

MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 25 January 2023 at 6.00 pm.

Present:

Chairman: Councillor M D Conolly

Councillors:

J S Back	D R Friend	S C Manion
T J Bartlett	D Hannent	K Mills
M Bates	D A Hawkes	O C de R Richardson
D G Beaney	M F Hibbert	M Rose
S H Beer	S J Jones	C A Vinson
E A Biggs	P D Jull	P Walker
P M Brivio	L A Keen	H M Williams
D G Cronk	N S Kenton	C F Woodgate

Officers:

- Chief Executive
- Strategic Director (Corporate and Regulatory)
- Strategic Director (Finance and Housing)
- Strategic Director (Place and Environment)
- Solicitor to the Council
- Head of Place, Growth, Investment and Creative Services
- Democratic and Corporate Services Manager
- Democratic Services Officer
- Democratic Services Officer

52 APOLOGIES

Apologies for absence were received from Councillors N J Collor, R S Walkden and C D Zosseder.

53 MINUTES

The Minutes of the meeting held on 12 October 2022 and 19 October 2022 were approved as a correct record and signed by the Chairman.

54 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

55 ANNOUNCEMENTS

The Chairman of the Council, Councillor M D Conolly, made the following announcements:

- To announce the sad news of the death of Councillor J P Haste (St Radigunds Ward). The Chairman spoke to Councillor Haste's service on the Council since his election in 2019 and invited Members to share their memories of him. Members spoke of his unique character and Councillor S J Jones recounted a memory of his generosity in giving apples from his farm

to local residents in their ward. The Chairman announced he would be attending Councillor Haste's funeral on 1 February 2023.

- (b) To announce the sad news of the death of former District Councillor P J Hawkins (Middle Deal and Sholden Ward 2011 – 2019). The chairman spoke to her service and his memories of her as a passionate community representative. He invited Members to share their memories of her. Members spoke of her passion for helping people and how she would be missed.
- (c) To advise that it would be Holocaust Memorial Day on Friday 27 January 2023.

The Chairman asked Members to stand in silence as a mark of respect.

56

LEADER'S TIME

The Leader of the Council, Councillor T J Bartlett, included the following matters in his report:

- (a) To advise that both Dover District Council and Kent Country Council had been successful with their Levelling Up Fund bids worth a total of £63 million. The two projects would boost town centre jobs, skills, and education, and keep traffic flowing in Dover. He thanked Members for their support of the project and particularly thanked the three local MP's - Natalie Elphicke, Craig Mackinlay and Sir Roger Gale.

Dover District Council had been awarded £18.1 million for the Dover Beacon project which would transform Bench Street in the heart of the town centre and provide for (a) an educational campus in the fast growing creative and digital industries and which would expand access and the curriculum for local students; (b) a business centre, providing flexible, affordable facilities for start-ups and small and medium sized enterprises (SMEs) to attract and retain local skilled workers and provide new employment opportunities; and the creation of the Riverside parklet, an accessible green space linking to the River Dour and St James's.

Kent Country Council had been awarded £45 million for the Dover Access improvements project which would improve the flow of traffic from the UK to the Europe. This would include additional border control points and a new exit route which would reduce congestion on local roads.

He thanked the Head of Place, Growth, Investment and Creative Services and his team for their work in respect of the Council's bid.

- (b) To update Members on two events that had been held in December 2022 – the Lantern Parade and Father Christmas's visit to Market Square, Dover.

He advised that he had led the Lantern Parade with the Mayor of Dover and that it had been wonderful to see people enjoying themselves on such a cold evening. He thanked all the local schools that had taken part and the groups, including Dover District Council, that had made the event possible - Future Foundry, Destination Dover, Dover Town Team, Port of Dover and Dover Town Council.

The Council's Events and Community team had held a Christmas event funded by the UK Prosperity Fund which allowed many families to meet Father Christmas and his two reindeer. There was a stage in the Market Square which provided music and entertainment. He thanked everyone involved for making a marvellous festive experience and advised that there were plans to hold the event again as well as other special events in Deal and Sandwich in 2023.

- (c) That the Council had been given by the Federation of Small Businesses the award for 'Best Programme of Business Support in the South East' due to the number of grants that the Council awarded to businesses. The funding enabled the Council to support 66 small businesses, bring 22 empty properties back in use, renovate 31 shop fronts and assist 13 businesses with sustainable and carbon-free measures.
- (d) To advise that on 19 January 2023, the Chairman and he had planted a tree outside the Council Chamber to mark the Queen's Green Canopy in her memory. There had been 70 trees planted in and around the District.
- (e) To advise that he had handed a cheque for £25,000 to the first jackpot winner in the DDC Lotto. The Lotto was first launched in 2019 and had provided £160,707 for local good causes.
- (f) The Council had received nearly £200,000 from Round 3 of the Household Support Fund to help households in the district. This had been awarded to:
 - £42,000 each to the Dover Foodbank and the Deal Foodbank, which included rural provision;
 - £20,000 each to Sandwich Age Concern and Deal Centre Age Concern;
 - £20,000 to the Dover Riverside Centre;
 - £13,862 to the Dover Outreach Centre;
 - £30,000 to the CAB Dover District; and
 - £10,000 to United Families .
- (g) To announce that the Fuel and Food Poverty Action Group had been formed involving the groups awarded funding from the Household Support Fund. The Council was working with the groups to provide help and advice on benefits and energy efficiency.
- (h) To thank Noel Beamish and his team at the Outreach Centre for the work they were doing with Ukrainian Families. From April 2023, a new Community Development Officer role would work with partners to ensure that they were fully supported.
- (i) To advise that the Inspire to Change project using funding from the Police Crime Commissioner would launch in March 2023. The project would support young people that had offended, were at risk of offending or had been released from the Youth Justice System.
- (j) To advise that Councillor D P Murphy and he had visited the new affordable housing project at Kimberley Close where a site of redundant garages had been transformed into 16 studio flats for interim accommodation for homeless local people. There were also sites at Walter Hammond Close, Dover for interim accommodation and for 26 affordable homes at Napchester Road, Whitfield.

- (k) To welcome the continued work to upgrade the public toilets in the District. The latest to be upgraded were at Kings Street, Deal and work was currently ongoing at Stembrook. He thanked officers undertaking this needed work.
- (l) To encourage Members to take the opportunity to see the new Community Roots bus that had been given to the Council by Kent County Council through the £173,000 'Helping Hands Scheme' grant. The bus would enable officers to go out to local communities and support the community teams engagement work. The vehicle had three computer workstations with online access to council systems, solar panels and heating/air conditioning onboard with a fully functional kitchen, disability access and could support an awning with outside furniture if needed.
- (m) That he had met with the Catering and Events Manager at Kearsney Abbey and Russell Gardens to hear her plans for the park. He advised that the Council had much to look forward too.

The Leader of the Opposition Labour Group, Councillor K Mills, included the following matters in his report:

- (a) To welcome the Levelling-Up Fund award which he had supported as he felt it had been a well developed bid in contrast to the previous one.
- (b) To ask if anything could be done to uncover the Dover 'Banksy' as this was an asset that the town should take pride in.
- (c) To ask for a presentation from KCC on their Levelling Up bid so that Members could understand their intentions in respect of local roads and traffic flows.
- (d) To express support for funding for community support but to question the impact of Kent County Council closing local children's centres. The alternatives provided were too far away for those in need and poorly served by public transport routes. He also emphasised the importance of the Walmer adult learning centre which was under threat.
- (e) He welcomed the Community Roots bus and the improvements being made to public toilets.
- (f) To urge that more be done to raise awareness of Voter ID requirements for the next district elections. This needed to be clearly messaged to voters in the district and there were only 100 days now until the elections.
- (g) That some schools had 80% of students in receipt of free school meals and many had more than 50%.
- (h) To mark Holocaust Memorial Day and emphasise the importance of remembering or it risked being repeated.

In response the Leader of the Council advised:

- (a) That he would ask officers to look into the Banksy issue.

- (b) To agree that the proposed changes to local community services by Kent County Council were a shame.
- (c) That he would ask Kent County Council to present to the Council on their Levelling Up Fund bid.
- (d) That Voter ID information was available but agreed that it needed to be promoted.
- (e) That while school meals were a Kent County Council matter it was something that the Council needed to be mindful of.

57 DOVER BEACON: LEVELLING UP FUND (ROUND 2) APPLICATION

The Leader of the Council, Councillor T J Bartlett, introduced the presentation on the Council’s Levelling Up Fund (Round 2) Application, welcoming the news of the successful bid.

The Head of Place, Growth, Investment and Creative Services gave a presentation setting out more detail on what the Levelling Up Fund bid would deliver for the district.

Members welcomed the news and asked questions relating to the delivery and timescale of the project.

58 SEAT ALLOCATION AND GROUP APPOINTMENTS

It was moved by Councillor K Mills, duly seconded by Councillor S H Beer, and

RESOLVED: That the following changes be made to the Labour Group seat allocation to fill the vacancies created following the death of Councillor J P Haste:

Committee	Appointee
Dover Joint Transportation Advisory Board	L A Keen
Joint Health, Safety and Welfare Consultative Forum	S H Beer
Joint Staff Consultative Forum	S H Beer
Licensing Committee	E A Biggs

59 QUESTIONS FROM THE PUBLIC

In accordance with Council Procedure Rule 11, a question from Sarah Waites-Gleave was put to the Leader of the Council, Councillor T J Bartlett:

“Does the cabinet agree that with the national shortage of adult social care staffing running at 10%, and our Dover district characterized as having a rapidly aging population, it would be sensible for DDC to send a letter to Minister for Care and Mental Health (Helen Whately) and to the KCC cabinet member for adult social care (Clair Bell) urging them on behalf of Dover, to repair the damage of recent years and take steps to pay care workers substantially more than the minimum wage and thus recruit people to fill the 10% of adult social care vacancies, the staff needed to care for our vulnerable Dovorians neighbours; many of us would appreciate knowing

the numbers of people affected by problems in the care sector in Dover district, both in domiciliary social care and the number of local care homes going bust or closing since July 2020?”

In response the Leader of the Council, Councillor T J Bartlett stated:

“Whilst adult social care is not a direct responsibility of Dover District Council I do share the concern expressed in this question regarding the shortage of care workers (which is what I think the question refers to) for our elderly and vulnerable population. I am happy to write to both the KCC Cabinet Member for Adult Social Care and the Minister for Care and Mental Health to ask what plans there are to support the care market and encourage greater recruitment to the care sector.

I will also ask the KCC Cabinet Member for Adult Social Care to provide the statistical information regarding Dover residents requiring care and information on care homes in the District.”

A supplementary question was asked in accordance with Council Procedure Rule 11.8.

60 CALENDAR OF MEETINGS 2023-24

The Democratic and Corporate Services Manager presented the report on the Calendar of Meetings 2023-24.

Members were advised that the report set out the timetable in principle for 2023-24, with the timetable due to be confirmed at the Annual Meeting in May 2023. As per a previous resolution of the full Council, wherever possible meetings during the school holidays had been avoided.

It was moved by Councillor D A Hawkes, duly seconded by Councillor C A Vinson, and

RESOLVED: That the Draft Calendar of Ordinary Meetings for 2023-24 be approved in principle subject to final ratification at the Annual Meeting of Council on Wednesday 17 May 2023.

61 MEMBERS' ALLOWANCES SCHEME 2023-24

The Democratic and Corporate Services Manager presented the report on the Members' Allowances Scheme 2023/24.

Members were advised that the East Kent Joint Independent Remuneration Panel (EKJIRP) had advised that, recognising the pressures on local authorities, it would support a decision ranging from not increasing the current allowances levels through to any increase in the allowances up to but not exceeding the levels recommended in its last full Review, as set out in Appendix 2 of the report.

Members were advised that the proposed Members' Allowances Scheme set out in Appendix 1 of the report represented no increase in the Basic or Special Responsibility Allowances.

It was moved by Councillor C A Vinson, duly seconded by Councillor M Bates, and

RESOLVED: That the Members' Allowances Scheme for 2022-23 be made at the levels set out in Option 1 (as per Appendix 1) of the report.

62 COUNCIL TAX BASE AND COUNCIL TAX REDUCTION SCHEME 2023/24

The Strategic Director (Finance and Housing) presented the Council Tax Base and Council Tax Reduction Scheme 2023/24.

It was moved by Councillor C A Vinson, duly seconded by Councillor D R Friend, and

- RESOLVED:
- (a) That for the financial year 2023/24, the empty homes discount for properties unoccupied and unfurnished remain at 0%, so that Council Tax will be payable in full on these properties.
 - (b) That the District's Council Tax Base for 2023/24 as 39,974.37 and the tax base for the towns and parishes in the Council's administrative area, as set out in the table at Appendix 2, be approved.
 - (c) That the "Long Term Empty Premium" for properties that have been left empty and substantially unfurnished:
 - (i) for periods of 2 years but less than 5 years, a Long Term Empty premium to be charged at 100%; and
 - (ii) for periods of 5 years but less than 10 years, a Long Term Empty premium to be charged at 200%; and
 - (iii) for periods of 10 years or more a Long Term Empty premium to be charged at 300%.
 - (d) That the three minor changes to CTRS as set out in the report, effective from 1 April 2023 be approved.
 - (e) That the use of the CTRS 'protected' income grid in the CTRS, as set out in Appendix 3, be approved.
 - (f) That the application of the 100% Council Tax premium on properties empty for 1 year but less than 5 years, applicable from 1 April 2024, should the Regeneration & Levelling-Up Bill receive Royal assent, be approved.
 - (g) That the application of a 100% Council Tax premium on 'second homes', applicable from 1 April 2024, should the Regeneration & Levelling-Up Bill receive Royal Assent, be approved.

In accordance with Procedure Rule 18.6 (voting on budget decisions) a recorded vote was held. The manner of voting was as followed:

FOR (25)	AGAINST (0)	ABSTAIN (0)
J S Back		
T J Bartlett		
M Bates		

FOR (25)	AGAINST (0)	ABSTAIN (0)
D G Beaney		
S H Beer		
E A Biggs		
P M Brivio		
M D Conolly		
D G Cronk		
D R Friend		
D Hannent		
D A Hawkes		
M F Hibbert		
S J Jones		
P D Jull		
L A Keen		
N S Kenton		
S C Manion		
K Mills		
O C de R Richardson		
M Rose		
C A Vinson		
P Walker		
H M Williams		
C F Woodgate		

63 REVISION TO CONTRACT STANDING ORDERS

The Strategic Director (Finance and Housing) presented the report on the Revision to Contract Standing Orders.

Members were advised that a correction to the report would need to be moved at paragraph 14.2.2 and 14.2.3 to replace ‘Solicitor to the Council’ with ‘Section 151’ as followed:

“14.2.2 Subject to a written report in an approved format to be submitted to the Monitoring Officer (or his nominee) and ~~Solicitor to the Council~~ Section 151 (or his nominee); which shall include reasons for the extension or other variation which demonstrate that the need for the extension or other significant variation is genuinely exceptional.

14.2.3 Subject to approval by the Monitoring Officer and the ~~Solicitor to the Council~~ Section 151, who shall record that they have considered the reasons for the extension or other significant variation and that they are satisfied that the circumstances justifying the extension are genuinely exceptional.”

It was moved by Councillor P D Jull, duly seconded by Councillor D A Hawkes, and

RESOLVED: That the Council, acting on the recommendation of the Governance Committee and the Monitoring Officer, adopt the revised Contract Standing Orders appended to the report subject to the amendments at paragraphs 14.2.2 and 14.2.3 set out below:

“14.2.2 Subject to a written report in an approved format to be submitted to the Monitoring Officer (or his nominee) and Section 151

(or his nominee); which shall include reasons for the extension or other variation which demonstrate that the need for the extension or other significant variation is genuinely exceptional.

14.2.3 Subject to approval by the Monitoring Officer and the Section 151, who shall record that they have considered the reasons for the extension or other significant variation and that they are satisfied that the circumstances justifying the extension are genuinely exceptional.”

64 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 H M Williams asked the Portfolio Holder for Planning and Environment, Councillor N S Kenton:

“Cllr Williams will ask Cllr Kenton Portfolio Holder for Planning and Environment about the housebuilding targets for the Dover area as stated in the new local plan, recently submitted to the government. However since then, Rishi Sunak announced on 5 December that the compulsory targets will become advisory. Councils will be allowed to build fewer homes if they can show that hitting the original target would significantly change the character of an area. This applies particularly to rural areas. Can you say if DDC intends to review its annual targets?”

In response, Councillor N S Kenton stated:

“DDC is not looking to review its annual targets in its emerging Local Plan following this announcement.

Following Rishi Sunak’s announcement, the government has published a consultation on proposed changes to the National Planning Policy Framework (NPPF) to take the proposals forward.

With regard to the potential for LPAs to reduce their housing targets, and when considering whether adverse impacts mean that the housing need should not be met, the following additional consideration is proposed in the consultation draft of the NPPF:

‘such adverse impacts may include situations where meeting need in full would mean building at densities significantly out of character with the existing area’. (Para11b)ii) This is supported by a footnote (8) which states ‘Taking into account any design guides or codes which form part of the development plan for the area, or which are adopted as supplementary planning guidance’.

We have considered whether this potential addition to the NPPF impacts the draft Plan and its evidence base and whether this would potentially justify reducing the housing target in the Plan.

When determining the indicative capacities for the sites proposed for allocation in the Plan, the density and character of the surrounding area has been considered. The draft Plan also includes design and placemaking

policies which require this to be considered when planning applications are received.

We do not consider that the emerging Local Plan strategy will require building at densities significantly out of character with the existing area that would justify reducing the housing target.

Moreover, such an approach would delay the plan being submitted for examination. This would run the risk that housing need (based upon the methodology the government prescribes) will increase due to worsening affordability in the District. We could potentially then be in the position of needing to identify further sites to be included in the Plan.

It should also be recognised that the Council's current adopted Local Plan is considered to be out of date in some respects and we are therefore currently relying upon national policy to guide decisions on planning applications for new housing development. This is providing limited control over where new housing proposals are acceptable. It is important that we proceed with the emerging Plan to ensure we have up-to-date local policies in place to manage new development."

There was no supplementary question asked.

- (2) Councillor S J Jones asked the Portfolio Holder for Planning and Environment, Councillor N S Kenton:

"Cllr Sue Jones will ask Cllr Kenton, the portfolio holder for planning and the environment if he can explain why the contributions for SPA mitigation secured in the last infrastructure spending statement of £199,546 along with the £108,896 projected income for the next 5 years is only allocated to fund the district councils legal obligations to SPA mitigation on the THANET COAST (providing an officer to count birds, put up signs and talk to visitors, projected costs to be £162,264 over the next 10 years)?"

In response, Councillor N S Kenton stated:

"The monies have been collected specifically to address the issue of additional recreational pressure on the Thanet Coast and Sandwich Bay Special Protection Area because of additional visitors from new housing development in the area.

The monies contribute to the delivery of a mitigation strategy to ensure that new development does not have a significant adverse effect on the European Protected Site. This is a requirement of the Habitats Regulations.

The Council developed a mitigation strategy originally in 2012 and updated in 2022 as part of the new Local Plan. The level of contribution has been calculated taking account of the cost of delivering the mitigation strategy in perpetuity, which is a requirement of the Habitats Regulations. The monies have been collected for a specific purpose and will be needed to deliver the mitigation strategy. They can therefore not be spent on anything else."

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

- (3) Councillor S J Jones asked the Portfolio Holder for Planning and Environment, Councillor N S Kenton:

“Cllr Sue Jones will ask Cllr Kenton the portfolio Holder for Planning and Environment why the policy cannot be amended to allocate the clear surplus to the mitigation of the impact of housing development on the 95% of green spaces around the main urban areas of the District which also have legal designation as local nature reserves, areas of outstanding natural beauty and sites of special interest?”

In response, Councillor N S Kenton stated:

“There is not a surplus. The monies will be spent on the updated mitigation Strategy which must be provided in perpetuity, to meet the Council’s legal requirements under the Habitats Regulations.

The other sites referred to are not covered by the Habitats Regulations which applies a precautionary principle. It is unlikely that a blanket requirement like the SPA mitigation could be justified to be applied to those sites.

However, the Local Plan does include policies in relation to green spaces and other designated sites, to ensure the impacts upon them are considered on a case-by-case basis. Where mitigation is required, this would be secured through the planning permission.”

A supplementary question was asked in accordance with Council Procedure Rule 12.6.

65 MOTIONS

- (1) In accordance with Council Procedure Rule 13, Councillor D R Friend moved the following Motion:

“Debate Not Hate motion

The intimidation and abuse of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve, deterring individuals from standing for election, and undermining public life in democratic processes.

This council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact of local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

This council therefore commits to challenge the normalisation of abuse against councillors and officers and uphold exemplary standards of public and political debate in all it does. The council further agrees to sign up to the LGA’s Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

In addition, this council resolves to;

- Write to the local Member of Parliament to ask them to support the campaign
- Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians
- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs.
- Take a zero-tolerance approach to abuse of councillors and officers.”

The Motion was seconded by Councillor M Bates.

Councillor S H Beer moved as an AMENDMENT as followed:

Insert new bullet point after second bullet point:

- Recognise that members who are women or from minority groups are more likely to receive personal attacks, threats of violence and ongoing harassment.

Amend fourth bullet point as followed:

- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety *and add special training sessions for women if requested, in line with Council’s commitment to equalities.*

Councillor D R Friend and his seconder, Councillor M Bates, agreed to accept the amendment which became the SUBSTANTIVE Motion.

Councillor C A Vinson moved an AMENDMENT as followed:

Add the following to the end of the Motion:

“This Council additionally resolves to write to Town and Parish Councils in the district and encourage them to adopt this Motion.”

Councillor D R Friend and his seconder, Councillor M Bates, agreed to accept the amendment, whereupon with the consent of Council it was put to the meeting as the SUBSTANTIVE Motion and it was

RESOLVED: The intimidation and abuse of councillors, in person or otherwise, undermines democracy; preventing elected members from representing the communities they serve, deterring individuals from standing for election, and undermining public life in democratic processes.

This council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact of local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

This council therefore commits to challenge the normalisation of abuse against councillors and officers and uphold exemplary standards of public and political debate in all it does. The council further agrees to sign up to the LGA's Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

In addition, this council resolves to

- Write to the local Member of Parliament to ask them to support the campaign
- Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians
- Recognise that members who are women or from minority groups are more likely to receive personal attacks, threats of violence and ongoing harassment.
- Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety and add special training sessions for women if requested, in line with Council's commitment to equalities.
- Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs.
- Take a zero-tolerance approach to abuse of councillors and officers.

This Council additionally resolves to write to Town and Parish Councils in the district and encourage them to adopt this Motion.

66 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 7.46 pm