J M Heron  
S C Manion      Spokesperson  
M J Ovenden

Spokesperson    M Rose  
 N A G Richards    D A Sargent

(The Licensing Committee, the Joint Health, Safety and Welfare Consultative Forum and the Joint Staff Consultative Forum each appoint its own Chairman and Vice-Chairman. The Vice-Chairman of the Dover Joint Transportation Board is appointed by the Cabinet.)

- (d) That, in accordance with the notice provided by the relevant Group Leaders, it be noted that the following Lead Members and Shadow Lead Members had been appointed for the remainder of the municipal year 2017/18:

|   | <u>Portfolio</u>                             | <u>Conservative</u> | <u>Labour</u>  |
|---|--|---------------------|----------------|
| 1 | Leader of the Council                        | -                   | -              |
| 2 | Deputy Leader                                | -                   | -              |
| 3 | Access and Licensing                         | T A Bond            | D Cronk        |
| 4 | Environment, Waste and Planning              | R J Frost           | N A G Richards |
| 5 | Built Environment                            | M Rose              | P M Brivio     |
| 6 | Corporate Resources and Performance          | D P Murphy          | G Cowan        |
| 7 | Community Services                           | N Dixon             | P J Hawkins    |
| 8 | Property Management and Environmental Health | -                   | M I Cosin      |

80    COUNCIL BUDGET 2018/19 AND MEDIUM TERM FINANCIAL PLAN 2018/19 - 2021/22

The Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly, presented the proposed Council Budget 2018/19 and the Medium Term Financial Plan 2018/19 - 2021/22.

It was moved by Councillor M D Conolly, and duly seconded, that the recommendations set out in the report incorporating the recommendations of the Cabinet at its meeting held on 5 March 2018 be approved.

- RESOLVED:
- (a) That the General Fund Revenue Budget, the Capital and Special Projects Programmes, the Housing Revenue Account Budget, the Council Tax Resolution and the content of the Medium Term Financial Plan 2018/19 - 2021/22 be approved.
  - (b) To note that it was the view of the Director of Finance, Housing and Community (Section 151 Officer) that the budget had been prepared in an appropriate and prudent manner and that based upon the information available at the time of producing the report the 2018/19 estimates were robust and the resources were adequate for the Council's current spending plans in 2018/19.

(c) That the various Council recommendations at the end of the sections within the attached budget and MTFP, and summarised in Annex 12 to Appendix 1, are approved as follows:

- (i) That the General Fund Revenue Budget for 2018/19 and the projected outturn for 2017/18 be approved.
- (ii) That the policies and protocols regarding the General Fund balances and earmarked reserves, and transfers between reserves as set out in Annex 6 be approved.
- (iii) That the 2017/18 Projected Outturn and the 2018/19 HRA budget at Annex 7 be approved.
- (iv) That the setting of the level of the on-going HRA minimum balance, the transfer of balances to the HIR, the use of prudential borrowing, and adjustment of the resources of the HIR accordingly be delegated to the Director of Finance, Housing and Community, in consultation with the portfolio holder for Corporate Resources and Performance.
- (v) That the Capital and Special Revenue Projects Programmes be approved.
- (vi) That the capital resources required to finance new projects be secured before new projects commence.
- (vii) That the Treasury Management Strategy, including the Prudential Indicators and Minimum Revenue Provision statement be approved.
- (viii) That the Council Tax Resolution as set out at Annex 10A be approved.
- (ix) That it be noted that if the formal Council Tax Resolution at Annex 10A is approved, the total Band D Council Tax will be as set out at Annex 12 of the report.

The Democratic Services Manager advised that the vote would have to be a recorded vote in accordance with Council Procedure Rule 18.6. The manner of the voting was as followed:

FOR (23)

J S Back

T J Bartlett

P M Beresford

T A Bond

AGAINST (15)

S F Bannister

P M Brivio

M I Cosin

G Cowan

ABSTAIN (0)

FOR (23)

AGAINST (15)

ABSTAIN (0)

B W Butcher

D G Cronk

S S Chandler

M R Eddy

N J Collor

B Gardner

M D Conolly

B J Glayzer

A Friend

P J Hawkins

R J Frost

S J Jones

D Hannent

K Mills

P G Heath

G Rapley

M J Holloway

D A Sargent

P D Jull

P Walker

N S Kenton

P M Wallace

P S Le Chevalier

S M Le Chevalier

S C Manion

K E Morris

D P Murphy

M J Ovenden

M Rose

F J W Scales

81 WARD PATTERN SUBMISSION TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

This item was deferred.

82 PAY POLICY STATEMENT

The Director of Governance presented the Pay Policy Statement.

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

RESOLVED: That the Pay Policy Statement set out at Appendix 1 to the report be approved and published on the Council's website.

83 THE GENERAL DATA PROTECTION REGULATION (GDPR) - DESIGNATION OF A DATA PROTECTION OFFICER (DPO)

The Director of Governance presented the report on the General Data Protection Regulation (GDPR) – Designation of a Data Protection Officer (DPO).

It was moved by Councillor P G Heath, duly seconded and

RESOLVED: (a) That Harvey Rudd, the Solicitor to the Council be designated as the Council's data protection officer in accordance with Article



37 of the General Data Protection Regulation with effect from 25 May 2018.

- (b) That the Director of Governance (Monitoring Officer) be requested to make any necessary changes to the constitution consequent on (a) as part of his function of keeping the Constitution under review.

84 FLEXIBLE RETIREMENT OF A CHIEF OFFICER

The Chief Executive presented the report on a request from the Director of Governance for flexible retirement.

It was moved by Councillor K E Morris, duly seconded and

RESOLVED: (a) That the reduction of the Corporate Management Team from 4 FTE to 3.68 FTE be approved.

- (b) That the flexible retirement request of the Director of Governance with effect from 1 April 2018, pursuant to the Local Government Pension Scheme Regulations 2013, Reg. 30(6) and in accordance with the Council's Pension Discretion Policy Statement be approved.

(The Director of Governance withdrew from the meeting for the consideration of this item of business.)

85 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 M Beresford asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

"Following the results of the recent parking studies carried out in our three towns what aspirations does the Portfolio Holder have for parking in the future and where does our charging structure sit against those of our nearest neighbours?"

In response the Councillor N J Collor advised that he recognised the importance of effective management of parking spaces in maintaining and increasing the viability of the districts town centres and that he was confident that the Council's parking strategies and charging structure succeeded in achieving this. The Council's parking charges were the lowest and its charging period of 9am to 5pm the shortest in East Kent.

In accordance with Council Procedure Rule 12.5, Councillor P M Beresford exercised her right to ask one supplementary question.

- (2) Councillor P M Brivio asked the Portfolio Holder for Built Environment, Councillor J S Back:

“Will the portfolio holder for Built Environment tell me what are the effects of the implication of Universal Credit on the rent arrears for EKH residents in the Dover District area?”

In response Councillor J S Back advised that while rent arrears had generally been stable over recent years it was not clear what the ultimate collection rate would be following the introduction of Universal Credit.

In accordance with Council Procedure Rule 12.5, Councillor P M Brivio exercised her right to ask one supplementary question.

- (3) Councillor M R Eddy asked the Portfolio Holder for Built Environment, Councillor J S Back:

“Does the portfolio holder for Built Environment agree with John Penrose MP, the co-chairman of the all-party parliamentary group on housing and planning, that council tax should be charged on unused sites once planning permission is granted, in order to incentivise developers?”

In response Councillor J S Back advised that he saw the need for measures to encourage permitted housing developments to be built out but that he was concerned that charging council tax on unused sites as soon as permission was granted might have the unintended consequence of discouraging developers from applying for permission in the first place.

In accordance with Council Procedure Rule 12.5, Councillor M R Eddy exercised his right to ask one supplementary question.

- (4) Councillor P J Hawkins asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“Considering the continuing protests from residents worried about the closure of the Help Desk in Deal library, would the portfolio holder for Corporate Resources and Performance consider meeting with representatives of the “Save Deal Help Desk” campaign group to listen to their concerns before a mistake is made?”

In response Councillor M D Conolly advised that he had attended the scrutiny committee meeting held in Deal on this issue and had listened to the concerns raised by residents on the matter. The closure of the area office had been delayed while other options had been investigated.

In accordance with Council Procedure Rule 12.5, Councillor P J Hawkins exercised her right to ask one supplementary question.

- (5) Councillor M I Cosin asked the Portfolio Holder for Built Environment, Councillor J S Back:

“Can the Portfolio Holder for Built Environment please tell me what properties have been bought in the last year for housing?”

In response Councillor J S Back advised that the Council had purchased 9 properties in 2017/18 and was due to complete on the purchase of an additional property before the end of the financial year. The properties were being used as interim accommodation for homeless people with a consequent

financial saving to the Council. A further 9 properties would become available for use as interim accommodation in April/May 2018 once refurbishment works had been completed.

In accordance with Council Procedure Rule 12.5, Councillor M I Cosin exercised her right to ask one supplementary question.

- (6) Councillor M I Cosin asked the Portfolio Holder for Built Environment, Councillor J S Back:

“Can the Portfolio Holder for Built Environment please tell me when the council intends to start and finish purchase and installation of modular housing to deal with the housing crisis in Dover District?”

In response Councillor J S Back advised that the Council had identified 2 possible sites that would be potentially suitable for the provision of interim housing for homeless people. The Council had undertaken site surveys and a cost appraisal. In the event that a viable business case could be developed for the sites a report would be made to the next meeting of the Homelessness Project Advisory Group.

In accordance with Council Procedure Rule 12.5, Councillor M I Cosin exercised her right to ask one supplementary question.

- (7) In the absence of Councillor A M Napier the question was not put to the meeting. Councillor M R Eddy asked if the subject matter of the original question (enhanced maternity and paternity leave for the parents of premature babies) could be taken to the General Purposes Committee for consideration.

- (8) Councillor M J Ovenden asked the Portfolio Holder for Property Management and Environmental Health, Councillor T J Bartlett:

“Cabinet recently resolved to spend over half a million pounds on refurbishing Deal Pier one of the districts great assets. Could the Portfolio Holder for Property Management and Environmental Health, Cllr Trevor Bartlett, please set out for the Council the draft timeline for the work and perhaps some detail of what residents can look forward to on completion?”

In response Councillor T J Bartlett advised that the draft capital programme included the sum of £612,000 for Deal Pier refurbishment works as part of the Council’s continuing investment in the maintenance and development of the pier. The next phase of this work would include the replacement of expansion joints and the re-surfacing of the pier stem, the replacement of timber seating along the whole length of the pier and spot repairs to the concrete that encased the steel structural members. The Council would also be appointing a new operator for the pier café.

- (9) Councillor M J Ovenden asked the Portfolio Holder for Environment, Waste and Health, Councillor N S Kenton:

“Canterbury City Council recently voted to spend an additional six figure sum to bolster their waste contract. Could the Portfolio Holder for Environment, Waste and Health Councillor Nicholas Kenton please give the Council an overview of our own contract setting out our performance against targets and

comment, as far as he can, on whether we can be expected to pay more into our own contract in the foreseeable future?”

In response Councillor N S Kenton advised that the Council's recycling and waste collection service was exceeding its performance targets. The Council's recycling rate was the best in East Kent and the 4<sup>th</sup> best countywide. In respect of waste minimisation the Dover District was the best performing in Kent.

In accordance with Council Procedure Rule 12.5, Councillor M J Ovenden exercised her right to ask one supplementary question.

## 86 MOTIONS

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

“In view of the strong opposition by the public to the proposed introduction of car parking charges on Sundays in Sandwich, Dover and Deal, this council calls on the cabinet to put on hold the introduction of new car parking charges until there is adequate data available to make an evidence based decision.”

The Motion was moved by Councillor M R Eddy and duly seconded by Councillor P M Wallace.

On being put to the meeting it was CARRIED.

RESOLVED: In view of the strong opposition by the public to the proposed introduction of car parking charges on Sundays in Sandwich, Dover and Deal, this council calls on the cabinet to put on hold the introduction of new car parking charges until there is adequate data available to make an evidence based decision.

## 87 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 8.46 pm