

# Public Document Pack



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1 October 2021

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **OVERVIEW AND SCRUTINY COMMITTEE** will be held in the Council Chamber at these Offices on Monday 11 October 2021 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, Democratic & Corporate Services Manager on 01304 872304 or by e-mail at [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk).

Yours sincerely

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

Chief Executive

## Overview and Scrutiny Committee Membership:

C D Zosseder (Chairman)  
P M Brivio (Vice-Chairman)  
T A Bond  
D R Friend  
D A Hawkes  
S C Manion  
M Rose  
R S Walkden  
P Walker  
H M Williams

## AGENDA

- 1 **APOLOGIES** (Page 5)  
To receive any apologies for absence.
- 2 **APPOINTMENT OF SUBSTITUTE MEMBERS** (Page 6)  
To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 7)

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

4 **MINUTES** (Page 8)

To confirm the Minutes of the meeting of the Committee held on 26 July 2021 and 13 September 2021 (to follow).

5 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY COMMITTEE** (Page 9)

To receive the Cabinet decisions in respect of recommendations of the Overview and Scrutiny Committee.

6 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, OR ANOTHER COMMITTEE** (Page 10)

There are no items for consideration.

7 **PETITION - OPEN LETTER TO CALL ON DOVER DISTRICT COUNCIL TO COMMIT TO HELPING AFGHAN REFUGEES** (Pages 11 - 12)

The Council has received a petition from Kay Marsh which is set out in the agenda papers.

In considering the petition, it is important to remember that under the Council's petition scheme, a valid petition signature is as follows:

“Any person who lives, works or studies in the Dover District Council area, including those less than 18 years of age, can organise a petition or be a petition signatory.”

The petition, which was hosted on Change.org rather than the Council's e-petition facility, had **27,301** signatures as submitted.

However, this breaks down to 1,141 signatures with a Kent address, 368 signatures with a 'CT' post code and 140 signatures with addresses in the Dover District. There is no information provided with the signatures as to whether someone outside of the district works or studies in the district.

For the purposes of the Council's petition scheme this petition is therefore considered to have **140 valid signatures** from people who live in the Dover district.

In accordance with the Petition Scheme, the Petition Organiser (Kay Marsh) will have the opportunity to address the Overview and Scrutiny Committee in support of her petition.

The Overview and Scrutiny Committee can then determine what it wishes to do in response to the petition which can include:

- (a) Referring the petition to another committee, including the Cabinet for

consideration;

- (b) Recommending that officers or a Cabinet Member provide a written response to the petition organiser setting out the Council's views about the request in the petition;
- (c) Recommend that the Cabinet or another Committee take any other action that it considers appropriate; or
- (d) Note the petition and take no further action in respect of it.

It should be noted that the Council has issued a press release in respect of the Afghan Citizens' Resettlement Scheme which can be found here - <https://www.dover.gov.uk/News/Press-Releases/2021/Afghan-citizens-resettlement-scheme.aspx>

## 8 **REQUEST FROM FOLKESTONE AND HYTHE DISTRICT COUNCIL'S OVERVIEW AND SCRUTINY COMMITTEE**

Folkestone and Hythe District Council's Overview and Scrutiny Committee at its meeting held on 7 September 2021 agreed with the following recommendation made by a Task and Finish Group formed to look at issues with the waste contract.

**“Joint OSC meeting with DDC – with a focus on the detail of the recovery plan and any new proposed route changes, following the review commissioned by Veolia, prior to any further changes being made.”**

The DDC Overview and Scrutiny Committee is asked to consider how it wishes to respond to request for a simultaneous co-located meeting of the two Overview and Scrutiny Committees.

If the Committee is minded to proceed with a simultaneous co-located meeting of the two Overview and Scrutiny Committees, it is suggested that the arrangements be made by the Democratic and Corporate Services Manager in consultation with the Chairman and Controlling Group Spokesperson.

## 9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 13 - 14)

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 15 - 20)

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

## 11 **PUBLIC SPEAKING** (Page 21)

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak does not apply to any items on the agenda.

## 12 **PUBLIC TOILET PROVISION** (Page 22)

To receive an update from the Head of Assets and Building Control in respect of

public toilet provision in the district.

This item was identified for inclusion from the Work Programme.

13 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 23)

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, DOVER** (Pages 24 - 37)

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

15 **APPROVAL TO ENTER INTO DESIGN AND BUILD CONTRACT FOR DEVELOPMENT OF INTERIM HOUSING AT POULTON CLOSE, DOVER** (Pages 38 - 42)

To consider the attached report of Head of Finance and 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](http://www.dover.gov.uk). Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- 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](mailto:democraticservices@dover.gov.uk), telephone: 01304 872304 or email: [democraticservices@dover.gov.uk](mailto:democraticservices@dover.gov.uk) for details.

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

**APOLOGIES**

To receive any apologies for absence.

**APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

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**

To confirm the Minutes of the meeting of the Committee held on 26 July 2021 and 13 September 2021 (to follow).



**Decisions of the Cabinet Relating to Recommendations from the Overview and Scrutiny Committee**

The Record of Decision for the most recent Cabinet meeting will contain the decisions in respect of the recommendations arising from the Overview and Scrutiny Committee.

**ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET OR ANOTHER  
COMMITTEE**

There are no items for consideration.

**keyleigh Marsh started this petition to Cllr Trevor Bartlett (Dover District Council)**

Dover District Council,

We have sat, as a town and as a nation, and looked on in horror at the desperate scenes coming from Afghanistan.

**Terrified people, many of whom have spent the last 2 decades on the front lines, loyally assisting Britain, risking their lives, now find themselves stranded.** Abandoned and betrayed by the west and at the mercy of the Taliban, under the imminent threat of a deadly terror attack.

In just a few short days, Tuesday 31st August, will see the complete withdrawal of UK and US troops from the area, and the end of evacuation flights. The plea for an extension of this deadline has been refused and soon these people will be left to die in this nightmare. People who have been our allies and stood side by side with our own.

**If we do not do more now to help these people to escape quickly and safely, we will soon see a dramatic increase in people making perilous journeys by irregular means to reach safety, as asylum seekers in Europe and the UK.**

In my professional capacity with a migrant rights charity, and as a dedicated humanitarian activist, I see every day the danger, death and destruction caused by forcing desperate people to make these journeys. We must not let inaction fuel this already desperate situation.

**We owe it to these people, as our allies and as our fellow human beings, to do all that we can to offer our support and protection at this critical time.**

We must continue as a country, to call on the UK Home Office to act with urgency and do everything within their power, to get these people out quickly and safely.

But as a town and as a district, we must put pressure on our local government, to follow boroughs like Ashford, Canterbury and others, to prioritise setting targets and making a solid commitment to helping the people who are fleeing this conflict.

We ask you, Dover District Council, **to urgently set a solid target of the number of people you plan to help, sending a clear message to the Home Office of your commitment to support.**

We ask also, that you drop your usual 'closed shop' working practices, understand that this is an issue on which we must work together as a community. Communicate with local NGOs, groups and residents on what we can do to support you in supporting them.

We have a wealth of amazing, capable, dedicated, compassionate people in the district and we are at your disposal, ready to help. Let us all cooperate in offering the safe and welcoming environment I know we can.

Awaiting your timely response

**Kay Marsh  
& the People of the Dover District**

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

Key Decisions Number	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)	Summary of Item	Agreed for inclusion in the Work Programme
2	To inform Cabinet of inherited issues concerning contract management that relate to housing stock and seek authorisation to amend certain contracts	1 November 2021	When the housing service transferred to the direct control of Dover District Council it emerged that the contract management processes used by East Kent Housing had broken down as had the information systems that supported them. The result has been that the expected governance supporting contractual decisions does not currently exist and this report seeks to address those governance issues, albeit retrospectively.	To be determined
5	Hackney Carriage and Private Hire Licensing Policy 2016-21 Review	6 December 2021	The Hackney Carriage and Private Hire Licensing Policy 2016-21 is due for review. The report will seek authority from Cabinet to commence a period of formal public consultation	To be determined
6	To consider whether the Council, in partnership with English Heritage, should progress development of detailed designs for a cable car	1 November 2021	The report will provide an update, and Cabinet will be requested to consider whether the project should be progressed further.	To be determined
13	Redevelopment of Stembrook car park and former Co-op building, Dover	1 November 2021 (to be confirmed)	A proposal has been submitted to the Council for the redevelopment of this site. This requires a decision to approve the proposals and related financial matters.	To be determined
21	To approve an update to the Local Development Scheme	1 November 2021	The Local Development Scheme (LDS) is a statutory document which sets out the timetable for the preparation and revision of development plan documents, including the Local Plan. This decision is to approve an updated LDS which sets out a revised timetable for the preparation of the new Local Plan for Dover District.	To be determined
22	Fees and Charges – agreement on levels for 2022/23	17 January 2021	The Council has to set fees and charges for certain services. These are delegated in part at various levels but form a key element of the overall budget process.	This forms part of the work programme

Note: (1) Key Decisions which have already been taken or the committee has declined to include within the work programme do not appear in this extract of the Notice of Forthcoming Key Decisions.

## OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2020/21

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
May 2021	Performance Report	Single Item	Head of Leadership Support	£0	£0	To consider the report.
	Household Waste Collection & Litter	Single Item	Head of Commercial Services	£0	£0	To consider the report.
	Draft Dover District Council Homelessness and Rough Sleeping Strategy 2020-2024	Single Item	Head of Housing	£0	£0	To consider the report.
June 2021	Food Poverty Review	Review	Democratic & Corporate Services Manager	£0	£0	To agree the review outcomes to report back to Council (Moved back due to Purdah)
July 2021	Household Waste Collection	Single Item	Head of Commercial Services	£0	£0	An update on performance and progress in resolving issues since the meeting held in May 2021 (26 July 2021)
	Angling at Admiralty Pier	Single Item	Democratic & Corporate Services Manager	£0	£0	Attendance confirmed by DHB (26 July 2021)
	Food Poverty Review	Review	Democratic & Corporate Services Manager	£0	£0	To agree the review outcomes to report back to Council (Moved back due to Purdah)

*Please note items beyond the current month are subject to change depending on Forward Plan, officer availability, etc.*

2021

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
	Release of Section 106 Monies from Aylesham Village Garden Public Realm Contributions	Single Item	Strategic Director (Operations & Commercial)	£0	£0	Added as a late item at the request of Cllr C D Zosseder
	Electric Heating and Photo-Voltaic Installations at Affordable Housing Developments at Kimberley Close and Stockdale Gardens	Single Item	Housing Development Manager	£0	£0	To consider the report. Item deferred to 26 July 2021 meeting.
	Award of 5-Year Consultancy Contract for Heating, Water and Electrical Safety Works	Single Item	Strategic Director (Operations & Commercial)	£0	£0	To consider the report.
September 2021	Southern Water Update	Single Item	Strategic Director (Operations & Commercial)	£0	£0	To receive an update
	Waste Service Update	Single Item	Strategic Director (Operations & Commercial)	£0	£0	To receive an update
	Performance Report Q1, 2021-22	Single Item	Head of Leadership Support	£0	£0	To consider the report.
	Your Leisure Covid Support Funding	Single Item	Strategic Director (Operations & Commercial)	£0	£0	To consider the report.
October 2021	Public Toilet Provision	Work Programme	Head of Assets and Building Control	£0		To receive an update.

Please note items beyond the current month are subject to change depending on Forward Plan, officer availability, etc.



2021

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
	Market Square, Dover	Single Item	Strategic Director (Operations and Commercial)	£0		To consider the report.
	Approval to enter into a design and build contract for development of interim housing at Poulton Close, Dover	Single Item	Head of Finance and Investment	£0		To consider the report.
November 2021	Open Golf - Costs	Work Programme	Head of Growth, Investment & Tourism	£0		Added as per Work Programme
	Rural Car Parking	Work Programme	Head of Commercial Services	£0		Added as per Work Programme
December 2021	Crime and Disorder	Work Programme	Head of Community & Digital Services	£0		Added as per Work Programme
	Responsive Repairs	Work Programme	Head of Assets and Building Control	£0		Added as per Work Programme
January 2022	Fees and Charges 2022/23	Single Item	Head of Finance and Investment	£0		To consider the report
	Greening of Urban Dover	Work Programme	Head of Planning, Regeneration & Development / Head of Commercial Services	£0		Added as per Work Programme

Please note items beyond the current month are subject to change depending on Forward Plan, officer availability, etc.

2021

Month	Issue	Resource Implications for Scrutiny				Reason for Inclusion on the Work Programme (incl. any actions required)
		Members On-going or single item?	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
February 2022	Budget 2022/23	Single Item	Corporate Management Team	£0		To consider the report
March 2022	Climate Emergency	Work Programme	Head of Assets & Building Control	£0		Added as per Work Programme
April 2022	Primary Care Services	Work Programme	Democratic and Corporate Services Manager	£0		Added as per Work Programme

*Please note items beyond the current month are subject to change depending on Forward Plan, officer availability, etc.*

2021

**Other Work Programme Items – To be scheduled by the Democratic & Corporate Services Manager in consultation with the Chair and Controlling Group Spokesperson as the work programme permits**

Priority	Subject	Why on Work Programme?
1 (partly completed Feb 2021)	Flooding in Deal	Agreed for inclusion by Committee [Added by Cllr T A Bond] Recommendations adopted by Cabinet – The Leader has agreed to update the Committee on progress in respect of this to the meeting in September 2021
11 October 2021	Public Toilet Provision	Agreed for inclusion by Committee [Added by Cllr C D Zosseder]
8 November 2021	Open Golf - Costs	Agreed for inclusion by Committee [Added by Cllr C D Zosseder]
8 November 2021	Rural Car Parking	Agreed for inclusion by Committee [Added by Cllr C D Zosseder]
13 December 2021	Crime and Disorder	Constitutional Requirement
13 December 2021	Responsive Repairs	Agreed for inclusion by Committee [Added by Cllr C D Zosseder]
24 January 2022	Greening of Urban Dover	Agreed for inclusion by Committee [Added by Cllr M Rose]
14 March 2022	Climate Emergency	Agreed for inclusion by Committee
25 April 2022	Primary Care Services	Agreed for inclusion by Committee [Added by Cllr H M Williams]
Priority 2 – Subject to work programme capacity	Youth Services	Legacy from previous work programme [Added by Cllr S H Beer]
Priority 2 – Subject to work programme capacity	Noise nuisance policy and performance (with particular respect to the out of hours service)	Legacy from previous work programme [Added by Cllr L A Keen]
Priority 2 – Subject to work programme capacity	Dover District Leisure Centre - review of performance against targets and public transport access provision	Legacy from previous work programme [Added by Cllr L A Keen]
Priority 2 – Subject to work programme capacity	Street Lighting (KCC and DDC)	Agreed for inclusion by Committee [Added by Cllr M Bates]
- To be included once council returns to post-covid operations	Review of DDC Response to Covid-19	Legacy from previous work programme [Added by Cllr C A Vinson]

*Please note items beyond the current month are subject to change depending on Forward Plan, officer availability, etc.*

2021

Priority	Subject	Why on Work Programme?
- To be included as items come forward	Neighbourhood Plans (as they come forward)	Legacy from previous work programme

**PUBLIC SPEAKING**

The right of the public to speak does not apply to the following agenda items: Apologies; Appointment of Substitute Members; Minutes; the Forward Plan, the Scrutiny Work Programme (and related documentation) or any agenda item that is not accompanied by a written report.

The Chairman of the committee (or in their absence the Vice-Chairman) will have discretion to vary the time allowed and the number of speakers in cases of exceptional interest.

**PUBLIC TOILET PROVISION**

To receive an update from the Head of Assets and Building Control on public toilet provision in the Dover District.

This item was identified for inclusion by the Work Programme.

DOVER DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE – 11 OCTOBER 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>Item Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
Market Square, Dover	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Approval to Enter into Design and Build Contract for Development of Interim Housing at Poulton Close, Dover	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.

**Agenda Item No 14**

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

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