

# KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 15 October 2009.

## PRESENT:

Mr J A Davies (Chairman)  
Mr W A Hayton (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr D L Brazier, Mr R Brookbank, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr K A Ferrin, MBE, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr C Hibberd, Mr P M Hill, OBE, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne MBE, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, MBE, Mr R E King, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J Ozog, Mr R J Parry, Mr T Prater, Mr K Pugh, Mr W Richardson, Mr L B Ridings, Mr M Robertson, Mrs J A Rook, Mr A Sandhu, MBE, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr M V Snelling, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle and Mr A Wickham.

IN ATTENDANCE: Mr P Gilroy (Chief Executive), Mr G Wild (Director of Law and Governance) and Mr P Sass (Head of Democratic Services and Local Leadership).

## UNRESTRICTED ITEMS

### 1. Apologies for Absence

The Chief Executive reported apologies from the following Members:

Mr Bullock  
Mr Burgess  
Mr Frayne  
Mr Hirst  
Mr Pascoe  
Mr Kit Smith  
Mr Wells  
Mr Willicombe

### 2. Declarations of Interest

Mr Hayton declared a personal and prejudicial interest in item 11 (The Green Paper on Social Care and Support), as he was in receipt of a payment in respect of the care of a close relative. He left the meeting during consideration of item 11.

The following Members declared personal interests and remained in the meeting for the consideration of the relevant items:

- Mr Homewood – close relative in receipt of care (item 11)
- Mr Simmonds – close relative in receipt of care (item 11)
- Mr Chell – close relative in receipt of care (item 11)
- Mr Brookbank – Chairman of Trustees of Age Concern (item 11)
- Mr Craske – close relative in receipt of care and trustee of Age Concern (item 11)
- Mr Koowaree – close relative in receipt of care (item 11)
- Mr Snelling – non executive Director of a number of Kent Commercial Services companies (item 7)
- Mr Capon – trustee of Age Concern (item 11)
- Mrs Allen – Chairman of Dartford Age Concern and co-Chairman of the District Partnership for Adults with Learning Disabilities (item 11)
- Mrs Rook – Trustee of Age Concern (item 11)

**3. Minutes of the meeting held on 25 June 2009 and if in order, to be approved as a correct record.**

RESOLVED: that the Minutes of the meeting held on Thursday 25 June 2009 are correctly recorded and that they be signed by the Chairman.

**4. Chairman's Announcements**

1. Death of former Member

The Chairman notified the County Council of the passing away of a former Member, Mrs Betty Walter.

Mrs Walter was a Conservative County Councillor for the Chatham No.2 Electoral Division from April 1967 to 1981; she passed away on Saturday 10 October, just a few days short of her 99<sup>th</sup> birthday. Mrs Walter served on the Education, Health and Social Services Committees and was Vice Chairman of the Education (Case) Sub Committee and the Social Services (Adoption Agency) Sub Committee.

The Chairman added that there would be a Service of Thanksgiving at Compton Parish Church, near Guildford, Surrey, on Friday 30<sup>th</sup> October at 11.30am. Further details would be provided to Members as soon as they were known.

The Council stood in silence as a mark of respect and passed the following resolution:

That this Council desires to record the sense of loss it feels on the death of Mrs Betty Walter and extends to her family and friends its deepest sympathy on their sad bereavement.

2. New Members

The Chairman stated that he was delighted that so many new Members made their maiden speeches at the June meeting and hoped others did so today

3. Length of Speeches

Due to the amount of business on today's agenda and the importance of giving all Members every opportunity to speak, the Chairman proposed and the Vice Chairman seconded that the following limitations on the length of speeches would apply for this meeting:

- The proposers of all Motions: 5 minutes (as usual)
- All other speakers: 3 minutes instead of 5 minutes
- On the Leader's Oral Report: Leader 8 minutes instead of 10; Other 2 Group Leaders: 5 minutes instead of 7; Leader's response: 2 minutes (as usual)

Carried without a vote

4. Petition – Parking restrictions in Minster, Thanet

The Chairman stated that had received a petition on Friday 2 October signed by 328 residents of Minster in Thanet, objecting to the introduction of yellow lines by the Highways Service and requesting a delay pending further research.

The Chairman formally handed the petition to Mr Nick Chard, Cabinet Member for Environment, Highways and Waste, for an investigation and response direct to Minster Parish Council, as the organisers of the petition.

5. Kent Invicta Award

The Chairman referred to the letter to all Members that had been tabled in relation to the Kent Invicta Award for 2010, which invited Members to consider nominating appropriate individuals to receive the Award. All nominations should be submitted to Mrs Mary Cooper.

6. Belarus and Ukrainian Olympic Judo team

The Chairman announced that the Belarus Judo Federation and the Ukraine Judo Federation, both with good Olympic medal prospects, had signed a Memorandum of Understanding with Kent County Council in conjunction with Tonbridge Judo Club and Tonbridge School on 21 September 2009 to train in Tonbridge, Kent in the lead up to, and during the 2012 Olympic Games and this December, they would be joined by Sweden, Germany, Kazakhstan and Holland.

KCC Sport, Leisure and Olympics secured this deal, which is by far the biggest 'Pre-Games Training Camp' agreement in the South East region to date and only the second multi-nation agreement signed in the UK for the London 2012 Games and they are currently negotiating with a number of other nations to train in Kent in 2012.

The Chairman also stated that the Kent School Games was launched successfully last week with the support of Dame Kelly Holmes, who had said nationally that the Kent School Games should become a national model.

**7. Delegation of Albanian Mayors**

On 28th and 29th September, a delegation of 26 Mayors from the Albanian Association of Communes visited Kent to learn about how KCC organised and delivered services for our residents. The Mayors were particularly interested in the structure and democratic processes of the council, transport and infrastructure planning, tourism and the protection of historical sites, social care, education and supporting independence.

The Chairman stated that he had hosted a small reception for the delegation, where the Leader of the group thanked KCC for a useful and informative visit. The Mayors stated that they would use what they had learnt in Kent to help improve services in their regions and to develop a successful local government structure in Albania.

**8. Demonstrations for Members**

The Chairman stated that the new KCC website, which was due to be launched in December, was being demonstrated by staff from the Communications and Media Centre at the top of the stone steps between the Council Chamber and the Darent Room

The Chairman added that there was also a demonstration of a new online expenses system by staff from the Personnel Service, which Members would be strongly encouraged to use in order to make the process for checking and authorising expenses claims more efficient.

**5. Questions**

Under Procedure Rule 1.18, 9 questions were asked and replies were given. No questions remained unanswered at the end of the 30 minute period.

**6. Report by Leader of the Council (Oral)**

(1) The Leader updated the County Council on various matters since the last meeting of the County Council. Specifically, he referred to the excellent assessment of the Council's social care services by the Care Quality Commission; this year's GCSE results, which the Leader described as "stunning"; the forthcoming Comprehensive Area Assessment (CAA) results, expected in December; the good progress being made on the Medium Term Planning process for both revenue and capital budgets; the very good progress being made on the Council's Regeneration Framework "Unlocking Kent's potential"; and the progress being made on the Total Place pilot, which the Leader described as having "enormous potential" for efficiencies right across the public sector in Kent.

**7. Towards 2010 Annual Report**

(1) Mr P Carter moved, Mr A King seconded the approval of the third Towards 2010 Annual Report.

Carried without a vote

**8. Potential to Refocus and Restructure the Overview and Scrutiny Function - to follow**

- (1) The Chairman stated that he had agreed to consider this report as an urgent item because the County Council agreed at its meeting in June that it would review its arrangements for Overview and Scrutiny and it was important in terms of strengthening the overall process that the outcomes of the review were implemented as quickly as possible.
- (2) Mr A King moved, Mr A Bowles seconded the recommendations contained in the supplementary report, as follows:
  - a. The refocusing, renaming and strengthening of the role of the Overview and Scrutiny Committees as described in this report;
  - b. To ask the Scrutiny Board (formerly the Policy Overview Co-ordinating Committee) in consultation with the Cabinet to identify and pilot new ways of working to build capacity including a rapporteur scheme, engagement with the community, press and media, the information and period of time the Forward Plan of Key Decisions covers; and
  - c. Notes that any consequential changes to the Articles of the Constitution will be brought back to the County Council for approval.

Carried without a vote

**9. Local Act for amendment of Road Traffic Regulation Act 1984 - The Kent County Council (Filming on Highways) Bill**

- (1) Mr K Lynes moved, Mr N Chard seconded the recommendations on page 199 of the Blue Book, as follows:
  - a. The Council agrees to deposit the Kent County Council (Filming on Highways) Bill to confer powers in relation to filming on highways and for related purposes;
  - b. The Council authorises the Chief Executive, in consultation with the Cabinet Member for Regeneration and Economic Development and the Cabinet Member for Environment, Highways and Waste to address the procedural matters that may arise in relation to the promotion of the Bill and to enter into undertakings or commitments in relation to it; and
  - c. The Council authorises the Director of Strategic Development and Public Access to agree to the making of any amendments to the Bill that may arise during the course of the promotion of the Bill
- (2) Following a debate, the Chairman put to the vote the motion set out in paragraph (1) above when the voting was as follows:

For – 74

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr D L Brazier, Mr R Brookbank, Mr C J Capon, Ms S J Carey, Mr P B Carter, Mr N J D Chard, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mr J Davies, Mrs T Dean, Mr K A Ferrin, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr C Hibberd, Mr P M Hill, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, Mr R E King, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J Law, Mr R J Lees, Mr J F London, Mr R L H Long, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J Ozog, Mr R J Parry, Mr T Prater, Mr K Pugh, Mr W Richardson, Mr L B Ridings, Mr M Robertson, Mrs J A Rook, Mr A Sandhu, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr M V Snelling, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Wickham.

Against – 0

Abstain – 0

RESOLVED: That (1) The Council agrees to deposit the Kent County Council (Filming on Highways) Bill to confer powers in relation to filming on highways and for related purposes;

(2) The Council authorises the Chief Executive, in consultation with the Cabinet Member for Regeneration and Economic Development and the Cabinet Member for Environment, Highways and Waste to address the procedural matters that may arise in relation to the promotion of the Bill and to enter into undertakings or commitments in relation to it; and

(3) The Council authorises the Director of Strategic Development and Public Access to agree to the making of any amendments to the Bill that may arise during the course of the promotion of the Bill.

**10. Kent's Policy Framework for Living Later Life to the Full**

- (1) The Chairman welcomed Ms Debra Exall, Head of Strategic Policy, to give her presentation to the County Council.
- (2) Mr G Gibbens moved, Mr M Angell seconded the formal adoption of Kent's Policy Framework for Later Life.

Carried without a vote

**11. Government Consultation on "Shaping the Future of Care Together" - The Green Paper on Care and Support**

- (1) The Chairman referred to the late circulation of demographic information and the comments of Cabinet on the proposed draft response to the Consultation Paper.

- (2) The Chairman invited Peter Gilroy, Chief Executive and Oliver Mills, Managing Director Kent Adult Social Services, to give their presentations to the County Council.
- (3) Mr G Gibbens moved, Mr A Marsh seconded the recommendations on page 294 of the Blue Book.
- (4) During the debate, Mr Gibbens stated that he would be content to share the final draft response with the two Opposition Group Leaders before it was finalised and submitted.
- (5) Following a debate, the Chairman put to the vote the Motion as set out on page 294 of the Blue Book, together with the amendment to consult the two Opposition Group Leaders on the final draft of the response to the Consultation Paper when the voting was as follows:

For – 50

Mrs A Allen, Mr M Angell, Mr R Bayford, Mr D Brazier, Mr R Brookbank, Mr C Capon, Miss S Carey, Mr N Chard, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr T Gates, Mr G Gibbens, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mrs S Hohler, Mr P Homewood, Mr G A Horne, Mr K Ferrin, Mr A J King, Mr R King, Mr J Kite, Mr P Lake, Mrs J Law, Mr J London, Mr K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr R Parry, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mr A Sandhu, Mr J Scholes, Mr J Simmonds, Mr C Smith, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mrs E Tweed, Mrs J Whittle, Mr A Wickham.

Against – 2

Mr I Christie, Mrs E Green.

Abstain – 7

Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr G Koowaree, Mr T Prater, Mr M Robertson, Mr M Vye.

RESOLVED: (1) That the proposed response to the Green Paper on Care and Support be approved; and

(2) Authority be delegated to the Cabinet Member for Adult Social Services and the Managing Director Kent Adult Social Services to approve any final points of detail and editing before the response is submitted to the Government on 13 November 2009, in consultation with the Leaders of the two Opposition Groups

## **12. Minutes for Approval - Governance and Audit Committee**

RESOLVED: that, pursuant to Procedure Rule 1.23 (3) the Minutes of the Governance and Audit Committee meetings held on 25 June, 30 June and 16 September 2009 be noted.

**13. Minutes for Information**

Pursuant to Procedure Rules 1.10 and 1.23 (4), the Minutes of the Planning Applications Committee (25 June, 14 July, 18 August and 8 September 2009) and the Regulation Committee (25 June and 10 September 2009) were noted.