

## KENT COUNTY COUNCIL

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### CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Wednesday, 31 May 2006.

PRESENT: Dr M R Eddy (Chairman), Mrs C Angell, (substitute for Mr D Smyth), Mr A R Bassam, Mr A H T Bowles, Mr J R Bullock MBE, Mr C J Capon, Mr L Christie, (substitute for Mrs M Newell), Mr B R Cope, Mrs T Dean, Mr C G Findlay (substitute for Mr R H C Bliss), Mr J B O Fullarton, Mr C Hart, Mr C J Law, Mr R J E Parker, Mr J E Scholes, Mrs P A V Stockell and Mr C T Wells.

ALSO PRESENT: Ms A Harrison (for item C1)

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive and Mr S C Ballard, Head of Democratic Services.

#### UNRESTRICTED ITEMS

**1. Minutes**  
(Item A2)

RESOLVED that the Minutes of the meeting held on 3 May 2006 are correctly recorded and that they be signed by the Chairman.

**2. Informal Member Group on Budgetary Issues – 3 May 2006**  
(Item A3)

RESOLVED that the notes of the special meeting of the Informal Member Group on Budgetary Issues held on 3 May 2006 be noted.

**3. Cabinet Scrutiny Committee - Outcomes and Actions to May 2006**  
(Item A4 - Report by Assistant to the Chief Executive)

RESOLVED that the report on the actions taken as a result of the Committee's decisions at previous meetings, and on progress with Select Committee Topic Reviews, be noted.

**4. Local Schemes Grant 2006/07**  
(Item C1)

(1) Mr N J D Chard, Cabinet Member for Finance, and Ms L McMullan, Director of Finance, attended the meeting to answer Members' questions, which covered the following issues:-

(a) Allocation of Local Schemes Grant (LSG) and Small Community Capital Grant (SCCG) between Local Board Areas

In answer to a question from Dr Eddy, Mr Chard explained that the allocation of SCCG was proportional to population whereas, because LSG was funded from Second Homes Council Tax (SHCT), its allocation was proportional to the amounts of SHCT collected within each district.

Mr Chard also explained that LSG was revenue funding which could be spent on revenue or capital items, whereas SCCG could only be spent on capital items. All allocations of LSG and SCCG had to be on a one-off basis because there could be no guarantee of continuing funding.

In answer to a question from Mr Parker, Mr Chard confirmed that, subject to the rules set out in the previous paragraph, Local Boards could combine their allocation of LSG or SCCG with other funding that was available to them, such as the individual Members' Local Community grants.

(b) Process for Allocation of LSG and SCCG

In answer to a question from Mrs Dean, Mr Wale confirmed that application forms for LSG, similar to those already in use for SCCG, would be issued to Members following the meeting.

In answer to questions from Ms Harrison, Mr Parker and Mr Christie, Mr Chard said that the intention was to extend the open and transparent process currently used for allocating SCCG to LSG also. He confirmed that, following discussion of the bids with his or her Local Board Members, each Local Board Chairman would make recommendations for the allocation of LSG and SCCG to the relevant Cabinet Member. Mr Chard accepted that normally the discussion should occur and the recommendation be announced at a public meeting of the Local Board, but otherwise the arrangements for considering the bids would be a matter for each Local Board, within the guidelines set out in the Cabinet report. Mr Chard also accepted that, in passing on his or her recommendation to the relevant Cabinet Member, the Local Board Chairman should also indicate the majority view of the Local Board Members.

(c) Second Homes Council Tax - General

In answer to a question from Dr Eddy, Mr Chard explained that the KCC element of SHCT for 2006/07 was £2.61m (approximately 75% of the total). Of this, £1.6m had been used to support KCC's base budget; £400k had been earmarked for LSG; and, as agreed as part of the budget proposals, the remaining £610k had been distributed to District Councils in the same proportion as it had been collected. District Councils also retained their own element of SHCT (approximately 25% of the total).

(d) Second Homes Council Tax – Allocation to District Councils

In answer to questions from Ms Harrison, Mr Capon and Mrs Dean, Ms McMullan said that discussions were still taking place with District Councils about the rules governing their use of the £610k SHCT money distributed to them by KCC. However, the money would have to be spent on KCC functions and the normal ultra vires rules would apply.

Ms McMullan confirmed that, because of the way in which the SHCT scheme had been set up by Government, Town and Parish Councils did not get any of the proceeds as of right, despite being precepting authorities. Mr Chard said that District Councils would be advised that, subject to the rules referred to in the previous paragraph, KCC would have no objection to them passing part of their allocation down to Town and Parish Councils.

(2) RESOLVED that:-

- (a) Mr Chard and Ms McMullan be thanked for attending the meeting and answering Members' questions;
- (b) the Cabinet Member for Finance's agreement to amend the procedure for LSG and SCCG as follows be welcomed:-
  - Bids for both LSG and SCCG normally to be considered at public meetings of Local Boards;
  - Recommendations from Local Board Chairmen to Cabinet Members for allocation of LSG and SCCG also to indicate majority view of Local Board Members;
- (c) Local Board Chairmen be requested to allow sufficient time for application forms for LSG and SCCG to be completed and returned before arranging for their Local Boards to consider allocations;
- (d) Cabinet be recommended to encourage District/Borough Councils to pass on the appropriate share of their Second Homes Council Tax to the Town and Parish Councils in their districts.

**5. Proposed Closure of Leyton House, Wilmington**

*(Item D1)*

(1) Mr K G Lynes, Cabinet Member for Adult Services; Mr O Mills, Managing Director, Adult Services; and Mr K Maslyn, Acting Director of Specialist Services, Adult Services Directorate, attended the meeting to answer Members' questions on this item, which covered the following issues:-

(a) Member Consultation on Leyton House Closure

In answer to a question from Mrs Angell, Mr Lynes said that consultation on the Leyton House closure had been undertaken fully in accordance with the change of use protocol. He explained that there had just been one hiccup. Mr Fittock (Opposition Spokesman on the Policy Overview Committee) had been invited to attend a consultation meeting on the closure on 22 February. Unfortunately, he was unable to attend and nominated Mr Maddison to attend in his place but, in the event, Mr Maddison was unable to attend the consultation meeting either.

(b) Justification for Leyton House Closure

In answer to a question from Mrs Angell, Mr Lynes explained that Leyton House could not be brought up to the necessary standard at reasonable cost. It had therefore been decided to close it and transfer the residents to Gravesham Place, a modern facility which, with its greater space and better equipment, offered a higher quality of care.

Mr Lynes recognised the sensitivity needed when moving vulnerable elderly people but he believed that the consultation process had been carried out fully and properly, and he was pleased that it had proved possible to transfer the

majority of the service users together with their care teams from Leyton House to Gravesham Place.

In answer to questions from Mrs Angell and Dr Eddy, Mr Mills said that the revenue costs saved from Leyton House would be used for Adult Services in the Dartford/Gravesham area. He hoped that Members would agree that the capital receipt from the sale of Leyton House should be re-invested similarly.

(c) Adult Service Provision in Dartford/Gravesham Area

In answer to questions from Mrs Angell and Mr Christie, Mr Mills and Mr Maslyn said that the priority was to offer greater choice in order to meet the needs of older people in the area. These needs changed over time and the pattern of services also had to change to reflect the changing needs. The development of Gravesham Place some years ago; the proposal to use Stanley Morgan House for extra care sheltered housing; and now the closure of Leyton House, were all part of this changing pattern.

In answer to a question from Mr Parker, Mr Mills confirmed that there were sufficient residential care beds in the Dartford/Gravesham area to meet demand. Most of these were in the private sector but, through its commissioning processes, the County Council was still able to influence the market for residential care beds.

(d) Change of Use Protocol

In answer to questions from Mrs Angell and Mr Capon, Mr Lynes and Mr Mills said that they both accepted that the change of use protocol needed updating and improving to provide for fuller consultation and to ensure that it took account of the unique circumstances of each case. To this end, work was already in hand and the draft revised protocol would be submitted to the Adult Services Policy Overview Committee in July. It would include the option for public meetings where appropriate.

(e) Keeping Members Informed

In answer to questions from Mrs Dean, Dr Eddy and Mr Parker, Mr Lynes and Mr Mills said that they were keen to keep all Members informed of proposed developments in Adult Services in their areas and would consider how best this could be achieved.

(2) RESOLVED that:-

- (a) Mr Lynes, Mr Mills and Mr Maslyn be thanked for attending the meeting and answering Members' questions;
- (b) the Cabinet Member for Adult Services' plans to improve the protocol for change of use, etc of facilities, and particularly to improve consultation with Members, be welcomed;
- (c) the Cabinet Member for Adult Services be requested to explore new ways of informing Members about forthcoming service changes, such as

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quarterly Member briefing meetings; publication in Forward Plan; and reports to Local Boards;

- (d) Cabinet be recommended to request Local Board Chairmen to include a standing item on the agenda for all Local Board meetings for Members to be informed by directorates of future service developments in each Local Board's area.

**6. Proposed Changes to Management of Duke of Edinburgh's Award Scheme**  
*(Item E1)*

(1) Mr P M Hill OBE, Cabinet Member for Community Services and Mr M Price, Head of Youth and Community Services, attended the meeting to explain the proposed changes and answer Members' questions. Miss S Price, South East England Director of the Duke of Edinburgh's Award Scheme (DoEA) and Mr E Prentice, Chairman of the Tonbridge DoEA Panel, also attended the meeting.

(2) Miss Price explained that part of her role was regularly to review the delivery of the DoEA by the various providers in the South-East. She had reviewed KCC in 2003 and reported the outcome of her review to the County Council in April 2004. Although her review had found that KCC's DoEA was highly successful, and included 36 examples of best practice, she had found eleven areas for improvement and two main areas of concern as follows:-

- (a) low number of young people completing the award (KCC had a lower completion rate than most other local authorities in region); and
- (b) need for significant improvement in the supervision and support structure.

(3) Mr Hill explained that the proposals for change to the management of DoEA in Kent had been brought forward to address the concerns identified by Miss Price in her 2003 report. He emphasised that KCC was committed to the DoEA and was keen to improve it. He recognised the invaluable contribution which the part-time staff and volunteers made to the success of Kent's scheme. Mr Hill stressed that the current proposals had been produced by the Head of Youth and Community Services simply for consultation and that no decisions had yet been taken about the future structure of the DoEA in Kent. In the light of the responses to the consultation, the Head of Youth and Community Services would produce a report for consideration by the Communities Policy Overview Committee. He agreed that the report would include relevant detailed statistics. Following consideration by Communities Policy Overview Committee, a proposal would then be submitted for his decision.

(4) Mr Prentice spoke in support of a paper he had tabled setting out his reservations about the Head of Youth and Community Services' proposals.

(5) In answer to questions from Members, Mr Price explained that, after Miss Price had reported in 2004, there had been a long period of informal consultation with staff and volunteers on a range of options for change. There had been a poor response to this consultation, and those responses which had been received indicated a general unwillingness to accept the need for change.

(6) As a result, Mr Price had moved to formal consultation on an option to replace the existing 13 part-time Field Officer posts with three full-time Field Officers supported by additional hours and a full-time Development Officer (who had already been appointed). If there was to be any restructuring he was required to issue notices to staff informing them

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that they would potentially be at risk of redundancy, if the existing proposals on which he was consulting were accepted as the way forward.

(7) Mr Price set out what he saw as the advantages and disadvantages of the proposal on which he was consulting, as follows:-

*Advantages*

- (i) Improved quality of support to unit leaders (Mr Price believed that the key factor in the success of the DoEA was the quality of the unit leaders (typically teachers in schools) and the quality of support they received).
- (ii) Greater clarity over roles and accountabilities with tighter, clearer line management, target setting and performance management
- (iii) Improved communication.

*Disadvantages*

- (i) Loss of number of experienced staff and their network of contacts.
- (ii) Loss of goodwill and commitment from volunteers.

(8) Mr Price explained that the purpose of the consultation was to tease out the strengths and weaknesses of the current proposal and compare them with the strengths and weaknesses of other options.

(9) Mr Price emphasised that no decisions had yet been made. In the light of the concerns expressed about the proposal he had agreed to extend the consultation period to 31 July, and to postpone the implementation date from 1 September 2006 to 1 January or 1 April 2007 (depending on the nature of the changes eventually agreed). Mr Price agreed to include all County Councillors in the consultation.

(10) Mr Hill and Mr Price expressed regret for any misunderstandings which had arisen. Mr Price now recognised that, because of its formalised nature, some Field Officers may have interpreted the letter advising staff of the potential risk of redundancy to be an actual notice of redundancy, which it was not. Mr Price explained that he had now written to all the part-time Field Officers to reiterate that this was a genuine consultation and to advise them of the new timetable.

(11) RESOLVED that:-

- (a) Miss Price and Mr Prentice be thanked for attending the meeting to provide information to the Committee;
- (b) Mr Hill and Mr Price be thanked for attending the meeting and answering Members' questions;
- (c) the Head of Youth and Community Services' agreement to extend the consultation period for changes to the management arrangements for the DoEA to 31 July 2006; include all Members in the consultation process; report the outcome of the consultation process, including relevant detailed statistics,

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to the Communities Policy Overview Committee; and delay the implementation date for any changes to 1 January or 1 April 2007, be welcomed;

- (d) the Head of Youth and Community Services be requested to include in his report to the Communities Policy Overview Committee a range of options for the future management of the DoEA in Kent, with costings; and proposals for improving the enrolment of hard-to-reach young people in the scheme;
- (e) the Cabinet Member for Community Services and the Head of Youth and Community Services be requested to ensure that any new management arrangements adopted for the DoEA provide full coverage for the whole of Kent.

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