



**Council Meeting**

**Council Offices**  
**White Cliffs Business Park**  
**Dover**

Wednesday, 17 May 2023

Summons and Agenda

**Nadeem Aziz**  
Chief Executive





Democratic Services  
White Cliffs Business Park

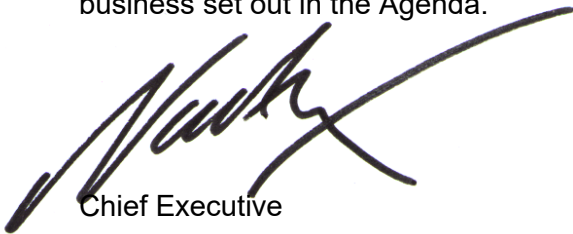
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9 May 2023

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 17 May 2023 at 6.00 pm for the transaction of the business set out in the Agenda.



Chief Executive

Members of the Council:

J S Back	M F Hibbert	D J Parks
T J Bartlett	S Hill	M P Porter
M Bates	N S Kenton	J L Pout
D G Beaney	R M Knight	O C de R Richardson
S H Beer	J P Loffman	M W Rose
E A Biggs	S M S Mamjan	C A Vinson
S B Blair	S C Manion	H M Williams
P M Brivio	K Mills	C F Woodgate
G Cowan	M W Moorhouse	L M Wright
D G Cronk	D P Murphy	C D Zosseder
D R Friend	M J Nee	

AGENDA

1 **ELECTION OF A CHAIRMAN** (Page 7)

To elect a Chairman of the Council for the ensuing municipal year 2023/24.

2 **APPOINTMENT OF A VICE-CHAIRMAN** (Page 8)

To appoint a Vice-Chairman of the Council for the ensuing municipal year 2023/24.

3 **APOLOGIES** (Page 9)

To receive any apologies for absence.

4 **MINUTES** (Pages 10 - 24)

To confirm the Minutes of the meeting held on 1 March 2023 (to follow).

5 **DECLARATIONS OF INTEREST** (Page 25)

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

6 **ANNOUNCEMENTS** (Page 26)

To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.

7 **ELECTION OF THE LEADER OF THE COUNCIL** (Page 27)

To elect the Leader of the Council for a period of four years until the day of the next Annual Meeting of the Council following the ordinary election of all Councillors in 2027.

8 **COMPOSITION OF THE CABINET** (Page 28)

To note the size and composition of the Cabinet set by the Leader of the Council.

9 **APPOINTMENT OF A DEPUTY LEADER** (Page 29)

To note the appointment of the Deputy Leader to hold office until the day of the next annual meeting of the Council following the ordinary election of all councillors in 2027.

10 **APPOINTMENT OF MEMBERS TO CABINET PORTFOLIOS** (Page 30)

To note the appointment of Members to their portfolios.

11 **APPOINTMENT OF SHADOW CABINET** (Page 31)

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

12 **REVIEW OF ALLOCATION OF SEATS TO POLITICAL GROUPS** (Pages 32 - 44)

That the Council:

- (a) Appoint committees to deal with matters which are neither reserved to the Council nor are executive functions.
- (b) Review the allocation of seats to political groups and non-aligned members.
- (c) Appoint Chairmen, Vice-Chairmen, Spokespersons and Deputy Spokespersons to committees as appropriate.

13 **CALENDAR OF ORDINARY MEETINGS 2023-24** (Pages 45 - 53)

To approve a programme of ordinary meetings of the Council for the ensuing

municipal year (to follow).

14 **ANNUAL REPORT OF THE GOVERNANCE COMMITTEE** (Pages 54 - 65)

To consider the attached report of the Strategic Director (Corporate and Regulatory).

15 **ANNUAL REPORT OF OVERVIEW AND SCRUTINY** (Pages 66 - 78)

To consider the report of the Monitoring Officer (to follow).

16 **URGENT BUSINESS TIME** (Page 79)

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

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## ELECTION OF THE CHAIRMAN OF THE COUNCIL

To elect a Chairman of the Council for the ensuing municipal year.

<b>1</b>	<p>Chairman for the preceding municipal year remains Chairman at the start of the meeting, even if no longer a sitting councillor.</p> <p><i>Note: If the Chairman is standing again, they cannot preside over their own election.</i></p>
<b>2</b>	<p>Nominations for Chairman for the ensuing municipal year should be called for by the Chairman (or Vice-Chairman).</p>
<b>3</b>	<p>The Chairman (or Vice-Chairman) will call for votes on the nominees.</p> <p><i>Note: If two or more people are nominated and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.</i></p>
<b>4</b>	<p>Upon the election of a Chairman of the Council the following procedure will be followed:</p> <ul style="list-style-type: none"> <li>(a) The Chairman will sign the Declaration of Acceptance of Office [within two months from the day of the election – see section 83 Local Government Act 1972]</li> <li>(b) The Chairman will address the Council</li> <li>(c) The Chairman will put on the chains of office</li> <li>(d) The Retiring Chairman [if applicable] will be presented with the past Chairman’s badge</li> <li>(e) The Retiring Chairman [if applicable] will address the Council</li> </ul>

**APPOINTMENT OF THE VICE-CHAIRMAN OF THE COUNCIL**

To appoint a Vice-Chairman of the Council for the ensuing municipal year.

1	The Vice-Chairman for the preceding municipal year remains Vice-Chairman until the election of a new Chairman, even if no longer a sitting councillor.
2	Nominations for Vice-Chairman for the ensuing municipal year should be called for by the Chairman.
3	<p>The Chairman will call for votes on the nominees.</p> <p><i>Note: If two or more people are nominated and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.</i></p>
4	<p>Upon the appointment of a Vice-Chairman of the Council the following procedure will be followed:</p> <ul style="list-style-type: none"> <li>(a) The Vice-Chairman will sign the Declaration of Acceptance of Office [within two months from the day of the election – see section 83 Local Government Act 1972]</li> <li>(b) The Vice-Chairman will address the Council</li> <li>(c) The Vice-Chairman will put on the chains of office</li> <li>(d) The Retiring Vice-Chairman [if applicable] will address the Council</li> </ul>



**APOLOGIES**

To receive any apologies for absence.

**MINUTES OF PROCEEDINGS**

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 1 March 2023 at 6.00 pm.

Present:

Chairman: Councillor M D Conolly

Councillors:

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

Officers: Chief Executive  
Strategic Director (Finance and Housing)  
Strategic Director (Corporate and Regulatory)  
Solicitor to the Council  
Democratic and Corporate Services Manager  
Democratic Services Officer  
Democratic Services Officer

67 **APOLOGIES**

Apologies for absence were received from Councillors P M Brivio, L A Keen, M Rose and R S Walkden.

68 **MINUTES**

The Minutes of the meeting held on 25 January 2023 were approved as a correct record and signed by the Chairman.

69 **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Members.

70 **ANNOUNCEMENTS**

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

(a) As it was the last meeting prior to the elections in May 2023, the Chairman thanked councillors for their service and in particular identified the following:

- The Vice-Chairman of the Council, Councillor D Hannent
- The PA to the Leader and Chairman and the Civic Attendant
- Democratic Services

- Councillors T J Bartlett and S S Chandler, current and former ward members with him in Little Stour and Ashstone Ward
  - The officers at the Council, praising the healthy relationship between Members and Officers
  - The Strategic Director (Finance and Housing) for their close working relationship during his eight years as the finance portfolio holder
  - Everyone involved in the Dover Leisure Centre PAG which delivered a new leisure centre on time and on budget
  - Members for the courtesy and good humour during full Council meetings
- (b) To offered his best wishes to those Members who would be stepping down at the next election – Councillors S S Chandler, N J Collor, D Hannent, S J Jones and L A Keen.
- (c) To condemn the Russian invasion of Ukraine and reflect with pride on the Motion adopted by the Council on the matter.

The Council stood in silence as a mark of respect to remember those Ukrainian civilians and military personnel who had died since the Russian invasion of Ukraine.

## 71 LEADER'S TIME

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

- (a) To praise the work of the Community Roots van and to encourage members to speak to community services if they wanted the van to visit their wards in the future.
- (b) To emphasise the importance of everyone having a say in the regeneration of the district.
- (c) To announce the relaunch of the Billiards Room at Kearsney Abbey which would be available for hire by local groups and for weddings. This was the culmination of the work since 2014 and had resulted in the best park in East Kent.
- (d) To thank all those involved in the Council winning a Great British Spring Clean award. The award was presented to representatives of Dover District Council at the Keep Britain Tidy's Network conference and network awards ceremony which took place in February.
- (e) That the Dover Fastrack was on course to open in September or early October 2023.
- (f) That Kent County Council had declined to attend this meeting but had agreed to attend a future meeting of the Council to give a presentation on the Kent Levelling Up Fund bid.
- (g) That the owners of the former Regent Cinema were liaising with planning on a potential application.

- (h) That an expected 40-50 businesses would be at the Skills and Job Fair and Stagecoach had agreed to provide a free loop bus for those attending. There would also be free parking offered at Tides.
- (i) That he had attended a Fair Trade Fortnight even organised by the Deal Fair Trade group.
- (j) To pay tribute to the Chairman of the Council, Councillor M D Conolly, for his service to the Council and his time as Chairman. Councillor M D Conolly, along with Councillors S S Chandler, N J Collor and D Hannent would be sadly missed.

He looked forward to welcoming a new Conservative Group Chairman of the Council in May 2023.

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

- (a) To advise the Leader that it would be a new Labour Group Chairman that the Council would be welcoming in May 2023.
- (b) To agree with the Leader of the Council that the Community Roots van was an asset.
- (c) To express surprise that Kent County Council had not attended to speak about the Levelling Up Fund bid given the history of gridlock affecting Dover. He expressed concern that infrastructure improvements alone may not be above to solve the issue.
- (d) To agree that Kearsney Abbey was an asset for local residents.
- (e) To welcome Fastrack but express concern about its viability once the subsidy had ended. He emphasised the importance of promoting the service.
- (f) To express concern that TAP had become more frequent in its use and that it was a blight on the residents of Aycliffe.
- (g) That it had been a long wait for something to happen with the Regent and it had still not yet happened. He pointed out that the independent cinema in Dover had closed and stressed the importance of provision of a cinema in Deal.
- (h) To offer his support for the Skills and Job Fair.
- (i) To ask the Leader what the progress on the Banksy had been.
- (j) To point out that Kent County Council members voted for an increase in their Members' allowances while at the same time cutting bus services in the district. The cuts to rural bus services were particularly significant. In contrast, Dover District Council had kept its allowances at a reasonable level.

In response the Leader of the Council advised:

- (a) That he will make sure that Kent County Council do attend a future meeting to discuss the Levelling Up Fund.
- (b) That he was expecting the submission on the Regent Cinema to happen in the next two weeks.
- (c) That he was looking into what could be done with the Banksy.
- (d) To point out that in Staple there were no buses anymore and that this would isolate people in the villages. He acknowledged that Stagecoach were also to blame but accepted that they were a commercial business.
- (e) To point out that he was not a member of Kent County Council and therefore not responsible for their Members' allowances. However, he accepted the points raised by Councillor Mills.

72 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no notifications received of changes to seat allocations or group appointments.

73 QUESTIONS FROM THE PUBLIC

- (1) In accordance with Council Procedure Rule 11, a question from Mike Eddy was put to the Leader of the Council, Councillor T J Bartlett:

“Given the scale of expenditure on Dover’s Maison Dieu and the recently announced funding for the Bench Street area, when will Dover District Council take action to assert its rights and duties of ownership of the important heritage asset that is the Dover Roman Painted House?”

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

“The Roman Painted House is leased to the Dover Roman Painted House Trust, a charity established some 50 years ago for the purposes of its stated aims which according to the Charity Commission website are to “preserve the Roman House, Dover, manage it and open it to the public as cost effectively as possible”.

Whilst the Council is very grateful to the work undertaken by you and your fellow trustees over the years, I do feel strongly that the time has come to review this arrangement with the trustees and also those dedicated volunteers that support the work of the Trust.

I am sure you will agree that this heritage asset deserves to be promoted, understood and appreciated by a far wider audience than is the case today.

Hopefully we can work together to create a management structure, which is fit for the 21st century and then work to attract the external funding that will be needed to restore the Roman Painted House as a cultural destination so that it can take its rightful place at the heart of Dover’s historical and cultural offer.”

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

- (2) In accordance with Council Procedure Rule 11, a question from Adrian Sullivan was put to the Portfolio Holder for Planning and Environment, Councillor N S Kenton:

“What actions has the Council taken, and what actions will the Council take in the future, to show it is implementing the Kent Biodiversity Strategy 2020-2045?”

In response the Portfolio Holder for Planning and Environment, Councillor N S Kenton stated:

“The potential for impacts to priority habitats and species identified in the Kent Biodiversity Strategy is currently addressed as a material consideration in the determination of planning applications.

The Council’s emerging Local Plan recognises the importance of the Kent Biodiversity Strategy 2020-2045, and planning applicants will need to demonstrate how their proposals align to strategic priorities and actions for the natural environment, including those in the Kent Biodiversity Strategy relating to the priority habitats and species that are present in Dover District. This will ensure that potential impacts are fully addressed and will also contribute to the delivery of Kent Biodiversity Strategy targets such as habitat restoration and creation, and the provision of habitat features including swift boxes.

Through the Kent Nature Partnership, the Council is a contributor to the current review of the Kent Biodiversity Strategy that will ensure that it can be embedded within the forthcoming Kent Local Nature Recovery Strategy, for which Kent County Council is the ‘Responsible Authority’, and in the development of which the Council is actively engaged.

Through the Environment Act 2021, the Council will have a statutory duty to have regard to the Local Nature Recovery Strategy in local planning policy and decisions, so the implementation of actions in the Kent Biodiversity Strategy will be embedded in the Council’s planning functions.

Through the Environment Act 2021, the Council also has an enhanced duty to conserve and enhance biodiversity and to report on its actions in this regard. The Council is awaiting government guidance for how the reporting should be undertaken, but the expectation is that there will be a focus on priority species and habitats.

The Council is one of the founding partners and the host organisation for the White Cliffs Countryside Partnership (WCCP). Through the activities of the WCCP and its partners the Council is working to restore, enhance and build the resilience of a number of the priority habitats and species which are the focus of the strategy. Through its events and educational programmes, WCCP also plays a key role in ‘connecting people with the natural environment’ across both Dover and Folkestone and Hythe districts.”

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

- (3) In accordance with Council Procedure Rule 11, a question from Peter Issac was put to the Portfolio Holder for Transport, Licensing and Regulatory Services, Councillor M Bates:

“A Welsh “Judge” ruled that Teachers had a right to teach children as young as 3 years and up about sex including gender and LGBTQ+ nullifying the parent’s right to protect children.

Duties of DDC include regulation at a local level and Duty of care and statutory duty of care for Health, Safety, and welfare, etc.

Referencing the wide spread use of Neuro-Linguistic Programming (NLP) in schools and play-schools an unregulated system which is open to abuse by accident or design.

NLP falsely renamed a New Learning Pattern was implemented in schools in 2015; Richard Bandler co-creator referred to its Hypnotic effect.

Under our English Common and Statutory Law, DDC have entrusted duties to ensure children’s safety against the unregulated use and abuse if systems such as NLP, Hypnotism of children.

My question poses a duty on the council to state publicly whether under your care and trust duties because you can regulate health safety and welfare requirements upon schools / play schools etc. Within the Dover District which are not been regulated elsewhere; ensuring that persons trained on or self-taught in these systems are regulated to the following safety requirements.

1. Trained to a specific standard to
  - a. Ensure what they are saying or doing does not adversely affect any child either emotionally, psychologically or physically, or gain any undue influence over children regardless of the intention.
  - b. Declare on a local register that they are trained to use this system safely, that they are required to inform children, work colleagues, and most importantly the parents/Guardians of its use and serious safety risks associated to people not associated with but in the vicinity of its use.
  - c. Declare to the children, parents and colleagues of the risks associated to the Children’s Health Safety and Welfare as stated above and to allow opt in/out and non consent.
2. Ensure that their actions are not passed on through a third party in the following ways.
  - a. Ensure that people are aware of the risk of adverse effects of NLP when they may be aware they are using it e.g. the written work from a colleague.
  - b. By speech
  - c. By actions
  - d. By the written word
3. All Staff must be trained up to recognize and report the dangerous risks to our children of Health safety and welfare of children regarding “Unregulated NLP” hypnotic systems, if not why not this is a breach of your lawful obligation to Duty of Care and a breach of Trust?

In general it is illegal to hypnotise children under the age of 18.”

In response the Portfolio Holder for Transport, Licensing and Regulatory Services, Councillor M Bates:

“The matters raised in this question are not matters in respect of which a District Council has powers and duties and we are not in a position to do as requested.

The Council’s only powers and duties in relation to hypnotism relate to the provision of permits for the licensing of exhibitions, demonstrations or performances of hypnotism for public entertainment.

Health and Safety and safeguarding issues in schools are the responsibility of the Health and Safety Executive, Ofsted, and depending on the school, the governing body and the local education authority. I would recommend that you address any concerns to the relevant body.”

The Chairman refused the questioner’s supplementary question.

74 PAY POLICY STATEMENT 2023/24

The Strategic Director (Corporate and Regulatory) presented the Pay Policy Statement 2023/24.

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

RESOLVED: That the Council approves the Pay Policy Statement set out at Appendix 1 to this report prior to publication on the Council’s website.

75 COUNCIL BUDGET 2023/24, MEDIUM TERM FINANCIAL PLAN 2023/24 – 2026/27 AND 2023/24 COUNCIL TAX SETTING

The Strategic Director (Finance and Housing) presented the Council Budget 2023/24, Medium Term Financial Plan 2023/24-2026/27 and 2023/24 Council Tax Setting.

Members were advised that recommendation in Annex 10 to:

“Delegate the approval of projects included in Annex 6D, the Digital & ICT Programme to the Head of Community & Digital Services in consultation with the Portfolio Holder for Finance, Governance, Digital and Climate Change.”

Had the previous job title for the Head of Transformation and should instead read as followed:

“Delegate the approval of projects included in Annex 6D, the Digital & ICT Programme to the Head of Transformation in consultation with the Portfolio Holder for Finance, Governance, Digital and Climate Change.”

It was moved by Councillor C A Vinson, duly seconded by Councillor D A Hawkes, that subject to the change of title in Annex 10 above it be

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 be approved.

- (b) That the Strategic Director (Finance and Housing) in consultation with the Portfolio Holder for Finance, Governance and Digital be authorised to draw on the Earmarked Smoothing Reserve to meet in year variations in the budget.
- (c) That a Council Tax increase of 2.98% for DDC purposes be approved, resulting in an increase on Band D properties of £6.03 per year and an annual DDC Council Tax of £208.17.
- (d) To note that it is the view of the Strategic Director (Finance and Housing) (Section 151 Officer) that, having due regard to the circumstances and the range of uncertainties, the budget has been prepared in an appropriate and prudent manner. As far as can be determined and, based upon the information available at the time of producing this report, the estimates are robust, and the Council's financial reserves are adequate for its spending plans in 2023/24.
- (e) That the various Council recommendations at the end of the sections within the attached budget and Medium-Term Financial Plan, and summarised in Annex 10 to Appendix 1, 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 (19)**

J S Back  
T J Bartlett  
M Bates  
D G Beaney  
T A Bond  
S S Chandler  
N J Collor  
M D Conolly  
D R Friend  
D Hannent  
D A Hawkes  
M F Hibbert  
P D Jull  
N S Kenton  
S C Manion  
D P Murphy  
O C de R Richardson  
C A Vinson  
P Walker

**AGAINST (0)**

**ABSTAIN (8)**

S H Beer  
E A Biggs  
D G Cronk  
S J Jones  
K Mills  
H M Williams  
C F Woodgate  
C D Zosseder

The Democratic and Corporate Services Manager presented the report on the Vacancy on the East Kent Remuneration Panel.

Members were asked to consider not filling the vacancy due to the limited number of months remaining on the Panels term of office.

It was moved by Councillor M F Hibbert, duly seconded by Councillor D R Friend, and

RESOLVED: That the vacancy in one of Dover District Council's two appointees on the East Kent Joint Independent Remuneration Panel remain unfilled for the remainder of the term of appointment.

## 77 REVISED PETITION SCHEME

The Democratic and Corporate Services Manager presented the Revised Petition Scheme.

Members were advised that it had been over a decade since the scheme had previously been reviewed and that the current scheme was based on statutory guidance that had since been repealed.

Members debated the two proposed amendments from the Governance Committee to the recommendations set out in the report.

It was moved by Councillor S S Chandler, duly seconded by Councillor N S Kenton and

RESOLVED: That the Council approve the new Petition Scheme as set out in Appendix 1 of the report and incorporate it into the Constitution of the Council (Issue 25), subject to the inclusion of recommendation (b) of the Governance Committee that an additional paragraph be added after paragraph 2.13 that reads "Any petition with 1600 or more signatures will automatically be referred to full Council after consideration by the Overview and Scrutiny Committee."

## 78 REVIEW OF THE CONSTITUTION 2022-23

The Monitoring Officer presented the Review of the Constitution 2022-23.

Members were informed that the references to the Head of Community and Digital Services in the Scheme of Delegations should instead be to the Head of Transformation following a change to the title of the post holder.

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

RESOLVED: (a) That the proposed changes in the Review of the Constitution 2022/23, as set out in Appendix 1, and specifically those changes relating to Part 3, Responsibility for Functions, Section 1 (Responsibility for Local Choice Functions), Section 2 (Responsibility for Council Functions) and Section 6, Sub Section C (Scheme of Officer Delegations) that relate to

Council functions be approved and incorporated into the Council's Constitution, issue no. 25.

- (b) That references to the 'Head of Community and Digital Services' be changed to read 'Head of Transformation'.

79 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 D R Friend asked the Portfolio Holder for Finance, Governance, Digital and Climate Change, Councillor C A Vinson:

"Will the Portfolio Holder for Finance, Governance, Digital and Climate Change update the Council on steps we're taking to help residents insulate their homes and cut their energy bills, as part of our wider commitment to cut the Council's carbon emissions to net zero by 2030, and ambition to achieve the same goal across the whole district by 2050?"

In response Councillor C A Vinson stated:

"This Council recognises the current pressure on household energy bills and acknowledges the significant help provided to households and businesses by the government through its various support schemes. Fuel poverty is not a new issue, and locally we have been working for many years to help low income households in our district improve their homes' insulation and reduce their energy bills. This complements our commitment to reduce the Council's carbon emissions to net zero by 2030, and the same ambition for the whole district by 2050.

In the past two years alone we have supported 123 households with upgrades to their home heating, insulation and energy efficiency - delivering nearly £1million in direct grant funding. In addition 116 households in the Dover district have received solar panels through the Kent Solar Together scheme, which will re-launch later this month.

Our support for households will continue, and details are being finalised for the next iteration of the Energy Company Obligation scheme, which will be responsible for Dover's share of £4billion in home energy improvements over the next 3 years. This Council has also put aside £80K of our UK Shared Prosperity Funding to help vulnerable households with their energy bills.

And turning to social housing, our commitment to add 500 properties to our stock has already delivered many new homes to our district. These have been built at or above current energy efficiency standards, including interim accommodation units at Stockdale Gardens in Deal whose entire energy consumption is met by rooftop solar panels. In the coming years we will also upgrade our existing social housing stock with improved insulation alongside solar PV and low carbon heating.

To cut our carbon emissions further the Council has switched its electricity contract to 100% renewable generation, replaced nearly 3,000 streetlights with low energy LEDs and improved the lighting and control systems across its buildings. Our leisure centres in Dover and Deal have reduced their energy

consumption by 21% and 9% respectively in the past year, and work continues with our leisure providers to further reduce the carbon emissions from what are our biggest emitters.

Finally I'd like to offer my personal thanks to Amanda Martin, whose long service and expertise as this Council's lead officer on energy efficiency, tackling fuel poverty and reducing carbon emissions sadly comes to an end this year. I wish her the very best for her retirement."

There was no supplementary question asked.

- (2) Councillor J S Back asked the Portfolio Holder for Social Housing, Port Health, Skills and Education, Councillor D P Murphy:

"Would the Portfolio Holder for Social Housing, Port Health, Skills and Education agree with me that the construction of 26 affordable homes on Napchester Road in Whitfield is yet another positive step by this Council to meet residents' housing needs, and could he provide an update on our programme to grow our social housing stock and improve conditions for our tenants?"

In response Councillor D P Murphy stated:

"The construction of 26 new homes, including 3 homes for wheelchair users, at Napchester Road is something to be celebrated, and forms part of the Council's actions to address the Housing Needs of the Districts' residents. Members will be aware of the first District-wide Affordable Housing Needs survey, which is currently open for responses until 18th April. This is the first time the Council has directly invited all residents in the District to tell us about their current and future housing needs. The results of the survey will be used to shape the district's Affordable Housing Strategy, which is being reviewed this year.

In September 2020, Members approved the delivery of a programme of new Council housing in the district, with an initial target of 500 homes. Against this initial target, 91 new homes have been completed, 38 homes are currently on site under development, and a further 32 homes have been approved by Cabinet and are to start on site early in the next financial year. In addition to this, our Registered Provider partners, working in conjunction with our Affordable Housing Enabler, have delivered 132 affordable homes in the District over the same timeframe. The affordable homes provided by the Council and other RPs include developments in our towns and rural areas. A range of tenures have been provided, including affordable and social rented properties, shared ownership and Interim accommodation, to ensure a valuable contribution is made towards meeting the needs of a wide range of the district's residents."

There was no supplementary question asked.

- (3) Councillor E A Biggs asked the Portfolio Holder for Planning and Environment, Councillor N S Kenton:

"Would the Portfolio holder for Planning enforcement, Cllr Kenton, tell us what is being done to ensure that the long suffering residents of Aycliffe are not having their daily lives further disrupted by the latest Lorry park in South Military Road."

In response Councillor N S Kenton stated:

“The history and background of the lorry park is still being investigated with regards to its lawfulness.

Vehicle activity on the public highway and the safety of highway users are matters for Kent Country Council Highways or the Police to take action over. Officers are liaising with Kent Country Council Highways.”

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

- (4) Councillor S H Beer asked the Portfolio Holder for Finance, Governance, Digital and Climate Change, Councillor C A Vinson:

“What steps are being taken while our digital transformation continues, to preserve multiple routes for residents to communicate with DDC?”

In response Councillor C A Vinson stated:

“The Council’s transformation programme goes far beyond just opportunities presented by the use of digital technologies. Its scope spans the whole Council and seeks to sustain and improve the delivery of high-quality Council services in the most efficient manner for our residents. We continue to offer multiple routes through which local people can contact the Council, and have recently added a further option with the introduction of our Community Roots outreach bus; which visited the North Deal ward on the 18th February.”

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

- (5) Councillor S H Beer asked the Portfolio Holder for Finance, Governance, Digital and Climate Change, Councillor C A Vinson:

“Are digitally literate residents at an unfair advantage?”

In response Councillor C A Vinson stated:

“The Council recognises that residents across our District have varying levels of digital literacy, which is why we are committed to maintaining a range of routes to contact us, as well as building digital skills in our community - most recently through the provision of IT equipment and training as part of the Dover Skills Project.”

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

- (6) Councillor M F Hibbert asked the Leader of the Council, Councillor T J Bartlett:

“Would the Leader of the Council agree with me that keeping Dover’s Council Tax the lowest in East Kent and delivering excellent value for money is of great importance to our residents, particularly when household budgets

are under significant pressure, and provide an update on our transformation programme to modernise and improve the services we provide for the future?”

In response Councillor T J Bartlett stated:

“Yes, I agree that Dover District residents benefit from the lowest district Council Tax in East Kent. Our Council Tax is substantially lower than our close neighbours and this is a major help for local households.

As Chair of the Transformation board, I’m pleased to provide you an update this evening.

- As an organisation we must move with the times and shape this great organisation accordingly
- Transformation is about taking Staff and Members on the journey from the very beginning.
- A staff survey was launched in December last year.
- Staff were consulted on areas around Support, Communication, Ownership, Pride, and Innovation
- There were 301 responses received, which is 61% of the workforce. ( this is a huge response)
- The majority of staff are satisfied and are proud to work for DDC – this is a good foundation to start the Transformation programme.

Now we are aware of Staff views, we can continue further on our journey.

I have asked Brin Hill who leads on the Transformation programme to work with the Transformation Board (which includes Cllr Mills) and Nadeem to look at helping drive the innovation and create a framework for the Transformation programme going forward.

There will be difficult decisions ahead as we modernise our services and organisation, but we must ensure we take as many staff and customers on this journey

I look forward to updating you further as we continue to Transform.”

There was no supplementary question asked.

(7) Councillor D A Hawkes asked the Leader of the Council, Councillor T J Bartlett:

“Will the Leader of the Council join me in celebrating the significant grant funding we have secured to regenerate our town centres, and will he provide an update on progress with the delivery of the Council's ambitious programme to boost tourism and inward investment?”

In response Councillor T J Bartlett stated:

“Thank you for your question and I - as I know the rest of the Council will equally - would be delighted to join you in celebrating the significant £18.1 million Levelling Up Fund grant we received for the regeneration of Dover Town Centre. A successful application that was unanimously supported across the Council.

This new town centre focused project and funding further complements the Council's other part funded projects across Dover, such as the Future High Streets Fund Creative Centre and Underpass works; the National Lottery Heritage Fund Maison Dieu work; the Homes England and Department for Transport Fastrack project; as well as the recently completed Coastal Community Fund Market Square and, past, St James's Retail & Leisure Park Development.

These developments in Dover, but equally many others across the District, all relate to Cabinet and this Council's focus and ambition to drive growth and regeneration, as well as wider opportunities and benefits for the people we serve, through inward investment, place and tourism as catalysts for change."

There was no supplementary question asked.

## 80 MOTIONS

In accordance with Council Procedure Rule 13, Councillor H M Williams moved the following Motion:

"This council notes that there is more work to be done to encourage a more diverse range of candidates for elections in future, in order that councillors better represent the diverse communities they serve.

This council therefore resolves to create a working group at the annual Meeting in May 2023 to find ways to encourage a more diverse range of candidates, especially more women, to stand for council in future."

The Motion was seconded by Councillor S H Beer.

An AMENDMENT was moved by Councillor S S Chandler, duly seconded by Councillor C A Vinson as follows:

"This Council notes that there is more work to be done to encourage more diverse range of candidates for elections in future, in order that councillors better reflect the diverse communities they serve.

This Council therefore resolves to ask the Overview and Scrutiny Committee to include in the Committee work programme consideration of how more residents from across those communities can be encouraged to participate in local democracy and potentially stand as candidates in future council elections."

On being put to the meeting the AMENDMENT was CARRIED.

On being put to the meeting, the SUBSTANTIVE Motion was

RESOLVED: This Council notes that there is more work to be done to encourage more diverse range of candidates for elections in future, in order that councillors better reflect the diverse communities they serve.

This Council therefore resolves to ask the Overview and Scrutiny Committee to include in the Committee work programme

consideration of how more residents from across those communities can be encouraged to participate in local democracy and potentially stand as candidates in future council elections.

81 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 8.27 pm



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.

**Election of the Leader of the Council**

To elect the Leader of the Council for a period of four years until the day of the next Annual Meeting of the Council following the ordinary election of all Councillors in 2027.

**APPOINTMENT OF MEMBERS TO CABINET PORTFOLIOS**

To receive from the Leader of the Council the details of the size and composition of the Cabinet.

*Note: The number of members of a local authority executive should consist of three or more members (including the Leader and Deputy Leader of the Council) but may not exceed 10 members (including the Leader and Deputy Leader of the Council).*

**APPOINTMENT OF A DEPUTY LEADER**

To note the appointment of the Deputy Leader to hold office until the day of the next annual meeting of the Council following the ordinary election of all councillors in 2027.

**APPOINTMENT OF MEMBERS TO CABINET PORTFOLIOS**

To note the appointment of Members to their portfolios.

*Note: The number of members of a local authority executive should consist of three or more members (including the Leader and Deputy Leader of the Council) but may not exceed 10 members (including the Leader and Deputy Leader of the Council).*

*The Chairman and Vice-Chairman of the Council may not be appointed to the Cabinet.*

**Appointment of Shadow Cabinet**

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

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<b>Subject:</b>	<b>REVIEW OF ALLOCATION OF SEATS TO POLITICAL GROUPS 2023-24</b>
<b>Meeting and Date:</b>	<b>COUNCIL – 17 MAY 2023</b>
<b>Report of:</b>	<b>JOINT REPORT OF THE CHIEF EXECUTIVE AND MONITORING OFFICER</b>
<b>Classification:</b>	<b>UNRESTRICTED</b>

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**Purpose of the report:** To allocate the seats on the committees of the Council to the different political groups and to appoint members to those committees in accordance with the allocation.

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- Recommendation:**
- (a) That the Council appoint the committees set out at paragraph 2.1 of the report.
  - (b) That the Council reviews and determines the representation of the different political groups and non-politically aligned members on the ordinary committees of the Council and the other bodies to which it makes appointments.\*
  - (c) That the Council appoints to the seats on the ordinary committees to give effect to the allocations and the nomination of the political groups and appoints to the other bodies to which it makes appointments.
  - (d) That the Council make appointments to the positions of Chairman and Vice-Chairman for each of the ordinary committees of the council and the overview and scrutiny committee.

\* Note: *If making a determination in accordance with Option 1, this would not be an 'alternative arrangement' and would therefore not require an unopposed vote against the proposal to be effective.*

*If making a determination otherwise than in accordance with Option 1 (a different 'alternative arrangement') the Council would need to formally approve the preferred method of determination and allocation as 'alternative arrangements' in accordance with Section 17(1) Local Government and Housing Act 1989 and Regulation 20 Local Government (Committees and Political Groups) Regulations 1990. To be effective no member of the Council must vote against the proposal.*

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**1. Summary**

- 1.1 In accordance with its Constitution, the Council is required to appoint a number of committees to functions that are neither reserved to the Council nor are executive functions.
- 1.2 A review of the allocation of seats to political groups is required at, or as soon as practicable after, each Annual Meeting of the Council in accordance with the provisions of the Local Government and Housing Act 1989.



1.3 The prompt and correct allocation of committee seats is vital to maintaining an effective and transparent governance framework.

1.4 Since the last calculation was undertaken the Council has undergone full Council elections resulting in a change to the largest group on the Council. The Labour Group now holds a majority of seats on the Council with 17 out of 32 seats.

## 2. **Appointment of Committees**

2.1 The Constitution of the Council requires that the following committees, boards and fora be appointed by the Council:

- Dover Joint Transportation Advisory Board (7 district seats plus other seats required in accordance with the agreement governing the Board)
- East Kent Services Committee (2 DDC seats – joint committee with Canterbury City Council and Thanet District Council)
- Electoral Matters Committee (5 seats)
- General Purposes Committee (5 seats)
- Governance Committee (7 seats)
- Joint Health, Safety and Welfare Consultative Forum (5 seats + 5 staff member seats)
- Joint Staff Consultative Forum (5 seats + 5 staff member seats)
- Licensing Committee (15 seats)
- Overview and Scrutiny Committee (10 seats)
- Planning Committee (10 seats)
- Regulatory Committee (5 seats)

2.2 The Cabinet is appointed by the Leader of the Council and any Policy/Project Advisory Groups (PAGs) are appointed by the Leader or at a meeting of the Cabinet.

## 3. **Review of Allocation of Seats to Political Groups**

3.1 The political composition of the Council is currently 17 Labour Group members, 14 Conservative Group members and 1 non-aligned 'independent' member who is not a member of either of the political groups on the Council. In this report the member who is not a member of a political group is referred to as a "non-aligned member" (NAM).

3.2 To be recognised as a political group, the group is required to have at least two members and to have formally notified the authority that those members wish to be treated as a political group. Members in a political group on the Council are not required to be in the same political party to form a political group. The Conservative and Labour Groups have notified the Proper Officer they have formed political groups and meet the previously mentioned requirements of a political group.

3.3 Section 15 of the Local Government and Housing Act 1989 (specifically subsections (3) to (5)) prescribes the Council's duty to determine the allocation of seats which states the basic principles of seat allocation.

3.4 In summary, these principles of determination are:

- (a) That not all of the seats are allocated to the same political group;
- (b) The majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;

- (c) Subject to the above two principles, that the number of seats on ordinary committees which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the Council as is borne by the number of members of that group to the membership of the authority; and
- (d) Subject to (a) to (c), that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

3.5 These principles are listed in order of priority in accordance with Section 15 of the Local Government and Housing Act 1989. This means that the second principle is applied subject to the first. Similarly, the third principle is applied subject to the first and the second principle and so on.

3.6 The obligation to ensure that there is proportionality in the political composition of public bodies extends only to proportionate representation of members of political groups and does not require non-aligned members to be proportionally represented. In *R. (East Riding of Yorkshire Council) v Joint Committee for the purpose of making appointments to the Humberside Police Authority (2001)*, the Court held that the use of the words “political groups” implied that an authority was not under a duty to take into account non-aligned councillors when undertaking its review of the representation of different political groups.

### **Section 15(3) of the Local Government and Housing Act 1989**

3.7 The determination of seats on the Council has been undertaken in accordance with the principles set out in Section 15(3) of the Act, which states as follows:

“15(3) Where at any time the representation of different political groups on a body to which this section applies falls to be reviewed under this section by any relevant authority or committee of a relevant authority, it shall be the duty of that authority or committee, as soon as practicable after the review, to determine the allocation to the different political groups into which the members of the authority are divided of all the seats which fall to be filled by appointments made from time to time by that authority or committee.”

3.8 However, where the Council has members who are non-aligned, this section is amended by regulation 16 of the Regulations to read as follows:

“15(3) Where at any time the representation of different political groups on a body to which this section applies falls to be reviewed under this section by any relevant authority or committee of a relevant authority, it shall be **the duty of that authority or committee, as soon as practicable after the review to determine the allocation to each of those groups of such of the seats which fall to be filled by appointments made from time to time by that authority or committee as bear to the total of all of those seats the same proportion as is borne by the number of members of that group to the membership of the authority.**”

3.9 Additionally, where there are non-aligned members, section 16(2A) of the Local Government and Housing Act 1989 has effect. This provides:

*“Where appointments fall to be made to seats on a body to which section 15 applies otherwise than in accordance with a determination under that section, it shall be the duty of the authority or the committee, as the case may be, so to exercise their power to make appointments as to secure that the persons appointed to those seats are not members of any political group”*

- 3.10 The implications of these changes to paragraph 15(3) taken with section 16(2A) is to require that the Council must allocate seats to the political groups in accordance with the four principles set out above. If there are any seats left over, they must then make appointments to the non-aligned members. **It therefore follows that if there are no seats left over, then no seats will be allocated to the non-aligned members.**

#### **4. Variations to Political Balance Principles**

- 4.1 Prior to the allocation of seats, the Council may approve alternative arrangements for making appointments if it resolves to do so without any member voting against them.

#### **5. Failure of a Political Group to Appoint to its Allocation**

- 5.1 If a political group fail to express their wishes within a period of three weeks of being notified of its allocation (which shall be taken as commencing from the date of the Council meeting where this report is considered), the Council at its first meeting after this period may make such appointment as it sees fit by majority vote regardless of the principles of political balance.

#### **6. Definition of Ordinary Committees**

- 6.1 The following are a list of the ordinary committees of the Council:

- Electoral Matters Committee (5 seats)
- General Purposes Committee (5 seats)
- Governance Committee (7 seats)
- Planning Committee (10 seats)
- Regulatory Committee (5 seats)

- 6.2 The total number of seats on the ordinary committees of the Council is 32 seats.

#### **Allocation of Seats – Overview and Scrutiny Committee**

- 6.3 In addition to the above ordinary committees, the Council also appoints seats on the Overview and Scrutiny Committee.

- 6.4 It is the view of the Solicitor to the Council that Section 21 (11) of the Local Government Act 2000 (under which Scrutiny Committees are appointed), makes the Overview and Scrutiny Committee a 'body' to which the political balance rules apply. What it does not do is to make them automatically 'ordinary committees' for the purposes of the political balance rules.

- 6.5 The Council also makes the appointment for the Chairman and Vice-Chairman of the Overview and Scrutiny Committee. In accordance with Rule 6 of the Overview and Scrutiny Committee Procedure Rules the person chairing the Committee must not be a member of the largest political group on the Council, unless no such person exists on the Committee. This has historically always resulted in members of the second largest political group on the Council appointing the Chairman and Vice-Chairman of the Overview and Scrutiny Committee.

- 6.6 The Overview and Scrutiny Committee is composed of 10 seats.

#### **7. Allocation of Seats – Other Bodies**

- 7.1 In addition to the ordinary committees of the Council (and those treated as such), there are other bodies to which the Council makes appointments. Although these are not bound by the same requirements for political balance as the ordinary committees it should be noted that seats on the individual bodies have historically been allocated separately on the basis of political balance.

- 7.2 These bodies are the Licensing Committee, the Dover Joint Transportation Board, the Joint Staff Consultative Forum and the Joint Health, Safety and Welfare Consultative Forum.

#### **Allocation of Seats – Licensing Committee**

- 7.3 Pursuant to Section 6 of the Licensing Act 2003, the Licensing Committee must have at least ten, but no more than fifteen, members. The current arrangement of fifteen members allows the Licensing Committee to appoint five broadly area-based sub-committees to conduct hearings and has functioned effectively since its introduction in 2003. An important reason for having 5 area-based sub-committees is that Members as a matter of convention do not sit on Licensing Sub-Committees considering applications relating to their wards. Accordingly, this report recommends the continued appointment of 15 councillors to the Licensing Committee.
- 7.4 The Licensing Committee is not subject to the requirements of the Local Government and Housing Act 1989 with regard to political proportionality, although this principle has voluntarily been applied in allocating the seats at the annual Council meetings held since May 2006. It is however at the discretion of the Council to set the size of the Licensing Committee and the allocation of seats, subject to the restriction mentioned above.
- 7.5 The Licensing Committee is responsible for appointing its own Chairman and Vice-Chairman.
- 7.6 The Licensing Committee is composed of 15 seats.

#### **Allocation of Seats – Dover Joint Transportation Advisory Board**

- 7.7 The Dover Joint Transportation Advisory Board is not an 'ordinary committee' for the purposes of seat allocation. However, historically the district councillors appointed to the Board have been made in accordance with the principles of political balance.
- 7.8 The Chairman and Vice-Chairman of the Dover Joint Transportation Advisory Board alternates between Kent County Council and Dover District Council. The Cabinet is responsible for appointing the Chairman or Vice-Chairman of the Dover Joint Transportation Advisory Board, depending on which position the Council is appointing to.
- 7.9 The Dover Joint Transportation Advisory Board is composed of 7 (district) seats.

#### **Allocation of Seats – Joint Staff Consultative Forum and the Joint Health, Safety and Welfare forum**

- 7.10 In accordance with s.15(6) of the Local Government and Housing Act 1989, a seat on an advisory committee shall not be treated as being subject to the political balance requirements unless the authority have determined that it must be so filled. However, the Council has historically voluntarily applied the principles of proportionality in allocating seats to these fora.
- 7.11 The Joint Fora are responsible for appointing their own Chairmen and Vice-Chairmen.
- 7.12 The Fora are each composed of 5 (district councillor) seats and 5 (staff representative) seats.

#### **Allocation of Seats – East Kent Services Committee**

- 7.10 The terms of reference of the East Kent Services Committee specify that its membership must be composed of the Leader and Deputy Leader of the Council. As less than three members are appointed by the Council, it is not required to be politically balanced.

## **Allocation of Seats – Executive Committees and Project Advisory Groups**

- 7.11 As mentioned earlier in the report, the allocation of seats on the Executive, Executive Committees and Project Advisory Groups is a matter for the Cabinet and is outside the scope of this report. These will be determined at the June 2023 meeting of the Cabinet.

## **8 Identification of Options**

- 8.1 This report sets out a range of options for the allocation of seats. In summary, these options are (a) to make a determination in strict accordance with the rules of political balance or (b) to make a different determination not in accordance with the strict rules of political balance. Some of these options can be agreed by majority vote and others by an unopposed vote.
- 8.2 Option 1 – To allocate seats to the ordinary committees of the Council and the Overview and Scrutiny Committee strictly in accordance with the statutory scheme and to make appointments to the Licensing Committee, the Dover Joint Transportation Advisory Board the Joint Staff Consultative Forum, the Joint Health Safety and Welfare Consultative Forum and the East Kent Services Committee as members see fit. This option is set out in Appendix 1.
- 8.3 Option 2 - To appoint on the basis of other alternative arrangements. This could include allocating a seat to the non-aligned member on the Council on one of the Council's Committees.

## **9 Evaluation of Options**

- 9.1 Option 1 is strictly in accordance with the statutory scheme and does not require an unopposed vote to approve.
- 9.2 Option 2 would require the approval of Council to agree the variation(s) without any member of the Council voting against it.
- 9.3 In view of the possibility of so many different permutations it is requested that if it is the will of the Council to agree a variation, it would be helpful for officers to be given advance notice of these intentions so that the implications of any changes can be considered.

## **10 Resource Implications**

- 10.1 No additional resource implications on the basis of current committee structure.

## **11 Climate Change and Environmental Implications**

There are no direct climate change or environmental implications arising from the report.

## **12 Appendices**

Appendix 1 – Proposed allocation of seats as set out under Option 1

## **13 Background Papers**

Localism Act 2011  
Local Government Act 1972  
Local Government and Housing Act 1989  
The Local Government (Committees and Political Groups) Regulations 1990  
Local Government Act 2000  
Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005  
Local Government and Public Involvement in Health Act 2007

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## Review of Allocation of Seats to Political Groups

### (Option 1)

#### Appoint Ordinary Committees Only in Strict Accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990

#### 1. Composition of the Council

	No. of Cllrs	Percentage of the Council*
Labour Group	17	53.13%
Conservative Group	14	43.75%
Non-Aligned Members	1	3.13%
Total	32	100.00%

(\* ) rounded to 2 decimal places

#### 2. Ordinary Committees

2.1 The following is a list of the ordinary committees of the Council:

- Electoral Matters Committee (5 seats)
- General Purposes Committee (5 seats)
- Governance Committee (7 seats)
- Planning Committee (10 seats)
- Regulatory Committee (5 seats)

This equals 32 Seats in total.

#### 3. Application of the Principles

**1<sup>st</sup> Principle: That not all seats on the body are allocated to the same political group**

3.1 The determinations set out in this Appendix are consistent with this principle. No allocation for an Ordinary Committee consisting of members of only one political group is proposed based on the calculations.

**2<sup>nd</sup> Principle The majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership**

3.2 The Labour Group is the majority group (holding 17 or more members) of the Council's membership with 17 seats out of the Council's total membership of 32

seats. This would result in the following allocation to give them a majority of the seats on each body:

Committee	LAB
Electoral Matters Committee (5 seats)	3
General Purposes Committee (5 seats)	3
Governance Committee (7 seats)	4
Planning Committee (10 seats)	6
Regulatory Committee (5 seats)	3
Totals (32 seats)	19

**3<sup>rd</sup> Principle:** Subject to [the first two principles], that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority

- 3.3 The starting point for the calculation is to determine the overall percentage of the Council that each political group and the non-aligned members make up.

	No. of Cllrs	Percentage of Council
Labour Group	17	53.13%
Conservative Group	14	43.75%
Non-Aligned Members	1	3.12%
Total	32	100.00%

- 3.4 If the seats are allocated to each political group in accordance with the third principle this would result in the following allocation:

Political Group	No. of Councillors	Percentage of Council	Number of Seats (32 ordinary seats)
Labour Group	17	53.13%	17.00 (say 17)
Conservative Group	14	43.75%	14.00 (say 14)
TOTAL	31	96.88%	31 seats

Committee	LAB	CON
Electoral Matters Committee	2.66 (say 2 seats)	2.19 (say 2 seats)
General Purposes Committee	2.66 (say 2 seats)	2.19 (say 2 seats)
Governance Committee	3.72 (say 3 seats)	3.06 (say 3 seats)
Planning Committee	5.31 (say 5 seats)	4.38 (say 4 seats)
Regulatory Committee	2.66 (say 2 seats)	2.19 (say 2 seats)
Totals	14 seats	13 seats



- 3.5 However, the allocation of seats in the 3<sup>rd</sup> Principle is subject to the first two principles which means that it is subordinate to the 2<sup>nd</sup> Principle which requires that the majority Labour Group be allocated the majority of the seats on the body as the number of persons belonging to that group (17) is a majority of the authority's membership.
- 3.6 This increased allocation for the majority group has not been a factor in the recent past as the majority group has always composed of closer to 60% of the Council's overall membership.
- 3.7 The Labour Group has therefore been allocated 2 seats more than its purely proportional entitlement to the total number of seats based on its overall membership of the authority.
- 3.8 The remaining seats on the various ordinary committees of the Council would be proportional allocated (all part numbers rounded down) as follows:

Committee	LAB (2 <sup>nd</sup> Principle)	CON	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	5	5	0
General Purposes Committee	3	2	5	5	0
Governance Committee	4	3	7	7	0
Planning Committee	6	4	10	10	0
Regulatory Committee	3	2	5	5	0
Totals	19	13	32	32	0

- 3.9 This proportional allocation fulfils the requirements of Principles 1 and 2. It results in an under-allocation of 1 seat to the Conservative Group and an over allocation of 2 seats to the Labour Group compared to an allocation purely on the 3<sup>rd</sup> Principle.
- 3.10 There are no further remaining unallocated seats to be allocated.

**4<sup>th</sup> Principle: Subject to [principles 1-3 above], that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority**

A proportional allocation based on this principle would result is the following seat allocation:

	No. of Cllrs	Percentage of Council
Labour Group	17	53.13%
Conservative Group	14	43.75%
Non-Aligned Members	1	3.13%
Total	32	100.00%

3.11 However, this is subject to the application of principles 1 to 3.

Committee	LAB (2 <sup>nd</sup> Principle)	CON (3 <sup>rd</sup> Principle)	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	5	5	0
General Purposes Committee	3	2	5	5	0
Governance Committee	4	3	7	7	0
Planning Committee	6	4	10	10	0
Regulatory Committee	3	2	5	5	0
Totals	19	13	32	32	0
Percentage	59.38%	40.63%	100%	100%	

3.12 The Council would normally need to vote on the allocation of each seat to non-aligned members on an individual basis in accordance with Council Procedure Rule 18.7. However, as there are no seats to allocate this does not apply.

#### 4. **Bodies to which political balance applies**

4.1 The next step is to determine the political balanced committees that are not treated as ordinary committees for the purpose of this option. These means the Overview and Scrutiny Committee.

4.2 As political balance applies to the Overview and Scrutiny Committee, despite it not being an ordinary committee, the four principles will need to be applied.

**1<sup>st</sup> Principle: That not all seats on the body are allocated to the same political group**

4.3 The determinations set out in this Appendix are consistent with this principle.

**2<sup>nd</sup> Principle The majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership**

4.4 The Labour Group is the majority (17 or more councillors) of the Council's membership with representing 53.13% (17 out of 32 councillors) of the Council's total membership. This would result in the following allocation to give them a majority of the seats on the body:

Committee	LAB
Overview and Scrutiny Committee (10 seats)	6

**3<sup>rd</sup> Principle:** Subject to [the first two principles], that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority

- 4.5 This does not apply as the body in question (the Overview and Scrutiny Committee) is not an ordinary committee.

**4<sup>th</sup> Principle:** Subject to [principles 1-3 above], that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority

- 4.6 When applied to the non-ordinary committee this would result in the following determination:

Committee	LAB	CON (43.75%)	Allocated Seats	Actual Seats	Unallocated
Overview and Scrutiny Committee	6	4 (4.38)	10	10	0

- 4.7 The Council would normally need to vote on the allocation of each seat to non-aligned members on an individual basis in accordance with Council Procedure Rule 18.7. However, as there are no seats to allocate this does not apply.

## 5. **Final Allocation**

- 5.1 In summary, this option would result in the following allocation:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	0	5	5	0
General Purposes Committee	3	2	0	5	5	0
Governance Committee	4	3	0	7	7	0
Planning Committee	6	4	0	10	10	0
Regulatory Committee	3	2	0	5	5	0
Overview and Scrutiny Committee	6	4	0	10	10	0
Totals	25	17	0	42	42	0

## 6. Other Bodies

6.1 This leaves the appointments to the Licensing Committee, Dover Joint Transportation Advisory Board, the Joint Staff Consultative Forum and the Joint Health, Safety and Welfare Consultative Forum. Appointments to these bodies are outside the political balance requirements and are at the discretion of the Council.

6.2 Historically the Council has appointed to these committees so as to respect political balance. In keeping with this method of appointment, the following seats would be allocated:

Committee	LAB	CON	NAM	Allocated Seats	Actual Seats
Licensing Committee (15 seats)	8	7	0	15	15
Dover Joint Transportation Board (7 seats)	4	3	0	7	7
Joint Staff Consultative Forum (5 seats)	3	2	0	5	5
Joint Health, Safety and Welfare Consultative Forum (5 seats)	3	2	0	5	5

6.3 As the seats set out in the table at paragraph 6.2 above are outside of the political balance rules, the decision on the allocation of seats would be made by a majority vote in accordance with council procedure rule 18.7.

6.4 The Non-Aligned Member has not been allocated any seats based on the application of the political balance arrangements but it is at the discretion of the Council should it wish to allocate a seat to the Non-Aligned Member. If this were to be done, it would only require a majority vote if the seat was on the Licensing Committee, Dover Joint Transportation Advisory Board or one of the two Joint Foras.

### **The East Kent Shared Services Committee**

6.5 As this committee appoints less than 3 seats, there is no requirement to be politically balanced. The terms of reference of the committee require the appointments to be of Executive Members (usually the Leader and Deputy Leader of the Council). The Council also appoints two named substitute members from the executive.

Committee	LAB	CON	NAM	Allocated Seats	Actual Seats
East Kent Shared Services Committee (2 seats)	2	0	0	2	2

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<b>Subject:</b>	<b>CALENDAR OF ORDINARY MEETINGS 2023-24</b>
<b>Meeting and Date:</b>	<b>COUNCIL – 17 MAY 2023</b>
<b>Report of:</b>	<b>DEMOCRATIC AND CORPORATE SERVICES MANAGER</b>
<b>Classification:</b>	<b>UNRESTRICTED</b>

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<b>Purpose of the report:</b>	The Constitution requires that the Calendar of Ordinary Meetings be set at the Annual Meeting of the Council.
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<b>Recommendation:</b>	That the Council approve the final ratification of the Calendar of Ordinary Meetings for 2023-24.
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1. **Summary**

- 1.1 In order to provide Members, Officers, other partner local authorities and the general public with as much notice as possible, a provisional Programme of Ordinary Meetings is presented to the Council in January of each year prior to its final ratification at the Annual Meeting of the Council.
- 1.2 In accordance with the Rule 1.1 (xiii) of the Rules of Procedure in the Council's Constitution, the Annual Meeting of the Council is responsible for approving the final Programme of Ordinary Meetings for the forthcoming municipal year.

2. **Introduction and Background**

- 2.1 The Programme of Ordinary Meetings for 2023-24 is based on a cycle that commences with a meeting of the Cabinet and ends with a meeting of the Council. In between those two points all other committee business takes place.
- 2.2 Wherever possible efforts have been made to avoid school holiday dates in keeping with a previous council resolution. It has not been practicable to avoid the Autumn 2023 party conference dates which clash with the Cabinet (Conservative) and Overview and Scrutiny Committee (Labour) meetings in October 2023.
- 2.3 The Council sets its Calendar of Ordinary Meetings independently and usually in advance of those of the town and parish councils. It is not realistically possible to completely avoid clashes with meeting dates of town/parish councils during the course of the year without moving to a daytime meeting schedule, but we have tried to avoid clashes with town council Annual Meeting/Mayor Making dates as these are likely to have the greatest impact on dual hatted Members. These dates are as follows:
- Sandwich Town Council – 11 May 2023
  - **Dover District Council – 17 May 2023**
  - Dover Town Council – 18 May 2023
  - Deal Town Council – 23 May 2023
- 2.4 A copy of the final agreed dates will be provided to the town and parish councils for information once they are approved by the full Council.
- 2.5 It should also be emphasised that the calendar set out in Appendix 1 only applies to committees with scheduled meetings. It does not apply to any committees that are called on an ad-hoc basis as business warrants, such as the General Purposes Committee, or the meetings of any sub-committees or project advisory groups.

### **Amendments since January 2023**

2.6 There have been discussions between Democratic Services and the Leader of the majority Labour Group over the timing of the Cabinet meetings for 2023/24. If there are to be changes as a consequence these will be advised at the Annual Council meeting.

### **3. Identification of Options**

3.1 There are three options available to the Council:

3.2 Option A – To approve the Calendar of Ordinary Meetings for 2023-24 as set out in Appendix 1.

3.3 Option B – To approve the Calendar of Ordinary Meetings for 2023-24 as set out in Appendix 1 with amendments.

3.4 Option C – To not approve the Calendar of Ordinary Meetings for 2023-24.

### **4. Evaluation of Options**

4.1 The recommended option is Option A as this supports the existing decision route cycle and avoids wherever possible school holidays and political party conferences.

4.2 Options B and C are not the recommended options as they may require adjustments to the existing decision route cycle. If any Member wishes to propose an amendment to the proposed meeting dates (Option B) they are requested to discuss these with the Democratic and Corporate Services Manager prior to the date of the Council meeting at which this report is considered in order that the feasibility of any proposals can be established.

### **5. Resource Implications**

There are no resource implications arising from this report as set out. However, if significant changes were to be made to the Calendar of Ordinary Meetings, then this may need to be re-evaluated.

### **6. Climate Change and Environmental Implications**

6.1 There are no climate change implications directly arising from the report.

### **7. Appendices**

Appendix 1 – Calendar of Ordinary Meetings 2023-24

Appendix 2 – List of KCC School Holidays

Appendix 3 - Public Holidays 2023-24 and Party-Political Conference Dates 2023-24

### **8. Background Papers**

None

Contact Officer: Rebecca Brough, Democratic and Corporate Services Manager 01304 872304

## CALENDAR OF COUNCIL MEETINGS 2023/24

Committee	Start at (B)	2023								2024				
		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May (H)
Cabinet	11.00am		5	3		4	2	6	4	15	5 26 <sup>(F)</sup>	4	8	13
Council	6.00pm	17 <sup>(A)</sup>		19			18			31 <sup>(D)</sup>		6 <sup>(C)</sup>		22
Dover Joint Transportation Advisory Board	6.00pm		22			21		30				21		
Governance Committee	6.00pm		29			28 <sup>(E)</sup>			7			28		
Licensing Committee <sup>(L)</sup>	varies <sup>(K)</sup>	30		19			18			31				22
Overview and Scrutiny Committee	6.00pm		12	10		11	9	13	11	22	19	11	15	20
Planning Committee	6.00pm		1	13	10	14	12	16	14	25	22	14	11	16
Regulatory Committee	10.00am		6 20	18		19	17	21	19	23	20	19	16	28
Joint Health, Safety & Welfare Consultative Forum Joint Staff Consultative Forum <sup>(G) (K) (M)</sup>	2.30pm			5			4			17			10	
Publication Date for the Notice of Forthcoming Key Decisions <sup>(I)</sup>	N/A													

### Footnotes

- (A) Denotes the Annual General Meeting of the Council.  
 (B) All meetings generally commence at the times indicated but are subject to change.  
 (C) Denotes Budget setting meeting  
 (D) Denotes Council Tax Base setting meeting  
 (E) Statement of Accounts  
 (F) Scrutiny of the budget meeting / Cabinet meeting to receive recommendations from scrutiny on the budget (if required)  
 (G) Denotes that these meetings are not open to the public.  
 (H) The Police and Crime Commissioner (PCC) elections will be held in May 2024.

- (I) This is not a committee meeting but the date of the publication of the Notice of Forthcoming Key Decisions.  
 (J) Licensing Committee start times to be agreed with the Chairman depending on the business to be conducted.  
 (K) Meetings are only held as required. The meetings of the Joint Staff Consultative Forum will be held immediately upon the rising of the Joint Health, Safety and Welfare Consultative Forum if both are called.  
 (L) The Licensing Committee is required to appoint a number of Sub-Committees to conduct hearings. The meetings of the Licensing Sub-Committees are only held as required.  
 (M) These meetings are non-statutory meetings and are held on Microsoft Teams

**These meetings will be held at the Council Offices, White Cliffs Business Park, Dover CT16 3PJ unless otherwise indicated**

## CALENDAR OF COUNCIL MEETINGS 2023/24

### Access to Meetings and Information

Members of the public are welcome to attend meetings of the Council, Cabinet, 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 step free access via the Council Chamber entrance and an accessible 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 and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Alternatively, a limited supply of agendas will be available at the meeting, free of charge.

All publicly available agenda papers and minutes are available on the Council's website for inspection for a period of six years from the date of the meeting.

In addition to the Council's website, agendas and minutes can be downloaded to an Apple iPad, Android Device or Windows Device using the modern.gov App from the appropriate App Store and selecting Dover District Council from the list of authorities.

The reporting of meetings by social media, photography and/or use of audio/visual recording devices is permitted at Council, Cabinet and Committee meetings that are open to the public in accordance with the provisions of the Openness of Local Government Bodies Regulations 2014.

The Council broadcasts some of its meetings in accordance with its adopted policy. To facilitate the broadcast of meetings there have been cameras set up in the Council Chamber that communicate with Microsoft Teams Live. This enables meetings held in the Council Chamber to be broadcast for public viewing through the Council's website. These meetings are only available for viewing live and the Council does not retain copies of the broadcast.

### Public Speaking and Governance Arrangements

The Council has adopted arrangements for public speaking at Planning Committee and Overview and Scrutiny Committee. There are also arrangements for asking questions on notice at ordinary meetings of the full Council. Requests to speak at meetings where public speaking is permitted should be sent to:

**Planning Committee:** [publicspeaking@dover.gov.uk](mailto:publicspeaking@dover.gov.uk)

**Council:** [councilquestions@dover.gov.uk](mailto:councilquestions@dover.gov.uk)

**Overview and Scrutiny Committee:** [speakingatscrutiny@dover.gov.uk](mailto:speakingatscrutiny@dover.gov.uk)

If you require any further information about the contents of a Committee agenda, your right to gain access to agendas and minutes held by the Council or have questions concerning the arrangements for public speaking, please contact a member of the Democratic Services team.

The Strategic Director (Governance & Regulatory) is Louise May.

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## DETERMINED

School Term dates for 2022-23 for Kent Maintained and Voluntary Controlled Schools

Standard School Year 2022/23 based on 6 terms with additional INSET days:

Term	School Days	Start Date	End Date	Bank holidays which fall within the term
1	37 days	1 September 2022	21 October 2022	
2	35 days	31 October 2022	16 December 2022	
3	29 days	03 January 2023	10 February 2023	
4	30 days	20 February 2023	31 March 2023	
5	29 days	17 April 2023	26 May 2023	1 May 2023
6	35 days	05 June 2023	21 July 2023	

### INSET/ Non-contact days for teachers:

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.

DETERMINED

August 2022						
M	T	W	T	F	S	S
01	02	03	04	05	06	07
08	09	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2022						
M	T	W	T	F	S	S
			01	02	03	04
05	06	07	08	09	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2022						
M	T	W	T	F	S	S
					01	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2022						
M	T	W	T	F	S	S
	01	02	03	04	05	06
07	08	09	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2022						
M	T	W	T	F	S	S
			01	02	03	04
05	06	07	08	09	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January 2023						
M	T	W	T	F	S	S
						01
02	03	04	05	06	07	08
09	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2023						
M	T	W	T	F	S	S
		01	02	03	04	05
06	07	08	09	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March 2023						
M	T	W	T	F	S	S
		01	02	03	04	05
06	07	08	09	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2023						
M	T	W	T	F	S	S
					01	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2023						
M	T	W	T	F	S	S
01	02	03	04	05	06	07
08	09	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2023						
M	T	W	T	F	S	S
			01	02	03	04
05	06	07	08	09	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2023						
M	T	W	T	F	S	S
					01	02
03	04	05	06	07	08	09
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						




August 2023						
M	T	W	T	F	S	S
	01	02	03	04	05	06
07	08	09	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**INSET/ Non-contact days for teachers:**  
 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

**2022/23**

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

- Term 1 37 days 01/09/22 - 21/10/22**
- Term 2 35 days 31/10/22 - 16/12/22**
- Term 3 29 days 03/01/23 - 10/02/23**
- Term 4 30 days 20/02/23 - 31/03/23**
- Term 5 29 days 17/04/23 - 26/05/23**
- Term 6 35 days 05/06/23 - 21/07/23**

	School day
	School holiday
	Bank holiday

Determined

School Term dates for 2023-24

Standard School Year 2023/24 based on 6 terms with additional INSET days:

Term	School Days	Start Date	End Date	Bank holidays which fall within the term
1	36 days	1 September 2023	20 October 2023	
2	35 days	30 October 2023	15 December 2023	
3	29 days	2 January 2024	9 February 2024	
4	29 days	19 February 2024	28 March 2024	
5	29 days	15 April 2024	24 May 2024	6 May 2023
6	37 days	3 June 2024	23 July 2024	

INSET/ Non-contact days for teachers:

Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours or use a mixture of additional hours and non-contact days.

Bank Holidays

Monday 28 August 2023 - August Bank Holiday

Monday 25 December 2023 - Christmas Day

Tuesday 26 December 2023 - Boxing Day

Monday 1 January 2024 - New Year's Day

Friday 29 March 2024 - Good Friday

Monday 1 April 2024 -Easter Monday

Monday 6 May 2024 - May Day

Monday 27 May 2024 - Late May Bank Holiday

Monday 26 August 2024 - August Bank Holiday

Determined

August 2023						
M	T	W	T	F	S	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2023						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2023						
M	T	W	T	F	S	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2023						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2023						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2024						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2024						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

March 2024						
M	T	W	T	F	S	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

April 2024						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2024						
M	T	W	T	F	S	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2024						
M	T	W	T	F	S	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

July 2023						
M	T	W	T	F	S	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				




August 2024						
M	T	W	T	F	S	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

**INSET/ Non-contact days for teachers:**  
 Over a school year, pupils are required to attend for 190 days/380 sessions. In total, teachers may be required to be available for work on up to 195 days, with the additional days specified by individual schools as non-contact days. Schools may also require teachers to work additional hours before or after school sessions, as an alternative to full non-contact days, provided that any teacher is not required to work in aggregate more than 1,265 hours during a school year. Schools may therefore choose to require teachers to make up the full equivalent of the 5 non-contact days wholly through additional hours, or use a mixture of additional hours and non-contact days.

## 2023/24

Standard School  
 Year based on  
 6 terms with  
 additional INSET  
 days

- Term 1 36 days 01/09/23 - 20/10/23**
- Term 2 35 days 30/10/23 - 15/12/23**
- Term 3 29 days 02/01/24 - 09/02/24**
- Term 4 29 days 19/02/24 - 28/03/24**
- Term 5 29 days 15/04/24 - 24/05/24**
- Term 6 37 days 03/06/24 - 23/07/24**

	School day
	School holiday
	Bank holiday

## List of Bank Holidays 2023-24

### Bank Holidays (England and Wales)<sup>1</sup>

#### 2023

Friday 7 April	Good Friday
Monday 10 April	Easter Monday
Monday 1 May	Early May bank holiday
Monday 8 May	Bank holiday for the Coronation of King Charles III
Monday 29 May	Spring bank holiday
Monday 28 August	Summer bank holiday
Monday 25 December	Christmas Day
Tuesday 26 December	Boxing Day

#### 2024

Monday 1 January	New Year's Day
Friday 29 March	Good Friday
Monday 1 April	Easter Monday
Monday 6 May	Early May bank holiday
Monday 27 May	Spring bank holiday

## List of Party-Political Autumn Conference Dates

### Party Political Conference Dates 2023-24 <sup>2</sup>

Political Party	Location	Dates (inclusive)
Conservative Party	Manchester	1 – 4 October 2023
Labour Party	Liverpool	8 – 11 October 2023

<sup>1</sup> Source: GOV.UK (<https://www.gov.uk/bank-holidays>)

<sup>2</sup> Reflects the current political composition of the Council. This will be revisited for the final report to Council on 17 May 2023 and should there be any change to the political composition of the Council the list of Party-Political Conference Dates will be updated.

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<b>Subject:</b>	<b>ANNUAL REPORT OF THE GOVERNANCE COMMITTEE</b>
<b>Meeting and Date:</b>	<b>Annual Council – 17 May 2023</b>
<b>Report of:</b>	<b>Louise May, Strategic Director (Corporate and Regulatory)</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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<b>Purpose of the report:</b>	The Annual Report of the Governance Committee to be presented to the Annual Meeting of the Council on 17 May 2023
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<b>Recommendation:</b>	That Members note the report
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1. **Summary**

This report summarises the achievements of the Governance Committee against its Terms of Reference for the period 1 April 2022 to 31 March 2023 and details the impact that it has made on the overall system of internal control in operation for that period.

2. **Introduction and Background**

2.1 The purpose of the Council’s Governance Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment. In addition, the Committee provide an independent review of the Authority’s financial and non-financial performance to the extent that it affects the Authority’s exposure to risk and weakens the control environment and oversees the financial reporting process, the Council’s ethical standards together with service and member complaints processes.

3. **Annual Report**

3.1 The Annual Council meeting makes provision for the receipt of the Annual Report of the Governance Committee, detailing its work during the preceding year.

4. **Identification of Options**

4.1 Option 1. To receive and note the report.

4.2 Option 2. Not to note the report.

5. **Evaluation of Options**

5.1 Option 1 is the recommended option. The Delivering Good Governance in Local Government Framework identifies openness and engagement as a core principle. This annual report effectively summarises the activity of the Governance Committee during 2022/23. The Monitoring Officer has been consulted during the preparation of this report.

6. **Resource Implications**

6.1 None from this report.

**7. Climate Change and Environmental Implications**

7.1 There are no climate change or environmental implications arising from the report.

**8. Corporate Implications**

8.1 Comment from the Head of Finance & Investment: The Head of Finance and Investment has been consulted on this report and has no further comments to add.

8.2 Comment from the Solicitor to the Council & Monitoring Officer: The Solicitor to the Council and Monitoring Officer has been consulted in the preparation of this report and has no further comments to make.

8.3 Comment from the Equalities Officer: 'The annual report for Governance Committee does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010  
<http://www.legislation.gov.uk/ukpga/2010/15/section/149>'

**9. Appendices**

Appendix A – Annual Report of the Governance Committee – 2022/23

**10. Background Papers**

10.1 Agenda items of the Governance Committee – 2022/23

Contact Officer: Jemma Duffield - Democratic Services Officer ext.42305



# **Annual Report 2022/23**

## **Governance Committee**



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## **Foreword by the outgoing Chairman of the Committee**

This report summarises the work of the Committee during the preceding year and concludes that once again it received clear, concise and relevant information together with timely reports and actions taken in response to Members' requests.

The Governance Committee continued to be assured of the integrity and reliability of data held in financial statements and the work undertaken by Internal and External Audit provided detailed assurance on those areas of the Council's work which were the subject of reports.

The assurances from the Strategic Director (Corporate and Regulatory), Strategic Director (Finance and Housing), Strategic Director (Place and Environment) and the work of Internal and External Audit together support the Committee in forming their opinion of the financial statements. In July 2021 the Committee reviewed the draft financial statements for 2019/20 and resolved that upon completion of the audit the Statement of Accounts for 2019/20 be approved and signed by the Chairman of the committee. The audit process undertaken by Grant Thornton (the external audit provider) was fully completed in November 2022 and the accounts were approved by the Governance Committee and signed on 1 December 2022. The audit of the 2020/21 accounts started in January 2023 and is anticipated to be completed in July 2023, with consideration by Governance Committee in September 2023. As the closing figures for 2020/21 are the opening figures for 2021/22 financial statements the 2021/22 financial statements are awaiting the completion of the 2020/21 audit before they can be completed and published.

I am pleased to report that the Corporate Complaints and Member Complaints processes continue to work well.

The submission of this Annual Report continues to enhance the effective communication between the Committee and all sections of the Council including the Executive, Statutory Officers, the Head of Internal Audit, External Audit and other stakeholders.

**Councillor David Hannent**  
Chairman of the Governance Committee 2022/23

## **Strategic Director (Corporate and Regulatory) Statement**

The **Delivering Good Governance in Local Government Framework** (2016 Edition) identifies seven core principles of good governance, with associated sub principles. Of particular relevance are:

- **Core Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**
  - **Sub Principle: Demonstrating strong commitment to ethical values**
- **Core Principle F. Managing risks and performance through robust internal control and strong public financial management.**
  - **Sub Principle: Robust Internal Control**
- **Core Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability**
  - **Sub Principle: Implementing good practices in reporting**

This report summarises the achievements of the Governance Committee against its Terms of Reference for the period 1 April 2022 to 31 March 2023 and details the impact that it has made on the overall system of internal control in operation for that period. In particular the Committee has effectively provided an independent assurance on the risk and control framework of this Council and over recent years, has taken responsibility for the functions relating to corporate service complaints and member conduct previously the responsibility of the former Standards Committee.

As the Strategic Director (Corporate and Regulatory), I am therefore satisfied that the Governance Committee is operating effectively, has delivered its functions as outlined in its Terms of Reference and has contributed to the achievement of the core and sub principles. This is evidenced by:

Consideration of the Annual Governance Assurance Statement.

Ensuring that the Council has an effective internal control mechanism.

Ensuring that the corporate complaints process and the Kent Model Code of Conduct and associated arrangements continue to work well.

Internal Audit reporting quarterly to the Governance Committee on progress against the approved audit plan, providing details of the assurance levels for each audit assignment and any key control weaknesses.

The Head of Internal Audit providing an annual internal audit report to the Governance Committee, which reports on the internal control environment and provides an overall audit assurance for the financial year.

**Louise May**

Strategic Director (Corporate and Regulatory)

## **The Role of the Governance Committee**

The role of the Governance Committee is set out in the Council's Constitution. The seven appointed members of the Council provide independent assurance of the adequacy of the risk management framework and the associated control environment together with independent review of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment. The Committee oversees the financial reporting process by considering the final Statement of Accounts and promotes high standards of conduct amongst the 32 members of Dover District Council and (up to) 317 members of Town and Parish Councils in the District.

## **Work Undertaken During 2022/2023**

1. The Accounts and Audit (England) Regulations 2015 require the Council to, at least annually, review the effectiveness of its System of Internal Control, and then publish a statement on internal control within the Annual Governance Assurance Statement. Usually, publication of the statement is required by 31 July each year. However, as a result of the Covid-19 pandemic, the Regulations were amended and the statement of publication was due by 30 September 2022. There was therefore a delay to the usual timetable in presentation of the statement for approval. On 5 September 2022, Cabinet considered the 2021/22 Annual Governance Assurance Statement and requested the Leader of the Council and the Head of Paid Service sign the Statement. The Statement was then considered and approved by the Governance Committee at its meeting on 29 September 2022.

### Corporate Complaints

2. The Committee oversees the Council's corporate complaints procedures. The period 1 April 2022 to 31 March 2023 has seen 260 corporate complaints processed through the Council's formal complaints procedure. This is a decrease of 18 from the previous financial year. The service areas where we have seen the majority of changes is in Waste Services where for 2021/22 the Council received 120 complaints whereas in 2022/23 there were 12 formal complaints received. The number of complaints in the previous year for waste services were due to implementation of the new contract and these issues have now been resolved. There was an increase in 2022/23 of 22 complaints for each of council tax, housing repairs and housing options. Having reviewed the records, we can see no specific trends but will continue to monitor the situation.
3. The Local Government and Social Care Ombudsman dealt with 23 complaints and enquiries against the Council during the 2021/22 municipal year, one of which was upheld. Data relating to the municipal year 2022/23 will be available from the Local Government and Social Care Ombudsman in due course and will be reported to the Governance Committee.

4. The Housing Ombudsman received two complaints against the Council during the 2021/22 financial year, one of which was upheld.

Complaints against Elected or Co-opted Members of the District, Town and Parish Councils

5. The Monitoring Officer meets in private with the Independent Person(s) to assess complaints against co-opted or elected members in accordance with the Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011 which have been adopted by the Council. Should the Monitoring Officer (acting in consultation with the Independent Persons) decide that further investigation is required, an Investigating Officer will be appointed. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer can decide to take no action, seek informal resolution, or refer the matter for consideration by a Hearing Panel.
6. The following information contains no details of the names of elected or co-opted members about whom complaints have been made and is intended for use as a summary of activities only.
7. The municipal year 2022/23 has seen the Monitoring Officer receive 33 complaints, which is the most received in a single year in the last decade and is significantly higher than the average of 15 cases per annum. In contrast the 23 complaints received in 2021/22 was previously considered a high number. The nature and complexity of the complaints has also increased during 2022/23 compared to previous years which has an impact on resourcing and has led to delays at all stages in the process. In particular, it has been noted that complainants have tended to submit significantly more documentary evidence with their complaints, often by way of background.
8. The following tables summarise complaints received by reference to authority type, complainant type, action taken on complaints and reasons for taking no further action. The figures are correct as of 31 March 2023.

**Table A – Breakdown of complaints by type of authority**

Authority Type	Number of Complaints Received
Dover District Council	3
Town/Parish Council	30
	<b>Total 33</b>

**Table B – Breakdown of complaints by type of complainant**

Complainant Type	Number of Complaints Received
Councillor (Town/Parish/District)	11
Council Employee	3
Member of the Public	19
	<b>Total 33</b>

**Table C – Summary of Actions Taken**

<b>Action Taken</b>	<b>Number of Complaints</b>
Referred to Investigation	3
Informal Resolution	1
No Further Action	25
Awaiting Initial Consideration (as of 31 March 2023)	2
Other Action (as of 31 March 2023)	2
	<b>Total 33</b>

**Table D- Summary of Reasons for No Further Action**

<b>Reasons for No Further Action</b>	<b>Number of Complaints</b>
Member did not appear to be acting in an official capacity at the time of the conduct complained of.	10
Even if the facts could be established as a matter of evidence the alleged conduct would not be capable of being a breach of the Code of Conduct.	7
The complaint is about dissatisfaction with a council's decisions, policies and priorities etc.	1
Other	7
	<b>Total 25</b>

9. The amount of work involved in the processing of each complaint is not inconsiderable. Each complaint received typically involves the following – even if it does not result in any further action.

- Logging and allocating individual reference on receipt.
- Correspondence with complainant, subject member and clerk to town/parish council (if the subject member is a town/parish member).
- Arranging meeting of Monitoring Officer and Independent persons.
- Collation of agenda papers for meeting of Monitoring Officer and Independent Persons.
- Meeting of Monitoring Officer and Independent Persons.
- Preparation of detailed decision notice setting out the decision taken and the reasons for it.
- Correspondence with complainant, subject member and clerk to town/parish council (if the subject member is a town/parish member).

If further action is required, (such as referral to investigation), the resource requirement increases.

10. The 33 complaints received in 2022/23 related to members at 8 authorities, an increase from 7 authorities the previous year. It should be noted that a members of a single town/parish council have been the subject of 17 of the 33 complaints received.

11. The Governance Committee Hearing Panel has not meet during 2022/23 but is expected to meet in the early part of the municipal year 2023/24. There have been three cases referred to investigation in the last year and a further two from the previous

year have concluded investigations in 2022/23. In accordance with Annex 1 of the Arrangements, it is reported that there were no decisions of Informal Resolution agreed with the subject member in respect of complaints. As of 31 March 2023, there was one proposed decision of Informal Resolution that was awaiting response from the parties concerned.

### Audit

12. The Committee considered the effectiveness of Internal Audit by reviewing the annual assessment of the Strategic Director (Finance and Housing) (S151 Officer) and the Monitoring Officer, the view of External Audit; and the quality of reports, actions and follow up through the quarterly reports submitted throughout the year to Committee. The quarterly Internal Audit reports have included the following Council services or topics:

<b>Audit Area</b>	<b>Assurance Level</b>
EKS ICT Procurement and Disposal	Substantial
Environmental Protection – Contaminated Land, Pollution, Air and Water Quality	Reasonable
CSO Compliance	Reasonable
Recruitment and Leavers	Reasonable
Tenancy and Estate Management	Not Applicable
Sheltered Housing	Substantial
Complaints Monitoring	Substantial
EKS – Performance Indicators	Substantial
Budgetary Control	Reasonable
EKS – Housing Benefit Quarterly Testing 2021/22 Quarters 3 and 4	Not Applicable
HMO Licensing	Reasonable
Food Safety	Substantial
Payroll	Substantial
Digital/Cloud Computing	Reasonable
Right to Buy	Reasonable
Phones, Mobiles and Utilities	Reasonable/ Limited
Grounds Maintenance	Limited/Reasonable
Garden Waste and Recycling	Limited

Follow up reviews completed throughout the year are shown in the following tables:

<b>Audit Area</b>	<b>Original Assurance level</b>	<b>Revised Assurance level</b>
DBS Checks	Limited	Reasonable/Limited
GDPR	Not Applicable	Not Applicable
Licensing	Reasonable	Substantial
Playgrounds	Reasonable	Reasonable
EKS Payroll	Substantial	Substantial
EKS ICT Disaster Recovery	Reasonable	Reasonable
EKS/Civica – Housing Benefit Payments	Substantial	Substantial

Environmental Protection	Reasonable	Substantial
CSO Compliance	Reasonable	Reasonable
Civica – Housing Benefit Payment	Substantial	Substantial

13. In July 2021 the Committee reviewed the draft financial statements for 2019/20 and resolved that upon completion of the audit the Statement of Accounts for 2019/20 be approved and signed by the Chairman of the committee. The audit process undertaken by Grant Thornton (the external audit provider) was fully completed in November 2022 and the accounts were approved by the Governance Committee and signed on 1 December 2022. The audit of the 2020/21 accounts started in January 2023 and is anticipated to be completed in July 2023, with consideration by Governance Committee in September 2023. As the closing figures for 2020/21 are the opening figures for 2021/22 financial statements the 2021/22 financial statements are awaiting the completion of the 2020/21 audit before they can be completed and published.



## Work Programme for 2023/24

<b>2023/24 Governance Committee</b>	
<b>Date *</b>	<b>Main Agenda Items</b>
June 2023	Internal Audit Annual Report Internal Audit Quarterly Progress Report Quarterly Treasury Management Report Grant Thornton's Quarterly update
September 2023	Internal Audit Quarterly Progress Report Grant Thornton's Quarterly update Review of the Constitution Review of Member Code of Conduct Annual Debt Collection Reports Quarterly Treasury Management Report Annual Governance Assurance Statement Statement of Accounts 2020/21
December 2023	Internal Audit Quarterly Progress Report Grant Thornton's Quarterly update Quarterly Treasury Management Report Corporate Complaints update
March 2024	Internal Audit Annual Plan 2022/23 Internal Audit Quarterly Progress Report Grant Thornton's Quarterly update Statement of Accounts 2021/22 Quarterly Treasury Management Report Risk Management and Value for Money Update Annual Governance Assurance Statement Action Plan – progress report

\* Meeting dates to be confirmed at Annual Council on 17 May 2023.

As a result of the continuing effects of the Covid-19 pandemic, some items within the Work Programme for 2022/23 have been moved to later in the year. In accordance with further amendments to The Accounts and Audit (England) Regulations 2015, the Annual Governance Assurance Statement and the Statement of Accounts (in respect of financial year 2022/2023) must be published by 30 September 2023. However, the current timetable from Grant Thornton for 2020/21 indicates a late audit process for the Statement of Accounts and therefore the approval of the 2020/21 Accounts is planned for September 2023 and dates for the audit of the 2021/22 and 2022/23 audit processes have not yet been confirmed by Grant Thornton. It is anticipated that Grant Thornton will provide an update on this matter to the June committee meeting.

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<b>Subject:</b>	<b>ANNUAL REPORT OF OVERVIEW AND SCRUTINY 2022/23</b>
<b>Meeting and Date:</b>	<b>ANNUAL COUNCIL – 17 MAY 2023</b>
<b>Report of:</b>	<b>DEMOCRATIC AND CORPORATE SERVICES MANAGER</b>
<b>Classification:</b>	<b>UNRESTRICTED</b>

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**Purpose of the report:** Under the Council’s Constitution an Annual Report of Overview and Scrutiny is required to be presented to the Annual Meeting of the Council.

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**Recommendation:** That Members note the report.

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**1. Summary**

This report summarises the activity of the Council’s Overview and Scrutiny Committee for the period 1 May 2022 to 30 April 2023.

**2. Introduction and Background**

3. Article 6 of the Constitution requires that an annual report be presented to Council on the workings of Overview and Scrutiny Committee, its work programme and any proposed amendments to working methods. Accordingly, the attached report provides the following information:

- (a) Statement by the Strategic Director (Corporate & Regulatory) and the Monitoring Officer
- (b) Performance Review Statistics
- (c) Work Programme
- (d) Amendments to Current Practices

**4. Identification of Options**

- 4.1 Option 1: To receive and note the report.
- 4.2 Option 2: To not note the report.

**5. Evaluation of Options**

- 5.1 Option 1 is the recommended option. The Delivering Good Governance in Local Government Framework identifies openness and engagement as a core principle. A sound governance arrangement, including an effective scrutiny process, underpins the achievement of all the Council's corporate objectives.
- 5.2 Option 2 is not the recommended option for the reasons set out above.

**6. Resource Implications**

- 6.1 None from this report

7. **Climate Change and Environmental Implications**

7.1 There are no climate change or environmental implications arising from the report.

8. **Appendices**

Appendix 1 – Annual Report of Overview and Scrutiny Committee 2022/23

9. **Background Papers**

9.1 Work Programme of the Overview and Scrutiny Committee 2022/23

Contact Officer: Rebecca Brough, Democratic and Corporate Services Manager, 01304 872304



# **Annual Report 2022/23**

## **Overview and Scrutiny**

# Contents

1. **Strategic Director (Corporate and Regulatory) and Monitoring Officer Statement**
2. **Roles and Responsibilities**
3. **Performance Review**
4. **Work Programme**

## Statement by the Strategic Director (Corporate and Regulatory) and the Monitoring Officer

- 1.1 Article 6 of the Constitution requires that an annual report be presented to Council on the workings of Overview and Scrutiny Committees, their future work programmes and any proposed amendments to working methods. Accordingly, this report provides the following information:
- (a) Statement by the Monitoring Officer.
  - (b) Performance Review Statistics.
  - (c) Future Work Programmes.
  - (d) Amendments to Current Practices.

- 1.2 The **Delivering Good Governance in Local Government Framework** (2016 Edition) identifies seven core principles of good governance, with associated sub principles. Of particular relevance is:

### **Core Principle F: Managing risks and performance through robust internal control and strong public financial management**

**Sub Principle: Managing Performance** Ensuring an effective scrutiny or oversight function is in place which provides constructive challenge and debate on policies and objectives before, during and after decisions are made thereby enhancing the organisation's performance and that of any organisation for which it is responsible.

**Action/Response:** There is one Overview and Scrutiny Committee, with its own work programme, which met regularly. There is constructive scrutiny challenge. The use of programmed scrutiny in the decision-making process ensures that Overview and Scrutiny Committees have less need to call-in an item having already had the opportunity to express a view to the decision-maker. Scrutiny recommendations are considered in detail by the Cabinet. An annual report on the work of the committee is presented to the Council's Annual Meeting.

- 1.3 As the Monitoring Officer, I am satisfied that the statutory overview and scrutiny function is operating effectively and has been properly and lawfully exercised in accordance with the Constitution and has contributed to the achievement of the core and sub principles. This is evidenced by:
- (i) The Council has operated one Overview and Scrutiny Committees (the law requires one or more).
  - (ii) Work Programmes have been set and approved and carried out and reported to the Council.
  - (iii) That 11 or more ordinary meetings of the Overview and Scrutiny Committee have been held during the year.
  - (iv) Policy review and development has been undertaken in accordance with the Budget and Policy Framework Procedure Rules.
  - (v) Reports from Overview and Scrutiny Committees to the executive would ordinarily have been considered by the executive within 4 weeks.
  - (vi) The Overview and Scrutiny Committee has exercised call-in.
  - (vii) The urgency procedures have been properly exercised and reported.
  - (viii) Officers and Members have attended Scrutiny Committees to give evidence when required.

1.4 The scrutiny function has operated in accordance with guidelines/protocols to assist in respect of:

- (a) The call-in procedure;
- (b) Chairman's procedure for key question setting and chairmen's meetings;
- (c) The key stages for topic reviews;
- (d) Public submission of topics for review;
- (e) Petitions
- (f) Public speaking at committee; and
- (g) Officer support.

**Harvey Rudd**  
Monitoring Officer

**Louise May**  
Strategic Director (Corporate and Regulatory)

## The Role and Responsibilities of Scrutiny

- 2.1 The overview and scrutiny function is central to the constitution of the Council. It should act to promote accountability and transparency within the decision-making process.
- 2.2 The key agreed local principles forming the foundation of the overview and scrutiny function at Dover District Council are as follows:
- The focus for scrutiny must be based upon the achievement of outcomes rather than upon process and procedures in order to develop a function that can make a real difference to the Council and the district.
  - That Overview and Scrutiny be positive, objective and constructive, seeking to add value to any service that it considers. Scrutiny should acknowledge good practice where found and recommend improvements where necessary.
  - It is essential that the Council has an active and challenging scrutiny function that reflects corporate priorities regarding the provision of services.
- 2.3 The Council has a single Overview and Scrutiny Committee which provides overview on the exercise and delivery of council services and functions and considers the impact of service delivery across the whole of the public and private sector on the local community.
- 2.4 The Overview and Scrutiny Committee is responsible for discharging the functions, some of which are conferred by legislation, in relation to the following matters:

### Overview and Scrutiny Committee

- (a) Budget and Major Policy
- (b) Call-in
- (c) Performance Monitoring and Improvement
- (d) Petitions referred to the scrutiny committee
- (e) Community Reviews and Accountability
- (f) Public Health
- (g) Major Projects
- (h) Crime and Disorder

### Policy Development and Review

- 2.5 The Overview and Scrutiny Committee exercise the following functions in respect of policy development and review:
- (a) Assist the Council and the executive in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
  - (b) Conduct research and undertake community and other consultation in the analysis of policy issues and possible options;
  - (c) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;



- (d) Question members of the Executive and/or Committees and chief officers about their views on issues and proposals affecting the area; and
- (e) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that collaborative working enhances the interests of local people.

### **Overview and Scrutiny**

2.6 The Overview and Scrutiny Committee will within its terms of reference:

- (a) Review and scrutinise the decisions made by and performance of the Executive and/or Committees and Council officers both in relation to individual decisions and overall performance;
- (b) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) Consider any matter affecting the area or its inhabitants;
- (d) Reconsider decisions made but not yet implemented by the Executive (following the exercise of the right of call-in);
- (e) Question members of the Executive and/or Committees and Chief Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or relation to particular decisions, initiatives or projects;
- (f) Make recommendations to the Executive and/or appropriate Committee and/or Council arising from the outcome of the scrutiny process;
- (g) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
- (h) Question and gather evidence from any person (with their consent). Overview and Scrutiny Committee have powers conferred by legislation in respect of requiring certain bodies such as the Executive or Community Safety Partnership members to attend for the purpose of providing evidence in respect of their functions.

## Performance Review

- 3.1 If overview and scrutiny is to be successful it needs to achieve tangible outcomes. These can be achieved through influencing executive decision-making – whether through scheduled scrutiny through the work programme or call-in, influencing partners and outside bodies or raising awareness of issues with members of the council and the wider public.

### Structure

- 3.2 Dover District Council operates a single scrutiny committee model. The number of scrutiny committees maintained by the Council is in line with the Kentish district council average of 1.22 scrutiny committees (for those authorities operating executive arrangements) with all apart from Dartford and Gravesham operating a single scrutiny committee.

### Scrutiny Recommendations

- 3.3 During the municipal year 2022/23 a number of recommendations have been made by the Overview and Scrutiny Committee to Cabinet and Council, and a summary of the outcomes is shown below:

Overview	Executive Business	Council Business	Total
Overview and Scrutiny Committee	3	0	3

Executive Business	Approved	Amended or Deferred	Rejected	Total	PCT Approved
Overview and Scrutiny Committee	3	0	0	3	100%

Council Business	Approved	Amended or Deferred	Rejected	Total	PCT Approved
Number of Scrutiny Recommendations	0	0	0	0	n/a

- 3.4 The average approval level of recommendations from the Overview and Scrutiny Committee by Cabinet was 100% (against a target of 80%) when including decisions where the original Cabinet decision was endorsed unchanged by Overview and Scrutiny.

### Frequency of Meetings

- 3.5 There has been a total of 11 meetings of the Overview and Scrutiny Committee, although 1 further meeting was cancelled in September 2022 as a mark of respect due to the death of the sovereign.

### Call-In

- 3.6 There has been 0 Executive Decisions called-in for scrutiny during the course of the municipal year.

- 3.7 It should be emphasised that the number of times the call-in power is exercised has no direction correlation with the efficiency of the Council's overview and scrutiny functions. For example, the use of programmed scrutiny in the decision-making process can ensure that Overview and Scrutiny Committees have less need to call-in an item having already had the opportunity to express a view on a matter to the decision-maker.

#### **Public Speaking at Overview and Scrutiny**

- 3.8 The Council adopted a protocol for public speaking during the municipal year 2008/09. The conclusion drawn from the exercise of the public speaking protocol to date is that it does provide a method by which members of the public can directly express their views to decision-makers.

#### **Scrutiny Agenda Setting**

- 3.9 In accordance with Constitution any Member of the Council can nominate an item within the remit of a scrutiny committee for the agenda, although the committee does not have to include any suggestions in its work programme.

#### **Public Petitions**

- 3.10 The Overview and Scrutiny Committee has received 1 petition during the preceding municipal year relating to enclosed dog parks.

- 3.11 A review of the Council's petition scheme was undertaken as part of the Review of the Constitution 2022/23 as it was based on statutory guidance that has since been repealed. The new Petition Scheme was adopted in January 2023 and formalises the involvement of the Overview and Scrutiny Committee in the receipt of petitions.

#### **Budget Scrutiny**

- 3.12 The Overview and Scrutiny Committee conducted its scrutiny of the budget at its 20 February 2023 meeting. The Committee received a presentation from the Strategic Director (Finance & Housing) as part of the budget scrutiny meeting.

## Work Programme

- 4.1 The Overview and Scrutiny Committee has developed a one-year work programme and scrutinised a number of issues.
- 4.2 There have been several external organisations or community groups involved in scrutiny (either as an interviewee or by providing documentary evidence) during the municipal year 2022/23. These notably include Kent County Council, Kent and Medway NHS and Kent Police.
- 4.3 The Overview and Scrutiny Committee invited representatives from local health services to attend a meeting to discuss local primary care service provision.
- 4.4 Any items not completed during the 2022/23 work programmes will be presented to the meeting of the Committee in June 2023 for consideration for inclusion in the rolling work programme for 2023/24.
- 4.5 The work programme is subject to regular review by the Scrutiny Committee having regard to the corporate objectives and priorities, public consultation, and other events that may require the Scrutiny Committee to reappraise its work programmes.

### **New Legislation**

- 4.6 Any new legislation affecting overview and scrutiny will be considered and implemented as required.

## Work Programme – Overview and Scrutiny Committee (May 2022 – April 2023)

- Performance Report Q4 2021/22
- Petition – Enclosed Dog Park
- Public Spaces Protection Order
- Environmental Enforcement Service Delivery Options
- UK Shared Prosperity Fund
- Strategic Performance Dashboard
- Draft Indoor Sports Strategy
- Tides Leisure Centre
- Award of Four-Year Contract for Provision of Kent Homechoice Housing Options System
- Dover District Council Transformation Programme (Dover 2024 - 50 years of service)
- Dover District Tenant Engagement Strategy 2022-27
- Performance Report Q1 2022/23
- Local Plan
- Kent and Medway NHS
- Crime and Disorder Update
- Petition Report – Enclosed Dog Park
- Kent Resilience Forum
- Treasury Management Year-End Report 2021/22
- Russell Gardens Ornamental Pond and Bridges
- Aylesham Development Update
- Civica Customer Services
- Strategic Dashboard Q2 2022/23
- Memorial Items
- Garden Waste Containerisation
- Town Centre Regeneration Budget Drawdown for Works in Bench Street, Dover
- Services Returning In-House
- Environmental Enforcement Service Delivery Options
- Budget 2023/24
- Fees and Charges 2023/24
- Crime and Disorder Update
- Strategic Dashboard Q3 2022/23
- KCC Community Services Consultation
- Indoor Sports Strategy
- Approval of Draft Air Quality Action Plan for Consultation
- Dover Beacon Project
- Award of Contract for Provision of Heating, Servicing, Installation and Maintenance Works to Council Properties
- Your Leisure Additional Funding

### Future Work Programme

The Overview and Scrutiny Committee will set its work programme for the municipal year 2023/24 at its first meeting following the Annual Council meeting on 17 May 2023. This will

include a reference from the full Council in respect of encouraging a diverse range of candidates for future elections.

**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.