

# Public Document Pack

## MINUTES OF PROCEEDINGS

At the meeting of the Council for the District of Dover held at the Council Offices, Whitfield on Wednesday, 18 October 2023 at 6.00 pm.

Present:

Chairman: Councillor G Cowan

Councillors:

J S Back	M F Hibbert	M J Nee
T J Bartlett	S Hill	D J Parks
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
D G Cronk	M W Moorhouse	L M Wright
D R Friend	D P Murphy	C D Zosseder

Officers:

- Chief Executive
- Strategic Director (Finance and Housing)
- Strategic Director (Corporate and Regulatory)
- Strategic Director (Place and Environment)
- Solicitor to the Council
- Head of Corporate Services and Democracy
- Democratic Services Officer
- Democratic Services Officer

### 28 APOLOGIES

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

### 29 MINUTES

The Minutes of the meeting held on 19 July 2023 were approved as a correct record and signed by the Chairman.

### 30 DECLARATIONS OF INTEREST

There were no declarations of interest made by Members.

### 31 ANNOUNCEMENTS

The Chairman of the Council made an announcement in respect of the Hamas-Israel War. He mourned the loss of innocent life and condemned Hamas and terrorism.

He called on Members to stand in silence as a mark of respect.

### 32 LEADER'S TIME

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

- (a) That he had met with the Leader of Kent County Council (KCC). He had been promised details on the Levelling Up Fund Bid for the Port of Dover. It was important for District Councillors to know the details as it would impact on the people of the district.
- (b) That KCC's overview and scrutiny committee had considered the future of the Joint Transportation Advisory Boards in Kent and had recommended that they be abolished. The Council had not received any further information on this from KCC and had requested to be updated on the future of the Boards.
- (c) To advise that KCC had made a devolution bid and to express concern at the elected mayor model of governance proposed given that Kent was not a city.
- (d) That representatives from KCC had visited the district to see the challenges it faced.
- (e) That a joint letter on the future arrangements for Port Health had been sent by the Leader and Natalie Elphicke, MP for Dover. It reiterated that Dover District Council was the Port Health authority not Ashford Borough Council and expressed the concern that moving checks away from Dover to Ashford endangered public safety.
- (f) To thank all those involved in Kearsney Abbey winning a Green Flag award.
- (g) That he had met with representatives from Southern Housing who were looking at opportunities for investing in the district.
- (h) To thank all those involved in making the fun day at Guston such a great success.
- (i) That he had attended the Dover Pride event with the Deputy Leader and had found it to be a fantastic event. He thanked all those who had made it a success.
- (j) That he had attended the re-opening of the Sandwich Jubilee Centre and hoped that it would be a great success.
- (k) That he had visited the Deal Food Bank and the Dover Foodbank and had been very impressed by their work. He noted that demand had been going up and users now included many who were in work. He thanked the volunteers for their service.

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

- (a) That he was pleased to see attendance of Councillor C F Woodgate given how long it had been since he had last attended a meeting.

- (b) That he had taken a food collection from Staple Church to the Deal Foodbank. He expressed the hope that the food was being used to help people given the large stock held.
- (c) To question the effectiveness of the Labour administration since taking office in May. He pointed to a 13 minute Cabinet meeting, the absence of a new Corporate Plan and raised questions concerning social housing and progress on bus routes.
- (d) To recognise Kearsney Abbey as a great asset for the district.
- (e) To congratulate the Head of Property Assets, the Head of Parks, Open Spaces and Countryside Management and the Head of Corporate Services and Democracy on their recent appointments and wish them well. He also thanked the retiring Head of Housing for her work. He called upon the Leader of the Council to confirm that staff were still at the heart of the Council.

In response the Leader of the Council advised:

- (a) To question former Councillor R S Walkden's level of attendance when he was a councillor.
- (b) To advise that he understood that any surplus from the Deal Foodbank was shared with other foodbanks.
- (c) That the length of Cabinet meetings was determined by what was on the agenda.
- (d) That the new Corporate Plan would be coming soon.
- (e) That his administration continued to lobby Kent County Council in respect of the crisis facing bus routes in the district. The Deputy Leader of the Council had also met with Stagecoach to discuss concerns over bus services.
- (f) That his administration would continue to work to improve the district.

### 33 SEAT ALLOCATION AND GROUP APPOINTMENTS

There were none.

### 34 QUESTIONS FROM THE PUBLIC

#### QUESTION 1

RAISED BY SARAH WAITE-GLEAVE, A MEMBER OF THE PUBLIC, UNDER COUNCIL PROCEDURE RULE 11:

"Mindful of the encouraging assurances made by the DDC leader at the last full council meeting in July, what progress has been made as regards replacing the closeted Climate Change PAG with a structure with slightly wider representation?"

RESPONSE FROM THE LEADER OF THE COUNCIL, COUNCILLOR K MILLS:

“We are proposing to replace the Climate Change PAG with a forum covering both Climate Change & Nature Recovery. This will be constituted with a wider membership. Draft terms of reference are being prepared, with the intention of seeking the formal approval of Cabinet.”

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

## QUESTION 2

### RAISED BY DR BRIAN PHILP MBE, A MEMBER OF THE PUBLIC, COUNCIL PROCEDURE RULE 11:

“Whilst wishing the new Council every future success, please could I ask that, in view of the massive 50 year programme of excavation, publication and tourism by my Kent Archaeological Rescue Unit across ancient Dover, which included the discovery, excavation, preservation and fund raising for the Roman Painted House, and the later construction of the cover-building over it, the latter on behalf of the PH Trust, and the subsequent management for 46 years ending in June 2022, which won four national awards and welcomed over 700,000 visitors, at no management cost to Dover Council, that the new Council could very kindly consider acknowledging our major contribution to tourism and heritage of this World famous town? “

### RESPONSE FROM THE LEADER OF THE COUNCIL, COUNCILLOR K MILLS:

“We all know that Dover benefits from a rich archaeological heritage, of which the Roman Painted House is just one fine example. I am sure that I speak for the whole Council in saying that we are all grateful for the work of those trustees and volunteers who have helped with the preservation and management of the Roman Painted House since it was first excavated some 50 years ago.”

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

## 35 CLIMATE AND ECOLOGY BILL

The Portfolio Holder for Finance, Governance, Climate Change and Environment, Councillor S H Beer, introduced the report on the Climate and Ecology Bill.

It was moved by Councillor S H Beer, duly seconded by Councillor J L Pout and

RESOLVED: That the Council formally record its support for the Climate & Ecology Bill.

## 36 CORPORATE GOVERNANCE LOCAL CODE REVIEW

Councillor H M Williams introduced the report on the Corporate Governance Local Code Review.

It was moved by Councillor H M Williams, duly seconded by Councillor S H Beer, and

RESOLVED: That the revised Corporate Governance Local Code be adopted.

37 REVISION TO CONTRACT STANDING ORDERS

Councillor H M Williams introduced the report on the Revision to Contract Standing Orders.

It was moved by Councillor H M Williams, duly seconded by Councillor S H Beer, and

RESOLVED: That the Council, acting on the recommendation of the Governance Committee and the Monitoring Officer, adopt the revised Contract Standing Orders as appended to the report.

38 REVISED STATEMENT OF POLICY AND PRINCIPLES ISSUED UNDER THE GAMBLING ACT 2005 (2023 - 2026)

The Deputy Leader and Portfolio Holder for Transport, Licensing and Environmental Services, Councillor J L Pout, introduced the report on the Revised Statement of Policy and Principles issued under the Gambling Act 2005 (2023 – 2026).

It was moved by Councillor J L Pout, duly seconded by Councillor C D Zoseder, and

RESOLVED: That the revised Statement of Policy and Principles under the Gambling Act 2005 be approved.

39 QUESTIONS FROM MEMBERS

In accordance with Rule 12(1) of the Council Procedure Rules, Members of the Cabinet responded to the following questions:

QUESTION 1

COUNCILLOR S H HILL ASKED THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT:

"Traffic in Dover greatly affects residents in my ward and Dover more widely at peak times. Therefore, would you expect the planned improvements at Brenley Corner to impact Dover?"

IN RESPONSE THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT, STATED:

"At this stage, it is not anticipated that the work at Brenley Corner will impact Dover traffic. The number of vehicles using the roads around Dover will remain the same, the works will relieve pressure at Brenley corner but not naturally increase volume towards Dover. A better option would be to dual the A2, allowing greater volumes of traffic to access the port via the A2/M2 corridor and relieving pressure on the A20 along the sea front. And finally, whilst new funding was being announced, a new roundabout at the entrance to Samphire Hoe would move lorries queuing for TAP away from Aycliffe, greatly improving their quality of life and improving the strategic road network at the same time."

QUESTION 2

COUNCILLOR C A VINSON ASKED THE PORTFOLIO HOLDER FOR FINANCE, GOVERNANCE, CLIMATE CHANGE AND ENVIRONMENT :

“What would be the financial cost to Dover District Council of triggering the break clause in the waste collection and street cleansing contract before its current end date in 2029?”

IN RESPONSE THE PORTFOLIO HOLDER FOR FINANCE, GOVERNANCE, CLIMATE CHANGE AND ENVIRONMENT, COUNCILLOR S H BEER, STATED:

“There is no formal break clause within the Veolia contract, however, the contract can be terminated by the contractor if there is a Council default; or by the Council if there is a contractor default. It can also be terminated in the case of a *force majeure*.

In the event of a default by the contractor direct costs can theoretically be recovered, but even so, the cost of any termination would be very significant, given the need to make alternative service arrangements. A conservative estimate of such costs would be that they would be at least £500k.”

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

QUESTION 3

COUNCILLOR N S KENTON ASKED THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS:

“Why is there no consultation planned with residents and existing service users in relation to the changes to the garden waste collection service agreed at Cabinet in September 2023, when a consultation was specifically required in the previous Cabinet decision made in December 2022?”

IN RESPONSE THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS, STATED:

“As Cllr Kenton is well aware, the proposal to change the containers used for garden waste collections formed part of Veolia’s contract submission in 2020.

The report submitted to Cabinet in December 2022 was simply seeking formal agreement to the change in containers and to approve the Garden Waste Service Terms and Conditions.

The Cabinet decision to make this change subject to the outcome of a short period of consultation with existing users of the service, had no clear purpose, and made no sense given that this change of service, is already included in the contract with Veolia, and is based on guidance published by the Health & Safety Executive, to ensure that the Council adopts good industry practice for this service.”

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

#### QUESTION 4

##### COUNCILLOR N S KENTON ASKED THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS:

“Does the portfolio holder believe replacing the fortnightly collection of up to 6 x 120 litre green waste bags with a single 240 litre wheeled bin, while also putting up the subscription charge, represents a fair exchange?”

##### IN RESPONSE THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS, STATED:

“This service change was of course agreed by the previous administration in December.

Cllr Kenton will therefore be well aware that garden waste subscribers are currently able to place their garden waste in any reusable sack, such as the green sacks sold by the Council, so long as the sack does not weigh more than 20kg.

The current restriction is therefore weight not volume and I am confident that the 240 litre bins proposed will provide sufficient capacity for most gardeners. These are commonly used for garden waste, including by 10 of the 11 other Kent collection authorities, with the 11<sup>th</sup> (FHDC) using a 180L bin.

As regards the subscription, it is proposed to retain the current £58 annual charge which will be reviewed in accordance with other Fees & Charges for 2024/25.”

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

#### QUESTION 5

##### COUNCILLOR D R FRIEND ASKED THE PORTFOLIO HOLDER FOR HOUSING, SKILLS, AND EDUCATION, COUNCILLOR P M BRIVIO:

“When will the portfolio holder publish detailed plans on how and where she intends to build the promised “200 environmentally sound Council houses per year” promised in Labour’s manifesto?”

##### IN RESPONSE THE PORTFOLIO HOLDER FOR HOUSING, SKILLS, AND EDUCATION, COUNCILLOR P M BRIVIO, STATED:

“Members have previously committed to deliver a programme of new affordable Council homes in the District, and the delivery of these new homes is well underway, with 143 handovers of affordable homes and 85 interim homes for homeless people since 2017. Information relating to the development programme is available to the public via dedicated pages on the website, and Members have access to additional information via the Restricted reports of Cabinet meetings where decisions relating to individual projects have been taken.

The construction of new housing is a lengthy process, delivery is not achieved overnight, and can only be achieved with the appropriate level of staffing resource. It has been identified that the development team require additional capacity in order to deliver an increased programme, and addressing this has been a priority. To

date, 2 additional Development Officers have been recruited, and a Senior Officer has been redeployed from elsewhere in the Council to manage the development programme and its delivery. A request for an additional 2 members of staff is being considered by the Corporate Management Team.

The review of the suitability of Council owned sites is continuing, with more than 85 viability assessments completed to date on predominantly small in-fill brownfield sites, with new sites being identified and appraised on a regular basis. Larger Council owned sites have also been made available to the development team, for assessment as mixed tenure developments. In addition to this, properties have been acquired on the open market, and direct from developers.

By its nature, housing development, particularly affordable housing development, is unpredictable, and significant changes can occur rapidly. It is not possible to produce one detailed, definitive programme of the delivery of the homes, and nor would it be sensible to try to do so. The programme needs to be flexible enough to absorb changes, and to accommodate unexpected development opportunities. Members will be aware that the preparation of the Affordable Housing Development Strategy is underway, for adoption in 2024, and a broad programme will be included within the Strategy.

In relation to publishing the location of new homes, once Cabinet has approved a project, details are made available on the Council's website. Prior to this, consultation takes place with Ward Members. Where this is a direct impact on residents, they are also directly consulted. Until there is certainty over the viability of a development, it is not sensible to release details to the public as there is the potential to unnecessarily raise either concerns or expectations. It is most prudent to share detailed information when there is certainty."

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

#### QUESTION 6

COUNCILLOR O C de R RICHARDSON ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSSEDER:

"How much revenue does the South Street car park in Deal generate each year, and what the average utilisation of the car park during chargeable hours?"

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSSEDER, STATED:

"Average utilisation in South Street Car park across all chargeable days and hours is 53%. However, at peak times the utilisation rises to 100%.

Revenue for 22/23 was £10,353.36"

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

#### QUESTION 7

COUNCILLOR O C de R RICHARDSON ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSSEDER:



““What is the current level of vacancies in the DDC asset maintenance team?”

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER, STATED:

“There are currently 4 vacancies within the Asset Maintenance Team. Whilst the recruitment process is underway to appoint to these vacancies, we are also using this as an opportunity to review the range of skills required within the team.”

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

#### QUESTION 8

COUNCILLOR N S KENTON ASKED THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS:

“Will he share with Council the action plan that has been created to address failings in the street cleansing function highlighted in the recent internal audit which had ‘no assurance’.”

IN RESPONSE THE PORTFOLIO HOLDER FOR PLANNING AND BUILT ENVIRONMENT, COUNCILLOR E A BIGGS, STATED:

“The audit findings have of course already been shared with the Governance Committee. However, I am quite happy to share a copy, with the former Portfolio Holder for this service, the Action Plan which has been created to address the failings in the service that have now been identified.”

#### QUESTION 9

COUNCILLOR M BATES ASKED THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT:

“Is the Portfolio Holder for Transport, Licensing and Regulatory Services satisfied that the Quiet Zone implemented along the A20 has resolved the concerns of those residents in Aycliffe at times when TAP is in operation during the early hours?”

IN RESPONSE THE PORTFOLIO HOLDER FOR TRANSPORT, LICENSING AND ENVIRONMENTAL SERVICES, COUNCILLOR J L POUT, STATED:

“As the Portfolio Holder for Transport, Licensing and Environmental Services, transport indeed falls under my remit. After a large campaign to improve the roads during TAP, it was a surprise to hear of this scheme in the news. National Highways and the Police have been approached for information regarding this scheme, however there is currently limited feedback available. It has been clarified by National Highways that the Police are the only enforcing agents, local Police at this stage have not issued any fines. In addition, DDC has not received any complaints regarding the scheme or noise issues since implementation. It should be noted that TAP has been implemented a lot less this financial year to date than in previous years.”

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

QUESTION 10

C A VINSON ASKED THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER:

“When will the play equipment removed from Marke Wood in July 2023 be replaced?”

IN RESPONSE THE PORTFOLIO HOLDER FOR COMMUNITY AND CORPORATE PROPERTY, COUNCILLOR C D ZOSEDER, STATED:

“A bid for the replacement of the play equipment will be considered as part of the budget setting process for the next financial year 24/25.”

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

40 URGENT BUSINESS TIME

There were no items of urgent business for consideration.

The meeting ended at 7.30 pm