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MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 19 July 2017 at 6.00 pm.

Present:

Chairman: Councillor S S Chandler

Councillors:

S F Bannister	A Friend	A M Napier
T J Bartlett	B Gardner	M J Ovenden
P M Beresford	B J Glayzer	A S Pollitt
T A Bond	D Hannent	G Rapley
P M Brivio	P J Hawkins	N A G Richards
B W Butcher	P G Heath	M Rose
P I Carter	J M Heron	D A Sargent
N J Collor	S J Jones	F J W Scales
M D Conolly	N S Kenton	P M Wallace
G Cowan	S C Manion	P A Watkins
M R Eddy	K E Morris	

Also Present: Mr T Freudmann (RiverOak Strategic Partners)
Mr N Lawlor (RiverOak Strategic Partners)

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance, Housing and Community
Director of Governance
Head of Democratic Services
Team Leader - Democratic Support

17 APOLOGIES

Apologies for absence were received from Councillors M I Cosin, D G Cronk, N Dixon, R J Frost, M J Holloway, L A Keen, P S Le Chevalier, S M Le Chevalier, K Mills, D P Murphy and P Walker.

18 MINUTES

The Minutes of the meetings held on 17 May 2017 were approved as a correct record and signed by the Chairman.

19 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

20 ANNOUNCEMENTS

The Chairman of the Council, Councillor S S Chandler, made the following announcements:

(a) Death of former Dover Town Mayor

To announce the sad news of the death of former Dover Town Mayor Veronica (Ronnie) Philpott.

(b) Terror Attacks

To express the Council's condolences to the victims of the terror attacks at Westminster Bridge, London Bridge and the Manchester Arena.

(c) Grenfell Tower Fire

To express the Council's condolences to the victims of the Grenfell Tower fire.

The Council stood in silence for a minute as a mark of respect for the deaths announced.

(d) DDC Community Grants Scheme

That she had visited three winners of Dover District Council Community Grants – Aylesham Café, Dover smart venture café and Concert on Walmer Green.

Members were advised that applications were open for further grants and encouraged groups to apply.

(e) Queen's Birthday Honours

To offer congratulations to Susan Clark who was awarded the Member of the Order of the British Empire (MBE) for services to children with disabilities for her work as Chair of the Pegasus Playscheme, Dover.

21 RIVEROAK STRATEGIC PARTNERS PRESENTATION

Mr T Freudmann and Mr N Lawlor representing RiverOak Strategic Partners Ltd gave a presentation to the Council on the consultation for the proposed Development Consent Order (DCO) in respect of Manston Airport. As part of the presentation they set out their proposals for the reopening and operation of the airport.

The key points of the presentation were as follows:

- Members were advised that RiverOak had no plans to build housing on the airport site. The size of the site meant that the existing space would be needed for aviation and their proposals required significant aviation infrastructure investment. RiverOak were proposing the construction of 19 Code 'E' (747 size) stands and 600,000 square feet of warehouse space. As the airport was effectively being designed from scratch, it would allow for an efficient freight flow to the road network to be designed and space at the north of the airport had been identified for freight forwarding.

- The Development Consent Order proposals were based on freight being the primary driver of the business with an estimated 10-15,000 cargo movements per annum. There was also the potential capacity for up to 2 million passenger movements per annum, although this was not the primary focus of their proposals. The size of the runway meant that it could receive long haul inbound passenger charter flights and there was a potential synergy with cruises operating out of the Port of Dover.
- There was significant airfreight arriving in Northern Europe currently that was intended for the UK market and with constraints in London airport freight capacity there was an opportunity for Manston.
- It was expected that the site investment would be between £300 – 400 million in total, with each Code 'E' stand costing £2 million, and that it would take 2 years to deliver the required aviation infrastructure to start operating. The first phase of investment would be £50-65 million depending on the number of Code 'E' stands and airport taxi routes constructed.
- It was emphasised that strong relationships with local Further Education providers would be necessary to ensure that the required skills and training could be offered locally for the jobs that would be created both directly and indirectly.
- In respect of concerns over flight paths and aircraft noise, it was stated that this would be a matter for designation by the Civil Aviation Authority. However, it was expected that a condition for a CAT3 landing system on both ends of the runway would be applied, as opposed to the previous single CAT3 landing system, which would allow for flight routes to be split over more directions.
- The intended hours of operation would be 07:00 to 23:00 hours. Members were advised that the cost of night operations meant that it was uneconomical for the operation of night flights, although some flights could operate during the 06:00 to 07:00 shoulder period.

Councillor P A Watkins advised that the Council would continue to press for needed upgrades to transport routes (such as the A2 and A256) and welcomed the potential for the creation of skilled jobs in East Kent.

RESOLVED: That the presentation be noted.

22 LEADER'S TIME

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

- (a) That he had met with the Chairman and Chief Executive of the Local Government Boundary Commission for England about the review of the Council's size. A timetable of dates had been identified and a presentation would be made to councillors on 6 September 2017. The new Council size would come in with effect from the 2019 elections.

- (b) That he had attended the District Councils Network meeting in London where devolution of powers to local government and the implications of the Grenfell disaster were discussed.
- (c) The implications of Brexit for the Council and the district. It was stated that the Council was the Port Health Authority for the Channel Tunnel and the Port of Dover and while part of the European Union (EU) Single Market most of these functions were undertaken at the point of departure for goods within the EU. If this situation were to change the Council would need to employ additional staff and there were concerns as to whether the Port of Dover had the necessary capacity. The matter had been raised with the Department for Communities and Local Government (DCLG) and the local MP was involved.
- (d) The Council's Local Plan was being refreshed and the need to improve roads such as the A258 was vital to this. There would also be consultation on the master planning for the Wellington Dock to Dover Town Hall area in the next few months.
- (e) That 2018 would be the 100th Anniversary of the Zeebrugge Raid and a number of commemorative events would be held, including a Royal Marine Band Parade, an exhibition of Victoria Crosses and the launch of a heritage trail. There would also visits from naval ships from the UK, Belgium and Germany.

The Leader of the Main Opposition Labour Group, Councillor M R Eddy, included the following matters in his report:

- (a) That he had also met with representatives of the Local Government Boundary Commission for England.
- (b) That the Council was in the front line of Brexit over its status as a Port Health Authority. The issues of capacity at the Port of Dover for customs checks could cause significant problems.
- (c) That road improvements were vital for the protection of local residents.
- (d) That Brexit was impacting on the Government's capacity to deal with other matters such as local government devolution.
- (e) To welcome the tourism and heritage initiatives as part of the Zeebrugge commemoration.
- (f) That there would be a series of events in Deal to commemorate the 300th anniversary of the birth of Elizabeth Carter.

The Leader of the Other Opposition Labour Group, Councillor G Rapley, included the following matters in her report:

- (a) To add her support the comments that the road network needed to be improved.
- (b) That the Council needed to work with Dover Harbour Board in respect of the Port of Dover.

The Leader of the Council declined to exercise his right of reply.

23 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were no changes announced to the seat allocations or group appointments.

24 QUESTIONS FROM THE PUBLIC

There were no questions received within the notice period from members of the public.

25 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 S F Bannister asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

“Given that Cllr Walker has asked questions in the past about matters concerning Lydden Racing Circuit plans and conditions and that Cllr Ovenden has striven hard over the same issues for some considerable time, what progress has been made by this council to be proactive with respect to planning, enforcing conditions and enforcing the Noise Abatement Notice?”

In response the Portfolio Holder for Environment, Waste and Planning stated that the Planning Department advised the Circuit if its proposed race calendar would result in a breach of conditions and sought revisions as necessary. The Planning Enforcement team had investigated what occurred on race set-up days and had not found any activity that would count as a race day. Environmental Health carried out noise monitoring activities and had found that conditions were being complied with.

In accordance with Council Procedure Rule 12.5, Councillor S F Bannister exercised his right to ask one supplementary question.

- (2) Councillor J M Heron asked the Portfolio Holder for Property Management and Public Protection, Councillor T J Bartlett:

"At the Planning meeting on 25th May there was a consensus between the committee, residents of the area and the DSK volunteers that the soup kitchen should only be based in Adrian Street on a very short-term basis and a new permanent home for the DSK should be found in an alternative car park, most likely Ladywell. What actions are this council taking to listen to that advice and find a new home before the six month planning permission expires?"

In response the Portfolio Holder for Property Management and Public Protection stated that the Council recognised that the Adrian Street location was purely a short term solution. The Council was engaging with the team

that organised the Dover Soup Kitchen and the wider Christian Community in Dover to find a more permanent solution.

In accordance with Council Procedure Rule 12.5, Councillor J M Heron exercised his right to ask one supplementary question.

- (3) Councillor P M Brivio asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

“It is a long time since the Leader promised to look into a revised housing policy for DDC after a motion was withdrawn concerning percentages of “affordable housing”, and “high-end housing” so when will this begin to happen?”

In response, the Portfolio Holder for Environment, Waste and Planning stated that this would be considered as part of the new District Local Plan. The first stages of work on the new Local Plan were underway and it would be followed by a consideration of issues and possible policy approaches in 2018.

In accordance with Council Procedure Rule 12.5, Councillor P M Brivio exercised her right to ask one supplementary question.

- (4) Councillor D A Sargent asked the Portfolio Holder for Housing, Health and Wellbeing, Councillor P M Beresford:

“Further to the response received from the former government housing minister’s office with regards to this Council’s motion on regulation of the private rental sector, does the Portfolio Holder for Housing, Health and Wellbeing agree with him that only a minority of landlords do not maintain their properties to acceptable standards?”

In response, the Portfolio Holder for Housing, Health and Wellbeing stated that the data suggested that the majority of landlords maintained their properties to an acceptable standard. However, there was a significant minority who could do more.

In accordance with Council Procedure Rule 12.5, Councillor D A Sargent exercised his right to ask one supplementary question.

- (5) Councillor N A G Richards asked the Portfolio Holder for Housing, Health and Wellbeing, Councillor P M Beresford:

“With our thoughts focussed by the tragic fire at Grenfell tower and the failings of Royal Borough of Kensington and Chelsea council can the Portfolio Holder for Housing, Health and Wellbeing assure our tenants that our fire policies, procedures and risk assessments are robust, up to date and actioned on?”

In response, the Portfolio Holder for Housing, Health and Wellbeing stated that the Council had notified the Government that it didn’t own any high rise residential accommodation above six storeys and that none of its properties had been externally clad using the type of system installed at Grenfell Tower. East Kent Housing managed the Council’s housing stock and regularly carried out inspections.

In accordance with Council Procedure Rule 12.5, Councillor N A G Richards exercised his right to ask one supplementary question.

- (6) Councillor P M Brivio asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

“Can the Portfolio holder for Environment, Waste and Planning advise when the relevant statutory powers will be used to take action against the shop owners of the near derelict shops in Biggin Street (eg. Vodaphone and Claire’s accessories premises) which are of such concern to local people and a blight on our High Street?”

In response, the Portfolio Holder for Environment, Waste and Planning stated that Planning Enforcement were currently monitoring and investigating the appearance of properties in Biggin Street and would take action where it was justified.

In accordance with Council Procedure Rule 12.5, Councillor P M Brivio exercised her right to ask one supplementary question.

- (7) Councillor M R Eddy asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

“Can the Portfolio Holder for Access and Licensing give an update on any proposals to install electric charging points in local car parks?”

In response the Portfolio Holder for Access and Licensing stated that the provision of charging facilities for Electric and Low Emission Vehicles was regularly reviewed in light of advances in technology and increased vehicle availability. There were no immediate plans to install charging points in any Council car park but new developments were being encouraged to install charging points. This had resulted in 3 at the St James development and 4 on the Dover Leisure Centre site.

In accordance with Council Procedure Rule 12.5, Councillor M R Eddy exercised his right to ask one supplementary question.

- (8) Councillor P M Brivio asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

“Can the Portfolio Holder for Access and Licensing advise if the council has made a formal response to the Stagecoach consultation, which is going to have such a dramatic effect on bus services in the district, particularly rural areas?”

In response the Portfolio Holder for Access and Licensing stated that he shared the concerns and that the Council had raised its concerns through two formal responses to the consultation.

In accordance with Council Procedure Rule 12.5, Councillor P M Brivio exercised her right to ask one supplementary question.

- (9) Councillor B Gardner asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

“With the Cabinet exploring the closure of the Council helpdesk in Deal Library so that the residents of the Deal area will have to travel over to Whitfield to see Council staff, and bearing in mind that the Council is considering building the District Leisure Centre on land at Whitfield, does the portfolio holder share my concerns at the announcement that Stagecoach is considering cutting back on the number 12 bus service that links Deal and Walmer to Whitfield?”

In response the Portfolio Holder for Access and Licensing stated that the decision on the future of the Deal Area Office had been deferred to a later Cabinet meeting and that the new Dover District Leisure Centre was not scheduled to open until early 2019. Stagecoach had advised that although there had been slight changes to the number 12 bus service between Deal and Whitfield it would be enhanced through the introduction of a new number 90 service.

In accordance with Council Procedure Rule 12.5, Councillor B Gardner exercised his right to ask one supplementary question.

- (10) Councillor B Gardner asked the Portfolio Holder for Environment, Waste and Planning, Councillor N S Kenton:

“Would the Portfolio Holder for Environment, Waste and Planning be kind enough to explain why the viability report for the Hamill Brickworks site which came into this building last September was kept hidden from councillors until only seven days before the application came to Committee in May?”

In response, the Portfolio Holder for Environment, Waste and Planning stated that the review of the Council’s local requirements for validating planning applications had not yet been completed. As a consequence, until the review was completed there was no requirement for financial viability reports to be made publicly available in full and the interim position was to only make such reports available where the applicant agreed to do so.

In the instance referred to in the question the applicant had not agreed to the disclosure until shortly before the application was heard by the Planning Committee.

In accordance with Council Procedure Rule 12.5, Councillor B Gardner exercised his right to ask one supplementary question.

- (11) Councillor P J Hawkins asked the Portfolio Holder for Property Management and Public Protection, Councillor T J Bartlett:

“Can the portfolio holder for Property Management and Public Protection give an update on finding a partner to bring the Regent Cinema back into use?”

In response the Portfolio Holder for Property Management and Public Protection stated that the Council was not the owner of the Regent Cinema and had no directly ability and little leverage to force it to be brought back into use.

In accordance with Council Procedure Rule 12.5, Councillor P J Hawkins exercised her right to ask one supplementary question.

- (12) Councillor P M Wallace asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“At the Extraordinary Council meeting on 22 March 2017 Councillor Mike Connolly said there was "no alternative and there will be no Plan B" if the proposed merger of the 'super council' did not go ahead. Will there now be a Plan B?”

In response, the Portfolio Holder for Corporate Resources and Performance stated that he had no recollection of making such a comment and that it wasn't in the Minutes. The Council would continue to explore opportunities for joint working and increasing its income streams.

In accordance with Council Procedure Rule 12.5, Councillor P M Wallace exercised his right to ask one supplementary question.

- (13) Councillor B Gardner will ask the Portfolio Holder for Property Management and Public Protection, Councillor T J Bartlett:

“Last month a letter was sent to residents who own a memorial bench advising them of council policy, which many found upsetting and poorly worded. What will the Portfolio Holder for Property Management and Public Protection do to assess and improve the process for writing and approving such letters so we can ensure this does not happen again?”

In response the Portfolio Holder for Property Management and Public Protection stated that the Head of Assets and Building Control had reviewed procedures relating to communications and introduced a requirement that letters and e-mails that would be received by more than one person had to be checked by the relevant team leader prior to despatch.

In accordance with Council Procedure Rule 12.5, Councillor B Gardner exercised his right to ask one supplementary question.

26 APPOINTMENT OF INDEPENDENT PERSONS

The Director of Governance presented the report on the appointment of Independent Persons.

It was moved by Councillor P G Heath, duly seconded and

- RESOLVED: (a) That two Independent Persons be appointed and that the position of Substitute Independent Person be abolished with effect from 20 July 2017.
- (b) That Bernard Dowley and Janet Waghorn be appointed to the position of Independent Person with effect from 20 July 2017 for a period of 5 years and 1 day.

- (c) That each Independent Person be paid an allowance of £927 per annum with effect from 20 July 2017 and be entitled to claim travel and subsistence at the same rates as if they were a member of the authority.

27 AMENDMENTS TO THE CALENDAR OF ORDINARY MEETINGS 2017/18

The Team Leader – Democratic Support presented the report on the proposed amendments to the Calendar of Ordinary Meetings 2017/18 in respect of the meeting dates for Dover Joint Transportation Board.

It was moved by Councillor S C Manion, duly seconded and

RESOLVED: That the Calendar of Ordinary Meetings be amended in respect of the meetings of the Dover Joint Transportation Board so that the meeting dates for municipal year 2017/18 be as follows:

Thursday 7 September 2017 at 6.00pm

Thursday 30 November 2017 at 6.00pm

Thursday 29 March 2017 at 6.00pm

28 ANNUAL GOVERNANCE ASSURANCE STATEMENT AND REVISED CORPORATE GOVERNANCE LOCAL CODE 2016/17

The Director of Governance presented the report on the Annual Governance Assurance Statement and Revised Corporate Governance Local Code 2016/17.

It was moved by Councillor M D Conolly, duly seconded and

RESOLVED: That the Annual Governance Assurance Statement 2016/17 and the revised Corporate Governance Local Code be approved.

29 TREASURY MANAGEMENT YEAR-END REPORT

The Director of Finance, Housing and Community presented the Treasury Management Year-End Report.

It was moved by Councillor M D Conolly, duly seconded and

RESOLVED: That the Treasury Management Year-End Report be received and noted.

30 TREASURY MANAGEMENT STRATEGY 2017/18

The Director of Finance, Housing and Community presented the Treasury Management Strategy 2017/18.

It was moved by Councillor M D Conolly, duly seconded and

RESOLVED: That the revised Treasury Management Strategy 2017/18 be approved.

31 MOTIONS

(a) Motion from Councillor B J Glayzer

In accordance with Council Procedure Rule 13, Councillor B J Glayzer gave notice of his intention to move the following Motion:

“This council calls upon the Portfolio Holder for Access and Licensing to open negotiations with Kent County Council around stagecoach requirements for use of seat belt fastenings on public sector bus services. It has come to this council’s attention in the district of recent cases of public users been thrown from their seating. To bring inline, private sector coach companies are required by law and confined to the road traffic act laws RTA 1988 section 14/15 of the Highway Code.”

The Motion was duly seconded by Councillor G Rapley.

Councillor N J Collor invited Councillor B J Glayzer to withdraw the Motion and offered instead to work with him to raise the matter through the Local Government Association.

Councillor B J Glayzer, with the support of his seconder, withdrew his Motion.

(2) In accordance with Council Procedure Rule 13, Councillor M R Eddy gave notice of his intention to move the following Motion:

“Following the discovery by the Conservative government of the “magic money tree”, this council will press the two local MPs to seek the same level of funding per head for residents in Dover district, as will now be enjoyed by the people of Northern Ireland.”

The Motion was duly seconded by Councillor S F Bannister.

On being put to the vote, the Motion was LOST.

32 URGENT BUSINESS TIME

There were no matters of urgent business.

The meeting ended at 9.00 pm