



# Agenda

Meeting: **Council**  
Date: **26 October 2016**  
Time: **7.00 pm**  
Place: **Council Chamber - Civic Centre Folkestone**

To: **All Members of the Council**

**YOU ARE HEREBY SUMMONED** to attend a meeting of the Council on the date and at the time and place shown above. The meeting will be open to the press and public.

Anyone who wishes to have information on any matter arising on the Agenda which is not fully covered in these papers is requested to give notice prior to the meeting to the Chairman or appropriate officer.

Chief Executive

1. **Apologies for absence**
2. **Declarations of interest**

Members of the Council should declare any discloseable pecuniary interest or any other significant interests in any item/s on this agenda.

3. **Minutes (Pages 5 - 24)**

To receive the minutes of the meetings of the council held on 20 July and 14 September 2016 and to authorise the Chairman of the Council to sign them as correct records.

4. **Chairman's communications**

## Queries about the agenda? Need a different format?

Contact Sue Lewis – Tel: 01303 853265  
Email: [committee@shepway.gov.uk](mailto:committee@shepway.gov.uk) or download from our website  
[www.shepway.gov.uk](http://www.shepway.gov.uk)

5. **Petitions**

There are no petitions to be presented.

6. **Questions from the public**

There are 4 questions from the public:

**QUESTION 1**

From Sue Hannah to Councillor David Monk, Leader of the Council

Would the Council agree that six weeks is an insufficient period of time on which to consult on detailed plans for the proposed lorry park at Stanford? The plans include a 269 environmental assessment and have been released during the summer holidays. Does Council agree that this goes against the spirit and against the letter of the Government's consultation principles? Will the Council be taking this up with the Department for Transport and the Cabinet Office?

**QUESTION 2**

From Nick Southgate to Councillor David Monk, Leader of the Council

Given the change in national Tory policy away from an austerity agenda can you highlight who has been hardest hit by this policy of austerity and what moves you will be making to ameliorate its consequences?

**QUESTION 3**

From David Plumstead to Councillor David Monk, Leader of the Council

On 13<sup>th</sup> January 2016 report A/15/20 was presented to Council in which the Councillors were advised of the Chief Executive's use of urgent powers to purchase farmland for the sum of approximately £5 million within the area now referred to as Otterpool Park. In exercising his urgent powers to make a bid to purchase the land, the Chief Executive consulted with the Leader and Chairman of the Council, and also noted that the Monitoring Officer had consulted with the Chairman of the Scrutiny Committee. Can the Leader please advise this meeting of the exact dates when the following sequence of actions took place and whether the Chairman of the Scrutiny Committee gave his consent as required by the Constitution:

1. Date of consultation with the Leader
2. Date of consultation with the Chairman of Council
3. Date of consultation with the Chairman of the Scrutiny Committee
4. Date consent given by Chairman of the Scrutiny Committee for the decision to be taken as a matter of urgency

5. Date of submission of the bid to purchase the land.

#### **QUESTION 4**

From Matthew Norwell to Councillor David Monk, Leader of the Council

Why is the Council – after repeated requests – refusing to make public the legal advice which confirmed to them that the Highways Act 1980 provides sufficient grounds to permit the construction of the proposed lorry park at Stanford? There is a clear public interest in explicitly demonstrating to local residents – and Council Tax payers – that the Council has rigorously challenged Highways England’s approach to such a significant construction project. The Council has concluded the legal permission required by Highways England to build a 250 acre lorry park at a cost of £250m is less onerous than the permission needed to build a conservatory or put up a satellite dish. Shepway District Council needs to publicly explain how they have come to that conclusion.

#### **7. Questions from councillors**

(Questions can be found under the date of the Council meeting - [www.shepway.gov.uk](http://www.shepway.gov.uk) from noon 2 days before the meeting).

Up to 45 minutes is allowed for questions from councillors.

#### **8. Announcements of the Leader of the Council**

To receive a report from the Leader of the Council on the business of the cabinet and on matters that the leader considers should be drawn to the council’s attention. The leader shall have 10 minutes to make his announcements.

The opposition group will have an opportunity to reply to the leader’s remarks. The opposition group leader shall have 5 minutes to respond after which the Leader of the Council will have a right of reply. Any right of reply will be for a maximum duration of 5 minutes.

#### **9. Opposition business**

There is no opposition business.

#### **10. Motions on notice**

The following motions have been placed on the agenda in the order received; up to 60 minutes shall be allowed for debates on motions on notice:

From Councillor Rory Love –

This Council calls upon South Eastern Railway to ensure:

1. That the best value train tickets are available at all times for Shepway's residents to purchase from the station ticket machines, and
2. That such tickets for the most popular journeys are as prominently displayed as possible on the machines, and require the fewest possible number of 'taps' on the touchscreen to select them.

**11. Licensing Act 2003 - Licensing Policy Statement Revision (Pages 25 - 66)**

Report A/16/18 sets out the proposed revisions made to our Licensing Policy Statement. This Policy will cover the period 2016 to 2021.

**12. Committee membership changes (Pages 67 - 68)**

Under the Shepway District Council Constitution, Part 8.1 'Delegation to Officers', paragraph 3.16, the Head of Paid Service is authorised to make appointments to committees or sub-committees at the request of the relevant political group leader. Report A/16/19 sets out the appointment made, under these powers, at the request of the Leader of the Council, since the last Council meeting.

\*Explanations as to different levels of interest

(a) A member with a discloseable pecuniary interest (DPI) must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares a DPI in relation to any item must leave the meeting for that item (unless a relevant dispensation has been granted).

(b) A member with an other significant interest (OSI) under the local code of conduct relating to items on this agenda must declare the nature as well as the existence of any such interest and the agenda item(s) to which it relates must be stated. A member who declares an OSI in relation to any item will need to remove him/herself to the public gallery before the debate and not vote on that item (unless a relevant dispensation has been granted). However, prior to leaving, the member may address the meeting in the same way that a member of the public may do so.

(c) Members may make voluntary announcements of other interests which are not required to be disclosed under (a) and (b). These are announcements made for transparency reasons alone, such as:

- membership of outside bodies that have made representations on agenda items, or
- 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.

Voluntary announcements do not prevent the member from participating or voting on the relevant item