

KENT COUNTY COUNCIL

CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 21 July 2010.

PRESENT: Mrs T Dean (Chairman), Mr D L Brazier (Substitute for Mr R W Bayford), Mr R Brookbank, Mr L Christie, Mr G A Horne MBE, Mr M J Jarvis, Mr R E King, Mrs J P Law, Mr R J Lees, Mr R F Manning, Mr R J Parry (Substitute for Mr E E C Hotson), Mrs J A Rook and Mr J E Scholes

ALSO PRESENT: Miss S J Carey, Mr N J D Chard, Mr I S Chittenden, Mr R W Gough, Mr P M Hill, OBE and Mr J D Simmonds

IN ATTENDANCE: Ms L McMullan (Director of Finance), Mr J Burr (Director of Kent Highway Services), Mr D Hall (Head of Transport & Development), Mr R Hallett (Directorate Finance Manager), Mr S Beaumont (County Manager, Community Safety), Mrs T Oliver (Director of Strategic Development and Public Access), Mr P Sass (Head of Democratic Services and Local Leadership) and Mrs A Taylor (Research Officer to Cabinet Scrutiny Committee)

UNRESTRICTED ITEMS

58. Minutes of the meeting held on 23 June 2010

(Item A3)

- (1) Regarding paragraph 52 of the minutes, the Council had approached the Government to request that they be able to work together on a review of Local Government finance. There had been no response to this request to date but the Council would continue to follow the request up.
- (2) Ms McMullan explained to the Committee that she would be taking on the role for the South East lead for Finance, which would involve being a representative for the South East Strategic Authorities. A key aim was to share ideas from other authorities and to identify areas where bureaucracy could be reduced.

RESOLVED: that subject to the amendment of "Mr Dean" on page one for "Mrs Dean" the minutes of the meeting held on 23 June 2010 are correctly recorded and that they be signed by the Chairman.

59. Follow-up Items from Cabinet Scrutiny Committee

(Item A4)

- (1) Mr Burr explained that the gully emptying schedules would be issued to Members in the next few weeks.
- (2) Regarding Kent Design Guide, a report was being submitted to the Environment, Highways and Waste Policy Overview and Scrutiny Committee concerning the ways in which Kent Highways Services and the Kent Design Initiative were working with development partners to test the robustness of Interim Guidance

Note 3. The report also indicated that further public consultation would be undertaken as residential parking policies were developed at district level.

- (3) Members had invited Mr R Gough and Ms T Oliver to answer any questions Members might have on the Kent Digital Service follow up item. A report had been circulated to Members answering questions raised at the Cabinet Scrutiny Committee meeting on 9 April. Members confirmed that they were satisfied with the reasons behind using TUPE and that their questions on this issue had been answered.
- (4) Mrs Oliver confirmed that now the new team had been established, she had transferred the Digital Kent team to the Communications and Media team, reporting to Ms Jane Clarke to be part of the overall communications agenda. Mr Gough explained that it was intended that a cross party group be set up which would be reported through the Corporate Policy Overview and Scrutiny Committee. The Chairman thanked Mr Gough for his introduction and explained that a report on how the Scrutiny Committees could work with the media was recently discussed by the Scrutiny Board and this work could all tie in together.
- (5) Mr Manning asked for clarification on the schedule of work, which elements had gone out live and which were for broadcasting at a later date. Mrs Oliver referred to page 4 of the supplementary report on Kent Digital Service and explained that 87 films had been made and were live on the system since April. The 'acquired by Kent County Council' (KCC) videos had been commissioned by KCC departments but not produced by the Digital Kent team, the 'acquired other' had been made independently of KCC but the content was relevant to the KCC website, this was not at cost to the Council.
- (6) The Chairman reminded Members that a further presentation on the Future of Older Persons' Provision had been offered to Members and was being held on 26 July at 3.30pm.

RESOLVED: that Members note the follow up items report and the response to previous recommendations.

60. Notes of the Informal Member Group on Budgetary Issues held on 12 July (to follow)

(Item A5)

- (1) Mr Manning referred to paragraph 3 (5) and explained that he had asked how the Council could 'realistically' budget for the future, the answer he received had satisfied him.
- (2) Mr Christie referred to paragraph 3 (6), the LSC transfer was 'a unique situation for Kent learners'. It was understood that a pilot was being run in Kent, however Officers would report back to confirm why this was particularly unique for Kent. Mr Christie also asked about the previous follow up item requested by Mr Horne on the level of funding package which the Government was offering to Kent County Council in relation to the transfer of the Learning and Skills Council Service. This information would be clarified and reported back to Members.

RESOLVED: that the Cabinet Scrutiny Committee approve the notes of the Informal Member Group on Budgetary Issues held on 12 July 2010.

61. Revenue and Capital Budget Monitoring Exception Report

(Item C1)

Mr N Chard, Cabinet Member for Environment, Highways and Waste, Mr J Burr, Director of Kent Highway Services, Mr D Hall, Head of Transport and Development and Mr R Hallett, Directorate Finance Manager – Environment, Highways and Waste were present for this item.

- (1) The Chairman confirmed that the only item which was being called-in from the Revenue and Capital Budget Monitoring Exception Report was that of the Integrated Transport Schemes.
- (2) Mr Chard confirmed that the figures in the report were correct, he referred to table 5 in the Monitoring Exception Report that set out the in year capital grant reductions for Kent of £4.105million to the existing Integrated Transport block. That decision was signed off by the Leader on 18 June and officers had worked up proposals to meet the £4.105million reduction. Those schemes which were underway went forward, those which had severe safety implications, those with significant external funding and those which had a significant impact on congestion were also prioritised. The detail which went out to Members on 28 June was the same information that was contained within the Cabinet Scrutiny Committee agenda papers.
- (3) Mr Chittenden had given the Chairman prior notice that he wished to ask questions on this item and he asked Mr Chard how the proposals were worked up and how the criteria was applied. Mr Hall explained that the £4.1million in year reduction had not been anticipated. Given the short timescale to introduce the reductions, Officers devised a pragmatic way of assessing schemes to be retained based on the impact on road safety, schemes that contributed to the reduction of congestion, gave best value for money, provided significant match funding and those schemes that were underway. The Council would continue to use SPS in future. The vast majority of schemes fell reasonably neatly into the criteria, and the proposals were felt to be balanced and pragmatic.
- (4) Mr Scholes explained that at a recent meeting of the Tunbridge Wells Joint Transportation Board, Members did not agree with the prioritisations. Members had put forward suggestions which were broadly financially balanced and was the list in Appendix one of the agenda papers the final decision or were officers still reflecting on the discussions had at the Joint Transportation Boards? In response to a question from Mr Scholes, Mr Chard confirmed that he was aware of the situation in Tunbridge Wells, however the scheme had a major impact on congestion and therefore it was necessary on this occasion to over-rule the Joint Transportation Board (JTB).
- (5) Mr Christie asked whether the JTBs were offered the opportunity to comment on the proposals put forward. Was it correct that 45% of the IT scheme budget was in question? Did the Cabinet Member and Officers look at the possibility of using the Member's funds to fund some of the priority schemes that were previously agreed?

- (6) In response to another point Mr Chard confirmed that a list showing the schemes that were to be funded had previously been circulated to Members. The Member Highway fund was taken into account. It was important to note that those schemes which were proposed not to go ahead this year could go ahead in subsequent years, there had been no political input into the amendments to the scheme. Mr Hall had done an outstanding job of working up the proposals and these had been thoroughly discussed with the Cabinet Member resulting in the list set out in Appendix 1. JTBs had not necessarily had the time and opportunity to meet between the letter from the Cabinet Member which was circulated on 28 June and the Cabinet decision of 12 July. However on 28 June the letter was sent to all members of the County Council and on 29 June a similar letter was sent to all district councillors, parish councillors and clerks.
- (7) Mr Chittenden asked the Cabinet Member to reconfirm what was decided following discussions about the Scheme Prioritisation System. Mr Chard explained that he thought there should be a prioritisation matrix, officers were tasked to come up with a transparent system which allowed Members to see how schemes had been prioritised as well as demonstrating value for money. The JTB had power to make recommendations, it was not a decision making body.
- (8) Mr Jarvis stated that Kent County Council had missed an opportunity, was the County Council serious about its environmental transport policy when many of the schemes which would not be funded this year were cycle schemes? Mr Chard explained that had the in year reductions not been announced, all the schemes would have gone ahead. The Council had to make cuts, safety was a priority and some of the schemes were underway and so had to continue. The schemes in Appendix 1 were not to be funded this year, it was not the case that they were axed forever. It was hoped that these schemes would be put forward in future years.
- (9) Mr Horne asked for confirmation that the Members' Grants were still available and that they could be rolled over into a following year. Mr Chard explained that the Council agreed a 2 year pilot on Members' Grants and it was possible to roll the money forward from last year into this year. The Council would take a decision next February when the budget was decided to determine what should happen in future.
- (10) Mrs Law suggested that, in relation to SPS and Member's Highways Fund, that Members might not be aware that they could contribute to Integrated Transport schemes in the future, Mr Hall explained that the Community Liaison Officers would be liaising with Members to explain that funds could be used in this way.
- (11) The Chairman asked that the full spreadsheet be made available to Members in future, some schemes were aligned with planning permission which was not currently underway, therefore delaying the transport scheme was not critical and perhaps that point could be made more clear. The end of Appendix 1 put into one package some Kent wide schemes, however if that package were to be broken down Members might wish to put money towards some of the smaller schemes. Mr Hall explained that he would ensure that the Community Liaison

Officers had the detail behind the smaller packages of schemes to enable them to discuss these schemes with Members.

- (12) The Chairman asked for an explanation of the phrase ‘variations to and re-scoping of a range of existing IT schemes’. Mr Hallett explained that a list was available of the variations to and re-scoping of schemes and this would be circulated after the meeting.

RESOLVED: that the Cabinet Scrutiny Committee:

- (13) Thank Mr Chard, Mr Burr, Mr D Hall and Mr R Hallett for attending the meeting and answering Members’ questions,
- (14) Welcome the assurance that the Community Liaison Officers would liaise with elected Members to ensure that Members are aware that unspent Member’s Highways fund could be used to reinstate some of the smaller schemes that had been deleted from the Integrated Transport programme,
- (15) Request further information relating to packages of Integrated Transport Schemes to enable clear understanding of the detail of any changes to the schemes,
- (16) Ask that in future the spreadsheet of schemes includes the comments of those that have responded,
- (17) Thank the Cabinet Member for Environment, Highways and Waste for his offer to advise Members of any changes to the prioritisation scheme,
- (18) Raise concerns about the unequal treatment of the Joint Transportation Boards across Kent because of the narrow consultation period.

62. Operation Find and Fix - Weather Damage Repairs to Roads

(Item C2)

Mr N Chard, Cabinet Member for Environment, Highways and Waste and Mr J Burr, Director of Kent Highway Services were present for this item.

- (1) Mr Chard explained that the Council had received funding of £2.4million from Central Government, £2.5million from Kent County Council corporately, and £1.5million from Kent Highway Services (KHS); a total additional money of £6.44million. The find and fix initiative would reach every residential road in the county.
- (2) In response to a question from the Chairman about the £1.5million that KHS had been able to utilise through efficiencies, Mr Burr explained that this had become available through a procurement exercise, cheaper market rates had resulted in a £1.5million surplus which could be put into the find and fix initiative.
- (3) Mr Horne queried the road repair backlog figure of £430million, it was important that the Council did not see an increase in the backlog figure from year to year, what standard was the Council looking for? Mr Burr explained that the backlog

figure was arrived at through a complicated process of asset management; this figure would raise the standard of all the highways. The find and fix initiative was already undertaking 6 times more repairs on each road than would have been tackled under previous KCC policies, and substantial sums were planned for surface dressing on rural roads to prevent a repeat of the problems this winter. Kent was not unique; other counties had similar, if not larger, problems with road repairs. Mr Burr added that to ensure that the backlog figure did not increase there was a need to approach problems in a different way.

- (4) Mr Manning asked whether Parish and Town Councils were being informed before the find and fix teams arrived. Mr Manning also asked for clarification on the actual costs of the administration of the contract with the KHS alliance, this was currently estimated at around £320k (5% of the contract value). In relation to the backlog, was it possible to see how the figure of £430million was broken down? Mr Burr confirmed that the programme for the Parish and Town Councils was available on the website and was updated regularly. The actual costs of the management and supervision of the contract were currently 6% but the Council was recovering the costs of the original setup and was confident that the end figure would be 5%, more detail could be provided if required. Members were invited to see the asset management system which arrived at the backlog figure. In response to Mr Manning's point about utility inspections, Mr Burr explained that the Council was currently undertaking 10% more inspections to determine the cost and quality of inspections, if it became possible to prove that the roads were getting worse because of utility repairs it might be possible to recover the costs from the utility companies.
- (5) In response to a question from Mrs Rook about the Council's plans in case of another bad winter in 2010/11, Mr Burr explained that the Council was happy with the quality of the repairs, the surface dressing programme had been extended and as many roads as possible would be covered, however there was no guarantee that in the event of a bad winter potholes would not appear.
- (6) In relation to the find and fix initiative, Mr King asked whether money was being spent in the right way. Mr Chard stated that it was; in the past the Council had been focussed on a technical solution, but public perception was also very important.
- (7) Mr Scholes raised concerns about the constant repairs to roads without resurfacing, Mr Chard explained that Kent had a legacy of roads with underlying problems, it was essential to have the roads in a worthy condition.
- (8) In light of Kent's role as the gateway to Europe, Mrs Law asked whether it was time to negotiate a Kent premium. Mr Chard was aware that the Leader of the Council had been discussing a 'Britdisc' type fee system to allow for charging of those vehicles that were not contributing tax wise to the UK economy.
- (9) In response to a question from Mr Christie regarding the table on page 40 of the Cabinet Scrutiny Committee agenda papers, Mr Chard explained that the programme was almost half way through, the downside of find and fix was that those roads which had not yet been repaired were problematic for members of the public. Mr Burr explained that the table showed potholes repaired and m2

patching area separately to enable the Council to monitor the performance of the gangs.

- (10) Mr Horne asked whether there was any opportunity for special consideration to get additional European funding to improve Kent's roads, taking into account the use of the roads by non UK tax payers. Mr Chard explained that the last time discussions were held with the European community no funding was available, however this would be investigated again.
- (11) In response to a question from Mr King regarding surface dressing on rural roads, Mr Burr confirmed that yes the majority of rural roads would be surface dressed and a Member guide to Highways would be put together to ensure that Members understand the process for road repairs in Kent.
- (12) The Chairman asked that the use of the DART-Tag be promoted as good value for residents of Kent and a way of reducing congestion at the Dartford crossing. In response to a question about what had been learned from the find and fix programme, Mr Burr explained that the Council was focussing on output, the commercial liability on the Council had been removed and the payment mechanism reviewed. All defects on the roads were being fixed and it was now important to maintain those roads at the improved standard. The Council was going through a competitive process with the bidders and the lessons learned would be shared with them to help build on the work already undertaken.

RESOLVED: that the Cabinet Scrutiny Committee

- (13) Thank Mr Chard and Mr Burr for attending the meeting and answering Members' questions,
- (14) Congratulate officers and the Cabinet Member on the additional £1.5million for find and fix identified through the procurement process,
- (15) Welcome the increase in surface dressing to prolong the life of existing roads
- (16) Welcome the offer of the Director of Kent Highway Services to provide a basic guide for Members demonstrating how the Council assesses the quality of roads and ensures that the quality improves,
- (17) Ask for an estimate of the spending required to slow down the backlog and improve the condition of the roads,
- (18) Welcome the assurance of the Cabinet Member for Environment Highways and Waste that he would again investigate whether European funding was available to help with the repair and maintenance of Kent's roads,
- (19) Ask that the DART-Tag be advertised as a time and cost effective scheme attached to the Dartford tunnel.

63. Community Wardens - Increasing the Number of Communities Receiving Warden Services

(Item D1)

Mr M Hill, Cabinet Member for Communities and Mr S Beaumont, Head of Service, Community Safety were present for this item.

- (1) The Chairman explained that this item had originally been called in because of concerns that the Community Warden scheme needed to be extended into new areas. Following discussion with officers it was apparent that the scheme was being looked at and the Chairman and Spokespeople felt that it was important that Members had an input into the process.
- (2) Mr Hill explained that the Community Wardens scheme was set up originally to fill in a gap in the policing of Kent in partnership with the police. The Police Service then introduced neighbourhood policing and community support officers, and the community wardens had successfully integrated into their own role as wardens, the full spectrum of services to the public was filled. It became necessary for the Council to look again at the issue of deployment of wardens, which do not currently cover the whole of the County, and there was a need to widen the role of wardens to cover the appropriate areas of the County (due to safety issues). Every area of the County would now be covered to some extent. There would be no change in terms of Member consultation, no redeployment would take place without consulting local Members. In response to a question from the Chairman about how the consultation would be carried out Mr Beaumont explained that District and County Councillors would be consulted during the review process. The existing eligibility criteria would still be used to deploy the wardens, but at all stages during the review, deployment and requests for expansion of deployment Members would be consulted.
- (3) Mr Christie explained that there were significant urban areas currently not served by a warden, would consultation be carried out with those areas where a warden would not be deployed as well as those where one would? On the point of deployment of wardens into urban areas Mr Hill explained that it was not a case of urban and rural areas, the Council would take advice from the police on whether it was appropriate and safe to place a warden in a particular area. Mr Beaumont explained that in the Ashford area a pilot was underway to determine how the Council gathered information to allow the best deployment of wardens. The coverage was currently 400,000, less than a third of the rate payers of Kent. It was hoped that it would be possible in future to offer a warden service to over a million people in Kent.
- (4) Mr Chittenden expressed his view that the urban areas were undersupplied, the majority of wardens were located in the rural areas, was this an appropriate time to be making cuts to the budget when the service was expanding. Mr Beaumont clarified that wardens were deployed to urban areas and this would continue, the deployment of wardens had to be matched with the skills and competencies that the wardens could provide – they needed to be effective. Many communities would benefit from the extended service and in addition the Council had negotiated free travel with the bus providers for uniformed wardens across Kent.
- (5) In response to a question from the Chairman Mr Beaumont confirmed that there were no proposals to increase the number of wardens in post in Kent.
- (6) Mr Horne commented that the Police Service also had to look at its budgets and make efficiencies, was the Council looking to replace the police with wardens?

Mr Hill explained that the wardens were complementary to the police service, not a replacement. In response to a question about remuneration of the wardens, Mr Hill stated that there was a disparity; however the salary ranges were comparable taking into account powers and responsibilities.

- (7) In response to comments from Mrs Law, Mr Hill stated that the Police and Communities Together (PACT) meetings were complementary to the warden service in Kent.
- (8) In response to concerns from Mr Scholes about the security of the warden posts Mr Hill explained that throughout the development of the warden service the Council has been conscious that the scheme would only work with the full support and backup of the police and a formal contract existed with the police.
- (9) Mrs Rook commented on recent incidents of bullying on school buses, was there an opportunity to engage with young people on the school buses, Mr Beaumont explained that part of the negotiations over free transport on buses was that it had to be earned. Problem bus stops and areas outside schools were being mapped out and wardens would be deployed as appropriate to try to manage the situation.
- (10) In response to questions from Mr Manning, Mr Beaumont explained that information was given to staff on a need to know basis at team meetings etc. It was evident that wardens engaged in wide ranging levels of activity, community wardens promoted and occasionally supervised community payback projects, there will now be a formal understanding and recognition of this community work by the wardens. In response to a question from the Chairman Mr Beaumont confirmed that at this time there was no income generated from this work.
- (11) Mr Parry asked for clarification on how decisions would be made over how the redeployment service would expand, was more coverage going to overload the wardens? Mr Beaumont explained that coverage would be worked out locally with local knowledge and information. The aim was to provide a warden service to over a million people. Wardens were currently deployed in 128 locations, some for seven years; it was considered good practice to review this arrangement. Mr Hill assured Members that a close eye would be kept on the wardens to ensure that they were not becoming overburdened.
- (12) In response to a query from Mr Chittenden, Mr Hill confirmed that Members would be involved in the discussions had over the redeployment of wardens.

RESOLVED: that the Cabinet Scrutiny Committee

- (13) Thank Mr Hill and Mr Beaumont for attending the meeting and answering Members' questions
- (14) Request that any redeployment or service change to the Community Wardens be part of a formal Cabinet Member decision
- (15) Welcome the assurance given that there would be consultation with local Members and Parish and Town Council Members during the review process before any redeployment or service change is made,

- (16) Welcome the invitation for Members to request the deployment of a Community Warden to urban areas, subject to police advice,
- (17) Request that the Communities Policy Overview and Scrutiny Committee monitor the progress of the Community Warden Service following the redeployment of the wardens.