

## MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday 12 December 2012 at 6.00 pm.

Present:

Chairman: Councillor S R Nicholas

Councillors:

J S Back	B W Bano	T J Bartlett
P M Beresford	T A Bond	P M Brivio
B W Butcher	P I Carter	S S Chandler
N J Collor	M D Conolly	G Cowan
J A Cronk	M R Eddy	R J Frost
B Gardner	P J Hawkins	P G Heath
G J Hood	S J Jones	L A Keen
N S Kenton	P S Le Chevalier	S M Le Chevalier
G Lymer	S C Manion	K E Morris
M J Ovenden	J A Rook	M A Russell
F J W Scales	A R Smith	C J Smith
J M Smith	R J Thompson	J F Tranter
R S Walkden	P Walker	P A Watkins

Officers: Chief Executive  
Director of Environment and  
Director of Finance, Housing and Community  
Director of Governance  
Democratic Services Manager  
Team Leader – Democratic Support

### 342 APOLOGIES

Apologies for absence were received from Councillors J H Goodwin, D Hannent, K Mills and A S Pollitt.

### 343 DECLARATIONS OF INTEREST

Councillor S C Manion declared a Disclosable Pecuniary Interest in respect of Minute No 349(g) by reason of his wife being a member of the Clinical Commissioning Group and withdrew from the meeting for the consideration of this item.

### 344 MINUTES

The Minutes of the meeting held on 26 September 2012 were approved as a correct record and signed by the Chairman.

The Minutes of the meeting held on 3 October 2012 were approved as a correct record and signed by the Chairman, subject to the following:

(a) Minute No 249

In response to a query from Councillor S C Manion regarding whether he had an interest in Agenda Item 7 (Land Allocations Pre-Submission Local Plan) by reason of owning a house in an area included in the Plan, the Director of Governance advised that Members would have a Disclosable Pecuniary Interest or an Other Significant Interest only if they, a spouse or Associated Person would benefit financially from a specific parcel of land included in the Land Allocations Pre-Submission Local Plan.

*Councillor S C Manion declared a Disclosable Pecuniary Interest in Minute No 252 by reason of his owning a house in an area included within the Plan and left the meeting for the consideration of that item.*

(b) Minute No 252

The Council considered the report of the Director of Regeneration and Development regarding the Land Allocations Pre-Submission Local Plan and viewed a presentation.

*Councillor N S Kenton proposed the recommendations set out in the report, which was duly seconded.*

At its meeting held on 1 October 2012, Cabinet had agreed the recommendations contained in the report (CAB 23), subject to the amendment of the Dover urban boundary to include land at Copthorne, Dover Road, Guston.

*It was proposed as an amendment by Councillor J A Cronk, duly seconded*

(a) *That a list of changes to confines be put in the front of the Plan.*

*Councillor N S Kenton with the consent of the Council and his seconder agreed to accept Councillor J A Cronk's amendment as part of his motion.*

It was proposed by Councillor N S Kenton, duly seconded and

RESOLVED: (a) That the Land Allocations Pre-Submission Local Plan and the accompanying Sustainability Appraisal and Habitat Regulations Assessment, as set out at Appendices 5 and 6 of the report, be agreed and taken forward for adoption, subject to the amendment of the Dover urban boundary to include land at Copthorne, Dover Road, Guston.

(b) That the Director of Regeneration and Development be authorised to make any necessary editorial changes to the Land Allocations Pre-Submission Local Plan, Sustainability Appraisal and Habitat Regulations Assessment, to assist with clarity, consistency, explanation and presentation.

(c) That the Director of Regeneration and Development be authorised to determine whether, in the light of any representations received on the Land Allocations Pre-

Submission Local Plan, it should be submitted to the Secretary of State for independent examination.

- (d) That the Council's gratitude to officers for their work be recorded.
- (e) *That a list of changes to confines be put in the front of the plan.*

345 ANNOUNCEMENTS

(a) The death of Councillor D G Smallwood

The Chairman announced the sad news of the recent death of Councillor D G Smallwood, who had served on the Council since 1997. Councillor D G Smallwood represented the District Council ward of Maxton, Elms Vale and Priory and also served on Dover Town Council and was a former Mayor of Dover.

The Chairman called upon Councillors G Cowan and P A Watkins as group leaders to speak and they paid tribute to her service to the communities she represented and the qualities she brought to her successful time as Mayor of Dover.

Councillor J A Cronk reflected on his many happy memories of the 20 years he had worked with Councillor D G Smallwood at Megger.

(b) The Death of Mr Richard Blythe

The Chairman announced that Mr Richard Blythe, the groundskeeper at Kearsney Abbey and Bushy Ruff had also recently died.

The Council stood in silence as a mark of respect for Councillor D G Smallwood and Mr Blythe.

346 NATIONAL GRID NEMO INTERCONNECTOR PRESENTATION

The Council received a presentation in respect of the National Grid Nemo Interconnector project.

347 LEADER'S TIME

The Leader of the Council, Councillor P A Watkins, included the following matters in his report:

- (a) To advise of the successful bid for Big Lottery funding for Central Dover. The £1 million fund would be open to community groups to bid for to fund local projects.
- (b) The recent presentation to the Shadow Health and Wellbeing Board on proposals to designate a single major trauma unit site for East Kent, with William Harvey Hospital as the Trusts favoured site. The result of this proposed service reconfiguration if implemented would result in longer journey times for patients. There was also concern that the Deal outpatients' service could be removed when the new Buckland Hospital was operational and some coastal cottage hospitals in other parts of Kent faced a similar situation.

- (c) An exhibition of Buckland Health facility with wider range of OPD services.
- (d) Representatives from the Shadow Kent Health and Wellbeing Board and Dover Health and Wellbeing Board met with representatives of the Department of Communities and Local Government to discuss the working of Health and Wellbeing Boards in a two tier environment.
- (e) That the new South Kent Coast Clinical Commissioning Group would be renting office space in the Council Offices.
- (f) The following issues were discussed at the Shadow Locality Board:
  - Library services
  - A review of educational placement
  - A discussion with the Leader of Kent County Council on how the informal governance arrangements for the Locality Board were operating.
  - A skills exercise involving Councillor C J Smith and Councillor L Ridings.
- (g) That an economic development initiative for East Kent had been held at the Cruise Terminal to promote tourism and life sciences at the Pfizer Discovery Park.
- (h) To update the Council on the progress of the Aylesham Project, which would involve a bid for £5 million from the Growing Places fund to frontload infrastructure works.
- (i) That the demolition of the 1980's building on the Pfizer site was being explored as a possibility by the Discovery Parks owners.

The Leader of the Opposition, Councillor G Cowan, included the following matters in his report:

- (a) To express his hope that the Big Lottery funding for Dover would deliver results.
- (b) That at the Kent Health Overview and Scrutiny Committee meeting Councillor M R Eddy had raised the issue of the impact of Buckland Hospital on Deal Hospital outpatient services.
- (c) To repeat his previously expressed concern that rather than generate new jobs, local businesses would instead relocate to the Discovery Park.
- (d) To highlight the cost of the Olympic Celebrations to the Council and the potential impact of Welfare Reform on the Council's finances. He also expressed his concern that announcements from the Department of Communities and Local Government on other schemes would have an adverse impact on local authority finances.
- (e) That the move to monthly welfare payments would be a problem those on low incomes who were not used to monthly budgeting and the Council needed to do everything it could to help people cope.

- (f) The impact of Council Tax Benefit Localisation on Town and Parish Council's as discussed at the recent Town and Parish Council's Event.
- (g) The future of services identified as bronze in the Delivering Effective Services review in the current tight financial climate for local authorities and in particular the future of the Museum.
- (h) The recent Shadow Locality Board meeting.

The Leader of the Council responded to points raised by the Leader of the Opposition Group in his report as followed:

- (a) That the changes being introduced as part of Welfare Reforms had been well publicised and should not come as a surprise to people. In addition, the Council was keeping Town and Parishes Council's up to date on changes that affected them.
- (b) The Council would achieve a nearly balanced budget for this year's outturn.
- (c) That the Regional Growth Fund had allocated £40 million to projects for East Kent, including £5 million for improving the High Speed Rail link. This also included awards to new companies planning start up businesses at the Discovery Park.
- (d) That further work was being undertaken to identify the need for 'step down' facilities at Buckland Hospital.
- (e) That the Big Lottery funding was for projects from the local community and that Dover Town Council and Dover District Council would not be able to bid for the funds. It was therefore down to the local community to come forward with projects.

#### 348 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no changes to seat allocation or group appointments.

#### 349 QUESTIONS FROM MEMBERS

In accordance with Rule 12 of the Council Procedure Rules, Members of the Cabinet responded to the following questions:

- (a) Councillor P M Brivio asked a question of the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly in respect of whether District Council paid its employees a 'living wage'.
- (b) Councillor P M Brivio asked a question of the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly, in respect of whether the Council had considered the extra resources that would be needed as a result of the introduction of Universal Credit in 2013.
- (c) Councillor P Walker asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly, what impact the additional £68,900 required from the Special Project Reserves for the shortfall in funding for the Olympic Torch Relay would have on the Council's current budget forecast.

- (d) Councillor L A Keen asked a question of the Leader of the Council, Councillor P A Watkins, in respect of what the Council was doing to ensure that the KCC under spend revealed at a recent Locality Board meeting for youth work would be retained for the benefit of young people in Dover.
- (e) The Chairman advised that in the absence of Councillor A S Pollitt a written answer would be provided to his question.
- (f) Councillor S J Jones asked a question of the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton, in respect of when the criteria for issuing fixed penalty notices would be made available for consideration by councillors or a committee of the Council.
- (g) Councillor B W Bano asked a question of the Portfolio Holder for Health, Wellbeing and Public Protection, Councillor P G Heath, to advise what steps he was taking to prevent the closure of Outpatient clinics at Deal Hospital.

(Councillor S C Manion withdrew from the meeting for to the consideration question (g).)

350 DELIVERING EFFECTIVE SERVICES – CHANGES TO THE CHIEF OFFICER STRUCTURE

The Chief Executive presented the report on Changes to the Chief Officer Structure as part of the Delivering Effective Services review.

In response to Councillor B W Bano's question as to whether the report constituted exempt business, the Director of Governance advised that Chief Officer salaries were already in the public domain as the Council listed them on its website.

It was moved by Councillor P A Watkins, duly seconded and

- RESOLVED:
- (a) That the proposed changes to the Chief Officer (Corporate Management Team) structure be approved with effect from 1 April 2013.
  - (b) That the deletion from the establishment of the post of Director of Regeneration and Development (a Chief Officer post) be approved with effect from 1 April 2013.
  - (c) That the existing post holder be dismissed on the grounds of redundancy with effect from 1 April 2013 and that notice be given to this effect by 1 January 2013.
  - (d) That the resultant changes to the functions of the Chief Officers who form the Council's Corporate Management Team with effect from 1 April 2013 be reported to the Council in March 2013 alongside the budget setting process.
  - (e) That the resultant changes to the Scheme of Officer Delegations (Council Functions) and to the Constitution with effect from 1 April 2013 be reported to the Governance Committee.

- (f) That the transfer of £54,000 from the Cluster Reserve to meet the redundancy costs of the Director of Regeneration and Development be approved.

351 OLYMPIC CELEBRATIONS BUDGET

The report on the Olympic Celebrations budget was introduced by Councillor S S Chandler. The recommendation set out in the report was moved by Councillor S S Chandler and duly seconded.

Following discussion of the report and in accordance with Council Procedure Rule 14, Councillor F J W Scales moved, and it was duly seconded, that the question now be put. On being put to the vote the motion was CARRIED.

RESOLVED: That the question now be put.

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

RESOLVED: That the transfer of £58,900 from the Special Projects Reserve to meet the expenditure on the Olympic Celebrations be approved.

At the end of business for this item, the Chairman called for a short adjournment. Councillors B W Bano and F J W Scales did not return when the meeting reconvened.

352 LOCALISM ACT 2011 – MEMBER DISPENSATION

The Director of Governance made a presentation to the Council on the Code of Conduct and the provisions for Member Dispensation in relation to the setting of the Council's budget.

It was moved by Councillor J A Cronk, duly seconded and

RESOLVED: (a) That dispensations be granted for the period 12 December 2012 to 11 May 2015 for all Members present at the meeting who submit a signed request to the Monitoring Officer in the model form as detailed at Appendix 1 of the report.

- (b) That the Monitoring Officer be authorised to grant dispensations to Members of the Council from 12 December 2012 until 11 May 2015 in the same form as those approved at the Council meeting held on 12 December 2012, on submission of a signed request in the model form as set out at Appendix 1 of the report.

353 REVIEW OF PARLIAMENTARY BOUNDARIES

It was moved by Councillor P A Watkins, duly seconded and

RESOLVED: That the recommendations of the Electoral Matters Committee in respect of the Boundary Commission England's

revised proposals for parliamentary constituencies be approved as follows:

- (a) That support be expressed for the new constituency name of Dover and Deal CC.
- (b) That the decision to accept the representation previously submitted by the Council in response to the initial proposals with regard to the inclusion of both Little Stour and Ashstone and Sandwich Wards within a Thanet constituency be welcomed.
- (c) That the inclusion of the North East Downs Ward within the constituency of Dover and Deal CC be supported.

354 TERMS OF REFERENCE OF THE JOINT HEALTH, SAFETY AND WELFARE CONSULTATIVE FORUM

It was moved by Councillor T J Bartlett, duly seconded and

RESOLVED: That the Terms of Reference of the Joint Health, Safety and Welfare Consultative Forum be amended to enable it to submit recommendations and advice on health and safety issues to the Cabinet.

355 REGULATION OF INVESTIGATORY POWERS ACT 2000 – JUDICIAL APPROVAL

The Director of Governance presented the report on the Regulation of Investigatory Powers Act 2000 – Judicial Approval.

It was moved by Councillor P A Watkins, duly seconded and

RESOLVED: That the arrangements for the discharge of council functions set out in Section 6 of Part 3 of the Council's constitution be amended by the insertion of the following delegation to the Solicitor to the Council and the Community Safety, CCTV and Parking Manager:

Column 1 Legislation	Column 2 Brief Description	Column 3 Conditions/ Exclusions/ Limitations/Notes
Regulation of Investigatory Powers Act 2000	To make any necessary application to a Justice of the Peace for an Order approving the grant of an authorisation under the Regulation of Investigatory Powers Act 2000	

356 MOTIONS

- (1) Councillor L A Keen gave notice under Rule 13 of the Council Procedure Rules of her intention to move the following motion:

"Dover District Council pledges its support and all possible assistance to Aylesham community groups in their application to KCC to run the former KCC Aylesham Youth Club Building to preserve it as a community asset for the benefit of local groups and residents."

The motion was moved by Councillor L A Keen and duly seconded.

In response to an amendment proposed by Councillor S S Chandler, that the motion be reworded to state "all reasonable assistance" instead of "all possible assistance", Councillor L A Keen as the proposer and Councillor P Walker as the seconder with the consent of the Council agreed to reword the motion to incorporate the amendment.

On being put to the vote the motion was CARRIED.

RESOLVED: That Dover District Council pledges its support and all reasonable assistance to Aylesham community groups in their application to KCC to run the former KCC Aylesham Youth Club Building to preserve it as a community asset for the benefit of local groups and residents.

- (2) The Chairman advised that in the absence of Councillor B W Bano who had left earlier in the meeting, the motion that he had given notice of under Rule 13 of the Council Procedure Rules would be withdrawn.

The meeting ended at 9.10 pm.