



Council Meeting

Council Offices White Cliffs Business Park Dover

Wednesday, 21 July 2021

Summons and Agenda

Nadeem Aziz
Chief Executive



Democratic Services
White Cliffs Business Park

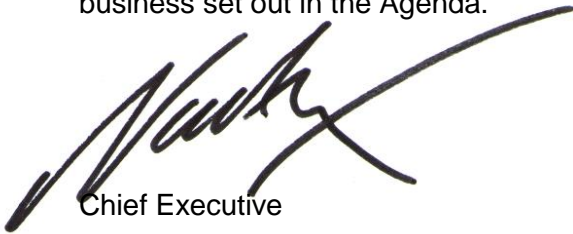
Dover
Kent CT16 3PJ

Telephone: (01304) 821199
Fax: (01304) 872452
DX: 6312
Minicom: (01304) 820115
Website: www.dover.gov.uk
e-mail: democraticservices@dover.gov.uk

13 July 2021

To the Members of the Council,

You are hereby summoned to attend a meeting of the **COUNCIL** to be held in the Council Chamber at these Offices on Wednesday 21 July 2021 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

M D Conolly (Chairman)	S S Chandler	D P Murphy
D Hannent (Vice-Chairman)	N J Collor	O C de R Richardson
J S Back	D G Cronk	M Rose
T J Bartlett	J P Haste	C A Vinson
M Bates	S J Jones	R S Walkden
D G Beaney	P D Jull	P Walker
S H Beer	L A Keen	H M Williams
E A Biggs	N S Kenton	C F Woodgate
T A Bond	S C Manion	C D Zosseder
P M Brivio	K Mills	

AGENDA

1 **APOLOGIES** (Page 8)

To receive any apologies for absence.

2 **MINUTES** (Page 9)

To confirm the Minutes of the meetings held on 19 May 2021 (to follow).

3 **DECLARATIONS OF INTEREST** (Page 10)

To receive any declarations of interest from Members in respect of business to be

transacted on the agenda.

4 **ANNOUNCEMENTS** (Page 11)

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

5 **LEADER'S TIME** (Page 12)

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

In accordance with Council Procedure Rule 10 (Leader's Time):

- (a) The Leader (and Cabinet) shall have up to 15 minutes to make within this report any statements that they wish on any topic or subject that they feel should be drawn to the attention of the Council.
- (b) The Leader of the Main Opposition Group (or their nominee) shall be allowed up to 10 minutes to respond.
- (c) The Leader of the Council shall be allowed up to 5 minutes to exercise a right of reply (or 25% of the time given to the Opposition Group Leader(s), whichever is the greatest).

6 **APPOINTMENT OF DEPUTY LEADER AND CABINET** (Page 13)

To receive from the Leader of the Council any changes to the size and composition of the Cabinet and to note the appointment of Members to the Cabinet portfolios.

7 **APPOINTMENT OF SHADOW CABINET** (Page 14)

To note the composition of the Shadow Cabinet as advised by the Leader of the Main Opposition Group. The Shadow Cabinet must directly reflect the composition of the Cabinet (in accordance with the Council Procedure Rules).

8 **SEAT ALLOCATION AND GROUP APPOINTMENTS** (Page 15)

To receive from Group Leaders any changes to seat allocations or appointments.

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

9 **QUESTIONS FROM THE PUBLIC** (Pages 16 - 17)

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

- (a) Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.
- (b) The period for questions by the public shall be limited so that no further questions shall be put after the elapse of 15 minutes from the commencement of the first question.

- (c) A maximum of three minutes is allowed for the each question to be read.
- (d) A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply.
- (e) Afterwards, any other Member at the Chairman's discretion may speak for up to two minutes on a question or reply.

Questions from the Public

The questions received from the public within the notice period are set out in the agenda papers.

10 **RECOMMENDATIONS TO THE COUNCIL FROM THE OVERVIEW AND SCRUTINY COMMITTEE** (Pages 18 - 19)

Food Poverty Review

The Council at its meeting held on 30 October 2019 made the following resolution in respect of a Motion moved by Councillor K Mills:

“We note that there are 8 million people in this country who have trouble putting food on the table according to the UN. Over 500,000 people used Foodbanks in the UK last year.

The Trussell Trust alone distributed over 1.3m three-day emergency food supplies of people in crisis in the financial year 2017/18. Three million children are at risk of hunger during the school holidays and around 10% of the NHS Budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.

We further note that the Government’s commitment to the UN’s 17 Sustainable Development Goals which apply internationally and domestically commits governments to ending hunger by 2030.

We resolve to ask Scrutiny to investigate the extent of the issue in the Dover District and what can be done to tackle it.”

The Overview and Scrutiny Committee at its meeting held on 12 July 2021 made the following recommendations to the full Council as part of its review:

- (a) That Council request the Cabinet form a Food Poverty Working Group on the following basis:
 - (i) That the objective of the food poverty working group be to investigate ways in which the Council can assist in tackling the issue of food poverty and its underlying causes in the district and as part of this how the Council can support the vital role undertaken by the voluntary and community sector.
 - (ii) That the working group membership be politically balanced.
 - (iii) That a representative from the Cabinet be appointed to the working group.

- (iv) That the working group be administratively supported by the Head of Community and Digital Services.
 - (v) That the working group be time limited to two years of operation and be required to report to Cabinet on its conclusions at the end of that period.
 - (vi) That the final Terms of Reference be determined by the Cabinet taking into account points (i) to (v).
- (b) That the Council recognises the importance of the work undertaken by Community Services in respect of deprivation and food poverty issues.
 - (c) That the Council's welcomes the participation by Dover District Council in the East Kent Food Poverty Working Group.
 - (d) That the Council notes the excellent work undertaken by the Community and Voluntary Sector in respect of food poverty in the Dover district.

The report (to follow) sets out the Overview and Scrutiny Committee's investigations and findings.

11 **QUESTIONS FROM MEMBERS** (Pages 20 - 21)

Up to 60 minutes is allowed for this part of the meeting unless extended by the Chairman of the Council or on a motion moved, duly seconded and approved by the Council. Members may ask one supplementary question in addition to their original question.

Members may ask one supplementary question in addition to their original question.

The questions received are set out in the order received in the agenda papers.

12 **MOTIONS** (Pages 22 - 24)

Motions for which notice has been given are listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it at a later meeting or withdraw it.

If a Motion set out in the agenda is not moved by the Member who gave notice thereof it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

Up to 60 minutes is allowed for this part of the meeting unless extended by the Chairman of Council on a motion moved, duly seconded and approved by the Council. Members may ask one supplementary question in addition to their original question.

The Motions received are set out in the agenda papers.

13 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 25)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

14 **MARKET SQUARE PROJECT** (Page 26)

To consider the report of the Strategic Director (Operations and Commercial) (to follow).

15 **URGENT BUSINESS TIME** (Page 27)

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- 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, Democratic & Corporate Services Manager, democraticservices@dover.gov.uk, telephone: (01304) 872304 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

APOLOGIES

To receive any apologies for absence.

MINUTES

To confirm the Minutes of the meetings held on 19 May 2021 (to follow).

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.

ANNOUNCEMENTS

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

LEADER'S TIME

To receive an oral report at the meeting from the Leader (and Cabinet) on the business of the Executive or on any topic or subject that it is felt should be brought to the attention of the Council.

In accordance with Council Procedure Rule 10 (Leader's Time):

- (a) The Leader (and Cabinet) shall have up to 15 minutes to make within this report any statements that they wish on any topic or subject that they feel should be drawn to the attention of the Council.
- (b) The Leader of the Main Opposition Group (or their nominee) shall be allowed up to 10 minutes to respond.
- (c) The Leader of the Council shall be allowed up to 5 minutes to exercise a right of reply (or 25% of the time given to the Opposition Group Leader(s), whichever is the greatest).

Appointment of Cabinet

To receive from the Leader of the Council any changes to the size and composition of the Cabinet and to note the appointment of Members to the Cabinet portfolios.

The Leader has given notice of the following Cabinet Portfolios and Members:

		Cabinet
	Leader	T J Bartlett
	Deputy Leader	O C de R Richardson
1	Community and Corporate Property	O C de R Richardson
2	Finance, Governance, Digital and Climate Change	C A Vinson
3	Social Housing and Port Health	D P Murphy
4	Planning and Environment	N S Kenton
5	Transport, Licensing and Regulatory Services	M Bates

Appointment of Shadow Cabinet

To note the size and composition of the Shadow Cabinet which must directly reflect the Cabinet.

The Leader of the Main Opposition Group has given notice of the following appointments to the Shadow Cabinet:

		Shadow Cabinet
	Leader	K Mills
	Deputy Leader	P M Brivio
1	Community and Corporate Property	H M Williams
2	Finance, Governance, Digital and Climate Change	S H Beer
3	Social Housing and Port Health	P M Brivio
4	Planning and Environment	E A Biggs
5	Transport, Licensing and Regulatory Services	L A Keen

AGENDA ITEM 6: SEAT ALLOCATION AND GROUP APPOINTMENTS

To receive from Group Leaders any changes to seat allocations or appointments.

In addition, following the resignation of 2 members of the Conservative Group, the following appointments are vacant.

- Appointments Committee – 1 seat (Conservative Group)
- Dover Joint Transportation Board – 1 seat (Conservative Group)
- East Kent Services Committee – 1 seat (Deputy Leader)
- Overview and Scrutiny Committee – 1 seat (Conservative Group):

A further change to the appointments is required following the appointment of Councillor M Bates to the Cabinet:

- Overview and Scrutiny Committee – 1 seat (Conservative Group):

(Note: Any changes must be within the approved allocation of seats to political groups in accordance with the political balance rules (where applicable).)

COUNCIL – 21 JULY 2021

Questions Raised on Notice by Members of the Public

- (a) Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.
- (b) The period for questions by the public shall be limited so that no further questions shall be put after the elapse of 15 minutes from the commencement of the first question.
- (c) A maximum of three minutes is allowed for the each question to be read.
- (d) A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply.
- (e) Afterwards, any other Member at the Chairman's discretion may speak for up to two minutes on a question or reply.

Question(s)

In accordance with Rule 11 of the Council Procedure Rules, notice was given by a member of the public to ask the following question:

- (1) Graham Wanstall will ask the Leader of the Council, Councillor T J Bartlett:
“Next year we celebrate 70 years on the throne of H.M. the Queen with the Platinum Jubilee. The Pencester Gardens in Dover is approaching its centenary since given to the Borough of Dover in the 1920’s. To mark this important occasion I propose we rename Pencester Gardens “Queen Elizabeth Park” and organise a Dover Party for the June 2022 weekend in the Gardens to formally adopt the new name and celebrate Her Majesty’s Jubilee and I ask you to support this proposal and to facilitate it as time is short?”

In accordance with Council Procedure Rule 11.8, a questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply.

Recommendations to the Council from the Overview and Scrutiny Committee

Food Poverty Review

The Council at its meeting held on 30 October 2019 made the following resolution in respect of a Motion moved by Councillor K Mills:

“We note that there are 8 million people in this country who have trouble putting food on the table according to the UN. Over 500,000 people used Foodbanks in the UK last year.

The Trussell Trust alone distributed over 1.3m three-day emergency food supplies of people in crisis in the financial year 2017/18. Three million children are at risk of hunger during the school holidays and around 10% of the NHS Budget goes on treating diabetes and up to 1 million people live in food deserts in the UK.

We further note that the Government’s commitment to the UN’s 17 Sustainable Development Goals which apply internationally and domestically commits governments to ending hunger by 2030.

We resolve to ask Scrutiny to investigate the extent of the issue in the Dover District and what can be done to tackle it.”

The Overview and Scrutiny Committee has at its meeting held on 12 July 2021 made the following recommendations to the full Council as part of its review:

- (a) That Council request the Cabinet form a Food Poverty Working Group on the following basis:
 - (i) That the objective of the food poverty working group be to investigate ways in which the Council can assist in tackling the issue of food poverty and its underlying causes in the district and as part of this how the Council can support the vital role undertaken by the voluntary and community sector.
 - (ii) That the working group membership be politically balanced.
 - (iii) That a representative from the Cabinet be appointed to the working group.
 - (iv) That the working group be administratively supported by the Head of Community and Digital Services.
 - (v) That the working group be time limited to two years of operation and be required to report to Cabinet on its conclusions at the end of that period.
 - (vi) That the final Terms of Reference be determined by the Cabinet taking into account points (i) to (v).
- (b) That the Council recognises the importance of the work undertaken by Community Services in respect of deprivation and food poverty issues.

- (c) That the Council's welcomes the participation by Dover District Council in the East Kent Food Poverty Working Group.
- (d) That the Council notes the excellent work undertaken by the Community and Voluntary Sector in respect of food poverty in the Dover district.

The accompanying report sets out the Overview and Scrutiny Committee's investigations and findings. (to follow)

COUNCIL – 21 JULY 2021

Questions Raised on Notice by Members

(a) To Chairmen/Vice-Chairmen of Committees

There were no questions received for Chairmen/Vice-Chairmen of Committees.

(b) To the Executive

To receive answers in respect of questions from Members of the Council to a Member of the Executive asked in accordance with Rule 12 of the Council Procedure Rules.

- (1) Councillor P M Brivio will ask Councillor M Bates, Portfolio Holder for Transport, Licensing and Regulatory Services:

“DDC has already demanded a review of the whole procedure leading to the chaos and gridlock that occurred in Dover over the Christmas period, so that lessons are learnt from what happened. This should be acted upon to ensure that there is a strategy in place to ensure such a situation does not happen again; residents and the council must be fully informed of this new strategy.

Is the Portfolio Holder able to advise when this council and more importantly the Public were advised of the new strategy?”

- (2) Councillor K Mills will ask Councillor T J Bartlett, Leader of the Council:

“Is the leader able to advise the Council and Public why no one from the Cabinet or controlling administration attended the recent public meeting on the CO Innovations Centre despite as stated in the press that invites were sent?”

(3) Councillor K Mills will ask Councillor T J Bartlett, Leader of the Council:

“Could the leader please advise council of the outcomes of any discussions held with DHB regarding fishing from the admiralty pier.”

(4) Councillor E A Biggs will ask Councillor T J Bartlett, Leader of the Council:

“With the announcement that Dover will now be enjoying 2 massive border facilities can the leader advise of the locality of this second huge benefit to Dover, so that the affected residents can relocate to an area where they will not be subjected to the blight of thousands of HGV’s.”

COUNCIL – 21 JULY 2021

Motions on Notice by Members

(1) In accordance with Council Procedure Rule 13, Councillor C A Vinson will move:

“This Council notes:

- That the average age of a Dover district resident in 2016 was 43.3 years old, and the average age of local authority councillors across the country in 2018 was 59.4 years old.
- That just 22% (7 of the 32) Dover district councillors elected in May 2019 were female, compared to 50.8% of the district’s population, and that analysis of the 2021 local elections by the Fawcett Society found that only 33% of the candidates were female.
- That the role of a councillor should be open to all, regardless of their background.
- That clarifying the Council’s arrangements for parental leave is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to start a family to remain as councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.
- That Section 85 of the Local Government Act 1972 already permits the Council to approve a leave of absence for any member such that they would not cease to be a councillor if they did not attend meetings of the Council for a period of six-months or more.

This Council resolves:

- To encourage a broad range of candidates to stand for election, regardless of background, and particularly from groups that might be reluctant to do so – such as candidates who are younger, female or have family and/or caring responsibilities

- To ensure that councillors that are new or adoptive parents, as well as councillors with older children and other caring commitments are supported as appropriate
- To ensure that the Council's Constitution clearly sets out the process by which members can seek a leave of absence, which should reflect not only the formal legislative permission required for periods longer than six-months, but also the Council's own process to support new and adoptive parents seeking a period of leave of shorter duration
- That pending formal changes to the Constitution, the Council look favourably upon ad hoc requests for parental or adoption leave
- That requests for parental or adoption leave should not be unreasonably refused
- That councillors have a responsibility to their constituents to ensure that their ward casework is covered for any period of absence, which may require support from other elected representatives in multi-member wards, or their political group as appropriate
- That the Council's website should be updated to show when a member is taking a period of absence, alongside details of any arrangements they have made to allow for constituency work in their ward to be covered"

(2) In accordance with Council Procedure Rule 13, Councillor H M Williams will move:

"This council believes that the £20 extra allowance for Universal Credit, should be kept past September.

We move that the leader write on behalf of the council, before the summer recess of parliament, to request that this increase be kept.

Background to the motion

In January 2021, the council approved my motion to write to the government requesting that they extend the £20 weekly increase in Universal Credit. I am proposing a similar motion now, because this increase is due to end in September, and the number of claimants in Dover have increased so much. The £20 increase has been a lifeline during the pandemic.

Looking at the statistics, these show that In April, we had just under 11,500 claimants, this being a 65% increase since March 2020. This means 16.5% of the DDC population are claimants, which is a high proportion for Dover. Further rises in unemployment, and therefore UC claimants, are expected as furlough ends this autumn. As the cost of living is rising, we know many local families are struggling to pay for rent, utilities and food. They need this extra money.

Indeed, the problem is widely recognised, and 6 former work and pensions Secretaries, including Amber Rudd and Sir Iain Duncan Smith wrote to Rishi Sunak during the weekend of 4/5 July arguing for the uplift to be retained. Many other senior Conservative MPs are criticising this decision, which will push many people below the poverty line.

I hope this council will back my motion.”

DOVER DISTRICT COUNCIL

Council – 21 JULY 2021

EXCLUSION OF THE PRESS AND PUBLIC

Recommendation

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

<u>Report Title</u>	<u>Paragraphs Exempt</u>	<u>Reason Exempt</u>
Market Square Project	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

URGENT BUSINESS

To consider any other items deemed by the Chairman of the Council to be urgent in accordance with the Local Government Act 1972.