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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, 18 October 2017 at 6.00 pm.

Present:

Chairman: Councillor S S Chandler

Councillors:

| | | |
|---------------|------------------|--------------|
| J S Back | M R Eddy | S C Manion |
| S F Bannister | A Friend | K Mills |
| T J Bartlett | R J Frost | K E Morris |
| P M Beresford | B Gardner | D P Murphy |
| T A Bond | B J Glayzer | A M Napier |
| P M Brivio | D Hannent | M J Ovenden |
| B W Butcher | P J Hawkins | A S Pollitt |
| P I Carter | P G Heath | G Rapley |
| N J Collor | M J Holloway | M Rose |
| M D Conolly | S J Jones | D A Sargent |
| M I Cosin | L A Keen | F J W Scales |
| G Cowan | N S Kenton | P Walker |
| D G Cronk | P S Le Chevalier | |
| N Dixon | S M Le Chevalier | |

Officers: Chief Executive
Director of Environment and Corporate Assets
Director of Finance, Housing and Community
Director of Governance
Democratic Services Manager

33 APOLOGIES

An apology for absence was received from Councillor P M Wallace.

34 MINUTES

The Minutes of the meeting held on 19 July 2017 were approved as a correct record and signed by the Chairman.

35 DECLARATIONS OF INTEREST

Councillor S F Bannister declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

Councillor P I Carter declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

Councillor S S Chandler declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of her husband's ownership of rented property.

Councillor A Friend declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of privately rented property.

Councillor D Hannent declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

Councillor P G Heath declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

Councillor P S Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

Councillor S M Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of her ownership of rented property.

Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.

36 ANNOUNCEMENTS

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

- (a) To advise the Council of the resignation of Councillor P A Watkins on 30 September 2017. The Chairman spoke to his service on the Council, and in particular his commitment to regenerating the Dover District. Councillor Watkins had been a past Chairman of the Council and had been the Leader of the Council since 2003.

The Deputy Leader of the Council, Councillor M D Conolly, paid tribute to Councillor Watkins' passionate dedication to Dover and noted that his retirement from the Council came at the same time as the St James' (DTIZ) Development was nearing completion and the ground was being broken for the new leisure centre.

Councillor P G Heath spoke to their long friendship and that Councillor Watkins had worked hard for the district and left it in a strong position.

The Leader of the Opposition, Councillor M R Eddy, also paid tribute to Councillor Watkins.

37 ELECTION OF A LEADER

The Chairman of the Council called for nominations for the position of Leader of the Council, following the resignation of Councillor P A Watkins.

It was moved by Councillor M D Conolly, and duly seconded by Councillor S C Manion, that Councillor K E Morris be elected as Leader of the Council.

In the absence of any other nominations it was

RESOLVED: That Councillor K E Morris be elected the Leader of the Council until the day of the next Annual Meeting of the Council following the ordinary election of all councillors in 2019.

38 COMPOSITION OF CABINET

In accordance with Rule 1.1(vii) of the Council Procedure Rules, Councillor K E Morris gave notice of his intention to appoint an Executive comprising of the Leader of the Council and seven members, including the Deputy Leader.

RESOLVED: That the composition of the Cabinet be received and noted.

39 APPOINTMENT OF A CABINET

In accordance with Rules 1.1(viii) and 1.1(ix) of the Council Procedure Rules, Councillor K E Morris gave notice of his intention to appoint the following portfolio structure and the following Members to the portfolios:

RESOLVED: (a) That it be noted that the Leader of the Council had given formal notification to the Monitoring Officer of his intention to appoint the following portfolio structure:

Leader of the Council
Deputy Leader of the Council
Portfolio for Access and Licensing
Portfolio for Environment, Waste and Health
Portfolio for Built Environment
Portfolio for Corporate Resources and Performance
Portfolio for Community Services
Portfolio for Property Management and Environmental Health

(b) That it be noted that the Leader of the Council had appointed the following Members to the following Portfolios:

| | |
|--|-----------------|
| Leader of the Council | K E Morris |
| Deputy Leader | M D Conolly |
| Access and Licensing | N J Collor |
| Environment, Waste and Health | N S Kenton |
| Built Environment | J S Back |
| Corporate Resources and Performance | M D Conolly |
| Community Services | M J Holloway |
| Property Management and Environmental Health | T J Bartlett |

40 APPOINTMENT OF SHADOW CABINET

It was moved by Councillor M R Eddy, duly seconded and

RESOLVED: That, in accordance with notice provided by the Leader of the Opposition Group, the Shadow Cabinet be composed of the following for the ensuing municipal year:

| | |
|--|---------------|
| Leader of the Opposition | M R Eddy |
| Deputy Leader | P M Brivio |
| Access and Licensing | S F Bannister |
| Environment, Waste and Health | A M Napier |
| Built Environment | B Gardner |
| Corporate Resources and Performance | P M Wallace |
| Community Services | P Walker |
| Property Management and Environmental Health | S J Jones |

41 LEADER'S TIME

The Leader of the Council, Councillor K E Morris, included the following matters in his report:

- (a) To pay tribute to the former Leader of the Council, Councillor P A Watkins.
- (b) That the Kent authorities were bidding to be a pilot area for 100% business rate retention. Alternatively, if the bid was unsuccessful the Council could form a pool with other Kent authorities to reduce the levy applied.
- (c) To thank the team that had worked on the Dover Leisure Centre for the great progress that was being made.
- (d) That homelessness was on the rise nationally and that the impact of this in Kent was being felt particularly in the coastal districts, including the Dover District. The majority of cases presented had local connections to the district and were not people coming to the district from outside. The Council was reviewing its procedures and exploring ways in which it could get people out of temporary accommodation and into permanent accommodation more quickly. This included purchasing accommodation and exploring the use of modular housing.

The Leader of the Council advised that he would be creating a homelessness task face that he would chair and he expressed hope that there could be cross-party working on this issue.

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

- (a) That he hoped that the business rate pilot scheme delivered for the Council.
- (b) That homelessness was an increasing issue locally and there had been an increase in foodbank and soup kitchen use. The Council needed to provide for more social housing.
- (c) That he supported the homelessness task force in principle and hoped that the labour group would have the opportunity to be involved.
- (d) That he wanted to see the State of the District report come to Council soon.

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

- (a) To congratulate Councillor K E Morris on becoming Leader of the Council and to express hope for more co-operative working in the future.

In response, the Leader of the Council raised the following matters in his right to reply:

- (a) That he was heartened by what he had heard and that he agreed that transparency was important.

42 SEAT ALLOCATION AND GROUP APPOINTMENTS

The Leader of the Conservative Group, Councillor K E Morris, gave notice of the following changes to group appointments:

- (a) East Kent Services Committee

Councillor K E Morris to fill the vacancy arising from the resignation of Councillor P A Watkins.

Councillor T J Bartlett to replace Councillor K E Morris as a named substitute.

- (b) Electoral Matters Committee

Councillor K E Morris to fill the vacancy arising from the resignation of Councillor P A Watkins.

Councillor K E Morris to be appointed as Chairman.

- (c) Planning Committee

Councillors P M Beresford and M J Ovenden to replace Councillors J S Back and T J Bartlett respectively.

- (d) Scrutiny (Policy and Performance) Committee

Councillor P M Beresford to replace Councillor M J Holloway.

43 QUESTIONS FROM THE PUBLIC

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

44 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 G Cronk asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

"In Deal and Sandwich hundreds of people have signed petitions to save the council help desks. In Sandwich the closure of the help desk will mean that residents, particularly pensioners who don't drive, will have to make a twenty mile round trip on the bus to the Dover Gateway, when previously these services were on their doorstep. In Deal the residents will similarly be suffering by the cutting of this popular and necessary service. Why are these people directly bearing the burden of Tory cuts?"

In response the Portfolio Holder for Corporate Resources and Performance stated that the bulk of face-to-face transactions at the Area Offices could be conducted by telephone, email, post or by appointment at the remaining face-to-face locations.

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

- (2) Councillor A M Napier asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

"In light of the closure of the help desks in Aylesham, Sandwich and Deal, will you guarantee the future of the services we provide at the Dover Gateway office?"

In response the Portfolio Holder for Corporate Resources and Performance stated that the Dover Gateway office was a joint service location for Kent County Council and Dover District Council and that there were no current plans to close services at the Gateway.

- (3) In the absence of Councillor P M Wallace the question was not put to the meeting.

- (4) Councillor S F Bannister asked the Portfolio Holder for Access and Licensing, Councillor N J Collor:

"In light of the Port of Dover warning of the potential for 17-mile queues if an agreement on customs is not reached between the UK and EU by May 2019, what measures are this council taking in conjunction with other public bodies, to prepare for the positive and negative effects of Brexit on traffic in Dover and Deal?"

In response the Portfolio Holder for Access and Licensing advised that he shared the concern over the potential impact of Brexit on traffic at the Port of Dover and had raised concerns with government officials through various communication channels to ensure that the matter was being considered as part of the ongoing negotiations with the European Union. The Council had also made presentations to those agencies that are directly responsible to encourage preparatory actions such as the provision of additional parking facilities for freight vehicles.

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

- (5) Councillor M R Eddy asked the Leader of the Council, Councillor K E Morris:

“Does the newly appointed Leader of the Council envisage ignoring the financial constraints imposed on the council by central government and awarding himself and his colleagues a 15% increase, following the example of the Leader of Kent County Council?”

In response the Leader of the Council advised that he had no intention to do so.

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

- (6) Councillor A S Pollitt asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“How many times has the Dover District Council beverage contract been renewed since the motion on working to become a Fairtrade zone was considered by Dover District Council in 2003?”

In response the Portfolio Holder for Corporate Resources and Performance advised that the Council used Fair Trade products for small local purchases such as the Leader and Chairman of the Council’s provisions. The Council did not have a contract for the provision of beverages as the Council had purchased the machines located within the three meeting rooms and supplies were brought on an ad-hoc basis from a range of suppliers. He had asked officers to review the purchasing arrangements to ensure that they complied with the Council’s agreed policies.

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

- (7) In the absence of Councillor N A G Richards the question was not put to the meeting.

- (8) Councillor B Gardner asked the Portfolio Holder for Property Management and Environmental Health, Councillor T J Bartlett:

“Can you update us on the progress being made and what discussions have been had in regard to finally getting an application on the Regent Cinema since the public meeting in August?”

In response the Portfolio Holder for Property Management and Environmental Health stated that officers had remained in regular contact with the owners of the premises since August 2017 and that the owners had advised that they were in the final stages of completing the planning application. The owners intended to hold a consultation with a few key stakeholders in late October.

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

- (9) Councillor S F Bannister asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“Would the portfolio holder agree with me that the proposal to link East Kent Services with third parties amounts to a huge step in the further privatisation of council services and that this move is forced on the council by the constant underfunding of local government by the incompetent Conservative government?”

In response the Portfolio Holder for Corporate Resources and Performance stated that the proposals guaranteed job security to the affected staff, offered new employment opportunities in East Kent and provided additional savings and profit shares to the Council. The alternative would be to make redundancies.

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

- (10) Councillor S J Jones asked the Portfolio Holder for Corporate Resources and Performance, Councillor M D Conolly:

“When will this Council receive a formal report on the asset acquisitions approved by the commercial investment group, the costs, benefits to our residents and financial return?”

In response the Portfolio Holder for Corporate Resources and Performance stated that an update would be included in the quarterly performance report from the next cycle and Cabinet received an annual report on progress. The Commercial Investment Advisory Group had been kept informed and a decision notice was also published following an acquisition.

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

- (11) In the absence of Councillor P M Wallace, the question was not put to the meeting.

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

“In view of this council’s increasingly difficult financial position caused by the government’s austerity policies, will the Portfolio holder consider petitioning the government, as East Sussex County Council is doing, in order to secure further funding for this district?”

In response the Leader of the Council, Councillor K E Morris, stated that the Leader of Kent County Council was seeking a meeting with the government on it and he would report back on the outcome.

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

45 MODIFICATION OF PRESCRIBED STANDING ORDERS RELATING TO THE DISMISSAL OF STATUTORY OFFICERS

The Director of Governance presented the report on the Modification of Prescribed Standing Orders Relating to the Dismissal of Statutory Officers.

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

RESOLVED: That the modifications to the Part 1 of the Councils Prescribed Standing Orders, Standing Orders Relating to Staff, be modified as set out in Appendix 2 to the report and be incorporated into the Councils Constitution.

46 PROCEDURE RULES FOR WITHDRAWING FROM MEETINGS

The Director of Governance presented the report on the Procedure Rules for Withdrawing from Meetings.

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

RESOLVED: That the 'Withdrawal from Meetings Procedure Rules' be adopted as an appendix to the Council Procedure Rules in Part 4 – Rules of Procedure in the Council's Constitution.

47 MOTIONS

(a) In accordance with Council Procedure Rule 13, Councillor A M Napier had given notice of her intention to move the following Motion:

"Over the past decade this council has invested heavily in promoting several key locations to investors; ranging from the Discovery Park in Sandwich to the St James Development Zone, which local business owners believe has been to the detriment of our Town Centres.

This council believes we should also value and invest in our traditional Town Centres, as they are not only economic assets, they are also valuable hubs for the community.

This council will add the Dover and Deal Town Centres to our list of key locations for investment, with an equivalent level of council resources allocated to them."

The Motion was moved by Councillor A M Napier and duly seconded by Councillor S J Jones.

An AMENDMENT was moved by Councillor M D Conolly and duly seconded as follows:

"Over the past decade this council has invested heavily in promoting several key locations to investors; ranging from the Discovery Park in Sandwich to the St James Development Zone, which local business owners believe has been to the detriment of our Town Centres.

This council believes we should also value and invest in our traditional Town Centres, as they are not only economic assets, they are also valuable hubs for the community."

Councillor A M Napier, with the agreement of her seconder, accepted the Amendment so that it became the Substantive Motion.

Councillor F J W Scales moved, and it was duly seconded, that the question now be put.

On being put to the meeting it was CARRIED.

The Substantive Motion upon being put to the meeting was CARRIED and it was

RESOLVED: Over the past decade this council has invested heavily in promoting several key locations to investors; ranging from the Discovery Park in Sandwich to the St James Development Zone, which local business owners believe has been to the detriment of our Town Centres.

This council believes we should also value and invest in our traditional Town Centres, as they are not only economic assets, they are also valuable hubs for the community.

(b) In accordance with Council Procedure Rule 13, Councillor M R Eddy had given notice of her intention to move the following Motion:

“A recent report in the Independent on Sunday revealed how housing benefit going to private renters has more than doubled in the last 10 years, from £3.7bn to £8.8bn, accounting for 36% of all housing benefit spending with the Treasury forecasting it will rise to £9.4bn by 2021/22.

At the same time, almost a third of private rented homes in England are currently substandard, equating to some £2.5bn currently going into the pockets of landlords who are renting out properties not meeting basic health and safety standards.

This council will write to the government to:

- 1) Demand they introduce a statutory system of licensing of all private landlords.
- 2) Demand they fund councils adequately so we can invest properly in prevention, enforcement and prosecution of rogue landlords who rent out homes unfit for human habitation.
- 3) Ask for serious incentives for councils to build more social housing, beyond the substandard pledges made by the Prime Minister in her unforgettable conference speech.”

The Motion was moved by Councillor M R Eddy and duly seconded by Councillor L A Keen.

Councillor K E Morris suggested that the Motion be withdrawn and the matter be dealt with through a task group with pre-decision scrutiny being undertaken by the Scrutiny (Policy and Performance) Committee.

Councillor M R Eddy, with the consent of his seconder, agreed to accept the offer from Councillor K E Morris and withdrew his Motion.

(Councillor S F Bannister declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor P I Carter declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor S S Chandler declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of her husband's ownership of rented property.)

(Councillor N Dixon declared a disclosable pecuniary interest in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor A Friend declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of privately rented property.)

(Councillor D Hannent declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor P G Heath declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor P S Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

(Councillor S M Le Chevalier declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of her ownership of rented property.)

(Councillor S C Manion declared a Disclosable Pecuniary Interest (DPI) in Minute No. 47(2) by reason of his ownership of rented property.)

48 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 8.34 pm