



# **COUNTY COUNCIL QUESTIONS AND ANSWERS**

**16 March 2017**

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**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Mike Harrison to Matthew Balfour,  
Cabinet Member for Environment and Transport**

*We are now many months into the refit (LED) of the street lights across the county and as yet certain areas do not appear to be as far forward as others. In particular the CT5 area which seems to be being left very far behind.*

*My question is may we please have a very clear Up To Date report as to just what has and has not been done and whether it is KCC.s intention to include many of the more ornate/traditional lamps in this update?*

**Answer**

Phase one of the LED project has been ongoing since March 2016 and, as agreed with Members, priority for this phase to convert lights are for minor residential roads only.

As explained at the Member briefings held last year, we are working around the County on a District by District basis. In line with the agreed programme the conversion in the minor residential roads in Canterbury have only recently started and are due to be completed by April 2017.

Phase 2 will then move on to Main Roads, together with ornate and heritage style lanterns, which is due to start in Mid-May 2017. The programme for phrase 2 is currently being worked on and we are planning a 2-year roll-out. We will hold further Member briefings to discuss the details and the conversion order, as this will be undertaken on a road by road basis rather than on a District by District basis.

Due to the large number of conversions, if you require specific details with regards to your area, please contact Richard Emmett the LED Project Manager who will be able to assist with reports for your individual area.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Brian Clark to Matthew Balfour,  
Cabinet Member for Environment and Transport**

*Can the Cabinet Member explain how the latest Armstrong Road / Postley Road and Enterprise Road yellow lining schemes in South Maidstone division have taken so long to progress to implementation and provide a planned date, agreed with our preferred supplier, for when these works will finally be completed?*

**Answer**

The minor alterations to provide double yellow lines at the junction of Armstrong Road with Postley Road have proven more complicated than usual. The Traffic Regulation Order has been completed and a works order placed which requires 4 way temporary lights. This was objected to by Arriva as they believe it would adversely affect their depot business whilst the lights were in place. It was agreed that officers would meet Arriva to discuss the operation of the temporary lights. This meeting will take place imminently, and the works will be undertaken between 27 and 30 March 2017.

The Enterprise Road yellow lining has been completed.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Zita Wiltshire to Roger Gough,  
Cabinet Member for Education and Health Reform**

*An announcement has been made that the Government will table an amendment to the Children and Social Work Bill that will make “age appropriate” sex and relationship education part of the national curriculum in primary and secondary schools.*

*The Prime Minister has also given her backing to the system recognising threats to children from social media, gangs and sexual images on the internet.*

*Can the Cabinet Member for Education confirm teachers and schools will be warning Kent's schoolchildren about the dangers of gang culture, now so sadly prevalent throughout the county.*

**Answer**

The Education Safeguarding Team has been proactive in training school staff about the dangers of gangs in Kent for some months now. Indeed the team recently held a countywide conference for 100 head teachers and Designated Safeguarding Leads, with a large part of the conference exploring gang activity and child sexual exploitation specific to Kent. This material was delivered by multi-agency partners including the county CSE Team and Detective Inspector (DI) Mark Pearson, the police lead for gang activity in Thanet. Additionally, a presentation was delivered by the county coordinator for elective home education and children missing education, highlighting the increased vulnerability of some of these young people. Networking at the event has already enabled closer working relationships between education staff and the police.

The East Kent Area Safeguarding Adviser is part of the Thanet Task Force, led by DI Pearson, which helps to raise awareness of gang activity in the area and support young people affected by gangs. DI Pearson is in discussion with the Home Office to explore whether funding is available to widen the scope of the project to a countywide basis. In the meantime, learning from the Thanet Task Force is cascaded to Designated Safeguarding Leads via the Education Safeguarding Team in training sessions.

All staff in schools are expected to have read Part One and Annex A of Keeping Children Safe in Education 2016. This document includes a link to Home Office information on gangs and youth violence which provides ways in which to work with young people affected by or at risk of becoming involved with gangs. As a result of increased interest in this subject following the recent conference, there will be an article and a link to the Home Office guidance in the next Education Safeguarding Team's Child Protection newsletter, to be published in April 2017.

A link to the guidance can be found here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418131/Preventing\\_youth\\_violence\\_and\\_gang\\_involvement\\_v3\\_March2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418131/Preventing_youth_violence_and_gang_involvement_v3_March2015.pdf)

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Hod Birkby to John Simmonds,  
Cabinet Member for Finance and Procurement**

*Can the Cabinet Member assure me that if a tree comes down and damages a constituent's property, they will be fully compensated by this Council?"*

**Answer**

Each individual claim has to be assessed on its own merits. If a KCC owned tree falls and damages third party property, there is no legal requirement for the Council to automatically compensate the owner of that property. Any claim pursued against the Council would be considered under a liability insurance policy and payment will only be offered if the loss is deemed to have occurred as a result of negligence on the part of the Council. There is no automatic insurance cover to deal with such matters.

Kent County Council takes its responsibilities in respect of tree safety extremely seriously. Vegetation is considered as part of every highway inspection and the health of highway owned trees is specifically assessed by way of tree safety inspections that are undertaken every five years. This is in line with the advice provided by the Well Maintained Highways Code of Practice, which is a national document that provides guidance to Local Authorities in respect of highway maintenance.

If a claim is pursued as a result of a fallen tree, then it is necessary to review the details of these inspections and establish the assessment of the tree at the time. As has been stated, whilst each individual claim has to be assessed on its own merits, if the tree was deemed in good health and the Council has received no enquiries regarding its condition in-between the time of the inspection and the time of it falling, then it is unlikely that a claim would be paid. The most commonly seen reasons for trees falling are periods of prolonged rainfall that cause the ground to become saturated and less stable and high winds during storms. In such instances the Council cannot accept a liability as clearly such matters are outside its control.

In conclusion, the Council is only likely to compensate for damage caused by a fallen tree if it has not complied with its inspection duties or if an issue has been identified that has not been resolved within a reasonable period of time. Such instances are rare and hence claims are more likely to be defended than settled. Fortunately I am also pleased to add that due to the inspection measures in place, claims arising from fallen trees are relatively uncommon.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Martyn Heale to Graham Gibbens,  
Cabinet Member for Adult Social Care and Public Health**

*With this welcome increase that the Chancellor has just announced and the 2% precept rise in council tax for social care, can the Cabinet Member assure us that some of this money will go directly into alleviating this dreadful problem and consign the word “bed-blocker” and “bed-blocking” to history*

**Answer**

I would very much like to consign the words “bed blocker” and “bed blocking” to history as they are terrible terms. We will of course target the additional resources on the most pressing issues in social care. This will of course include tackling unacceptable levels of delayed transfers of care.

I am happy to assure the council that both the social care precept and the very welcome additional adult social care funding announced in the Spring Budget will be used to support the provision of social care. This additional money (£26.1m in 2017/18, reducing to £17.5m in 2018/19 and £8.7m in 2019/20), together with the council tax levy and Improved Better Care Fund (both announced in the 2015 Spending Review), and the additional one-off grant announced in the December 2016, delivers much closer to amounts we have been seeking in order to address the very pressing problems in adult social care. We are also pleased to see that the lobbying that additional funding is needed now to prevent these problems becoming a crisis has been successful, and waiting until the end of the current four year settlement in 2019/20 for the substantial injection from the iBCF would have been too late. This is an example how sometimes such concerted lobbying can be effective.

Having welcomed this money we must wait to see what conditions (if any) will be attached to the grant before we decide how best it should be used. This is clearly a material and significant change to the budget for 2017/18 agreed by County Council last month, and we will be bringing a full report to the next County Council meeting in May to authorise the changes to the approved budget and revised spending plans from this additional grant.

There is an urgent need to put adult social care on a more sustainable footing in the longer term. I and colleagues are working with health colleagues on this locally through the STP process and I look forward to working with national government on this when they produce their green paper later in the year.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Roger Truelove to Roger Gough,  
Cabinet Member for Education and Health Reform**

*In your experience, are Kent MPs adequately briefed about the education policies of the Kent County Council?*

**Answer**

The County Council works closely with Kent MPs on a wide range of issues, education being among the principal topics.

There is a significant volume of correspondence with Kent MPs concerning school issues affecting their constituents.

I have given individual briefings to a number of Members of Parliament about specific issues and the wider picture of education policy. In addition, we seek to ensure that MPs are well informed of County Council perspectives on major issues. A recent example of this is the National Funding Formula for schools. Kent MPs were sent a detailed briefing note shortly after the Government's announcement of the second round of consultation. They were subsequently sent over a full response to the consultation, as well as copy of a letter sent to Ministers by the Leader of the Council and me. This is but one example of our continued dialogue with Kent MPs on education matters, which I believe to be of value and expect to continue.



**COUNTY COUNCIL****Thursday 16 March 2017****Question by Bryan Sweetland to Matthew Balfour,  
Cabinet Member for Environment and Transport**

*Will the Cabinet Member please provide me with an update of all the outstanding Highways works and when they will be completed in the village of Cobham in my division.*

**Answer**

There are three open works orders in Cobham Village; The Street, Halfpence Lane and Sole Street.

- 1) The Street.
  - a. This is the Combined Member Grant scheme involving the installation of signs, bollards and line marking.
  - b. All signs and bollards have been installed and all white lining has been completed. There are some yellow lining items outstanding which are to be completed by the 25<sup>th</sup> March 2017.
  - c. Regretfully there were delays around the availability of lining contractors and suitable weather conditions initially, and when the crew were on site completing the white lining it would appear that they had problems with parked cars and the narrow carriageway width where the yellow lines are required. The road closure to complete these works is for Wednesday 15<sup>th</sup> March starting after 10.15am, when the last bus goes through, and completing by school pick up at 15.00pm. There will be a few pothole repairs done at the same time to take advantage of the road closure.
- 2) Halfpence Lane.
  - a. This work involves permanent patching of the carriageway in 16 locations to be completed under a Sunday road closure.
  - b. A date is yet to be confirmed but target completion date is before 1<sup>st</sup> June 2017.
- 3) Sole Street.
  - a. This work is a drainage scheme to install 3 new soakaways to capture the water before it reaches the low point outside the property Sundown. As part of these works a full cleanse of the Highway Drainage system will be undertaken and be completed by 16<sup>th</sup> April 2017.
  - b. Delays have been caused by third party utility apparatus. Following a meeting with the utility company, KCC has chased them for the required information and plans and they have failed to deliver. This has caused issues with our contractor who doesn't wish to start work without the service plans, as they have understandably been concerned that they would have an increased liability for damages. KCC has now served notice upon the utility company to supply the plans within the next 28 days. If plans are received sooner then Kevin Gore will update the Parish and Bryan Sweetland on the earlier date for the works.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Tom Maddison to Matthew Balfour,  
Cabinet Member for Environment and Transport**

*In light of the recent discovery and subsequent report by the BBC that the Government has been excluding the Dartford River Crossing from very important air quality assessments by designating the Dartford Tunnel, QE11 Bridge and approach road, officially known as the A282 as a "Rural Road". This status has meant that air pollution and in particular highly dangerous levels of Nitrogen Dioxide were not reported and in turn not reported to the EU which has avoided fines for breaching pollution limits.*

*This means that this very important crossing and section of road, which carries in excess of 50 million vehicles a year, does not appear in the National Air Quality Plan and is therefore excluded from the Government (Defra's) very important air quality modelling assessment.*

*Can the Cabinet Member inform members and residents what measures, if any, we have in place for monitoring and reporting correctly the levels of air pollution in and around the Dartford River Crossing and in turn what can be done to mitigate the increasing levels of air pollution that effect so detrimentally the health and wellbeing of Dartford residents?*

**Answer**

There are indeed significant issues in the Dartford area that you have highlighted.

From a KCC perspective, we do not monitor air quality as this is a duty of the district and borough councils. However, I am aware that Dartford is putting in place specific monitoring as a result of this very issue and I will get an update for you from Graham Harris, Dartford Borough Council Chief Executive.

At KCC there is already a lot of activity ongoing that will have a positive impact on air quality. The Sustainable Businesses and Communities Team is currently working across KCC, including Public Health, districts and boroughs to look at the issue from a strategic point of view to see what more information we need, how coordination could be improved, where joint initiatives are needed and look at whether there is a need for a Kent and Medway Low Emissions Strategy and Action Plan.

In addition, we are proposing to hold a Members Information Briefing later in the year and would welcome your input to help shape this event.

Please do get in contact with Carolyn McKenzie [Carolyn.mckenzie@kent.gov.uk](mailto:Carolyn.mckenzie@kent.gov.uk) if you would like a specific one to one briefing.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Pam Brivio to Graham Gibbens,  
Cabinet Member for Adult Social Care and Public Health**

*Can the Cabinet member for Adult Social Care and Public Health advise on what the position is should a contracted care company on occasion be unable to provide care staff*

**Answer**

Thank you for the question and I am happy to clarify what the process is in such a scenario.

Staff from both the local social care teams and our commissioning teams keep in regular contact with domiciliary care providers. If a provider feels they may have difficulties in continuing to support an existing client they are encouraged to make contact with us as soon as possible.

Local staff will work with the provider and the individual affected to see if there are acceptable changes, possibly such as around timing or gender of worker, which would enable the support to continue. If this does not solve the issue, providers are contractually required to continue the service while giving notice to allow time for alternatives to be arranged.

If notice is given, the local purchasing teams will seek to arrange alternative care with another contracted provider or, if this is not possible with other suitably registered providers. Additionally the council's in-house Kent Enablement at Home service is registered as a domiciliary care agency and could act as the provider of last resort.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Mike Eddy to Roger Gough,  
Cabinet Member for Education and Health Reform**

*Given that the Goodwins Academy is due to vacate the former Walmer Science College in September, can the Cabinet Member for Education and Health Reform update Council on what further progress may have been made over the last few months regarding the future educational use of the site and the buildings?*

**Answer**

As stated in my previous reply to Dr Eddy, Officers have been in discussion with the Enterprise Learning Alliance with regards to using some of the buildings. The Enterprise Learning Alliance provides alternative curriculum, education and support to KS3 and KS4 pupils in Thanet and Dover. The discussions are continuing, but no decisions have been made in respect of this.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Eileen Rowbotham to Matthew Balfour,  
Cabinet Member for Environment and Transport**

*It used to be possible to walk into the only Waste Disposal Site in Deal to dispose of waste and recyclables. Pedestrians are now denied access. Only vehicles are allowed to enter, for 'safety reasons'. This means that a large proportion of householders in the Deal area are unable to use this facility.*

*Can Mr Balfour, Cabinet Member for Environment and Transport, address this problem as a matter of urgency?*

**Answer**

Whilst I understand the frustration with the introduction of the 'no walking in' policy at the Deal site, it is up to the contractor operating the site to decide whether to allow walk-ins or not. Biffa Municipal has undertaken an assessment to understand the risks involved which concluded that the likelihood of an accident or fatality was too great a risk to allow pedestrians to walk through a site where there are a high number of vehicles and lorry movements.

Biffa Municipal is within its rights to enforce decisions for sites which they are responsible for and KCC supports their decision to manage Health and Safety in the manner it sees fit. We want to make it easy for residents to dispose of their waste, however with approximately 1,000 cars moving through each site every day and commercial vehicles collecting waste constantly during operating hours, the chance of a pedestrian being hit is sufficiently high that both KCC and our -providers must make safety decisions which protect the public and staff.

Notwithstanding this, KCC recognises that there is a sense of frustration for local residents who live in areas such as Deal who may wish to 'walk-in' waste to HWRCs. KCC's Waste Strategy will include reviewing sites to identify where there may be sufficient room to incorporate separate walk-ways which can be safely utilised by pedestrians, without putting the public or staff at risk.

**COUNTY COUNCIL**

**Thursday 16 March 2017**

**Question by Councillor Angela Harrison to  
Peter Oakford, Cabinet Member for Specialist Children's Services**

“At the County Council meeting in January, in answer to a question from Mr. Cowan asking if it was true that KCC is only providing funding to Managers for Children's Centres until September 2017, the Cabinet Member said "Children's Centre Managers are not facing any reduction in relation to staffing or their budgets".

Why is it then that my own Childrens' Centre (and I don't expect it is the only one) only has funding confirmed until September 2017, which is unsettling for staff and does make it difficult to plan ahead.”

**Answer**

As previously advised and confirmed within this year's budget, there are no proposed savings in the current MTFP in relation to Children's Centres and Children's Centre Managers are not facing any reductions in relation to staffing or budgets.

Reviews are currently underway in relation to both property (building asset utilisation) and Public Health (Health Visitors) and both reviews are important in the future development of Children's Centre provision. This work seeks to optimise the opportunities for further co-location of Health Visitors and Children's Centres and will not result in a reduction of provision or services.

Our five commissioned Children's Centres have been issued with contract extensions which take them from their current contract end date (31 March 2017) through to 30 September 2017. By extending the existing contracts to September 2017 we are better placed to integrate the findings of the Health Visitor review, helping to ensure that it is embedded in the wider Children's Centre offer.