

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 13 October 2008.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr M C Dance, Mr K A Ferrin, MBE, Mr G K Gibbens, Mr P M Hill, OBE, Mr A J King, MBE, Mr K G Lynes, Mr R A Marsh and Mr L B Ridings.

IN ATTENDANCE: Mr Peter Gilroy (Chief Executive), Ms A Honey (Managing Director Communities), Ms L McMullan (Director of Finance), Mr O Mills (Managing Director - Adult Social Services), Mr M Austerberry (Interim Executive Director, Environment, Highways and Waste), Dr I Craig (Director Strategy Policy & Performance) and Ms M Peachey (Kent Director of Public Health).

UNRESTRICTED ITEMS

1. Minutes of the Meeting held on 15 September 2008
(Item 2)

The Minutes of the meeting held on 15 September 2008 were agreed and signed as a true record.

2. Update from Chief Constable, Mike Fuller and Chairman of the Kent Police Authority, Anne Barnes
(Item 3)

(1) Mr Fuller gave a presentation during which he highlighted the key operational areas which Kent Police was focusing on across the county. These areas included, continuing to develop neighbourhood policing policies, working with partners and communities on initiatives aimed at reducing harm to minority communities or those who are vulnerable to extremism, and developing local initiatives such as the new neighbourhood task teams. These will have the specific task of addressing issues such as anti social behaviour and providing dedicated support to neighbourhoods and in partnership with local people tackling anti social behaviour hotspots and dealing with hard to shift problems.

(2) Mr Fuller also spoke about the levels of crime and disorder and said that in the last financial year there had been some 15,133 less crimes compared to the previous year which was a reduction of 10.3%. Also there had been 2,566 less incidents of anti social behaviour which was a reduction of 2.8%. Since the start of this financial year, Kent had had 4,773 less crimes (a reduction of 8.2% and this included 253 less house burglaries; 783 less vehicle crimes; 855 less violent crimes; 948 less acts of criminal damage; and some 7,675 less incidents of anti social behaviour which totalled a reduction of 15.6%. (note: the crime statistics are for the period April to August 2008. The ASB statistics are for the period April to September 2008)

(3) With the success of the neighbourhood task teams the Kent Police Authority in February 2008 approved a significant growth bid for a task team to be created within each Basic Command Unit, with each Team consisting of one Sergeant and five Constables. A review of these task teams would be undertaken to enable the Police Authority to make an informed decision on a further growth bid for a team to be based within each district.

(4) Mr Fuller said that there had been a reduction across the county in the number of violent crimes, but more needed to be done in order to bring those figures down still further. Automatic Number Plate Recognition technology was now widespread throughout the county and that had played a significant part in reducing overall levels of crime. The main challenge currently facing the Force was to address quality of life issues and to tackle anti social behaviour.

(5) Mrs Barnes said that the Police Authority was investing some £25m in neighbourhood policing and if and when resources allowed the aim was to have one neighbourhood task team deployed in every district. In response to a question Mrs Barnes gave credit and paid thanks to the work which was being undertaken by the 100 KCC wardens which were deployed across the county and said the Wardens were greatly valued as part of the wider police family. Mr Fuller said that he met with the Wardens regularly and the work which they did within their communities was invaluable. In answer to other questions, Mr Fuller said that the Kent Force had received top ratings from both the Audit Commission and through the Police Inspection system for the way it effectively used its resources. He also spoke about the importance of developing and using new technologies in order to bring about further increases in efficiency. Mr Fuller also said that whilst it was important that the Police worked with local communities to reduce crime and the fear of crime, nonetheless his Force was continuing its success in addressing and solving major crime.

(6) At the close of discussion, Mr Carter placed on record his thanks to Mrs Barnes and Mr Fuller for attending the meeting and for updating Members on the current policing issues which they were dealing with. Mr Carter also placed on record the County Council's total support to Kent Police in its fight against crime and the causes of crime.

3. Revenue & Capital Budgets Monitoring Exception Report/Revised Capital Programme to Address Funding Shortfall arising from Current Economic Situation

(Item 4 – Report by Mr Nick Chard, Cabinet Member for Finance and Lynda McMullan, Director of Finance)

(1) The Exception Report highlighted the main movements since the report to Cabinet in September and highlighted a number of significant pressures that would need to be managed during the year if the Council were to have a balanced revenue position by year end. Further details were provided in Section 2 of the report. The review of the Council's Capital Programme to address the funding shortfall arising from the current economic situation was ongoing and Mr Chard said that in the meantime in order to ensure that the Capital Programme reflected a more realistic funding position, revised capital cash limits were being proposed which reflected the outcomes/recommendations reached so far from the review.

Further details were provided in Section 3 of the report. Mr Carter said the County Council had now secured some £2.65m of asylum money from Government and was rigorously continuing to pursue the remainder of its owed expenditure on asylum.

(2) Cabinet:-

- (a) Noted the latest forecast revenue budget monitoring position for 2008-09.
- (b) Agreed that within the Environment, Highways & Waste portfolio:
 - (i) the additional £0.9m waste management underspend reported this month can be added to the £1.4m net underspend reported last month and used for invest to save proposals within Kent Highways Services.
 - (ii) if there were any further underspending on waste management throughout the remainder of 2008-09, that could be redirected to invest to save proposals within the Portfolio, to assist in meeting the inflation issues over the Medium Term Plan.
- (c) Agreed the revised capital cash limits, as detailed in appendix 3 of the report, which addressed the funding shortfall arising as a result of the current economic situation and the impact this has had on property prices and the Council's ability to realise capital receipts;and
- (d) Noted that further changes to the capital programme were likely to be required once the review of the whole capital programme had been completed.

4. Towards 2010 Annual Report

(Item 5 – Report by Mr Paul Carter, Leader of the Council and Mr Peter Gilroy, Chief Executive)

This report detailed the current draft of the second “Towards 2010” Annual Report for comment and consideration by Cabinet prior to its submission to the County Council for approval. Following discussion, Cabinet noted the progress towards the 63 “Towards 2010” targets and the arrangements for publishing the Annual Report.

5. Comprehensive Area Assessment (CAA) Consultation

(Item 6 – Report by Mr Paul Carter, Leader of the Council and Mr Robert Hardy, Director of Improvement and Engagement)

(1) A joint consultation paper on the new assessment framework for Comprehensive Area Assessment (CAA) was published at the end of July 2008. CAA will be significantly more challenging than the former Comprehensive Performance Assessment because of the emphasis on the assessment of collective public service performance.

(2) Mr Gilroy highlighted paragraph 4 of the report which set out a number of

issues of concern in relation to the proposed CAA inspection framework. He said there was a considerable amount of detail lacking from the consultation but it was safe to assume that there was likely to be an increased burden on local authorities as a result of CAA. Mr Chard said the new proposals essentially required a significant element of judgement to be made by inspectors and therefore the Council would need to ensure that the evidence provided and the assumptions made about its future prospects were the principal grounds on which it was judged.

(3) Cabinet agreed that the Leader and Chief Executive, in consultation with the Chairman and opposition party group leaders for the Corporate Policy Overview Committee sign off the final KCC response to this consultation.

6. South East Plan: Consultation on Secretary of State's Proposed Changes
(Item 7 – Report by Mr Kevin Lynes, Cabinet Member for Regeneration and Supporting Independence and Mr Richard Feasey, Planning Policy Manager)

(1) The draft South East Plan was submitted to the Government in March 2006 and an Examination in Public was held between November 2006 and March 2007. The Panel report and recommendations were published in August 2007. The Government's response to the Panels recommendations and its proposed changes to the South East Plan were published in July 2008 and consultation on these changes closed on 24 October 2008.

(2) Mr Lynes said that the Government was now proposing that 123,120 dwellings should now be built within the KCC area. This was a significant increase in the number of dwellings that had been proposed by the Panel after the public Examination of the Plan and would inevitably increase the proportion of dwellings on green land and increase the pressure for out of character, high density development in residential areas. The policy for new housing assumed high market demand but recent events had demonstrated the need for secure funding in the housing market, and the fragility of the recent high levels of completions. Mr Lynes said he was concerned that there was a strong likelihood that the policy of 40% of development of green sites could be substantially exceeded and the Policy related to "previously developed land" could see a considerable loss of amenity as a result of development on urban spaces. Mr Ferrin said the infrastructure required to support the levels of dwellings now being proposed would not be sufficient to cope, unless the Government provided additional funding which ensured the required levels of infrastructure adequately matched the proposed increase in dwellings. The infrastructure needs were not just for roads but for other facilities such as water supplies and community needs such as schools and libraries. Ms Peachey, said that in addition it was essential that proper health service provision was in place before any significant development took place.

(3) Mr Carter said he supported the views which had been expressed during the course of the discussion, and a debate needed to take place with Government about how it intended to provide the necessary infrastructure required to match its proposed increases in the number of dwellings to be built in Kent. Mr Carter said the County Council also needed to robustly oppose the Government's proposal to delete Clause (iii) of Policy CC7 which currently stated "development shall not proceed until the relevant planning authorities are satisfied that the necessary infrastructure required to serve the development is available or will be provided in time". Mr Carter said the deletion of this Policy would materially weaken the ability

of local councils to ensure that development did not place unacceptable burdens on the local infrastructure and services. The Government had to recognise that infrastructure investment was required to meet current needs and deficits, not just future needs associated with development.

(4) Cabinet then agreed the text of the KCC response to the changes proposed by Government as detailed in the Cabinet report.

7. Decisions from Cabinet Scrutiny Committee - 24 September 2008

(Item 8 – Report by Mr Alex King, Deputy Leader and Mr Peter Sass, Head of democratic Services and Local Leadership)

(1) Mr Carter referred to the section in the Appendix to this report on the Autumn Budget Statement and said that the Chief Executive and Chief Officer Group had appropriately responded to recent managerial changes.

(2) Mr Gilroy said that he and his Chief Officer colleagues have been puzzled by the concerns raised by the Cabinet Scrutiny Committee. The changes that had taken place as a result of people deciding to leave and the interim management appointments which had been made ensured management continuity and had provided an opportunity to reflect on the future managerial shape of the Council. All permanent appointments when made would go through the normal procedures for posts at this level.

(3) Cabinet then noted the report.

8. Treasury Management

(Item 9 – Report by Mr Nick Chard, Cabinet Member for Finance and Lynda McMullan, Director of Finance)

(1) In view of the current unprecedented international banking situation, the Chairman declared consideration of this item to be urgent so that Members of the Council and the residents of Kent could be advised and assured of the positive actions which the County Council was taking in relation to the investment of KCC cash.

(2) Mr Gilroy said against the backdrop of the unprecedented changes which had taken place within the international banking system, KCC had taken immediate and appropriate measures in order to reduce its financial risks and to give assurances. He said that notwithstanding the situation with the County Council's investments in Icelandic banks, this did not pose any risks to either the Pension Fund or the payment of salaries. Mr Chard said that the County Council was not faced with any liquidity problems and the situation did not impact in any way on the County Council's ability to make payments to its suppliers. He said that whilst the Government had given undertakings to protect the investments of private individuals he believed the situation was such that it should now extend those guarantees to local government and also to charities. Mr Carter saying that whilst KCC was far from alone in its exposure to problems with Icelandic banks, there were many other organisations who were in a similar position. Nonetheless, Mr Carter said that the County Council would be asking external auditors to look at the County Council's procedures and protocols and to report on those as soon as

possible.