



Summons to and
Agenda for a
Meeting on
Thursday 22 July 2010
at **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Tuesday, 13 July 2010

To: All Members of the County Council

Please attend the meeting of the County Council in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 22 July 2010 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

A G E N D A

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the meeting held on 13 May 2010 and if in order, to be approved as a correct record. **(Pages 1 - 6)**
4. Chairman's Announcements
5. Questions **(Pages 7 - 16)**
6. Report by Leader of the Council (Oral)
7. Annual Report of the Standards Committee **(Pages 17 - 36)**
8. Annual Report of the Independent Remuneration Panel **(Pages 37 - 58)**
9. Monitoring and Outcomes from the Select Committee Topic Review Programme - May 2005 - June 2010 **(Pages 59 - 174)**
10. Proposed changes to the Constitution **(Pages 175 - 242)**
 - (a) Adoption of a Petition Scheme
 - (b) Proposed changes to Financial Regulations
 - (c) Proposed changes to the Property Management Protocol
 - (d) Proposed changes to the Terms of Reference of the Governance and Audit Committee
11. Report of an urgent key decision taken in the previous quarter - Response to Government Savings Announcements - Impact on Revenue and Capital Budgets 2010/11 **(Pages 243 - 244)**
12. Minutes for Approval - Governance and Audit Committee - 30 April and 30 June 2010 **(Pages 245 - 258)**

13. Minutes for Information

(Pages 259 - 280)

- (a) Planning Applications Committee – 13 April, 11 May and 15 June 2010
- (b) Regulation Committee – 18 May 2010
- (c) Superannuation Fund – 18 June 2010

14. Motion for Time Limited Debate

Mr M B Robertson will propose and Mrs T Dean will second:

"Given the information in the public domain regarding a significant severance payment to a senior officer, and the widespread public concern and anger generated by it, this Council requests the Group Managing Director carry out an urgent review of interview, appointment, contract and severance payment procedures, and report back to Members with proposals to strengthen those procedures so as to minimise the risk of such large payments being made in the future."



Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

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KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 13 May 2010.

PRESENT:

Mr W A Hayton (Chairman)
Mrs P A V Stockell (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 R B Burgess, Mr C J Capon, Miss 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 A Davies, 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, Mr D A Hirst, Mrs S V Hohler, 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 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 R A Pascoe, Mr T Prater, Mr K Pugh, 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 K Smith, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr C T Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe

IN ATTENDANCE: Geoff Wild (Director of Law and Governance) and Peter Sass (Head of Democratic Services and Local Leadership)

UNRESTRICTED ITEMS

1. Election of Chairman

(Mr J Davies, the present Chairman, presided for this item)

(1) Mr E Hotson moved, Mr R King seconded:

That Mr W A Hayton be elected Chairman of the County Council

Carried without a vote

(2) Mr Hayton thereupon took the Chair, made his Declaration of Acceptance of Office and returned thanks for his election.

(3) Mr Hayton then paid tribute to Mr Davies and thanked him for the manner in which he had carried out his duties as Chairman of the Council from June 2009 to the present day.

(4) Mr Davies responded in suitable terms.

2. Election of Vice Chairman

- (1) Mr P Carter moved, Mr L Ridings seconded:

That Mrs P A V Stockell be appointed Vice Chairman of the Council

Carried without a vote

- (2) Mrs Stockell thereupon made her Declaration of Acceptance of Office and returned thanks for her appointment.

3. Apologies for Absence

The Director of Law and Governance reported apologies from the following Members:

Mr Bullock
Mr Chell
Mr Frayne
Mr Homewood
Mr London
Mr Richardson
Mr Snelling
Mr Sweetland

4. Declarations of Interest

There were no Declarations of Interest made by Members on any item on this agenda.

5. Minutes of the meeting held on 1 April 2010, if in order, to be approved as a correct record.

RESOLVED: that the minutes of the meeting held on 1 April 2010 are correctly recorded and that they be signed by the Chairman.

6. Chairman's Announcements

- (1) Petition – Dobbie Close, Sittingbourne

The Chairman announced the formal receipt of a petition from Mr Whiting in relation to a highways matter in Dobbie Close, Sittingbourne, which he handed to Mr N J D Chard, Cabinet Member for Environment, Highways and Waste, for investigation and formal response.

- (2) Mr P J Homewood

The Chairman announced the sad death of Mr Homewood's wife, Evelyn. The Chairman stated that he would send a letter of condolence to Mr Homewood on behalf of the County Council.

7. Questions

Under Procedure Rule 1.18, 4 questions were asked and replies given.

8. Report by Leader of the Council (Oral)

The Leader updated the County Council on various matters since the last meeting of the County Council. Specifically, he mentioned the outcome of the Parliamentary Election on 6 May, which had led to the formation of a Conservative-Liberal Democrat Coalition Government. He circulated copies of the initial Coalition Agreement to Members and spoke briefly about the expected greater devolution of power to the local government family, which fitted well with the work currently being undertaken on the Kent Re-Commitment. He spoke about the changes being made to the “regional architecture” and the radical changes to the welfare rules, in which Kent County Council had a significant role to play. He also highlighted the Coalition Government’s decision to abandon plans for a third runway at either Gatwick or Heathrow airports, which would provide a massive opportunity for the expansion of Manston and/or Lydd airports; and the comments on nuclear energy and the consequent positive implications for the Dungeness site.

9. Appointment of Interim Head of Paid Service

(Mr D Cockburn, Executive Director, Strategy, Economic Development and ICT, left the meeting whilst this item was discussed and determined)

(1) The Chairman referred to the supplementary report, which was circulated on 12 May to all Members.

(2) Mr P Carter moved, Mr A King seconded, the recommendation contained in the Supplementary report.

RESOLVED: that Mr D Cockburn be appointed as the Council’s interim Chief Executive from 14 May to 4 July 2010 (including as interim Head of Paid Service from 14 May to 6 June 2010) to undertake the responsibilities and under the terms outlined in the supplementary report.

10. Mental Health Act Guardianship Sub-Committee

(1) Mr A King moved, Mr G Gibbens seconded the recommendation contained on page 12 of the Blue Book.

RESOLVED: that the following addition to the Terms of Reference for the Regulation Committee be approved:

“(g) the discharge of persons who are subject to guardianship, pursuant to section 23 of the Mental Health Act 1983 on the recommendation of the Director of Adult Social Services.

(The Council agreed on 13 May 2010 that function (g) could be delegated to a sub-committee of at least three Members one of whom should be a Member of the Regulation Committee and the others to be Members of the Adult Social Services Policy Overview and Scrutiny Committee (who must not also be

members of a Foundation Trust). The decision to discharge must be agreed by at least three Members or where there are more Members on the sub-committee by a majority of the Panel)”

11. Youth Justice Plan Strategic Plan 2010-11

(1) Mr M Hill moved, Mr A Sandhu seconded the approval of the Youth Justice Strategic Plan 2010/11.

(2) After discussion, it was:

RESOLVED: that the Youth Justice Strategic Plan 2010/11 be approved and the contribution the County Council is making to improving both public safety and the life chances of those at risk of entering the youth justice system and those who have offended be noted.

12. Reporting of Transactions

(1) Mr J Simmonds moved, Miss S Carey seconded the recommendations on page 19 of the Blue Book, as follows:

- (a) Approve the principle of a wider public disclosure of payment transactions, as described in this report; and
- (b) Delegate authority to the Cabinet Member for Finance to determine the parameters for the disclosure scheme, in consultation with the Informal Member Group on Budgetary Issues.

(2) Mr T Prater moved, Mrs T Dean seconded the following amendment:

Add a third recommendation as follows:

- (c) “to ensure a system of more open and detailed disclosure of payments is implemented as soon as possible and no later than the start of the next financial year”

(3) Mr Simmonds, with the concurrence of his seconder, agreed to incorporate the Amendment into his Motion without the need for a vote.

RESOLVED: that the County Council agree:

- (a) To approve the principle of a wider public disclosure of payment transactions, as described in this report;
- (b) To delegate authority to the Cabinet Member for Finance to determine the parameters for the disclosure scheme, in consultation with the Informal Member Group on Budgetary Issues; and
- (c) To ensure a system of more open and detailed disclosure of payments is implemented as soon as possible and no later than the start of the next financial year.

13. Minutes for Information - Planning Applications Committee - 16 March 2010

Pursuant to Procedure Rule 1.10 and 1.23(1), the Minutes of the Planning Applications Committee, 16 March 2010, be noted.

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Question No. 1

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mrs J Rook to the
Cabinet Member for Environment, Highways and Waste**

Whilst the introduction of High Speed rail services is very welcome and is a service that undoubtedly will bring economic success to Kent, there have also been quite a number of other service reductions which have, and will have, a detrimental effect on people getting to work or young people getting to school and college. I understand that Environment, Highways and Waste Policy Overview and Scrutiny Committee will have an analysis of those affected services but my specific question to Mr Chard is what were the findings and the outcomes of your rail summit?

Answer

The first Rail Summit, held on 25 March, proved a very successful forum bringing together rail user groups and Passenger Focus (the independent rail consumer watchdog) with Southeastern, the major train operating company in Kent and Network Rail. It gave the opportunity for rail passengers to voice their concerns about the current rail services directly to the rail industry representatives and to receive responses. Another Summit will be held in October and be repeated every six months.

Despite the success of the High Speed domestic services from East Kent via Ashford, the timetable introduced in December has had a detrimental effect on rail passengers, particularly on services from Maidstone; services between Thanet and the City and Victoria; and to and from Deal. Some minor adjustments to the timetable were made in May to lengthen some trains to match passenger demand, adding stops to improve schoolchildren's journeys, and some minor changes to train timings to enable better connections between services, but much more needs to be done.

There is concern that the current economic climate has worsened the prospect of any significant changes being made within the current Integrated Kent Franchise which is likely to run to 2014. This view needs to be challenged and the County Council has sought to engage with Ministers of the new coalition Government to restore these service reductions.

COUNTY COUNCIL MEETING

Thursday, 22 July 2010

**Question by Mike Harrison to the
Cabinet Member for Adult Social Services**

My question is directed at the Cabinet Member for Adult Social Services with regard to the proliferation of Blue Badge Parking Permits being issued both nationally and within the County.

I am given to understand that the number of these permits issued nationally is in the region of 2½ million to nearly 3 million. I am not sure nor can I find out the exact number issued and still in daily use within Kent County Council area.

My question therefore to Mr Gibbens is: “(i) just how many Blue Badge Permits are at present issued within Kent; (ii) how many of these Permits are in fact in use on a daily basis; (iii) are these Permits reviewed in any way, for example on an annual basis; and (iv) would it be possible to have a break down of the number of Permits issued and are still active?” For example is there any way that once the badge holder becomes deceased is there some mechanism in place where the permit is automatically cancelled?

Finally: “Why is it that once in possession of one of these Permits the recipients no longer has to pay for parking?” Whilst I fully appreciate that many of the permit holders require all the assistance and help that can be given I fail to understand why they are not charged the same as the rest of the residents of Kent or for that matter nationally.

Answer

The Blue Badge Scheme is based on the requirements of Section 21 of the Chronically Sick and Disabled Persons Act, 1970.

There are currently 78,647 valid badges in circulation within the Kent County Council area that were issued over the past few years. In 2009 the Contact Centre handled 27,941 applications and issued 24,956 blue badges.

Blue badges are available to use by holders as and when they need. It is therefore not possible to indicate how many are used on a daily basis.

Blue Badge recipients must renew their badges every 3 years and are assessed on the same basis as new applicants.

When KCC is aware that a recipient is deceased, the Contact Centre requests that the badge is returned for cancellation and shredding. However, there is no legal requirement to do this. There are no national or local statutory mechanisms for cancelling a Blue Badge when it is no longer required. This is one of many issues

that are being addressed in the Blue Badge Reform Programme that is currently out for consultation and to which KCC will be responding.

Finally, parking charges are set by car park operators. There is no requirement for free parking to be provided in car parks. On-street parking is currently provided free of charge nationally for Blue Badge holders, usually for a time limited period. However, if the vehicle is causing an obstruction, the person is liable for fines and removal of the vehicle, just like anyone else.

COUNTY COUNCIL MEETING

Thursday, 22 July 2010

**Question by Leslie Christie to the
Cabinet Member for Children, Families and Education**

In view of the Conservative/Liberal Democrat Government's announcement that at least 40 of Kent's secondary schools "have been stopped" with their abandonment of the Labour Government's £55 billion Scheme "Building Schools for the Future", can the Cabinet Member tell the pupils and parents of these schools how this Administration intends to undertake the maintenance which has been deferred pending the proposed new build and how this Administration intends to provide comparable accommodation and learning methods for those pupils just abandoned by their Government?

Answer

Mr Christie, in common with all members, will have seen the Press Release that the Leader put out on this subject and the letter Gary Cooke and myself sent to all County Councillors.

At the same time as the announcement by Michael Gove was very disappointing, so has been the scale of the financial problems the previous administration has left the new coalition government with. The last government had already recognised this and had indicated there would have had to be a 50% reduction in education capital investments. Michael Gove has not changed the quantum of the reduction but, unlike the previous government, addressing it.

Before turning to the challenges, it's important to recognise what has been achieved in the recent past. BSF, under the last government, has delivered 11 new or significantly refurbished schools. This month alone we have taken possession of three new PFI schools in Gravesham. Alongside this, the Academies Programme and over six school PFI schemes brought in some £300m.

Our programme has also brought significant investment into Kent businesses and the upskilling of some of the local workforce.

We were particularly surprised and disappointed with the "stopping" of our Wave 4 programme as this would have completed the secondary estate in Gravesham and Thanet and we have started making representations on this, as the educational and community impact of a half finished job in those districts is not to be underestimated. We are also working with the sponsors of the proposed Academies to re-negotiate their building programme.

With regard to the deferred maintenance and future improved accommodation, we will need to take a long hard look at what we need to do and this will clearly be influenced by the outcome of the Comprehensive Spending Review in October. We need to remember that, of the schools currently "stopped", many were not due to see

new facilities for some 4–5 years and were expecting to operate in the existing facilities until then. We do, of course, continue to address urgent health and safety works.

Now that it has been recognised nationally that the previous system was overly bureaucratic, costly and time consuming, we are optimistic that the programme for capital spending on schools, which we hope will be announced in October, will mean savings in time and cost such that the 50% reduction in educational investment will in part be alleviated and much-needed maintenance and building plans will be able to proceed, albeit on a reduced scale.

COUNTY COUNCIL MEETING

Thursday, 22 July 2010

**Question by Bryan Sweetland to the
Cabinet Member for Adult Social Services**

This Council, and successive governments, have all recognised the significant impact on many people caused by having to care for family members. Last year the Council launched the Kent Carers Strategy and the importance of this was highlighted only three months ago at our April meeting.

In the light of the recent national decision to cut funding for the Caring with Confidence training for carers, can you please let the Council know what steps are being taken to support carers in Kent in their vital role?

Answer

I welcome the continued interest from Members about the important role that Carers do play, both from the launch of the Kent Adult Carers Strategy last year and the ongoing discussions more recently in Council.

KASS and their partners recognise Carers in the Kent Adult Carers Strategy as the main providers of community support and do not underestimate their contribution to society. They are committed to supporting Carers in their role and fund the main Carers voluntary organisations and other providers to assist with providing this support. The Kent Carers Annual Report 2009/10, which was endorsed by ASSPOSC in their June meeting, gives a comprehensive overview of the full range of support available for Kent Carers.

To give examples of support provided to Carers in Kent:

- The Carers Assessment Policy enables eligible Carers to receive a one off Direct Payment which they can choose to spend on anything that will make their life easier, to relax away from their caring role or access training or leisure facilities.
- There is also the West Kent Carers Strategy demonstrator Site 'Live life to the full in West Kent'. This project provides Carers with specialist support workers, trained in Carers awareness, who assist Carers to navigate their way through the health system and ensure they receive the correct information advice and guidance to assist them in their caring role.

More specifically in relation to the Caring with Confidence programme, the Kent Adult Carers Strategy promises to 'Put in place plans to ensure that Carers have the skills and information necessary to care with confidence'. In spite of the announcement of the Caring with Confidence funds ceasing after September 2010, the Department of Health has indicated that it will consult with national carers' organisations, and others, as how best these funds will be used for carers.

KASS will continue to deliver against the Kent Adult Carers Strategy and will support local carer organisations to lobby for Caring with Confidence funds to continue to be routed through the voluntary organisations.

I also welcome the announcement by the Department of Health that the materials used in the Caring with Confidence training will be made publicly available, so that more carers will be able to access this.

The Kent multi-agency Carers Joint Commissioning Group are currently in the process of prioritising commissioning intentions for April 2011, these priorities will be confirmed following the comprehensive spending review in the autumn when available funding is finalised.

The Carers Joint Commissioning Group will next meet on the 28 July and will be asked to consider resources that may be available for the remainder of this financial year to support the voluntary sector to continue to deliver the Caring with Confidence programme to Carers.

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mr M J Vye to the Cabinet Member
for Environment, Highways and Waste**

Given the harmful impact of recent installation of Traffic Management signage on important views of the cathedral and of other historical buildings in Canterbury; and given insensitive replacement of road and footway surfaces in the Old City with locally inappropriate materials; will the Cabinet Member for Environment Highways and Waste agree to instruct Highways Services commissioning officers to insist that contractors have proper regard for the special sensitivity of the historical environment of the Old City of Canterbury when planning and implementing highways improvements?

Answer

Kent Highway Services will always have proper regard for the special sensitivity of historic locations and this has to be balanced with effective location.

I shall ask that the signage that Mr Vye refers be investigated to see if a more suitable location can be mutually agreed.

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mr G Koowaree to the
Cabinet Member for Adult Social Services**

Will the Cabinet Member for Adult Social Services please inform this council why there have been a 2-year delay in the introduction of a Disabled Person's Registration Card (proof that they are eligible to use disabled facilities) for people who have as a significant disability:

- are registered as blind with a local authority
- have a Blue Badge parking permit
- receive Disability Living Allowance (either care or mobility component)
- receive Attendance Allowance or Industrial Injury Constant Attendance Allowance
- have a long-term indwelling catheter or stoma.

and need to use facilities provided for disabled people or need to ask for assistance; and inform members when this card will finally be available?

Answer

I met with Mr G Koowaree over the last two years, together with officers, to discuss the particular issue of people with hidden disabilities needing access to disabled facilities such as toilets.

Based on this discussion, it was agreed that the best way forward was to build links with local businesses and communities to look at the possibility of developing a suitable scheme in Kent.

Subsequent to that meeting, I also asked KASS officers to investigate a similar scheme in Nottinghamshire. Discussions are ongoing and I shall inform Members when further progress is made.

It is important that this is seen in the context of wider public health issues and to note that the council already provides means of identification for disabled people such as Blue Badges and disabled registration cards

COUNTY COUNCIL MEETING

22 July 2010

Question by Mr T Prater to the Leader of the Council

Will the Leader accept that the statement of the Chief Executive in writing to staff on 12th January 2009 informing them they would receive just a 1% pay rise but adding that "The highest paid of our colleagues, the Chief Officers Group, have decided not to take any bonus next year in recognition of the financial situation we all face." has caused upset amongst staff who now see from the 2009-10 accounts that some Chief Officers did take bonuses in 2009-10 totalling around £53,000, albeit for performance in 2008-09.

Will the Leader explain how the Chief Executive could make a statement to staff which was not true as it was written, explain what the real intention and meaning of that statement was, assure staff that there will be no Chief Officer bonuses in the accounts for 2010-11, and offer an apology to all KCC staff who may feel that the authority said one thing on officers bonuses and then did another.

Answer

I think Mr Prater has confused his dates which I will clarify in this answer.

I do admit that Peter Gilroy's statement to staff could have been better worded. There was certainly no intention to mislead staff but because the wording was not explicit it was open to misinterpretation.

Let's make one thing quite clear - performance reward monies can only be paid to individuals after the completion of the year to which they relate. The payments made to Chief Officers in 2009-10 relate to performance in 2008-9 and this is where much of the confusion lies.

The intention of the Chief Executive's statement was to make staff aware that Chief Officers would not be considered for any payments relating to their performance during 2009-10 - this will be apparent in next year's statement of accounts. Chief Officers will not be receiving any performance pay for the current financial year, 2010/11, either as will be evidenced in the accounts published in the summer of 2012.

I hope that this clarifies the situation and I would like to apologise to staff who may have felt misled.

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mr M Robertson to the
Chairman of Cabinet Scrutiny Committee**

Will the Chairman of the Cabinet Scrutiny Committee say what lessons have been learned during the last year of the Committee's operation?

Answer

On my appointment as Chairman of the Cabinet Scrutiny Committee I asked the Conservative/Labour Group Spokesmen and the Independent Member to serve as my Vice Chairmen. This has worked well as we share the responsibility and operation of the Cabinet Scrutiny Committee.

Scrutiny is the main tool available to all back bench members to examine and improve the decisions made by Cabinet and Cabinet members on behalf of the residents of Kent.

We have been pleased to see the latest improvement in quality of response from Cabinet to the recommendations made by Cabinet Scrutiny Committee.

However, what continues to cause concern to the Cabinet Scrutiny Committee and across the whole suite of Policy Overview and Scrutiny Committees is the information available to back bench Members to perform their role and serve the people of Kent more effectively.

There needs to be a fundamental change in the culture of the whole organisation to see Cabinet Scrutiny Committee as the "constructive critical friend". The Cabinet Scrutiny Committee has worked hard to lobby for more information to be included in the Forward Plan and the provision of quality and timely information.

Information requests need to be responded to promptly to avoid unnecessary call-in. Likewise recommendations for items to be considered by the appropriate Policy Overview and Scrutiny Committee have been ignored. Recommendations from the Cabinet Scrutiny Committee which have been agreed by Cabinet have on occasions been delayed in their implementation. (In the interest of expediency I have set out specific examples at the end of the formal written answer).

I look forward to a period of improved communication with staff and the members of Cabinet Scrutiny Committee, and scrutiny work being increasingly focused on the Policy Overview and Scrutiny Committees, leaving Cabinet Scrutiny Committee to pick up pre scrutiny, cross cutting and major decisions.

Examples:-

- **Commonly long delays in responding to questions:** in a recent example five weeks elapsed before the officer responsible for making a decision was identified by the Children, Families & Education Department. Questions raised on gulley emptying in December 2008 remain outstanding. As a result scrutiny meetings have been held which could have been avoided had these questions been answered promptly.
- **Delays have also been experienced in following up recommendations accepted by Cabinet:** a report on Kent Design Guide Parking Standards has taken over seven months to be presented; and three months for a satisfactory report on Kent Digital Service; we still await review of the 15% Chief Officer Bonus scheme which remains outstanding since April 2009; so far there has been no review of the members feedback forms required as part of the Chief Officer appraisal process as requested in September 2010.
- **The information were incomplete:** The Future of Older Peoples Provision had neither the number of clients, or the number of staff affected detailed.
- **The decision as written was unintelligible:** such as a report on school maintenance contracts, or the report was unrelated to the decision being made as in the case of Community Wardens scheme called in yesterday.
- **Would have been best dealt with by the specialist Policy Overview Scrutiny Committees but did not appear on their agendas:** The Cabinet Member decision on the revision of Community Warden deployment was signed off two days before the Communities Policy Overview Scrutiny Committee but did not appear on its agenda. The £4.1m cuts in Integrated Transport Schemes do not appear on the agenda for Environment Highways and Waste Policy Overview Scrutiny Committee for 29TH July. Yet these are both issues in which there is likely to be intense public interest.

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mr I Chittenden to the
Cabinet Member for Community Services**

Would the Cabinet Member for Communities please provide the total costs and an individual breakdown for each of the 6 people (identifying Member and KCC Officers) who travelled to the Open Golf Championship at St Andrews including:

- Air travel
- Transport or mileage to/from Gatwick
- Transport & accommodation in Scotland
- Subsistence (i.e. meals, refreshments etc.)
- All other costs (incl. cost of officer hours)

Answer

The Open Golf Championship coming to Sandwich next year is a major event for the County Council. It is coming two years earlier than usual due very largely to the efforts made by the County Council and Dover District Council to persuade the Royal & Ancient to bring forward the date on account of the Olympics in 2012. The Open is expected to generate approximately £70m worth of inward investment to the County and it is absolutely critical that we make a real success of the Championship and at the same time maximise the benefit to Kent of this opportunity. The visit to St. Andrews last week was entirely in pursuit of these two objectives.

Of the total of five people attended St Andrews; one Member and two Officers from KCC; one Member and one Officer from Dover District Council.

The visit was undertaken at the request of, and as guests of, the Royal & Ancient. The travel and accommodation related expenses for the party were paid from the project budget which is provided by local authority partners for this work and the element for KCC representatives was as follows:

Air travel via Easyjet		£341
Transport to and from Gatwick		£50
Transport and Accommodation in Scotland	Transport	£105
	Accommodation	£660
Meals		£123

There were no other officer costs. Officers worked their normal hours including significant unpaid overtime.

COUNTY COUNCIL MEETING

22 July 2010

**Question by Mrs Dean To The
Cabinet Member for Children, Families and Education**

Will the Cabinet Member for Children, Families and Education please say what the consequences could be for Kent County Council Support Services, and for future admissions if a number of Kent schools opt for Academy status and can she say what representations KCC has made to the government on this issue?

Answer

As far as support services are concerned that is a difficult question to answer at this point. The current methodology for funding new academies and the low number seeking to convert mean that in the current year the impact will be very small. Services currently operating on a traded basis with schools can continue to offer services to converting schools. One of our key concerns – as highlighted in the report to CFE Resources & Infrastructure POSC this week – is that the government may seek to change the methodology of academy funding from as early as next year. This issue is one of the many questions we have been raising through all avenues with Ministers and DfE officials but to date we have not had any answers.

In terms of Admissions the new academies would become Admissions authorities in their own right – but many of those seeking to convert already are as they are Foundation Schools. Kent will continue to administer the admissions process for all schools in the county and as with the existing arrangements all schools will have to abide by the national Code of Practice.

From: Roberta MacCrone – Independent Chairman of the Standards Committee

Peter Sass - Head of Democratic Services and Local Leadership

To: County Council – 22 July 2010

Subject: **ANNUAL REPORT TO COUNTY COUNCIL**

Classification: Unrestricted

Summary: The Standards Committee's Annual Report to the County Council

For Decision

(1) It is customary for the Chairman of the Standards Committee to submit an annual report to the County Council commenting upon the Committee's activities over the previous 12 months. It is also the convention that at least one independent Member of the Standards Committee is present at the County Council meeting and, with the permission of the Chairman of the County Council, to speak to the report and respond to any questions from Members.

(2) The production of an annual report is regarded by Standards for England as good practice and this is the eighth consecutive year that the Committee has produced such a report.

RECOMMENDATION

(3) The Council is invited to formally receive the Standards Committee's annual report (**Appendix A**)

Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

Background Documents: None

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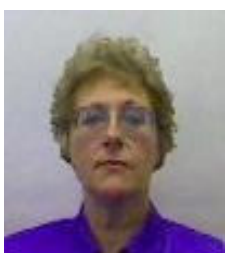
Kent County Council's Standards Committee

Annual Report – 2009/10

Introduction

The composition of the Standards Committee complies with statutory guidance and is chaired by one of the three independent Members on the Committee. The membership of the Committee for 2009/10 was as follows:

Ms Roberta MacCrone (Independent Chairman)
Ms Nadra Ahmed (Independent Member)
Mr Leslie Christie (Labour Member)
Mr Dan Daley (Liberal Democrat Member)
Mr Peter Gammon (Independent Member)
Mr John London (Conservative Member)



Ms Roberta MacCrone
Chair



Mrs Nadra Ahmed
OBE, DL



Mr Leslie Christie
Labour



Mr Dan Daley
Liberal Democrat



Mr Peter Gammon
MBE



Mr John London
Conservative

The Committee has met on four occasions during the last 12 months (20 July and 20 November 2009, and 18 March and 12 May 2010).

Foreword by the Independent Chairman – Ms Roberta MacCrone.

This is the eighth Annual Report of the Standards Committee, covering the period June 2009 to May 2010. The Committee's work programme for the past year has included:

- (a) Ethical Standards training for all 84 elected Members completed in March 2010;
- (b) Formal meetings with political Group Leaders and the Independent Remuneration Panel, as part of an ongoing and

constructive working relationship: to discuss matters of mutual interest; the role of the Standards Committee in raising ethical standards and Member induction training; and reviewing and making changes to the format and content of Members' Annual Reports;

- (c) Fine-tuning of the Monitoring Officer Protocol in relation to the assessment of complaints against Members; and
- (d) Reviewing the Members' Register of Interests

The Committee has also made its annual report to Standards for England, reporting on the year's work and has overseen the improvement of the pages on KCC's website relating to the work of the Committee. Three Members of the Committee attended the Standards for England Annual Conference in October 2009 and this proved to be one of the best, with thought provoking and useful content.

Standards for England has recently published a report highlighting Standards Committee best practice across the UK. Set against the context of this report, I believe that Kent is one of the best in the country, and this was recognised by the Local Government Chronicle (LGC), where our Committee was one of only six finalists in the Standards and Ethics category in the 2010 LGC Awards – sponsored by Standards for England.

The Standards Committee has received invaluable help and advice from Mr Sass, Head of Democratic Services and Local Leadership, and he has done much to ensure that KCC's Standards Committee is at the forefront of best practice in England.

This Annual Report sets out the role of the Standards Committee, including its involvement in Member training and development. The complaints aspect is, of course, the *raison d'être* of the Committee and the report sets out our activity over the past year.

The Standards Committee has a future work programme that can probably best be summed up as "more of the same". In a world of constant change, it is good to feel we have done the best possible job; however, we are allowing ourselves only one deep breath before getting on with the hard work for the coming year.

The role of the Standards Committee

The Committee's terms of reference are attached at **Appendix 1** and have not been altered by the County Council in the previous year.

The role and remit of the Committee continues to be proportionate and reflects the high standard of conduct within the County Council.

The Committee reviewed its operation, remit and role at its meeting in March 2010, following the publication in October 2009 of an academic study by Professor Alan Lawton and Dr Michael Macaulay from the University of Hull, which sought to assess the impact of Standards Committees and identify notable practice in the following areas:

- Organisational Learning
- Working with Town and Parish Councils
- Member Development
- Working with Partnerships
- Recruitment and Retention
- Training and Development
- Joint Standards and Audit Committees
- High pressure investigations
- Embedding standards

After discussion, the Committee agreed that its presence within the Council was successful and effective; that its role and remit was appropriate; and, that no changes to the formal activities or Terms of Reference of the Committee were necessary at the present time.

Training and Development

The Committee played a key role in assisting the Selection and Member Services Committee with the preparations for Member induction and development following the County Council elections in June 2009, with particular emphasis on ethical standards training. The Committee reviewed the evaluation forms completed by Members and was pleased to note that 87% found the training sessions to be good or excellent overall. The Committee was delighted with the 100% attendance by elected Members. During the year, the Committee reviewed and updated a series of Advice Notes for Members, which are also part of the Members' Handbook.

Committee Members have also participated in relevant training events, in order to further improve their effectiveness on the Committee with regular discussions at Committee meetings with the Monitoring Officer and his staff. Three Committee Members attended the Annual Assembly of Standards for England in October 2009, which was regarded as an excellent learning opportunity by those Members who attended; and the Chairman continues to play a leading role at the Kent and Medway Standards Committee Independent Member Liaison Group, whose meetings are hosted at County Hall. Places have been reserved for Members to attend the Annual Assembly in October 2010 and it is also proposed that the independent Members on the Committee should shadow elected Members in the coming months to gain a greater understanding about their various roles.

The locally managed framework for complaints

Responsibility for dealing with alleged breaches of the Code of Conduct by elected and co-opted Members of the Council, which passed from Standards for England to the local authority on 8 May 2008, continues to be a key part of the Committee's work, although it should be noted that the number of complaints received in the previous 12 months has reduced to just two, compared with eight in 2008/09.

In July 2009, the Committee considered and agreed a formal protocol to guide the Monitoring Officer and his staff in relation to the receipt, processing and consideration of complaints (**Appendix 2**). This protocol, which now forms part

of the Members' Handbook, contains important information about the notification procedure for complaints and the opportunity for local resolution. The Committee is satisfied that the introduction of the protocol has had a positive effect, in terms of the information to, and involvement of, the Member who is the subject of a complaint throughout the process. The Standards Committee has also developed the criteria it uses to assess complaints (**Appendix 3**) and these are reviewed on a regular basis by the Committee in the light of experience of dealing with complaints.

During the last 12 months, the Assessment, Review and Consideration Sub Committees has dealt with three complaints about the conduct of Members (one of which was submitted in 2008/09 but concluded with in 2009/10 following an investigation), as follows:

Reference	Complainant	Assessment outcome	Review outcome (only applicable if "no action" taken by the Standards Committee at the first stage)	Comments
KCC/3/2009	Member of the public	Conclusion of "no breach" accepted by the Standards Committee following a formal investigation	Not applicable	A formal press notice was issued confirming that this case had been determined.
KCC/5/2009	Member of the public	Referred to Monitoring Officer for "other action" (letter of apology)	Not applicable	Letter of apology accepted by the complainant and no further action was necessary
KCC/6/2009	Member of the public	Conclusion of "no breach" accepted by the Standards Committee following a formal investigation	Not applicable	A formal press notice was <u>not</u> issued, as this is the subject Member's right when no breach is found.

The Monitoring Officer has ensured that relevant details of the complaints dealt with by the Committee are submitted to Standards for England on a quarterly basis. All complaints have been dealt with within the timescales detailed in the guidance from Standards for England.

Local Government Chronicle (LGC) Awards 2010

The Committee was delighted that the entry from Kent County Council for this year's LGC Awards in the Standards and Ethics category was one of six finalists. Kent's entry highlighted the connection between the formal responsibilities of Members (as detailed in the recently adopted Role Description for all Members), with the recorded activities of Members in their annual reports, which in turn leads to greater accountability to the people of Kent.

Members' Annual Reports

Members' Annual Reports appear to have become embedded into Member activity - this is excellent and has so many merits to compensate for the time needed to complete the reports. They are not only used by the Standards Committee and Remuneration Panel; they are used by political group leaders for annual assessment purposes, are published on the website for the public to see, and they can and often are used locally by Members to disseminate information about the hard work undertaken by them on behalf of their electorate.

The Standards Committee was formally consulted by the Independent Remuneration Panel about key changes to the Annual Report format, with particular emphasis on greater information about the utilisation of individual Member grant money and remuneration (both from KCC and other public bodies).

The Independent Remuneration Panel met on 28 April 2010, to consider Members' Annual reports for 2009/10. The Panel was very pleased with the overall response rate this year, with 83 reports being received before the Panel met, compared to 81 Members having completed their 2008/09 reports before the Panel met last year. One report was not received due to the illness of the Member.

The Panel was also very pleased with the high overall standard in that Members had taken seriously the need to account for their time on County Council work; supply details of their remuneration and grant giving; and to explain clearly how they make themselves available to their constituents. The Panel has written to Group Leaders individually, highlighting those reports submitted by Members of their groups that the Panel thought were of very high quality, and also those of poor quality, so that best practice examples can be shared within each group, with the expectation that the general quality will improve further next year.

Many Members sent an annual letter to their constituents, including details of how they spent the Local Community Grant; some Members mentioned that they regularly walk round their electoral divisions to talk to constituents, and some Members mentioned that they maintain their own websites to provide information to constituents and a means of contact. The Panel considered that this was excellent practice.

(Attached at **Appendix 4** to this report is a summary of where the Members' individual community grants were spent).

The following issues were raised by the Panel:

- The overall standard of Members' Annual Reports was higher than previous years
- The level of detail about how Members had utilised their individual Member grants had improved considerably this year
- The detail provided about the receipt of Members' Allowances, both within KCC and other public authorities was good eventually after a reminder was issued that this information was required, but could be better in future years
- The level of detail provided about the availability of training and development activity for Members, was good
- For future years, all reports should be typed to aid them being read on the website

Future work programme for the Committee

As indicated above, the Committee now has its own work programme, which consists of regular monitoring reports, together with specific pieces of work in relation to the promotion of ethical standards. The Committee has recently submitted its annual return to Standards for England, which describes the activities and role of the Committee. Standards for England has undertaken to publish a report highlighting best practice from Standards Committees across the UK, which will be used to influence the future work programme of the Committee.

Conclusions

Kent County Council's Standards Committee has enjoyed a successful and effective year and is pleased with its role in helping to induct and develop both new and returning Members to KCC following the County Council Elections. The Committee's approach is to offer appropriate support and challenge in relation to the promotion of high ethical standards amongst both elected and co-opted Members. The overall standard of Member conduct within the authority is high and the Committee looks forward to ensuring that KCC continues to be an exemplar for ethical standards and conduct.

Roberta MacCrone
Independent Chairman
May 2010

Terms of Reference of the Standards Committee

6 Members:

Conservative: 1; Labour: 1; Liberal Democrat: 1; Independent: 3

The Chairman is appointed by the Council from among the independent Members. This Committee has responsibility for:

- (a) Promoting and maintaining high standards of conduct by Members (including any co-opted Members and church and parent governor education representatives)
- (b) Assisting Members through advice and training to observe the Members' Code of Conduct set out in Appendix 6 of the Constitution
- (c) Monitoring the operation of the Members' Code of Conduct and advising the Council on its operation and revision
- (d) Granting dispensations to Members from requirements relating to interests set out in the Members' Code of Conduct
- (e) Seeking to resolve any concerns about a Member's conduct by mutual agreement to reduce the need for a complaint to be referred to the Standards Committee
- (f) Receiving complaints that a Member is alleged to have breached the Code of Conduct and deciding whether the matter merits investigation; taking appropriate action as defined in the Standards Committee (England) Regulations 2008; and, reviewing decisions to take no action on a particular complaint if so requested by the complainant
- (g) Dealing with any reports from a case tribunal or interim case tribunal of the Standards Board, and any report on a matter which is referred by an Ethical Standards Officer to the Monitoring Officer
- (h) Censuring, suspending or partially suspending a Member or former Member in accordance with the provisions of the Local Government Act 2000

Independent Members of the Standards Committee are recommended to the Council for appointment by a panel of three people (not Members of the Council) appointed by the Selection and Member Services Committee.

The Procedure Rules applying to Committee meetings also apply to meetings of the Standards Committee.

Monitoring Officer Protocol

Procedure to be followed by the Monitoring Officer in relation to the initial assessment and review of allegations that a member of the Authority has failed to comply with the Code of Conduct

1 Receipt of Allegations

- 1.1 The Monitoring Officer shall set up arrangements within the Authority to ensure that any allegation made in writing that a Member of the Authority has, or may have, failed to comply with the Authority's Code of Conduct is referred to him immediately upon receipt by the Authority and dealt with in accordance with the relevant statutory timescales.
- 1.2 The Monitoring Officer shall maintain a register of such allegations to ensure that the Authority can comply with its obligations under the relevant legislation.
- 1.3 Complaints shall only be entertained where the identity of the complainant is known, but the Monitoring Officer is authorised to maintain the confidentiality of the identity of the complainant where and for so long as in his opinion that would be in the public interest.

2 Notification of Receipt of Allegations

- 2.1 All relevant allegations must be assessed by the Assessment Sub-Committee within an average of 20 working days of being received. The Monitoring Officer has no authority to deal with an allegation of failure by a relevant Member to observe the Code of Conduct other than by reporting it to the Assessment Sub-Committee. The Monitoring Officer shall therefore determine whether the allegation appears to be a substantive allegation of misconduct. Where it appears not to be, he shall ensure that the matter is dealt with under a more appropriate procedure, for example where it is really a request for service from the Authority, a statement of policy disagreement, a legal claim against the Authority or a complaint against an officer of the Authority.
- 2.2 Following receipt of the allegation, and where the allegation appears to be a complaint of misconduct against a relevant Member, the Monitoring Officer will promptly and in any case in advance of the relevant meeting:
 - 2.2.1 acknowledge to the complainant receipt of the allegation and confirm that the allegation will be assessed by the Assessment Sub-Committee at its next convenient meeting;
 - 2.2.2 notify the Member against whom the allegation is made of receipt of the complaint, together with a

- written summary of the allegation, and state that the allegation will be assessed at the next convenient meeting of the Assessment Sub-Committee. However, where the Monitoring Officer is of the opinion that such notification would be contrary to the public interest or would prejudice any person's ability to investigate the allegation, he shall consult the Chairman of the Standards Committee, or in her absence another Member of the Standards Committee, and may then decide that no such advance notification shall be given;
- 2.2.3 collect such information as is readily available and would assist the Assessment Sub-Committee in its function of assessing the allegation;
 - 2.2.4 seek local resolution of the matter where practicable, in accordance with Paragraph 3 below;
 - 2.2.5 place a report, including a copy of the allegation, such readily available information and his recommendation as to whether the allegation discloses an apparent failure to observe the Code of Conduct, on the agenda for the next convenient meeting of the Assessment Sub-Committee.

3 Local Resolution

- 3.1 Local resolution is not an alternative to reporting the allegation to the Assessment Sub-Committee, but can avoid the necessity of a formal local investigation.
- 3.2 Where the Monitoring Officer is of the opinion that there is the potential for local resolution, he may approach the complainant and ask what action the complainant is seeking in terms of redress. This might include, for instance, an apology or a commitment to take some specified action in support of the complainant. The Monitoring Officer may then approach the Member against whom the allegation has been made and ask whether he/she is prepared to acknowledge that his/her conduct was inappropriate, and whether he/she would be prepared to offer an apology or undertake other appropriate remedial action, as suggested by the complainant. The Monitoring Officer shall in every case then report to the Assessment Sub-Committee as required, and at the same time report the comments of the complainant and the response of the Member concerned. This procedure should ensure that, where the Member has acknowledged that his/her conduct was inappropriate, and particularly where the complainant is likely to be satisfied with the proffered apology or remedial action, the Assessment Sub-Committee will be able to take this into account when considering whether the matter merits investigation – although the Sub Committee is not bound by any concessions.

4 Review of Decisions not to Investigate

- 4.1 Where the Assessment Sub-Committee has decided that no action be taken on a particular matter, the Monitoring Officer shall advise the complainant of the decision within 5 working days of the assessment decision, and the complainant may then within 30 working days of receipt of such notification request that the Review Sub-Committee review that decision.
- 4.2 Whilst the review shall normally be a review of the reasonableness of the original decision rather than a reconsideration, the Monitoring Officer shall report to the Review Sub-Committee the information that was provided to the Assessment Sub-Committee in respect of the matter, the summary of the Assessment Sub-Committee and any additional relevant information which has become available prior to the meeting of the Review Sub-Committee.

5 Local Investigation

- 5.1 It is recognised that the Monitoring Officer will not personally conduct a formal local investigation.
- 5.2 It will be for the Monitoring Officer, where appropriate after consultation with the Chairman of the Assessment Sub-Committee, to determine who to instruct to conduct a formal local investigation, and this may include another appropriately experienced senior officer of the Authority, a senior officer of another authority or a consultant.

Assessment Criteria

Introduction

The Standards Committee or Assessment Sub Committee needs to develop criteria against which it assesses new complaints and decides what action, if any, to take. The Standards Board advises that these criteria should reflect local circumstances and priorities and be simple, clear and open. They should ensure fairness for the complainant and the subject Member.

In drawing up assessment criteria, Standards Committees should bear in mind the importance of ensuring that complainants are confident that complaints about Member conduct are taken seriously and dealt with appropriately. They should also consider that deciding to investigate a complaint or to take other action will cost public money and the officers' time and members' time. This is an important consideration where the matter is relatively minor.

Authorities need to take into account the public benefit in investigating complaints which are less serious, politically motivated, malicious or vexatious. Assessment criteria should be adopted which take this into account so that authorities can be seen to be treating all complaints in a fair and balanced way.

Accordingly, the Assessment Sub Committee agreed to use the following initial questions and assessment criteria at its previous meeting in June and it suggested that the Sub Committee uses this as a benchmark. The assessment criteria can be amended as appropriate in the light of experience.

Initial questions

1. Is the complaint about one or more Members of the Authority covered by the Standards Committee?
2. Was the named Member in office at the time of the alleged Conduct?
3. Had the named Member signed the Declaration of Acceptance of Office, agreeing to abide by the Code of Conduct?
4. Was the Code of Conduct in force at the time of the alleged conduct?
5. Would the complaint, if proven, be a breach of the Code of Conduct?

If the complaint fails one or more of these initial tests, it cannot be investigated as a breach of the Code and the complainant should be informed that no further action will be taken in respect of the complaint.

Assessment Criteria

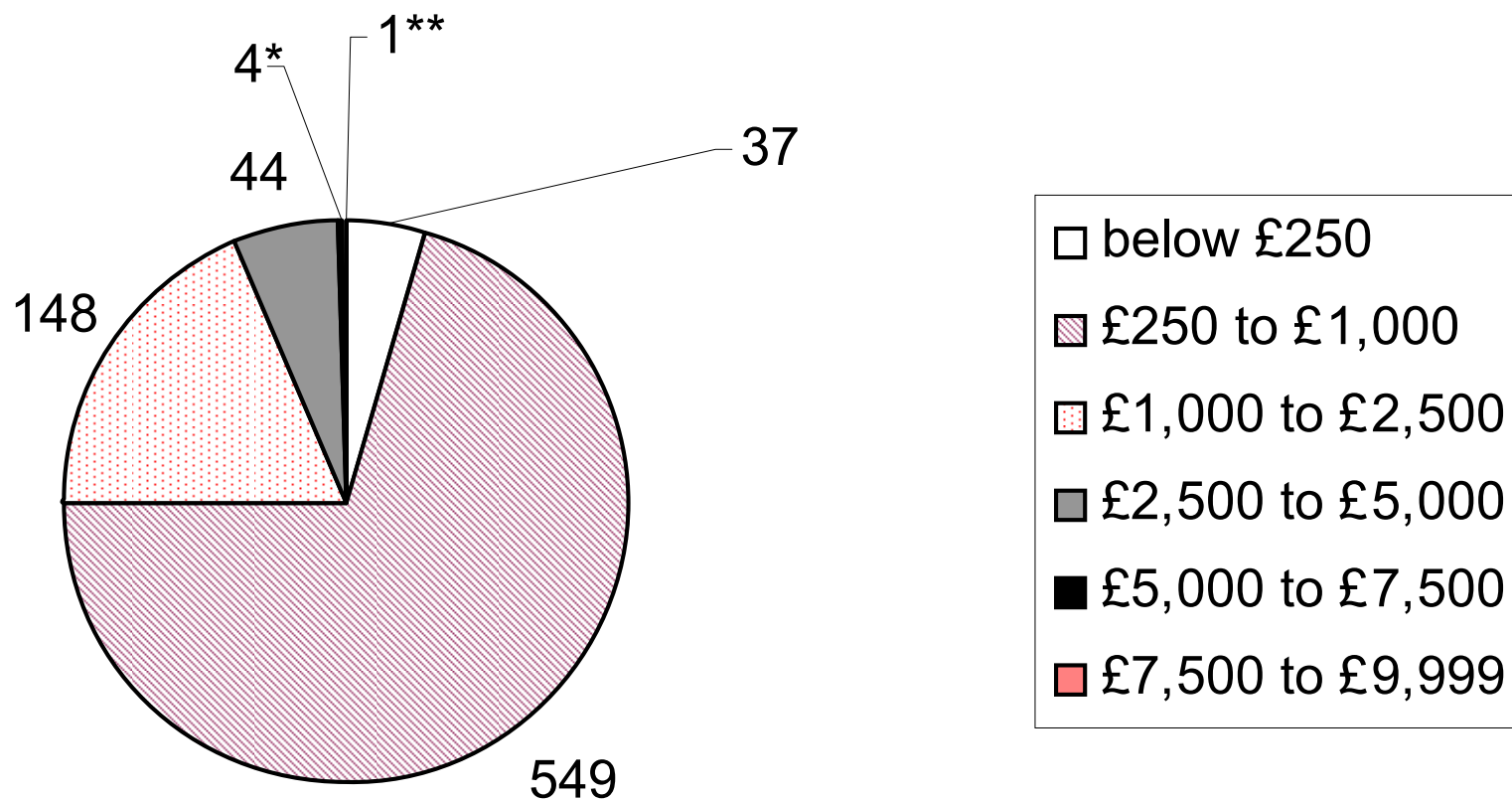
1. Does the complaint relate to dissatisfaction with a Council decision, rather than the conduct of a particular Member?

2. Does the complaint concern acts carried out in a Member's private life, when they are not carrying out the work of the authority or have not misused their position as a Member?
3. Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct?
4. Similarly, has the complaint been the subject of an investigation by other regulatory authorities?
5. Is the complaint about something that happened such a long time ago that there would be little benefit in taking action now?
6. Is the complaint too trivial to warrant further action?
7. Does the complaint appear to be simply malicious, politically motivated or tit-for-tat?
8. Is the complaint, part of a continuing pattern of less serious conduct by a Member that is unreasonably disrupting the business of Kent County Council and there is no other avenue left to deal with it, short of an investigation?
9. Has the complainant submitted enough information to satisfy the Assessment Sub Committee that the complaint should be referred for investigation or other action?

Note: If a matter is referred for investigation or other action, it does not mean that the Sub Committee assessing the complaint has made up its mind about the allegation. It simply means that the Sub Committee believes that the alleged misconduct, if proven, may amount to a failure to comply with the Code and that some action should be taken in response to the complaint.

Peter Sass
Head of Democratic Services and Local Leadership
November 2008

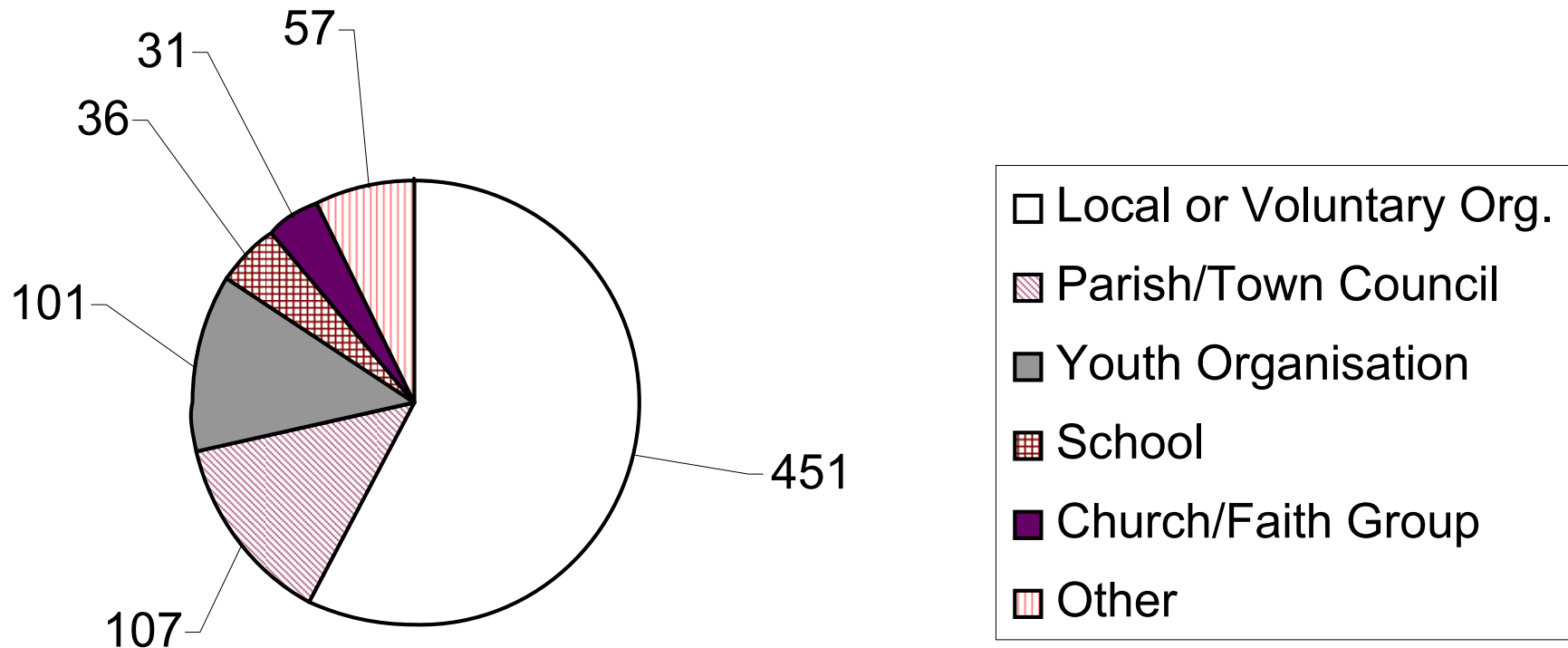
Analysis of Member Grants by size 2009/10



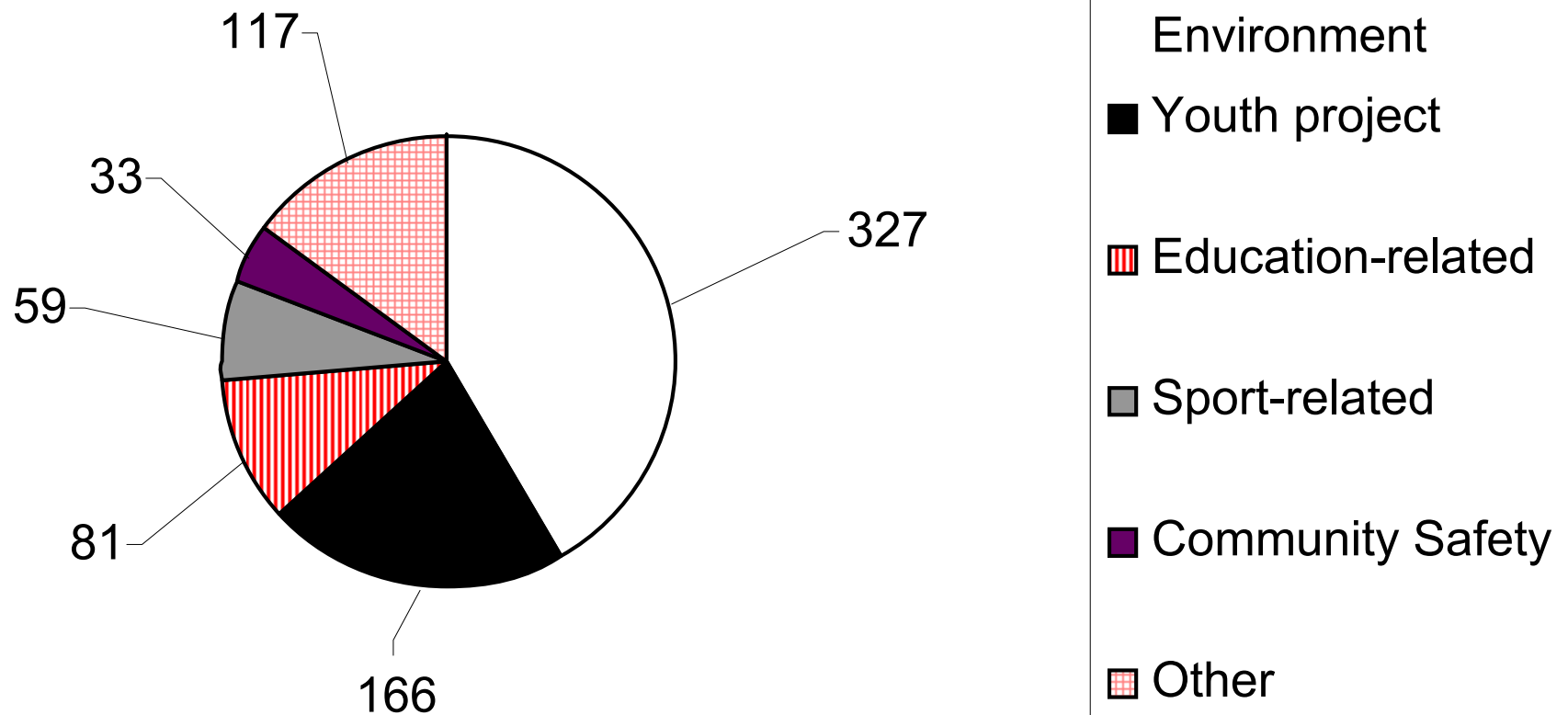
* relates to 4 awards in the £5,000 to £7,500 range

** relates to 1 award above £7,500

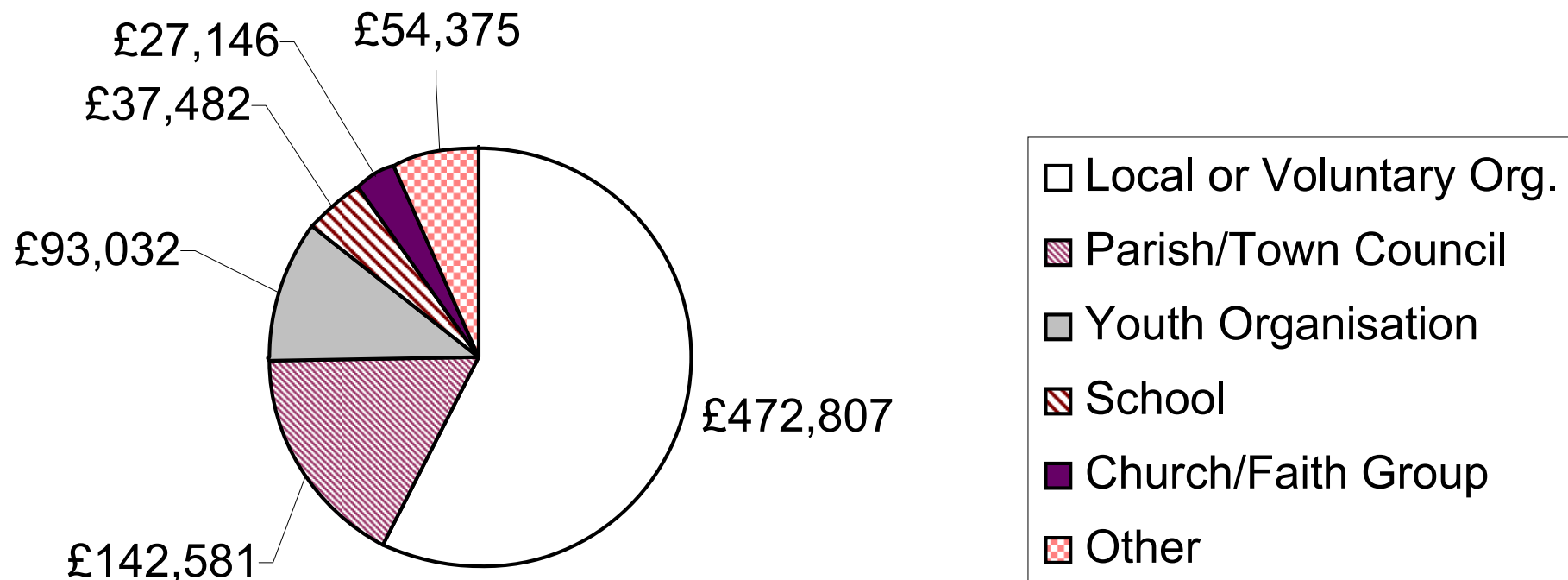
Beneficiary Groups from Member Community Grant April 2009 to March 2010



Types of Activity supported by Member Community Grant, April 2009 to March 2010

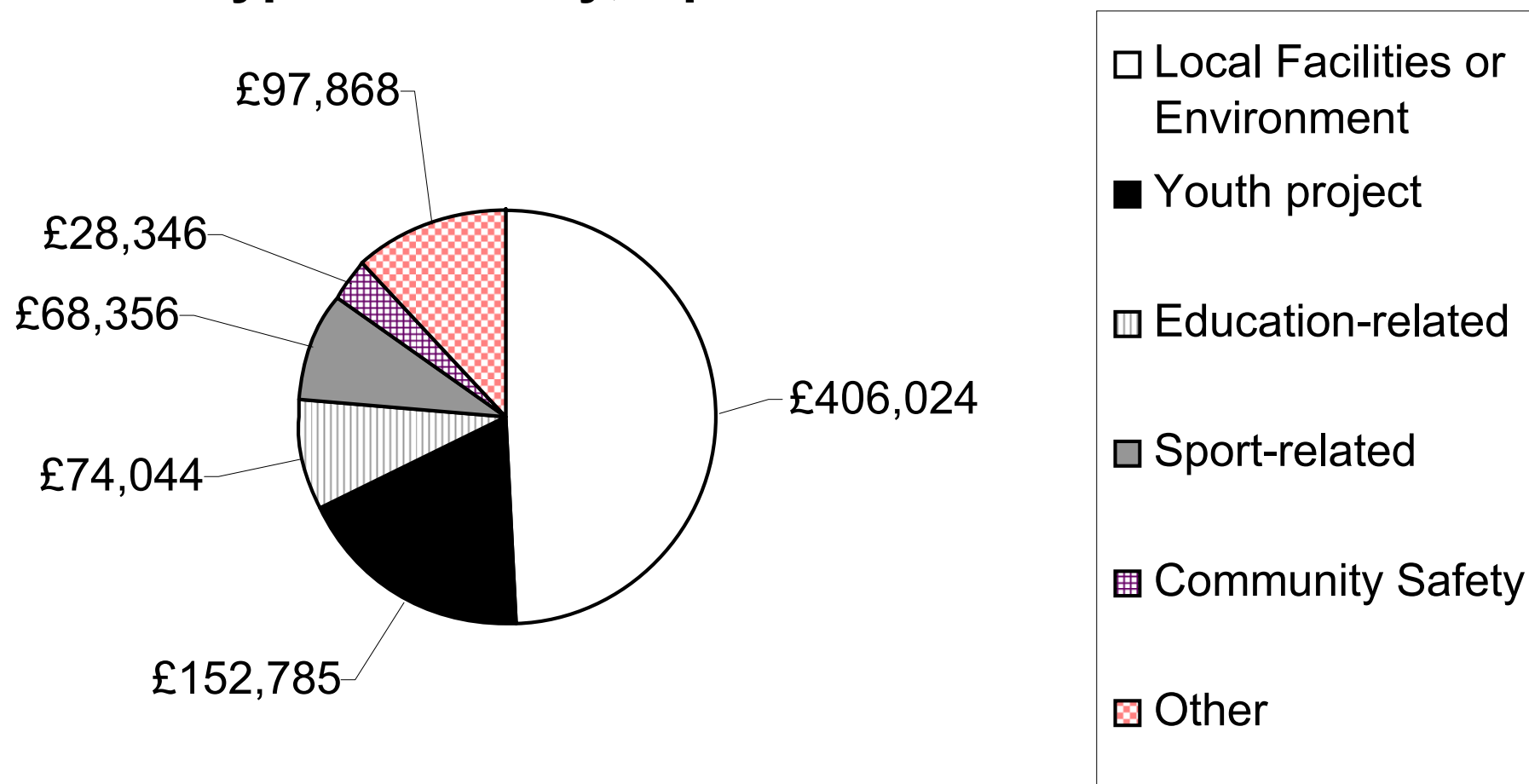


Value of Member Community Grant Projects, by type of recipient, April 2009 to March 2010



Figures based on provisional outturn 2009/10

Value of Member Community Grant Projects, by type of activity, April 2009 to March 2010



Figures based on provisional outturn 2009/10

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By: Fiona Leathers – Chairman of the Independent Remuneration Panel
To: County Council – 22 July 2010
Subject: Annual Report of the Independent Remuneration Panel

Summary: The County Council is invited to formally receive the annual report of the Independent Remuneration Panel and determine the Panel's recommendations in relation to additional role descriptions, the dependent carers' allowance and the Special Responsibility Allowances (SRAs) for Opposition Members.

Unrestricted

Background

1. Under the Local Authorities (Members' Allowances) (England) Regulations 2003, every relevant local authority is required to review its Members' Allowances Scheme at least once every four years. In doing so, local authorities are required to establish and maintain an Independent Remuneration Panel, whose function is to provide the local authority with advice and recommendations on its scheme, the amounts to be paid and whether such allowances should be pensionable.

2. Local authorities must include in their scheme of allowances a basic allowance, payable to all Members, and may include provision for the payment of special responsibility allowances and a dependents' carers' allowance. In addition, the 2003 Regulations allow the inclusion of a travel and subsistence allowance and a co-optees' allowance, within the allowances scheme.

The work of the Independent Remuneration Panel

3. The Council's Independent Remuneration Panel comprises three independent members appointed by the County Council. The current Panel members are:

Mrs Fiona Leathers (Chairman)

Mrs Linda Frampton

Mrs Elizabeth Tullberg

4. At its meeting on 25 June 2009, the County Council considered and approved the recommendations of the Independent Remuneration Panel with regard to the current scheme of Members' Allowances (see **Appendix 1**), which will remain in force until the County Council Elections in May 2013, unless amended by the County Council in the meantime.

5. However, the Independent Remuneration Panel has continued to meet during the previous 12 months and now wishes to make further recommendations to the County Council for revisions to the scheme.

Role Descriptions

6. Working alongside the Standards Committee, the Panel has played a key role in the introduction and development of the Members' Annual reports. The decision of the County Council in June 2009 to introduce a role description for all Members, on the Panel's recommendation, has helped KCC to achieve the 'virtuous circle' of Member Responsibility - Member Activity- Member Accountability, by strengthening the value of the Annual reports, as members of the public can now assess the performance of their local Member against their key roles, thus increasing accountability. This was the cornerstone of KCC being shortlisted for an LGC Award in 2010 in the Standards and Ethics category.

7. During the last year, the Panel has been working on a number of additional role descriptions; one for each position of special responsibility within the Members' Allowances Scheme. All Members have been given an opportunity to comment on the proposed additional role descriptions and a number of very helpful amendments have been made in response to this consultation exercise. The proposed new role descriptions are attached (see **Appendix 2**) and are recommended to the County Council for adoption.

Dependent Carers' Allowances

8. In June 2009, the County Council agreed that the revised Members' Allowances Scheme would continue to include provision for the payment of dependent carers' allowances. This particular allowance can be claimed by Members with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance. Reasonable care costs are reimbursed, up to a maximum of £6 per hour for each dependent child or adult.

9. The Panel is very keen to ensure that serving as an elected or co-opted Member of KCC is no more difficult for those individuals with caring responsibilities, compared to those without such responsibilities. During the year, therefore, the Panel has considered:

- (a) Whether the hourly rate is set at the right level;
- (b) Whether the care of a dependent adult relative should be set at a higher rate than the care of a child; and
- (c) Whether there should be an upper financial limit on the amount of carers' allowances claimed annually by each Member.

10. Accordingly, the Panel has decided to recommend to the County Council that the Dependent Carers' Allowance be increased so that Members are allowed to claim the actual costs incurred up to a maximum of £10 per hour (for both children and adults) and that there should be no upper financial limit set for claims in order that, for instance, Cabinet Members would not be put at a disadvantage. Whilst this would result in a small increase in the total cost of the Members' Allowances Scheme, given the small number of Members who currently claim it, the County Council is asked to give this particular recommendation serious consideration, given its importance in attracting individuals from different backgrounds to seek election as County Councillors.

Special Responsibility Allowances for Opposition Members

11. The Panel has considered a request from the Leader of the Liberal Democrat Group for a formal review of the Panel's previous recommendation (agreed by the County Council in June 2009), in relation to Special Responsibility Allowances (SRAs) for Opposition Members. The Panel heard that the decision to remove an SRA for each of the Shadow Cabinet Members was unfair to Opposition Members, as it did not recognise the workload and responsibility of the small number of Opposition Members to hold the Administration to account.

12. After having considered the representations in detail (including benchmarking data from other local authorities and the need to ensure that any changes were cost-neutral on the overall Members' budget), the Panel decided to make the following recommendations to amend the schedule of SRAs:

Largest Opposition Group

Leader – 20% (£8,860)

Deputy Leader – 10% (£4,430)

Opposition Spokesmen (up to a maximum of 8¹) – 7.5% (£3,323)

(Currently the Leader of the largest Opposition Group receives 50% (£22,150) and the Deputy Leader 22% (£9,750))

13. On the assumption that the proposed revisions are agreed by the County Council and all of the SRAs are claimed by the Members concerned, the total cost of the Members' Allowances Scheme will reduce slightly by £1,995.

14. In terms of the Panel's activity in the coming year, it has agreed to examine the roles of Committee Chairmen, the Conservative Spokesperson on the Cabinet Scrutiny Committee and the Leader of the second largest Opposition Group, and will also make a definitive recommendation on the issue of pensions for Members.

Recommendations:

15. The County Council is invited to consider and determine the following recommendations of the Independent Remuneration Panel:

- a. The additional role descriptions for all SRA positions, as attached at Appendix 2;
- b. The increase in the maximum hourly rate for the Dependent Carers' Allowance, as described in paragraph 10 in the report; and
- c. The revised Special Responsibility Allowances (SRAs) as detailed in paragraph 12 in the report.

¹ The maximum number of Opposition SRA positions proposed is 10; one to shadow each of the Cabinet Portfolios. However, in relation to the current composition of the Council and given the size of the Liberal Democrat Group, only 5 of these Opposition Spokesmen allowances would currently be payable, in addition to the SRAs for the Leader and Deputy Leader of the Largest Opposition Group

Fiona Leathers – Chairman of the Independent Remuneration Panel

8 July 2010

Kent County Council
Members' Allowances Scheme

For the period 8 June 2009 to the election of the Council in May 2013

(Adopted by the Council on 25 June 2009 as recommended by the Independent Remuneration Panel)

BASIC ALLOWANCE

£13,000 per annum (inclusive of an element for routine subsistence expenditure on KCC duties).

SPECIAL RESPONSIBILITY ALLOWANCES

	%	£
Executive		
Leader	100	44,300
Cabinet Members (9)	65	28,795
Lead Members (12)	30	13,290
Council		
Chairman	33	14,600
Vice-Chairman	17.5	7,750
Planning Applications Committee Chairman	22	9,750
Other Committee Chairmen (13) ^(a)	17.5	7,750
Conservative Spokesperson Cabinet Scrutiny Committee	17.5	7,750
Select Committee Chairmen (for period of review)	17.5	7,750
Opposition		
Leader of largest Opposition Group	50	22,150
Deputy Leader of largest Opposition Group	22	9,750

Notes:

- (a) Other Committee Chairmen: Governance & Audit, Health Overview and Scrutiny, Policy Overview (x8), Regulation, Selection and Member Services, Superannuation.
- (b) No Member to receive more than one Special Responsibility Allowance.
- (c) No other allowance to be payable.

TRAVEL EXPENSES

Travel by private vehicles will be reimbursed at the rates set for tax allowance purposes by the Inland Revenue for business travel. Currently these are 40p per mile for the first 10,000 miles and 25p a mile thereafter.

Parking fees, public transport fares and any hotel expenses will be reimbursed at cost, but only on production of a valid ticket or receipt - the cheapest available fare for the time of travel should normally be purchased.

Taxi fares will only be reimbursed on production of a valid receipt and if use of public transport or the Member's own car is impracticable

Travel expenses will be reimbursed for any journey on council duties between premises as agreed for tax purposes (normally excluding journeys to constituents' homes).

Air travel and rail travel other than to/from London or within Kent should be booked through officers to enable use of discounting arrangements.

Travel expenses will only be reimbursed if claimed within four months.

Journeys undertaken in accordance with the following descriptions are allowed to be claimed for:

- (a) attendance at KCC premises to undertake KCC business, including attendance at Council, Cabinet and Committees, etc (including group meetings) and to undertake general Member responsibilities;
- (b) representing KCC at external meetings, including Parish and Town Councils and those of voluntary organisations where the member is there on behalf of KCC;
- (c) attendance at events organised by KCC and/or where invitations have been issued by County Officers or Members (including Chairman's events and other corporate events); and
- (d) attendance at meetings/events where the Member is an official KCC representative (as determined by the Selection and Member Services Committee) or requested by the Leader or the relevant Cabinet Member.

SUBSISTENCE EXPENSES

These are not normally reimbursed. Hotel accommodation should be booked through officers. Any other reasonably unavoidable costs related to overnight stays, excluding normal subsistence, will be reimbursed on production of a receipt.

DEPENDENTS' CARERS' ALLOWANCE

Members with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Council duties, up to a maximum of £6 per hour for each dependent child or adult. Money paid to a member of the claimant Member's household will not be reimbursed.

PENSIONS

Members are not eligible for admission to the superannuation scheme.

CO-OPTED MEMBERS

An allowance is payable to the Independent Chairman of the Standards Committee of £1,000 per annum and the daily rate for the remaining co-opted Members of the Standards Committee is payable at £200 per day.

NO OTHER ALLOWANCES ARE PAYABLE

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Role Description - Leader of the Council

Responsible to: Kent County Council.

Role purpose: To take full responsibility for all functions of the County Council, which the Council does not reserve for itself (as required by legislation), appointing a Cabinet and providing overall leadership and direction to the Council.

Main Duties and Responsibilities

1. **To manage and lead the work of the Cabinet and to chair meetings of the Cabinet.**
2. **To lead the Cabinet in decision making and make executive decisions that are not exercised by other Cabinet Members or officers.**
3. **To work closely with Cabinet Members to ensure the development of effective Council policies and the delivery of high quality services (reflecting the principles of Best Value) to local people.**
4. **To be the focus for leading the Kent community.**
5. **To represent the Council at national and local level, on outside bodies or in partnership with other agencies.**
6. **To lead the Cabinet's work in:**
 - **providing strategic direction to the Council by identifying a vision, corporate objectives and priorities for services;**
 - **providing a lead on the development of corporate policies and strategies;**
 - **using the Council's objectives and priorities to drive the development of services and budget process;**
 - **seeing continuous improvement by establishing the appropriate culture within the Council and associated systems;**
 - **monitoring performance;**
 - **ensuring probity and financial monitoring;**
 - **keeping under review the organisation and management processes of the Council, including the democratic structures; and**
 - **developing, in consultation and partnership with others, a strategy for providing the social, economic and environmental well-being of the County of Kent.**
7. **To act as the principal spokesperson for the Council:**
 - **promoting its work and acting as its principal political spokesperson;**
 - **participating in consultation;**

- listening to, and taking account of, the views of organisations, the public and businesses; and
 - representing the Council at all appropriate levels.
8. To consult with and be accountable to non-executive Members.
 9. To appear before, and respond to reports of, Overview and Scrutiny bodies.
 10. To monitor the effectiveness of service delivery and the appropriateness of policy across the County and account for the efficient and effective delivery of services and functions within Council policies and budgets.
 11. To work with the Group Managing Director on a regular basis in relation to the strategic vision and direction of the Council, the management roles of officers and the development and effective delivery of policy issues.

Role Description – Deputy Leader of the Council

Responsible to: The Leader of the Council

Role Purpose: To deputise for the Leader as required and to be the Council's main representative and spokesman on the delegated area of responsibility

Main Duties and Responsibilities

- 1. To participate in the Cabinet in respect of all areas of work, including making certain individual executive decisions within the areas of responsibility**
- 2. To act as the Spokesman and advocate for the Council in respect of the delegated area of responsibility and on a wider basis as the Leader may require or in his absence.**
- 3. To lead the development of the Council's Policy Framework within the area of responsibility and make recommendations to the Cabinet.**
- 4. To provide guidance to the Cabinet on the management and implementation of functions in relation to activities within the area of responsibility**
- 5. To give guidance to the Cabinet on budget priorities within the areas of responsibility**
- 6. To ensure the delivery of policy through officers and monitor performance against agreed objectives within the defined area of responsibility**
- 7. To appear before, and respond to reports of, Overview and Scrutiny bodies**
- 8. To lead the process of continuous improvement and responsiveness of Council services within the areas of responsibility**
- 9. To ensure that activities within their areas of responsibility take proper account of the Council's vision, core values and guiding principles**
- 10. To represent the Council at national and local level, on outside bodies or in partnership with other agencies**

Role Description - Cabinet Member

Responsible to: The Leader of the Council.

Role purpose: To undertake portfolio responsibilities as delegated by the Leader and be the Council's main representative and spokesman on their delegated areas of responsibility, determining the defined area of activity for Deputy Cabinet Members (if allocated) as appropriate.

Main Duties and Responsibilities

- 1. To participate in the Cabinet in respect of all areas of work, including making certain individual executive decisions within the defined area of responsibility and contributing to debate and strategic decision-making as part of the Cabinet as a whole**
- 2. To act as the spokesman and advocate for the Council in respect of the area of responsibility.**
- 3. To lead the development of the Council's policy framework within the defined area of responsibility and make recommendations to the Cabinet as appropriate.**
- 4. To provide guidance to the Cabinet on the management and implementation of functions in relation to activities within the defined area of responsibility.**
- 5. To give guidance to the Cabinet on budget priorities within the defined area of responsibility.**
- 6. To ensure the delivery of policy through officers and monitor performance against agreed objectives within the defined area of responsibility.**
- 7. To work constructively and in an open and transparent way with backbench and Opposition Members, and Officers to ensure that the process of overview and scrutiny is appropriate, effective and proportionate**
- 8. To appear before, and respond to reports of, Overview and Scrutiny bodies.**
- 9. To lead the process of continuous improvement and responsiveness of Council services within the defined area of responsibility.**
- 10. To ensure that activities within the defined area of responsibility take proper account of the Council's vision, core values and guiding principles.**
- 11. To represent the Council at national and local level, on outside bodies or in partnership with other agencies.**

Role Description – Deputy Cabinet Member

Responsible to: The Cabinet Member.

Role purpose: **To support the work of their Cabinet Member and to be the Council's Member champion for their areas of special responsibility.**

Main Duties and Responsibilities

- 1. To support the Cabinet Member in respect of all activities connected with the area of special responsibility.**
- 2. To act as the Member champion and spokesman for the area of special responsibility both within and outside the Council.**
- 3. To support the Cabinet Member in the development of the Council's policy framework within the area of special responsibility and make recommendations to the Cabinet Member on the making of executive decisions.**
- 4. To support the Cabinet Member in monitoring the management and implementation of functions in relation to activities within the area of special responsibility.**
- 5. To give guidance to their Cabinet Member on budget priorities within the area of responsibility.**
- 6. To ensure the delivery of policy through officers and monitor performance against agreed objectives within the defined area of responsibility.**
- 7. To work constructively and in an open and transparent way with backbench and Opposition Members, and Officers to ensure that the process of overview and scrutiny is appropriate, effective and proportionate**
- 8. To appear before, and assist the Cabinet Member to respond to reports of Overview and Scrutiny bodies.**
- 9. To support the Cabinet Member in driving forward the process of continuous improvement and responsiveness of Council services within the area of special responsibility.**
- 10. To ensure that activities within their areas of responsibility take proper account of the Council's vision, core values and guiding principles.**
- 11. To represent the Council at national and local level, on outside bodies or in partnership with other agencies, as agreed with the Cabinet Member.**

Role Description – Chairman of the Council

Responsible to: **Kent County Council.**

Role purpose: **As the Civic Head of the Council, to uphold the democratic values of the Council as a whole and represent the Council at civic and ceremonial functions**

Main Duties and Responsibilities

- 1. Provide strong, fair and visible civic and ceremonial leadership to the Council in relation to citizens, stakeholders, partners, Members and Officers.**
- 2. Ensure that Kent County Council is represented at such civic and ceremonial functions as the Council or he/she determines appropriate**
- 3. Be the principal ambassador for the Council and the County, both at home and abroad and formulate and deliver speeches as appropriate**
- 4. Promote public involvement in the Council's activities**
- 5. Uphold and promote the Council's constitution and, if necessary, rule on the interpretation of the constitution at formal meetings of the County Council**
- 6. Preside over meetings of the Council, including determining the topic of the item for full debate, the order of items and a timetable for each Council meeting after consultation with the political group leaders, to ensure that the business of the Council can be carried out efficiently and with regard to the interests of the community and the rights of elected Members of all political groups and independent Members**
- 7. Request such special meetings of the Council as may be considered necessary or appropriate by Members, determining their format in consultation as required by the circumstances and in accordance with the business to be discharged.**
- 8. Ensure the Council meeting is a forum for the debate of matters of concern to the local community and a place at which Members who are not on the Executive can challenge and debate Executive and other matters**
- 9. Be consulted on any matter in relation to which consultation with the Chairman of the Council is required under the Constitution**
- 10. During his/her year as Chairman, to continue to perform the duties expected of all County Councillors in relation to his/her electoral Division**
- 11. To witness the sealing of official KCC legal documents in the period immediately after a County Council Election until such time as the Leader appoints his or her Cabinet**

- 12. To foster and maintain good working relationships with other Local Authorities, both within and outside the County of Kent**
- 13. To act as the leading Civic dignitary in the conduct of Citizenship Ceremonies**

Role Description – Vice-Chairman of the Council

Responsible to: **The Chairman of the County Council and Kent County Council.**

Role purpose: **To fulfil the duties of the Chairman in his or her absence, to assist the Chairman in specific duties as required.**

Main Duties and Responsibilities

- 1. To support the Chairman of the Council in carrying out his or her Civic responsibilities.**
- 2. Deputise as the Chairman may require in his or her absence**
- 3. Undertake specific tasks and responsibilities as requested by the Chairman**
- 4. Share and support in general the full workload range of the Chairman**

Role Description – Committee Chairmen

Responsible to: **Kent County Council.**

Role purpose: **To provide leadership and direction for the Committee to ensure that the Committee takes balanced decisions based on all relevant evidence, always with impartiality and fairness**

Main Duties and Responsibilities

- 1. Provide leadership and direction for the Committee**
- 2. Chair and manage the business of the Committee, ensuring that all committee members have an opportunity to make a relevant contribution**
- 3. Request such additional meetings of the Committee as may be considered necessary or appropriate**
- 4. Promote the role of the Committee both within and outside the Council**
- 5. Represent the Council and the Committee on relevant external bodies as required**
- 6. Guide Members through those functions delegate by the Council to the Committee**
- 7. To be consulted on matters of business between meetings**
- 8. To undertake the necessary preparation prior to Committee meetings to lead the Committee effectively.**
- 9. Ensure that the Committee takes balanced decisions based on all relevant evidence, always with impartiality and fairness**
- 10. To manage the meeting to ensure the objectives of the meeting are fulfilled.**
- 11. Ensure, where appropriate, that there is full consultation with and participation by all interested parties on issues to be considered by the Committee**
- 12. Ensure that Committee decisions are properly recorded with full justifications**
- 13. Liaise and consult with relevant officers wherever appropriate**
- 14. To define and manage appropriate member and officer conduct at the meeting**

Additional Responsibilities for Policy Overview and Scrutiny Committee Chairmen and the Conservative Administration Spokesperson on the Cabinet Scrutiny Committee

Role purpose: To lead the effective scrutiny of the Council's decisions or actions and monitor policy development within the area/s for which they have special responsibility, working closely with relevant Executive Members.

Main Duties and Responsibilities

- 1. To ensure that the work of the Overview and Scrutiny Committees (and any sub-committees and Informal Member Groups thereof) are at all times conducted in a positive manner and in the best interests of the Council and the people of Kent.**
- 2. To work constructively and in an open and transparent way with Executive Members and Officers to ensure that the process of overview and scrutiny is appropriate, effective and proportionate**
- 3. To support work of the Overview and Scrutiny Committees in the development of an annual scrutiny work programme in the area/s for which they have special responsibility.**
- 4. To support the work of the Overview and Scrutiny Committees in ensuring that the Council and the Executive are assisted in the development of the policy framework and budget by an in-depth analysis of policy issues in the area/s for which they have special responsibility.**
- 5. To encourage and enhance community participation in the development of policy options in the areas for which they have special responsibility.**
- 6. To support the work of the Overview and Scrutiny Committees in ensuring the effective operation of a scrutiny function in their area/s of special responsibility which will:**
 - examine and review decisions made by, and the performance of, the Cabinet, other committees and Council officers;**
 - question Members of the Cabinet, other appropriate committees and senior officers about their decisions and performance, whether generally in comparison with service plans and targets or in relation to particular decisions, initiatives or projects;**
 - make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process; and**
 - review the performance of other public bodies in the area and invite reports from them, including requesting them to address the Overview and Scrutiny body concerned.**
- 7. To attend meetings of the Overview and Scrutiny committees (and any sub-committees and Informal Member Groups thereof) in order to drive**

forward the Council's scrutiny function in relation to their area/s of special responsibility.

Additional Responsibilities for the Chairman of the Planning Applications Committee

Role Purpose: To provide leadership and direction for the Committee to ensure that the Committee takes balanced decisions based on all relevant evidence, always with impartiality and fairness

Main Duties and Responsibilities

- 1. To Chair the monthly meetings of the Planning Applications Committee, which has statutory authority for determining all planning applications to KCC (waste and mineral related applications and all KCC developments including schools, highways and social services applications)**
- 2. To undertake relevant and frequent training and development sessions to ensure that the role can be performed to the exacting standards required**
- 3. To attend site visits, public meetings and meetings with Officers as required on a frequent basis**

Role Description – Leader of the Opposition (the largest Political Group after the Administration)

Responsible to: **Kent County Council.**

Role purpose: **To provide strong, fair and visible leadership and direction to the largest Opposition Group within the Council**

Main Duties and Responsibilities

- 1. Act as a spokesperson for the Group and as a representative of the Council to external bodies and organisations as appropriate**
- 2. Represent the interests of the Group in any discussions with the Leader of the Council, other Group Leaders, other Senior Members of the Council or Senior Officers**
- 3. Be responsible for the appointment of Group Members to seats on Council Bodies in accordance with the Council's political balance apportionments**
- 4. Comment on, challenge and review the Majority Group's performance in the coordination and implementation of its policies and procedures**
- 5. Be the Group's principal consultee on Council business in general and establish and represent the views of the Group on issues of policy and probity**
- 6. With all Group Leaders, work with the Group Managing Director and Managing Directors on relevant corporate matters**
- 7. Support the learning and development needs of all Members of the Group**

Role Description – Deputy Leader of the Opposition (the largest Political Group after the Administration)

Responsible to: **Kent County Council.**

Role purpose: **To fulfil the duties of the Leader of the Opposition in his or her absence, to assist the Group Leader in specific duties as required**

Main Duties and Responsibilities

- 1. Undertake a full deputising role in the absence of the Leader of the Group**
- 2. Undertake specific tasks and responsibilities as requested by the Leader of the Group**
- 3. Work actively with the Leader of the Group to co-ordinate the work of the Group**
- 4. Share and support in general the full workload range of the Leader of the Group**

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By: Alex King, Deputy Leader
Peter Sass – Head of Democratic Services and Local Leadership

To: County Council –22 July 2010

Subject: Monitoring and Outcomes from the Select Committee Topic Review Programme – May 2005-June 2010

Classification: Unrestricted

Introduction

1. (1) The Select Committees are widely recognised as one of the successes of the Overview and Scrutiny Function.
- (2) The County Council is reminded that in 2008 the review team conducting the Comprehensive Performance Assessment commented that: “Task and finish Select Committees and working groups are highly valued by Members of all parties and have made important contributions to policy.”
- (3) These Committees of non-executive Members have had a major influence on national and local policy.
- (4) Both executive and non-executive Members have recognised the benefits of the Select Committee process. From a non-executive point of view it provides the opportunity to look at a topic in depth and the majority of Members have found this process very rewarding as it has provided the opportunity to influence Kent County Council policy. From an executive Member point of view, Select Committee reports have added strength to portfolios and in some cases, have had national standing e.g. Alcohol Misuse.
- (5) The quality of Select Committee reports has been recognised within Kent and beyond.

Topic Reviews 2005-2010

2. **Appendix 1** to this report shows Select Committees completed between May 2005 and June 2010 and **Appendix 2** summarises recommendations arising from each, together with key actions that have been implemented.

Highlights

3. The County Council should celebrate its achievements, made through the Select Committee process. Set out below some of the highlights from reviews conducted over the past few years to demonstrate their importance and the impact they have had on the policy of the County Council and partner organisations.

Water and Waste Water, particularly in Ashford – 2005 – (recommendation 3)

“Many of the Committee’s recommendations will be more or less relevant to the welfare of the River Stour. Given that the growth in Ashford’s population will lead to an increase in the output of wastewater, and that this growth sits within a context of higher temperatures and reductions in summer rainfall in the South East it must be stated here that the Select Committee believes that the Stour’s chemical and biological condition, its temperature, flow levels and its chalk river characteristics downstream, and the condition of its environment must be given a priority consideration when carrying out selection of the options for managing water resources and the water supply and wastewater system in and around Ashford. Etc...”

Outcome

- Ashford River Health Toolkit (ARHT) has been completed – this is a computer model that can simulate river flows, diffuse pollution inputs and point source effluent discharges so that infrastructure can be planned in advance of problems occurring.

Gypsy and Traveller sites in Kent – 2006 – (recommendation 17)

“For KCC to facilitate the establishment of a joint Kent and Medway Authority group, to address the accommodation needs for Gypsies and Travellers. The primary objective of this group is to address the accommodation needs that are identified. It will also provide a vehicle for consultation and a sub-regional approach for applying for funding. In addition, it will consider the revenue cost implications linked to site provision, with a view to pooling resources.”

Outcome

- A Countywide Group with nominated representatives from all local authorities and other agencies has been established and has met regularly.

It has, very significantly, included, at every second meeting, individuals invited from Gypsy and Irish Traveller communities, and this has enabled very detailed discussion of issues of mutual concern, and engagement over the planning, housing and needs assessment processes that are proceeding in Kent, the South East and across England.

The work of this group is the biggest progress made with the Select Committee recommendations, as it involves invitations to all the relevant stakeholders, including the Kent Association of Parish Councils.

The Group is the key to future progress with partnership working on the remaining recommendations.

Home to School Transport – 2006 - (recommendation 20)

“To explore the possibility of becoming a Pathfinder authority, by providing all students aged 11 to 16 years living in a selected area of Kent with an annual bus pass in order to evaluate bus usage and consequent reduction in car use”

Outcome

- The Kent Freedom pass, funded by KCC, was introduced in June 2007 for 11-16 year olds. The cost of the pass is £50 per year, allowing young people to travel on participating buses at any time, including weekends, evenings and school holidays. The scheme has been rolled out across Kent and has proved highly successful.

Climate Change - 2006 - (recommendation 7)

Review transport policy to achieve an overall reduction in emissions from transport in the KCC estate and across Kent as a whole.

Outcome

- The *Kent JourneyShare* scheme saved more than 3 million car journeys and 1,000 metric tonnes of carbon in 2009
- KCC business miles have reduced for the 2nd year running. A 3.5% reduction was achieved in 2009-10 and saved £277,000. The launch of the BT MeetMe teleconferencing service has supported this reduction.
- Improved monitoring of fuel usage of KCC fleet vehicles and driver training in fuel efficient driving techniques.
- KCC Streetcar fleet in Maidstone being extended to a new location in conjunction with a major house builder.
- More than three quarters of schools now have travel plans.
- Freedom Pass extended to whole of Kent and used by more than 13,000 young people
- Use of sustainable transport to school has risen by 2.9%

PSHE/Children’s Health – 2007 - (recommendation 2)

The Committee urges that all key agencies be wholly committed and signed up to the Kent Teenage Pregnancy Strategy in an effort to decrease the rate of teenage pregnancy.

Outcome

Partnership working between Local Partnerships, Director of Public Health, CFE and Teenage Pregnancy Board is well established. The Kent Teenage Pregnancy Strategy and its Board have been reviewed, and new action plans and priorities have been developed to bring about an increased reduction in teenage pregnancy. All key

agencies are signed up to the KCC PSHE Education Strategy and its implementation.

Transition to a positive future – 2007 – (recommendation 1)

“That KCC work with all providers to increase the availability and choice of leisure facilities for young disabled people and promote and publicise ‘taster sessions’ to encourage participation”

Outcome

KCC is one of 21 Pathfinder authorities allocated £15m for short breaks and access to leisure activities for more young disabled people. Partnership working is being developed to take this forward across the county. The Kent Partnership Board, local Learning Disability groups and KASS teams have worked with colleagues, for example, the District Council Sports Development Officer in Thanet. Bluewater management were engaged through Dartford LDPB resulting in a ‘Changing Place’ to facilitate better disabled access at the centre. Members would like good practice to be emulated across the county to bring consistency and continuity.

Flood risk Management - 2007 (recommendations 1 & 7)

1. *“That KCC look into setting up and resourcing a permanent Flood Risk Committee, in partnership with District Councils, to monitor: organisational changes affecting the management of flood risk in order to minimise the effect of such changes; the KHS gully clearance programme; non-structural means adopted by KCC and District Councils to reduce flood risk, and the Environment Agency’s progress on proposed flood defence works as well as maintenance of existing defences.”*

Outcome

- Flood risk management committee established: In response to the Flood Risk Management Select Committee and the Flood and Water Management Act (FWM Act) (April 2010) a member based Flood Risk Management Committee has been established to provide oversight and scrutiny of flood risk management across the county. (1)
- Kent Strategic Flood Partnership in development: In response to the requirements of the FWM Act, a Strategic Flood Partnership is currently being established for the county. Directors from the district and borough councils have been invited and the same will be extended to the Environment Agency, Southern Water, Internal Drainage Boards and other relevant flood authorities. It is intended that an inception meeting will be held by September 2010. (1)

7. *“That KCC ensures that its Environment and Waste Team are sufficiently resourced to enable them to: develop a county-wide coastal policy; maintain their oversight of Shoreline Management Plans (SMPs) to promote consistency across the*

county; and raise public awareness of plans.”

Outcome

- A dedicated Flood Risk Management Officer has now been secured within the County Council and the post was filled in May 2010. (7)

Carers Select Committee – 2007 *(recommendation 6)*

Emergency Card Schemes, backed up by emergency plans and response teams should be expanded and developed Kent wide if the pilot is successful.

Outcome

- On Carers Rights Day December 5th 2008 a Kent Carers Emergency Card Scheme was launched. The scheme is designed to provide carers with peace of mind when away from the person that they care for that should something untoward happened to them that emergency assistance could be accessed.

To compliment the scheme additional carers grant funding has been commissioned with the voluntary sector to provide increased levels of community based respite.

Currently there are over 1300 carers signed up to the scheme and the number is growing steadily.

An example of how the Emergency Card has been used:

A Kent Carer recently became ill and was taken to hospital. The card identified that he cared for his wife and his wife was found immediate respite care.

Alcohol Misuse – 2008 – *(recommendation 3 & 4)*

3. “The outcomes of the needs assessment should inform the production of an overarching alcohol strategy for Kent. The production of the strategy, aiming at reducing the impact of alcohol misuse in Kent, should be lead by KDAAT. The strategy should address a variety of issues including treatment services, underage drinking, public awareness, alcohol-related crime and responsible retailing. It should clearly identify effective actions to be taken, together with responsibilities and accountability of all the agencies involved in the coordination, commissioning and provision of alcohol-related services. The strategy should include mechanisms that will evaluate and monitor the progress of its implementation, and it should encourage closer collaborative ties between all the agencies involved.”

Outcome

- The Kent Alcohol Strategy, produced as a result of the Select Committee

recommendations, has been subject to wide consultation with partners and is due to be launched in the summer 2010.

4. KCC to lobby Central Government to raise the priority and profile of the issue of alcohol misuse in the UK. KCC should press for an increase in funding to finance services dealing with alcohol

Outcome

- The Select Committees recommendation to lobby Central Government to raise the priority and profile of the issue of alcohol misuse in the UK is now supported by the Chief Medical Officer and the Royal College of Physicians.

Accessing Democracy – 2008 - (recommendations 5, 6 & 17)

5. “Embrace democracy in secondary schools and school councils should be encouraged to operate through age range - advocate school councils in primary school.

- (a) All elected members should be involved in schools democracy week.*
- (b) Ensure all teaching staff are firmly encouraged to undertake Continuous Professional Development on democracy.*
- (c) Linkage between School Councils, Kent County Council and District, Town and Parish Councils should be promoted.”*

Outcome

- Councillors in Schools project developed. (5)

6. Citizenship pack should include information on how to register to vote, the role of local elected members and how to contact local members at District, County and National level.

Outcome

- Citizenship packs include information on registering to vote and contact details for local Members. (6)

17. The opportunity for participatory budgeting from devolved discretionary funds should be provided within the next budget year, with delivery mechanism to be determined, and a sum of underpinning monies to enable local people to determine how the resource should be spent.

Outcome

- Participatory Budget events – 7 planned to date in 2010/11 to allocate community grants. (17)

Passenger Rail Services - 2008 – (recommendation 3(a) & 4)

3. County Council should use the publicity surrounding the launch of the new services to promote:

a) Tourism from London and north of London to Kent, building on the present campaigns by Visit Kent (and other partners).

Outcome

- Visit Kent, in partnership with Southeastern and other Councils (including Medway Council), ran a joint marketing campaign between May 2009 and March 2010 to cover the period of the preview and full launch of the new high speed services. This campaign was successful with over 50,000 website hits recorded and an estimated £800,000 brought to the local economy. Visit Kent considers it too early to assess the impact on tourism this year but there is some anecdotal evidence that hotels in Medway, Canterbury and Ashford have seen a positive impact on their businesses . (3(a))

4. The County Council should lobby for services lost in the new timetable to be reinstated at the earliest opportunity.

Outcome

- The County Council held a Rail Summit on 25 March 2010 with Southeastern, Network Rail, Passenger Focus and Rail User Groups to discuss the loss and reduction of services in the new timetable and other issues and it is intended to continue to hold another in the Autumn and bi-annually in future. (4)

Autistic Spectrum Disorder – 2009 – (recommendation 3 & 7)

3. The Kent Adult Social Services Directorate should ensure that:

- *all its staff involved in the assessment of autism are fully trained to understand the uniqueness, complexity and implications of the condition. This training should be coupled with an increasing number of early interventions aimed at diverting people with autism from care pathways that are inappropriate and expensive.*
- *adequate advocacy services with ASD-specific knowledge are offered to all people with autism*

Outcome

- A training module on ASD is being developed with input from appropriate voluntary sector agencies such as Kent Autistic Trust (KAT). Target training commenced in 2009 with the intention of training the majority of staff starting later in 2010. There are also joint training initiatives being planned with Jobcentre Plus

In addition, training funded by KASS is already being provided to private and voluntary sector agencies, under contract with South Kent College This will increase awareness and understanding of ASD leading to the commissioning of more appropriate services. (3)

Kent Autistic Trust (KAT) provides an advocacy, information and support service for Kent and Medway and has secured funding until March 2015

7. *“Kent Adult Social Services should lead on the establishment of a multidisciplinary task group with representation from agencies including health, social care, housing, employment services, education, independent sector providers and the voluntary sector.*

The task group - which should liaise with the Kent Learning Disability Partnership Board - will widen and strengthen the interdependence and joint working amongst all these agencies, to provide more efficient and effective services to people with autism and individuals with learning disabilities “

Outcome

- A cross agency Autistic Spectrum Disorder Task group has been established to drive forward work on the recommendations. PCTs, KMPT, Mental Health, Gypsy Unit, CFE and KASS are all represented. A housing representative is yet to be secured, although the housing rep on the County Transition Group can provide an interim link with the group. The group reports to the Transition Executive Group chaired by the Managing Director for KASS.

The Group will work closely with the Kent Learning Disability Partnership Board. The thrust of its strategy is to make existing services work better for people with ASD rather than establishing a new specialist service. (7)

Provision of Activities for Young People – 2009 – (recommendation 4(c) & 13)

4(c) *“That there be a drive to recruit certified PC V drivers employed by KCC and partner organisations in Kent to register for occasional voluntary driving duties (subject to satisfactory CRB disclosure being in place) to assist the Youth Service’s provision of sports/leisure activities to young people. Once established the Youth Service should assess the viability of extending the scheme to include affiliated and non-affiliated voluntary organisations. “*

Outcome

- A job description and recruitment process for volunteer drivers is currently being finalised and will be distributed via the Kent Volunteer network and also to partners through the district based Volunteer Driver networks. (4)

13. *“That KCC Innovations Team works with young people, supported by professional advisers to produce a policy and guidelines for the safe use of social networking sites (Facebook, Bebo etc) by young people, and that KCC work towards developing protocols for effective and appropriate use of social networking sites by*

youth work practitioners, other KCC staff and Members as well as members of Kent Youth County Council. “

Outcome

- A code of good practice has been established by the Communications and Media Centre to ensure that all departments recognise the importance of promoting a positive message about young people.

Strengthening of the Select Committee Process

4. (1) Since the County Council received the last report in April 2009 a number of initiatives have been embedded in the Constitution to strengthen the Select Committee process. This includes:-

- establishing a two year Topic Review Programme;
- costing the recommendations of the Select Committee report before publication;
- agreeing the Terms of Reference with a cross-party group of Members who will serve on the Select Committee well in advance of the first meeting; and
- the protocol for the launching and publicising of Select Committee reports, agreed by the Council on December 2008.
- Keeping the hearings sharp and focused on those persons who the Committee really need to see in person and calling for additional written evidence as necessary.

(2) It has become evident from the most recent Topic Reviews of this County Council that successful outcomes of many recommendations rely on partners and stakeholders working together with the County Council to achieve them.

(3) Following the Alcohol Misuse Select Committee's lead, an important part of the process before placing the report of a Select Committee in the public domain was found to be the bringing together of stakeholders in order to gain support for recommendations so that there is shared ownership, and fewer obstacles to implementation. This has now become standard practise for all Select Committees what will rely on co-operation from partners and stakeholders to implement its recommendations.

Scrutiny Board

5. (1) There are a number of initiatives which the Scrutiny Board has commissioned to build capacity for this area of work,

(2) The County Council agreed to introduce a Rapporteur Scheme so that an elected Member or group of Members can research an issue (with limited support from Officers) and prepare a report. This scheme is being developed and will be

reported to the County Council in due course for embedding in the Constitution once it has been considered by the Selection and Member Services Committee

(3) The best example of a “rapporteur pilot” to date was the small group which looked at the reconfiguration of Women’s and Children’s Services for the Maidstone and Tunbridge Wells NHS Trust,. This Group took evidence from a wide range of people, prepared their own written report which they submitted to the Health Overview and Scrutiny Committee.

(4) Another example is the work of the Regeneration and Economic Development POSC. The Committee have been visiting colleagues in each Borough/District Council area across Kent looking at economic and regeneration issues then reporting back their findings to the next meeting of the Committee. This has provided the Committee with a real understanding of the economic development issues across the County

Conclusion and Opportunities

6. (1) With the developing pressures on the public sector task and finish groups and a rapporteur framework provide a key influence on the future operation of the County Council and the public sector.

(2) The whole process needs to develop with greater input from the residents of the County and its customers than it has had until now. “Listening to our Communities” must not be a choice it is a given.

RECOMMENDATION

7. The County Council is asked to note the report and celebrate the impact and added value that the outcomes of the Select Committee reports provided for Kent residents.

Mr A King
Deputy Leader of the Council

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Background Documents – none

Appendix 1: SELECT COMMITTEE TOPIC REVIEWS – MONITORING

Select Committee	Chairman	Final report to Cabinet	SC meeting to consider progress with Recommendations (12 months on from Cabinet)	Directorate/ POC	Update 2010 Page nos
Water and Waste Water, particularly in Ashford	Mr Hirst	October 2005	31 October 2007	E&R	61
Gypsy and Travellers	Mr Fullarton	May 2006	May 07 + 29 Nov 2007	Adult Services	70
Home to School Transport	Mr Law	April 2006	27 April 2007	CFE	77
Climate Change	Mr Wells	October 2006	Quarterly monitoring report circulated starting Feb 07	E&R	87
PSHE/Children's Health	Ms Cribbon	April 2007	14 April 2008	CFE	94
Transition to a Positive Future	Mr Bowles	May 2007	23 June 2008	Adult Services	98
Flood Risk Management in Kent	Mrs Hohler	November 2007	13 November 2008	E&R	101
Carers	Mr Christie	December 2007	30 January 2009	Adult Services	109
Alcohol Misuse	Mr Fullarton/Mr Hirst	March 2008	17 March 2009	Corporate	118
Accessing Democracy	Mrs Angell	September 2008	15 June 2010	Corporate	128
Passenger Rail Services in Kent	Miss Carey	December 2008	22 June 2010	E&R	138
Autistic Spectrum Disorder	Mr Simmonds	30 March 2009	11 May 2010	Adult Services	148
Provision of Activities for Young People	Mr Chell	30 March 2009	23 June 2010	Communities	155

Appendix 2: SELECT COMMITTEE TOPIC REVIEWS – PROGRESS WITH RECOMMENDATIONS

WATER AND WASTEWATER, PARTICULARLY IN ASHFORD – SEPTEMBER 2005	Progress at end March 2010
Recommendations	
<p>1. The Select Committee would endorse the view, expressed by officers of Kent County Council, that the solutions proposed for management of issues regarding the water system in the Ashford growth area must ensure mutual benefit and support, as far as is possible, with the economic and social dimensions of growth.</p> <p>The Committee also endorses the view that environmental considerations must be given equal weight in decision-making with social and economic considerations to achieve truly sustainable growth.</p> <p>The Committee recommends that when considering in future how to take forward actions identified through the IWMS, Kent County Council should continue to pursue strongly the objectives of the Kent Environment Strategy. The Council should consider how appropriate actions and targets from the IWMS could be linked to the Environment Strategy.</p>	<p>Alignment of policies continues to be pursued.</p> <p>The Ashford Water Group comprises KCC and other key stakeholders. It reports progress regularly to the Ashford's Future Board regarding the delivery of the IWMS Action Plan.</p> <p>The revised Kent Environment Strategy provides high level policy linkage and reflects many of the issues identified in the IWMS.</p>
<p>2. The Select Committee would support the establishment of a permanent group for the management, protection and enhancement of the water system in the Stour Catchment, made up of key stakeholders from central government (including planners and regulatory authorities), local government (county and district levels), water companies, and technical and environmental experts. Its remit should include land management issues relating to water and wastewater in the Stour Catchment. KCC should drive the establishment of this group, ensuring that key stakeholders are involved and that its work dovetails with that of Ashford's Future and the IWMS. The Group should engage actively with local people regarding its work, fostering public ownership and participation in measures to protect and enhance the aquatic environment.</p>	<p>The EU Water Framework Directive has raised the profile of catchment water management considerably and the Stour now forms part of the SE River Basin District. In 2008 the EA set up a Stour Catchment Group.</p> <p>The Action Plan for the Ashford IWMS is now linked into this wider programme.</p>
<p>3. Many of the Committee's recommendations will be more or less relevant to the welfare of the River Stour. Given that the growth in Ashford's population will lead to an increase in the output of wastewater, and that this growth sits within a context of higher temperatures and reductions in summer rainfall in the South East it must be stated here that the Select Committee believes that the Stour's chemical and biological condition, its temperature, flow levels and its chalk river</p>	<p>The Ashford Water Group set up a specific task group on water quality in 2008. Following several successful initiatives this has now been subsumed back into the main group.</p>

WATER AND WASTEWATER, PARTICULARLY IN ASHFORD – SEPTEMBER 2005	Progress at end March 2010
<p>characteristics downstream, and the condition of its environment must be given a priority consideration when carrying out selection of the options for managing water resources and the water supply and wastewater system in and around Ashford.</p> <p>The Select Committee also acknowledges the Environment Agency view that ‘what is good quality for one habitat is not necessarily good quality for another’, and therefore urges that attention should be focused in particular on the quality of the chalk river stretches of the Great Stour. To facilitate this, the Select Committee recommends that as a matter of urgency an appropriate system of monitoring should be put in place to identify critical changes in the chalk river characteristics of the Stour, and to monitor the Stour’s flow levels and temperature, not just the river’s chemical and biological quality. Research should be undertaken to fill gaps in the present understanding of the impact of variations in flow levels and temperature on rivers with chalk stream characteristics.</p> <p>The Environment Agency’s resources should be increased as appropriate to enable this research.</p> <p>Although the Environment Agency’s statutory ‘backstop’ position is to maintain river chemical and biological quality, having noted existing concerns about the state of the Stour, especially in its chalk water stretches, the Select Committee would urge that the firm aim of the Environment Agency and <u>all</u> key stakeholders in the Stour Catchment should be an overall <u>improvement</u> in the chemical, biological and physical quality and the flow levels of the Stour, and in the condition of the Stour’s environment. The Select Committee recommends that such an aspiration should be at the heart of the Stour Catchment Group recommended by this report. Moreover, the Committee would urge that the Environment Agency should be given the statutory mandate and the resources needed to work for the <u>improvement</u> of the quality of surface waters throughout England and Wales. In parallel with this, the Committee recommends that the technical implications of the Water Framework Directive should be clarified as a matter of urgency, so that it may be given detailed consideration in forward planning for water supply and wastewater treatment and disposal.</p>	<p>Ashford River Health Toolkit (ARHT) has been completed – this is a computer model that can simulate river flows, diffuse pollution inputs and point source effluent discharges so that infrastructure can be planned in advance of problems occurring.</p> <p>The ARHT has identified problems with phosphorous loading in the river and, as a result, Southern Water has secured funding for upgrading the WWTWs at Lenham, Charing and Sellenge specifically to remove phosphorus.</p> <p>Phase 1 of Bybrook WWTW improvements has been completed at a cost of about £50m. This has resulted in river water quality improvements, especially to ammonia levels. Southern Water is developing plans for phosphorus stripping at Bybrook WWTW. Wastewater inflows to this WWTW have declined over the last two years possibly as a result of the recession and closure of one or two water intensive commercial operations.</p> <p>Improvements to the low flow regime of the Stour may be harder to achieve as recent research results show that reductions to local groundwater abstraction may not result in increased flows into the river from chalk springs.</p> <p>An SUDS SPD has been prepared to form part of the Ashford LDF and will be consulted on during June 2010. This will set out the surface water management requirements for new developments.</p>

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<p>4. To support work seeking to achieve and maintain a balance between population growth, water resource management and infrastructure development, the Select Committee recommends that the actual growth of the population and number of households in the Ashford urban area should be closely and regularly monitored. This information should be shared between local authority planners, water industry regulators and water companies, to provide a common baseline for their forward plans.</p>	<p>Sharing of data is taking place.</p> <p>The monitoring report for the Ashford Water Strategy is regularly updated by the EA and Ashford's Future. This includes data from South East Water on the current water demand within the Ashford supply zone.</p> <p>For wastewater planning OFWAT does not allow Southern Water to include plans to accommodate growth until that growth has a high degree of certainty – ie. It is set out in an Area Action Plan.</p>
<p>5. Assisted by close observation of population growth and number of households in the Ashford urban area, and by further research (as recommended by the draft consultants' report for the IWMS) into levels of non-mains water abstractions, the Select Committee recommends that the area's actual level of demand for water should be closely monitored by the Environment Agency, especially in the planned growth period. This information must be shared between planners, water companies and water industry regulators, so that an agreement as to the baseline position for forward planning can be established.</p>	<p>Non-mains abstractions have been a small part of total water use and have not been given a high priority, consequently funding has not been available to research this. But see section 12 below.</p> <p>The Ashford Water Group monitors data on actual water use and per capita consumption within South East Water's Water Resource Zone (WRZ) 8 (Ashford and surrounds).</p>
<p>6. The Select Committee recommends that, given the current uncertainty regarding the viability of Broad Oak reservoir (which must be resolved as a matter of urgency), detailed work should be carried out looking into the viability of alternatives to resource the supply-demand balance in the Ashford area, particularly effluent re-use. Work on effluent re-use should especially focus on the local environmental implications of such schemes, and on public health and acceptance issues.</p>	<p>Indirect effluent re-use has been considered and a 20 Ml/day scheme on the lower Medway is currently preferred by both Southern Water and South East Water.</p> <p>A pipeline from Bewl bridge to Ashford is nearing completion but the economic recession has meant that this is not needed immediately and is now planned for completion in 2012.</p>
<p>7. The Select Committee recommends that investigations should continue as to the most effective</p>	<p>All the water companies in the region have</p>

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<p>means to achieve demand management through tariffed metering. The Committee also recognises that incentives are lacking for customers to opt into metering, and recommends that the Government has a role to play in developing such incentives. The Committee would also recommend further research and open discussion regarding the potential costs of metering to customers, the reasons why water companies may apply for Water Scarcity Status and the implications of compulsory metering powers under Water Scarcity Status. The Committee urges that considerations of social justice be given high importance in the development of metering tariffs and that schemes to assist vulnerable customers should be publicised more widely.</p>	<p>included compulsory water metering in their plans. As these plans stand Kent will be fully metered by 2020 and possibly earlier depending on where South East Water start with their programme.</p> <p>KCC is working with South East Water and Folkestone & Dover Water to evaluate alternative tariff systems. Southern Water has now decided to apply a seasonal tariff for their customers.</p>
<p>8. The Select Committee strongly recommends to the Government that an accredited and recognised system of water efficiency labelling should be developed for fixtures, fittings and appliances using water. To address the important issue of reducing demand in existing housing stock, consideration should be given as to how retrofit of high-efficiency fixtures, fittings and appliances could be incentivised effectively. Installation of such measures in new build should be made compulsory under reformed building regulations, at least in areas where the water supply-demand balance is under strain.</p> <p>The Select Committee also strongly recommends to the water industry regulators that a water efficiency commitment should be developed, setting targets for water companies to reduce water use by their customers. Active encouragement should be given by Government and by the water industry regulators to partnership working on demand management projects between water companies and developers, and water companies and local authorities.</p>	<p>The DEFRA market Transformation Programme and the national Waterwise project are pursuing this. DEFRA already manages The Water Technology List that includes tested products that qualify for the ECA scheme. Waterwise has also developed a technology accreditation scheme.</p> <p>The Bathroom Manufacturing Association has established a voluntary water efficiency labelling scheme that is rapidly gaining credence. http://www.water-efficiencylabel.org.uk/</p> <p>Government has committed to reviewing the Water Fitting Regulations.</p>
<p>9. The Select Committee strongly recommends that further research be undertaken into the possibility of introducing rainwater harvesting and other appropriate technologies to new developments in the Ashford growth area. The results of this research should be reflected in the design of future developments in the Ashford growth area and elsewhere, and in the revision of national building regulations.</p>	<p>Rainwater harvesting has recently been shown to incur higher carbon emissions than supplying the same volume of mains water. This is due to the small, less-efficient pump that most rainwater harvesting systems require to lift the water into the building. KCC is awaiting further work on this before pursuing rainwater harvesting.</p>

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<p>10. The Select Committee welcomes the commitment to and guidance for sustainable development offered by Kent Design, and Ashford Borough Council's commitment to seeking high standards of water efficiency in new development, including consumption of toilets, taps and showers, bath size and white goods (where installed by the developer). It urges Government to give water conservation measures priority consideration in reform of the building regulations, including provision for stricter standards to be applied by local authorities in areas where the supply-demand balance is particularly under strain. Existing training and information should be extended to support local authority officers in enforcing building regulations and other high standards for design and construction, as deemed appropriate for the needs of the area (e.g. EcoHomes standards, SEEDA Sustainability Checklist, Kent Design principles). Local authority officers should be assured of the resources necessary to enforce such regulations and standards.</p>	<p>Building Regulations now require a maximum water use design standard of 125 l/h/d.</p> <p>Ashford BC and Canterbury CC now have LDF requirements in place for new homes to comply with Code for Sustainable Homes (CfSH) level 3 or 4. (This is the highest rating for water that can be achieved without rainwater harvesting or grey-water recycling).</p> <p>Seven other Kent local authorities have the same requirement within draft LDFs that are expected to be adopted within the next 2 years.</p> <p>Swale BC's LDF is at a very early stage.</p> <p>Dartford BC's pre-submission draft Core Strategy appears not to make reference to water use standards.</p> <p>Tunbridge Wells BC has an SPD on Sustainable Design and Construction that includes an expectation that new homes should be water efficient. A separate SPD on Sustainable Water Use is in preparation but specific standards are not yet clear in either document.</p>
<p>11. The Select Committee supports initiatives such as the SE Water Resources Forum, and the Kent Sustainable Business Partnership, which raise environmental considerations further up the business agenda. The Committee would wish to see more businesses applying for environmental management accreditation, and would suggest that more be done to incentivise such accreditation.</p>	<p>The Kent Sustainable Business Partnership finds limited interest in water efficiency because water is a relatively minor cost to most Kent businesses.</p> <p>However, KCC has recently launched the South East Business Carbon Hub in April 2010, an online service aimed at supporting businesses in measuring, managing and</p>

WATER AND WASTEWATER, PARTICULARLY IN ASHFORD – SEPTEMBER 2005	Progress at end March 2010
	<p>reducing their carbon emissions. The service will also offer an environmental accreditation scheme which will help businesses improve their environmental performance and receive recognition for doing so.</p>
<p>12. The Select Committee encourages local authorities, DEFRA and the Environment Agency to take forward the following actions:-</p> <ul style="list-style-type: none"> - compulsory metering of non-mains abstraction within the Stour Catchment, especially any closely linked to water resources for the Ashford growth area, in order to ascertain usage – to be complete within five years - research into the possibilities offered to farmers and horticulturists, through diversification, to proactively adapt to water resource pressures and climate change, and into the best policies and means by which to support such adaptation - research into the means to make the most efficient use of water from abstractions, and into alternative water resources (including reservoirs) - partnership working with farmers and with groups such as the NFU, to give practical advice and support regarding efficient water use and the planning, development and deployment of alternative resources. Within Kent, such work could be facilitated by the Stour Catchment group as outlined in Recommendation 2. 	<p>In the absence of adequate information on non-mains water use this recommendation has not yet been progressed.</p> <p>Both East Malling Research and Brogdale have research projects underway to investigate and promote water efficiency in horticulture and agriculture.</p> <p>The EA has been introducing tighter restrictions on abstraction licences for agricultural and horticultural water users. However it appears that growers are instead increasingly approaching the water companies for their irrigation water needs - South East Water reports a significant increase in demand from this sector over recent years especially within WRZ 8. This is resulting in unnecessary water treatment and is competing with domestic use for scarce resources at times of peak demand. Furthermore, because irrigation water is not returned to water courses after use, it is likely to contribute to low river flows and result in water quality deterioration.</p> <p>This is a worrying development because there is no established mechanism to control it – water companies are entitled to accept new commercial customers and to plan to meet this demand but domestic customers would share the costs of any resulting</p>

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	strategic infrastructure requirements. Growers might develop or expand businesses that later prove unsustainable, resulting in wasted investment.
<p>13. The Select Committee would endorse the IPPR's position that 'we do not feel that a lack of evidence should mean an abandonment or down-playing of demand management strategies, but that greater effort should be made to build the evidence base on how effective different strategies are in reducing water demand'. Given the existing concern regarding abstraction levels and the potential impact of growth on the supply-demand balance, discrepancies between population and demand projections, and uncertainty regarding the viability of some resource development options, demand management measures must be viewed as an immediate priority for action.</p> <ul style="list-style-type: none"> • Public education could be led in the first instance by local authorities such as Kent County Council and Ashford Borough Council, in partnership with water companies, developers and local environmental groups. • The Committee is encouraged by the work of the Kent Water Demand Management Group, led by KCC, in promoting water efficiency in building and business; the work of this Group should be supported and extended to support the mobilisation of stakeholders to systematically address water consumption pressures and develop related business opportunities locally (e.g. in water efficient technology). • Should a Stour Catchment Group such as that proposed in Recommendation II be developed, this group could take forward work in engaging the local population to tackle challenges in the supply-demand balance in their area. • Local authorities should carry out auditing of their own water use, and take action to improve efficiency. KCC should reaffirm and act on its commitment to carry out a water audit across all its areas of business, excluding schools, within three years. Schools should be encouraged to respond to this action within the same timescale. 	<p>The Kent Water Demand Management Group (KWDMG) has been further expanded. It now includes the Consumer Council for Water and all the Kent water companies except Thames Water.</p> <p>The Savings on Tap project with Hillreed Homes has demonstrated water efficiency measures in new homes that approximate to CfSH level 1. Per capita consumption in these homes is less than 120 l/h/day.</p> <p>Using the Code for Sustainable Homes, high standards are now being set within Kent LDFs.</p> <p>DEFRA has introduced a target that domestic per capita consumption should be 130 l/h/d by 2030. Most water companies have embraced this aspiration but South East Water has resisted somewhat – KCC has strongly challenged the company on this issue in the current Public Inquiry into their Water Resources Management Plan.</p> <p>KCC has been leading a project to address water efficiency in existing homes in Ashford. This has proved effective and very popular with residents. Savings are in the order of 10% per house. The project has also run a behaviour change campaign. The project is now being roll out to other parts of the town in combination with energy saving measures.</p>

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	<p>KCC is developing a Kent-wide project for retrofitting energy and water efficiency measures into existing homes.</p> <p>From 2010 OFWAT has given all water companies minimum targets for water efficiency gains. This is helping to galvanise partnership activity to improve the water efficiency of existing homes.</p> <p>KCC has disbursed £100,000 of grants to schools and large KCC offices for water efficiency improvements.</p> <p>KCC's Sustainable Business Programme offers free services to businesses in the South East including: an environmental review, flood risk consultation and membership of the South East Business Carbon Hub. All three services include water measurement and management and promote the efficient use of water. Eighty businesses have already received an environmental review with 7,921m³ of water savings identified.</p>
<p>14. The Select Committee would urge OFWAT (and its successor as the economic regulator) to give greater long-term financial security, through a revised Price Review process, to water companies' plans for long-term enhancement of their services. The economic regulator is also asked to consider how the process and timing for approval of water companies' asset management plans could be made more flexible, to allow greater synchronicity with local development frameworks and with actions identified through area projects such as the Ashford IWMS.</p>	<p>There has been no change on the timing of the Price Review process, however OFWAT has introduced mechanisms to remove some of the disincentives for investment in demand reduction.</p> <p>OFWAT is investigating a number of possible improvements to encourage more sustainable behaviour by water companies. KCC is planning to lobby the regulator to influence this work.</p>

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<p>15. The Select Committee recommends that not only flood risk implications but also the protection and enhancement of the River Stour should be taken into account in the consideration of all proposals for development in the Ashford growth area. (This recommendation supports the Committee's Recommendation 3).</p>	<p>This is being addresses by the EA as part of an Upper Stour Strategic Review and is coordinated by the Ashford Water Group.</p>
<p>16. The Committee recommends that separate storm and foul sewerage should be installed in place of CSOs, as and when redevelopment work takes place in the vicinity. It also recommends that OFWAT (and its successor as the economic regulator) should ensure there are financial means to fund the replacement of CSOs before unacceptable impacts are detected.</p> <p>The Committee also recommends that the Environment Agency should be required to advise the public through posting of notices and through public journals of all untreated or unsatisfactorily part-treated discharges – both licensed and unlicensed – of sewage and effluent into the sea, watercourses or over land. A record of such discharges should be maintained and be available to members of the public.</p>	<p>All new developments are served with separate foul and storm sewers.</p> <p>There are currently no funding mechanisms for the replacement of existing CSOs. However, improvements to the network capacity appear to be reducing the frequency of CSO incidents.</p> <p>Major enhancements and extensions of the sewerage network and underway to accommodate growth at Ashford.</p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
Recommendations	
<p>1. For KCC, in partnership with all Kent local authorities, to take joint responsibility for the establishment of a network of transit sites across Kent. For KCC to co-ordinate the submission of funding bids to the regional housing fund for January 2007 and subsequent bidding opportunities, where appropriate and sustainable. (Page 22, 4.5.10)</p>	<p>There has been significant progress made. The planning advice options were submitted to SEERA and made available on the KCC website, including the full version of the four Gypsy and Traveller Accommodation Assessments for Kent and Medway. A number of counties and districts revised their accommodation figures (not including Kent).</p> <p>The South Eastern Regional Assembly decided, at their meeting on 4 March 2009, to recommend that transit site proposals should be determined locally. Before the Examination in Public on the Partial Review of the South East Plan, SEERA Officers aim to commission a study on transit movement patterns and high-level evidence of need for transit provision, to inform the work their draft policy indicates will be needed at county group level to identify transit provision requirements.</p> <p><i>The issue was discussed in detail at the Examination in Public on the Partial Review of the South East Plan in February 2010.</i></p> <p><i>However, the Coalition Government has terminated the South East Plan, and the future planning guidance is still to be determined.</i></p> <p><i>At the least, there will be no regional transit site arrangements, unless agreed between individual authorities, even though there is some general agreement that regional planning for this is a good idea.</i></p>
<p>2. For Kent local authorities to investigate ways to facilitate growth in the number of self-owned, self-leased and self-managed private sites, within the existing planning and legislative framework. (Page 23, 4.6.4)</p>	<p>The Housing Corporation produced a paper on this subject, to act as a basis for increased RSL involvement and the Communities and Local Government Departments produced revised guidance on Accommodation Assessments. The KCC GTU developed a closer working relationship with</p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
	<p>AMICUS Housing and was keen to hold an event, involving RSLs operating in Kent, once there was Housing Corporation or CLG new proposals to discuss - this has not yet taken place, but has been discussed informally with an officer from the new Homes and Communities Agency.</p> <p>A paper will be prepared by the Gypsy and Traveller Advisory Board once the proposals were produced.</p> <p>Opportunities for owner-occupied sites will continue to be looked for, as part of necessary new site development in Kent.</p> <p><i>This will be even more critical now, as there is no money in 10/11 for new public sites.</i></p>
<p>3. For the KCC Gypsy Unit to investigate the situation of Irish Travellers in Kent, regarding access to local authority sites, and to monitor and report on the pitch occupancy rate on public sites.</p>	<p>KCC is now discussing with other authorities in Kent and Medway the review of public plot allocation policy, to reflect the needs and site stock that exist, the different groups seeking accommodation, and to enable those from different groups to live side by side.</p> <p><i>A few more Irish Travellers on KCC waiting-lists. But many still move to land they have bought, and try to get planning consent, arguing they are not catered for.</i></p>
<p>4. For KCC to facilitate the sharing of best practice between Kent local authorities, over the needs assessment processes, including addressing future needs. (Page 28, 5.1.4)</p>	<p>Sharing of practice continues through the Kent and Medway Site Managers' Group (to which other agencies are also invited) and occasional meetings of the planning officer group which helps steer the Kent and Medway SEERA work.</p> <p><i>Site Manager group continues. KCC GTU now managing Maidstone's two sites.</i></p>
<p>5. All Transit and permanent site provision in Kent should have amenities and services, including boundary fencing, hardstanding on each pitch, water supply, toilet and washing facilities, waste disposal and electricity supply and ensure adequate health and safety measures are taken. (Page 30, 5.2.5)</p>	<p>Kent and Medway Fire and Rescue Service have completed, and launched in February 2009, an excellent DVD, for Gypsies and Travellers living on any type of site, or in a caravan with no site, which is being well-received in Kent</p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
	<p>and other parts of the country. It provides practical guidance on how to prevent fires starting, what happens when they do, and how to respond effectively and protect people and property. Anyone who would like a copy can contact the Gypsy and Traveller Unit.</p> <p>The Government's Site Design Guide was published in May 2008, and is the basis for decisions on grant for current and future public sites.</p> <p><i>However, as there is now no capital funding for new sites, there may need to be more managed encampments, without all the facilities mentioned in this recommendation, but with some facilities, and close management.</i></p> <p>The Housing and Regeneration Act 2008 received Royal Assent in July 2008, making Mobile Homes Act 1983 provisions apply to publicly-run Gypsy and Traveller sites for the first time. Some exceptions can be made, and consultation on those (principally about right of assignment and rights to plots on succession after death) took place in autumn 2008. The further changes will be included in regulations expected to be placed before Parliament before the summer recess. A model new national pitch agreement is due to be prepared, and recommended to all public bodies managing sites. The change to the new system, with the new law applying, is expected by the end of calendar year 2009 or by 1 April 2010. New Site Management Guidance will be published at the same time by the Communities and Local Government Department.</p>
<p>6. Where transit sites are to be provided in Kent by the district authorities, KCC should offer its expertise in managing sites that have special challenges, such as transit sites. (Page 31, 5.3.5)</p>	<p>That offer remains in place, to facilitate the provision of transit sites which operate successfully.</p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
	<i>Managing MBC sites from April 2010, under contract.</i>
7. For all Kent local authorities, to increase the involvement and responsibility of Gypsy and Traveller residents in site management arrangements. (Page 32, 5.4.6)	<p>There has been improvement in site management, including on new licence consultation.</p> <p>There are discussions with site residents over site management issues, and joint involvement in making improvements.</p> <p>A Countywide group of Traveller site managers has been established, and meets regularly to share best practice in site management, including the involvement of site residents in it.</p> <p><i>This will be a recommendation that will be discussed with the new Kent and Medway Gypsy and Traveller Forum, to see if more progress can be made.</i></p>
8. For KCC, in consultation with district authorities, to consider having a residential 'gatekeeper' on transit sites in Kent. (Page 33, 5.5.3)	<p>Needs further discussion at CWG once transit work is progressed.</p> <p><i>No prospect of early transit sites, but there are a couple of managed encampments.</i></p>
9. For Kent local authorities to ensure that any new transit sites in Kent should be self-financing, with rent charged on sites. The revenue costs for the running of transit sites should be shared between KCC and the relevant District/Borough Councils. (Page 34, 5.6.5)	<p>Needs further discussion at CWG once transit work is further progressed.</p> <p><i>No prospect of early transit sites, but there are a couple of managed encampments.</i></p> <p><i>They are self-financing, as far as facilities on them are paid for by the families concerned.</i></p>
10. For KCC, with district authorities, to lobby the Department of Work and Pensions to address the difference in the treatment of County Councils (as if they were profit-making landlords) in comparison to housing authorities. This is in the context of the Department of Work and Pensions meeting the full reasonable	The Department of Work and Pensions, no doubt noting the reduction in the numbers of county councils from 1 April 2009, and thus the reduction in the net impact of changing back to the old system, has decided to return to the pre-2001

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
<p>rent of claimants in receipt of housing benefit who reside on Gypsy and Traveller sites. This is in order to ensure that County Councils and Housing Associations who provide and manage public sites are not forced to subsidise the costs of provision. (Page 35, 5.7.6)</p>	<p>system, whereby rents do not need to be referred to rent officers, and this took effect from 1 April this year, and will produce additional revenue for KCC and other councils to defray the costs of managing sites.</p> <p><i>Further review of Housing Benefit is referred to in the budget. We will await and respond to any consultation, and see what the implications are.</i></p>
<p>11. For KCC, with district authorities, lobby the government to provide sufficient resource to ensure that unsuccessful retrospective planning applications can be dealt with in weeks rather than years. (Page 42, 6.9.14)</p>	<p>None, but anecdotal evidence suggests the level of concern appears to have diminished in some parts of Kent, and the number and scale of new cases appears to have fallen.</p> <p><i>Recently some significant new cases, including not only new land being occupied without planning consent (and injunctions obtained) but also occupation of land owned by someone else, and developed.</i></p> <p><i>Close work with planning enforcement agencies, police and others, and possible future change in the law. May include shortening the timescale for determination and action to end the unauthorised development, if unsuccessful.</i></p>
<p>12. For Kent local planning authorities to consider the importance of ensuring that temporary applications are refused in situations where there are material objections, along the same lines as dealing with permanent permission applications. (Page 42, 6.9.14)</p>	<p>None - we will table this as a matter for a meeting of the Kent Planning Officers Group – perhaps in combination with a number of the other issues mentioned here that have not yet been pursued.</p> <p><i>Kent Planning Officers Group are considering the subject again, and could be discussed by the virtual group linking authorities together.</i></p>
<p>13. For Kent local planning authorities to consider the importance of ensuring that, where rural exception policies are included within Local Development Frameworks, there is a need to ensure that they are tightly drafted to mitigate any potential increase in planning applications on these grounds. (Page 42, 6.9.14)</p>	<p>Ditto recommendation above.</p> <p><i>Kent Planning Officers Group are considering the subject again, and could be discussed by the virtual group linking authorities together.</i></p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
	<i>Awaiting new national planning guidance – some way off yet.</i>
14. KCC to facilitate the establishment of a Countywide partnership group, which will work to share best practice and information to reduce and tackle Unauthorised Developments. (Page 42, 6.9.14)	<p>The Kent Planning Officers' Group are discussing this issue again in June 2009.</p> <p><i>KCC revived the issue with them in June 2010, and awaiting set-up of that group.</i></p>
15. For the KCC Gypsy Unit and Trading Standards to demonstrate increased collaboration in effectively reducing the practice of rogue trading, including more effective strategic and operational data sharing. (Page 45, 7.4.8)	<p>The KCC GTU has been successful in working with Kent Waste who worked with the BBC "Rogue Traders" programme to expose a partner of the licensee of one of KCC's managed sites as a fly tipper, including on an access road to the site itself. The individual has been convicted and fined, and other individuals have also been prosecuted successfully.</p> <p><i>Close, continuing collaboration between the KCC GTU and Trading Standards on these issues.</i></p>
16. For KCC, with district authorities, to lobby the government, to ensure that there is stronger multi-agencies work to tackle any criminality or tax evasion in transient populations. (Page 47, 7.5.9)	<p>Multi-agency work continues successfully, over a range of issues.</p> <p><i>Multi-agency work grows continually, including a recent conference on Domestic Violence issues, hosted by Kent Police.</i></p>
17. For KCC to facilitate the establishment of a joint Kent and Medway Authority group, to address the accommodation needs for Gypsies and Travellers. The primary objective of this group is to address the accommodation needs that are identified. It will also provide a vehicle for consultation and a sub-regional approach for applying for funding. In addition, it will consider the revenue cost implications linked to site provision, with a view to pooling resources. (Page 49, 8.5)	<p>A Countywide Group with nominated representatives from all local authorities and other agencies has been established and has met regularly.</p> <p>It has, very significantly, included, at every second meeting, individuals invited from Gypsy and Irish Traveller communities, and this has enabled very detailed discussion of issues of mutual concern, and engagement over the planning, housing and needs assessment processes that are proceeding in Kent, the South East and across England.</p>

GYPSY AND TRAVELLER SITES IN KENT – MAY 2006	Progress at end June 2010
	<p>The work of this group is the biggest progress made with the Select Committee recommendations, as it involves invitations to all the relevant stakeholders, including the Kent Association of Parish Councils.</p> <p>The Group is the key to future progress with partnership working on the remaining recommendations.</p>
18. For the KCC Gypsy Unit to be renamed as the 'Gypsy and Traveller Unit', in order to reflect the role of the Unit in working with all Gypsies and Travellers. (Page 49, 8.5)	Achieved.

HOME TO SCHOOL TRANSPORT – APRIL 2006

Recommendation	Progress at end March 2010
<p>1. For Kent County Council to make the description and explanation of school transport rules in its school admission booklets more clear and accessible (Page 11).</p>	<p>Description and explanation of school transport was enhanced in Admission to Secondary School booklet for 2007. It has been maintained in all books since with a dedicated section clearly explaining transport eligibility.</p> <p>The level of information provided in the Admissions to Secondary School booklet has continued to be of a high standard and will further be enhanced again for 2011 admissions within the dedicated section. This will also include information on where transport will be available with particular regard to the parishes within Kent.</p> <p>The Transport Team also developed a new transport booklet back in 2007 this is distributed each year to Primary and Secondary schools. It has been designed with the applications for transport forms inside the back cover so parents will have full access to transport information on hand while completing their applications for transport.</p> <p>The separate information booklet, 'Home to School Transport', has continued to be a success with parents who have expressed how informative the booklets are to them through the Customer Satisfaction Survey. It continues to update parents with as much information as possible regarding all aspects of Kent's transport policy. This includes information on applying for the Kent Freedom Pass, Kent's strategy for sustainable transport and on applying for assistance for Low Income Families. The application forms are still enclosed within the booklet for the parents in order for them to have easy access to apply.</p> <p>The application forms have also been made available in pdf form on Kent's website in order for parents to print an application from and send it direct to the Transport Team.</p> <p>Officers within Admissions & Transport attend some school open evenings to assist parents in understanding the rules. Admissions & Transport staff will continue to monitor feedback regarding the School Admission booklet and indeed the transport booklet, both of which ask for feedback and suggestions for improvement. Any comments will then be used to inform future editions of the publications.</p> <p>The Home to School Transport booklet was enhanced further in 2008 when the Transport team gained the Crystal Mark for the booklet from The Plain English Campaign.</p>

Recommendation	Progress at end March 2010
	Comments gained from the Customer Satisfaction Survey have shown that parents are very satisfied with the booklet and the information that is available.
<p>2. To consider the provision of online systems that supply school admission and transport information, and that enable electronic applications and payments (Page 11).</p>	<p>Section 508A of the Education and Inspections Act 2006, in force from 1 April 2007, places a general duty on local authorities to promote the use of sustainable travel and modes on the journey to, from, and between schools and other institutions. The Act also requires an audit of the sustainable travel and transport infrastructure within the authority that may be used when travelling to and from, or between schools/institutions. As part of addressing both of these requirements, Kent Highway Services undertook a full infrastructure audit of all KCC schools in 2008 and has worked with CFE and ISG to develop and expand the 'School's Searchable Database' on kent.gov.uk to include an additional section on 'Safer Journeys To School'. The facility contains information regarding the School's Travel Plan and also basic information about local speed limits, crossing points, the availability of a school crossing patrol etc. It is planned to develop this facility over the next 12 months to include more interactive mapping that allows the user to view, precise locations of things like walking bus routes and school crossing patrols. Additionally the website www.11-19travel.info, provides bespoke public transport and journey planning information for every secondary school in Kent.</p> <p>The possibility of providing an online application system to parents is also being investigated by officers to assess the cost/benefits and plans are being made to investigate with other authorities how this may be achieved.</p>
<p>3. To ensure continuous dialogue between Kent County Council and religious denominations in an effort to reflect more accurately the communities that denominational schools serve in the entitlement and provision of free home to school transport (Page 14).</p>	<p>The guidance from the DCSF states that the Secretary of State continues to attach importance to the opportunity that many parents have to choose a school in accordance with their religious and philosophical beliefs and believes that wherever possible LAs should ensure that transport arrangements support the preference of the parents. He hopes that LAs will continue to think it right not to disturb well established arrangements for denominational transport assistance. Regular contact is maintained by the LA and the diocesan boards of education on matters relating to transport and indeed admissions.</p> <p>The LA continues to keep regular contact with the diocesan boards of education with regard to transport assistance and will continue to consider the guidance from the DCSF with regard to this part of Kent's transport policy.</p>
<p>4. That in the interests of consistency consideration be given to free home to school</p>	<p>Home to school transport is provided to children who are selected for grammar school education, attend their nearest appropriate school and live more than three miles from the</p>

Recommendation	Progress at end March 2010
<p>transport for pupils specifically selected by aptitude to attend specialist schools (Page 14).</p>	<p>school. However, they must live within a selective area of education to receive assistance. If they live in a comprehensive area of education, children would not receive assistance to a grammar school even if they have been selected unless the school was geographically nearer and over 3 miles away (2 miles for low income groups). For children taking aptitude tests to enter specialist or particular types of schools – this would depend on whether or not the school is the nearest appropriate school or not.</p> <p>There are a large number of specialist schools and changes would require an extension of the transport provision across the County, with undoubtedly, further financial implications. One would hope that the Kent Freedom Pass will open up access to such schools where cost of transport may have been a barrier in the past.</p> <p>Whilst Kent continues to provide transport provision to those children who attend grammar schools because they have been assessed as grammar school students, parents are now able to apply for the Kent Freedom Pass county wide and has also been provided to children who live in Kent LA but who actually attend schools across County and LA borders e.g Medway and East Sussex. This has enabled numbers of children to be able to receive assistance to specialist schools where normally they would not qualify.</p>
<p>5. That in the interests of consistency consideration be given to providing transport to the nearest single sex school if a preference is expressed by the parents (Page 14).</p>	<p>The County's transport policy is currently under review and it is felt that the LA provides parents with a significant choice of single sexed schools to express preferences for. The transport policy reflects parent's preference by providing transport assistance to a child's nearest schools, which can include single sexed schools.</p> <p>To our knowledge there are no plans to extend the policy to include a parents preference for single sexed schools as in some areas this has already been addressed. In other areas, the Kent Freedom pass has allowed parents to have an even wider choice of schools to include single sex schools.</p>
<p>6. To ensure additional legal support is available to Members when they exercise their discretion at the Regulation Committee Case Panel (Page 16).</p>	<p>If Members require Legal support, Democratic Services would make the necessary arrangements. Legal Services do charge and this charge would have to be met by Democratic Services. To our knowledge, there has only been one appeal where a Legal representative was present as the parent had brought her own representative to the appeal.</p> <p>If required, Members would be supported by Democratic Services with any legal support they may require. However, there are very few occasions when this has been required and to our knowledge, only one appeal has been held this year where legal support was required and</p>

Recommendation	Progress at end March 2010
	this was for a case for transport on denominational grounds.
<p>7. To consider younger siblings' eligibility for free transport when applying to a school that, although not their nearest appropriate, is the one to which the older sibling has been directed, therefore receiving free transport (Page 16).</p>	<p>When siblings apply for transport all circumstances are taken into consideration. However, whilst Members refer to the LA 'directing' pupils to schools there are several scenarios that have to be taken into account:</p> <ul style="list-style-type: none"> a) If it has not been possible to offer a place at any of the preferred schools at the time of secondary transfer and have allocated child a place – transport would only be granted to the allocated school if the nearest appropriate school had been named and refused a place. b) If a child has moved in and cannot attend nearest appropriate school – Admissions & Transport would advise parent of where there are places available and therefore it would be parents who decide where their child will attend. If they attend the next nearest appropriate school transport would be granted. <p>If it is deemed appropriate to make changes to the existing policy this would require a Cabinet decision, such a scenario would ordinarily be considered through the independent appeals process. This route is far more appropriate because panels can consider the full implications of individual circumstances and effect the overriding of the policy. This process protects the LA and facilities an opportunity to make exceptions on a case by case basis.</p> <p>The County's transport policy is currently being reviewed and will take this question into account. It should be remembered that parents having the right to express preferences for schools may not necessarily want their siblings to go to the same school but would prefer them to be in separate schools depending on their abilities.</p> <p>The response to this proposal would still be the same for this year as consideration whether to give transport assistance or not is given, especially during appeals, to parents in order for them to drop off and collect two children to two different schools. However, it should be remembered that, for their own reasons, parents may prefer to send their children to two different schools and that if applying for a grammar school it may be the case that the children would not necessarily be eligible to receive assistance based on their assessment.</p>
<p>8. For Kent County Council to take lead responsibility in promoting walking bus initiatives. This includes: for KCC to make financial contributions to walking bus schemes;</p>	<p>Kent Highway Services are part of a unique partnership to develop and promote Walking Buses and associated Walk to School initiatives in the County. This partnership involves, KCC, Medway Council, the Kent and Medway Charity Team (affiliated to the KM Group) and private sector sponsors. This partnership has gone from strength to strength in recent years</p>

Recommendation	Progress at end March 2010
<p>attract business sponsorship to help funding walking buses; encourage a greater involvement of Community Wardens in promoting walking buses at strategic and operational level (Page 22).</p>	<p>and has contributed to a gradual shift to walking to school at primary schools, helping to tackle congestion on the school-run. Broadly speaking, KCC provide safety and administrative support to Walking Buses, ensuring they are properly risk assessed and meet insurance requirements. KCC also provides support in identifying appropriate routes and training volunteers to operate within clearly defined guidelines. The Kent and Medway Charity Team, funded in part by a grant from Kent Highway Services, work with schools and walking bus volunteers to ensure the longevity of the schemes, through a series incentives and events. They also help to secure private sector sponsorship for equipment like hi-vis tabards. Through the partnership, over 70 walking buses currently operate in Kent, in addition to some 130 schools participating in either Walk on Wednesday (WOW) or Walking Bug annually. It is estimated that the schemes save in excess of 150,000 school-run trips each year.</p>
<p>9. To continue to support and promote initiatives and schemes aimed at encouraging safe cycling to school and at improving the quality of cycling networks and services in Kent (Page 24).</p>	<p>Cycle Training in Kent continues to be delivered to Year 6 pupils as part of the <i>Kent Rider</i> scheme, a one day course led by the Road Safety team in KHS. However, KHS has recently obtained additional funding to develop and expand existing arrangements to deliver cycle training to the new national 'Bikeability' standard at selected schools in Ashford and Canterbury. Subject to available funding and the outcomes of this pilot, it is intended that these arrangements will be rolled out across the County.</p> <p>Additionally, Kent continue to work with Sustrans to deliver the BikeIT programme to 12 selected schools in Ashford and Canterbury to promote and encourage cycling to schools more generally. This scheme has been highly successful and has resulted in significant mode shift to cycling at the targeted schools.</p> <p>Finally, Kent Highway Services has a partnership with Sustrans to develop and expand a volunteer 'Ranger' scheme, where Rangers for specific cycle routes keep track of maintenance requirements and work collaboratively with Kent Highway Services to ensure on and off-road sections of route are maintained to a safe standard.</p> <p>Enhancements to the cycle network County wide continue to be delivered through Developer funding and the Integrated Transport programme subject to funding.</p>
<p>10. For Kent County Council to enhance its involvement in organising, promoting and monitoring its own car sharing initiatives in order to increase the number of people using the</p>	<p>Kent Highway Services' highly successful <i>Kentcarshare.com</i> journey matching facility has been developed and expanded to include new 'budi' elements for walking, cycling and taxi trips aimed at improving personal security, knowledge and confidence of local cycle routes and cost sharing opportunities. The new facility is called <i>Kentjourneyshare.com</i> and over the</p>

Recommendation	Progress at end March 2010
scheme (Page 28).	<p><i>past 12 months membership has increased from 2,880 to 3,390 members.</i></p> <p><i>Kentjourneyshare's sister scheme Kentschoolrun, targeted specifically at schools, was taken out of service in 2008. This was largely due to new seatbelt and child restraint legislation which has made it increasingly difficult to transport other peoples' children without transferring often bulky equipment between vehicles. Also, experience has taught us that car-sharing schemes at schools tend to work better when they are managed locally, rather than via the web which tends to lead to concerns over personal security etc. However, the University of Kent are working with Liftshare.com to establish a car-sharing scheme for Universities and Further Education Establishments across the County.</i></p>
11. To maximise the use of the rail network, where available, for school transport purposes. (Page 29).	<p>Transport Integration does make use of the rail network currently having children travel by rail where appropriate. However, it should be remembered that the rail companies consider a child as an adult on their 16th birthday and would charge KCC accordingly. The potential to increase this above the 13% mainstream pupils eligible for free travel is limited by a number of factors e.g. a high number of rail journeys involve a considerable walk at either end of the journey which is generally less so with buses whose timetables are more suited to school sessions.</p> <p>The number of pupils travelling by rail remains fairly constant. There is generally little appetite for scholars to transfer from bus to rail for the reasons given above. There is often no financial advantage to the County Council in providing rail than bus passes; the nature of the County Council's agreements with local bus operators presents good value for money and rail fares can be considerably higher depending upon the journey. Additionally, timetabling changes following the introduction of HST services have not had a positive effect on some existing scholar flows</p>
12. To urge a stricter enforcement of parking regulations in schools' surroundings (Page 30).	<p>The first step in enforcing parking regulations outside of schools is to ensure that the relevant Traffic Regulation Order is in place. Historically, the default position with school zig-zag and 'Keep Clear' markings has been 'advisory'. This means that parking on them is inconsiderate and potentially dangerous but often not a traffic contravention. However, as part of Kent Highway Services' emerging Asset Management Plan, it is anticipated that the precise situation at each school site will be identified and that the necessary Orders will be published to ensure all 'Keep Clear' markings are enforceable in the future. In addition, KHS have recently begun piloting a new 'hearts and minds' campaign with schools in Dartford, Gravesham and Thanet to remind parents of the potential dangers of inconsiderate parking. The scheme, based on a yellow and red card theme, has been well received and had</p>

Recommendation	Progress at end March 2010
	positive press coverage. It is hoped that the scheme will be rolled out across the County in due course. The scheme has involved enthusiastic participation from local PCSOs and Civil Enforcement officers and is another excellent example of partnership working.
13.To ensure that Green Travel Plans are embodied in the planning stage before building new schools, which should include consultation with KCC Commercial Services (Page 31).	<p>Kent has recently published its 'Guidance on Transport Assessments and Travel Plans' which makes it clear that all new developments which are expected to have a significant impact on traffic and transport require a Travel Plan. A Travel Plan is defined as 'A strategy for managing multi-modal access to a site or development focusing on promoting access by sustainable modes'. The main objective of a Travel Plan is to reduce the number of single occupant car trips to a site. A successful Travel Plan will give anyone travelling to and from a site a choice of travel options and encourage them to use the more sustainable ones. It has been agreed that all new schools and BSF refurbishments will require a Travel Plan. In many cases this will be an expansion and development of existing School Travel Plans developed as part of the Government's 'Travelling to School Initiative'. This project is entering its final year and as of March 2010 558 out of 592 schools had developed an approved Travel Plan (94%).</p> <p>A Travel Plan is a 'whole school community' initiative and requires extensive consultation with key stakeholders, including Commercial Services, where applicable.</p> <p>KHS, CFE and Commercial Services are currently working collaboratively to address the travel and transport implications of delivering the 14-19 diplomas in the county as well as the Kent Freedom Pass so the relevant lines of communication are well established.</p>
14. For Kent County Council to gradually expand its bus fleet, where this can be done without unacceptable harm to the viability of commercially provided routes (Page 33).	<p>KCC has been gradually expanding its own fleet with the combined objectives of market moderation and raising standards. This has met with an adverse reaction from some local bus operators and Members should be cognisant of that. Longer term, introduction of free transport for all would affect this policy.</p> <p>The County Council's own fleet continues to develop in both terms of its contracted services and its private hire business. Opportunities to utilise the Council's fleet for school services are taken where this represents best value and following the appropriate competitive tendering process.</p>
15.To promote the use of CCTV systems in all buses used for school transport provision in Kent and to encourage the provision of escorts	At present, Transport Integration do not require potential transport providers to supply CCTV on hired school bus services. This could, however, be included as a pre-requisite in all Invitations to Tender for hired services. There would, however, need to be regulation

Recommendation	Progress at end March 2010
<p>in school buses (Page 35).</p>	<p>specifying the type of systems to be used and issues such as data protection would need to be addressed. The cost of retro-fitting CCTV to a vehicle is in the order of up to £3500 and it is unlikely that operators would be able to bear this additional cost; it is probable, therefore, that the tender prices received, and hence the cost of home to school transport in general, would rise as a result. As a guide, Transport Integration currently manage around 260 hired contracts with vehicles of 16 or more seats (£910k).</p> <p>A rather more difficult consideration would be if this requirement was extended to all commercial bus routes upon which entitled scholars travel.</p> <p>The cost of providing escorts on all buses could be as much as £2 million per annum.</p> <p>The commercial bus fleet continues to develop and, as a result of the on-going replacement of the existing fleet, newer vehicles are increasingly fitted with CCTV. Furthermore, the on-going usage of the County Council's Code of Conduct ensures that reported incidents of misbehaviour receive appropriate attention</p>
<p>16.To carry out further investigation, through bus companies and school clusters, into the staggering of starting and finishing times of primary and secondary schools in Kent in order to reduce car congestion and school transport costs (Page 38).</p>	<p>This exercise is being explored and implemented in a number of areas following consultations with schools and parents. The impact of such changes have yet to be fully established and will require close monitoring before any further reaching policy decisions can be explored.</p> <p>Problems can be increased costs, as existing contracts may have to be cancelled to gain new ones, which would be quoted at a higher cost. Times could cause issues for parents for collecting and delivering children to school. Possibly more congestion due to breakfast club/after school clubs being at different times.</p> <p>Initial discussions with Headteachers would indicate their primary concern is raising standards of achievement and extending or staggering the school day is not proven to be conducive to this.</p> <p>Hugh Christie School has embarked on this process and already found that transports costs have increased in the region of £65,000.</p> <p>There will be obvious staffing and student concerns to be overcome in the process and a full cost benefit analysis will need to take place in due course. A major consideration for primary schools parents is a disruption in childcare arrangements that may be costly.</p>

Recommendation	Progress at end March 2010
<p>17. To continue to monitor technical developments which may be of use in the provision of school transport to a higher appropriate standard (Page 40).</p>	<p>Kent Highway Services have secured £1 million through the Integrated Transport capital programme in 2009/10 to invest in Smartcard reader machines on Kent's bus fleet. The Smartcard system will allow significantly greater flexibility on public transport ticketing across the county, benefiting both the user, operators and KCC, particularly in terms of tracking and monitoring usage and reimbursement. The Smartcards will be piloted with Stagecoach as part of the Kent Freedom Pass for Thanet schools from June 2009.</p> <p>Unfortunately, due to the prices received in the procurement procedure carried out in 2009, and other delays related to the technical specification, the trial of Smartcards did not happen in 2009. Progress has however been made recently and the first cards are expected to be in circulation for the start of the 2010-11 academic year.</p>
<p>18. To support the East Kent Direct Project in an effort to supply a more co-ordinated, integrated and efficient allocation of transport services which meet the needs of Kent residents (Page 41).</p>	<p>Transport Integration has played a significant role in the East Kent Direct project and is keen to work further towards the stated goals. Although there has been a recent lull due to the re-alignment of Ambulance Services across the southeast, work has already been undertaken in relation to the provision of public transport information, joint procurement activities, joint provision of training services and the development of common eligibility criteria for Primary Care Trusts amongst other activities. The proposed absorption of the East Kent Social Services client transport by Transport Integration, which already manages the service for the former Mid and West Kent areas, has been delayed due to internal KCC re-structuring although work has recently re-commenced.</p> <p>Further staffing changes within the NHS in East Kent resulted in the impetus being lost but this has now been regained and KCC continues to participate fully in the strategic Working Group and the associated, and more detailed, project groups.</p>
<p>19. To continue to support cross-border collaboration with neighbouring authorities, and to promote the initiative of a shared, co-ordinated transport database aimed at maximising the utilisation of school transport and at creating a more cost-effective transport system (Page 43).</p>	<p>Transport Integration has good contacts with colleagues in neighbouring Authorities and effort is made to share information and vehicle movements where possible. However, the natural pupil flows mean that there is not a great deal that can be achieved with regards to mainstream transport; flows from Kent into neighbouring Authority schools are often in the opposite direction from those arranged by that Authority. Greater opportunities, although still few in number, exist for pupils attending special schools.</p> <p>Transport Integration continues to liaise with other LAs in order to share journeys where this is possible. However, aside from a small amount of 'cross-boundary' journeys, eg Kent pupils attending school in Medway, work is generally focussed on long-distance journeys</p>

Recommendation	Progress at end March 2010
	which, by their nature, operate infrequently as the pupils tend to board at those schools.
<p>20. To explore the possibility of becoming a Pathfinder authority, by providing all students aged 11 to 16 years living in a selected area of Kent with an annual bus pass in order to evaluate bus usage and consequent reduction in car use (Page 50).</p>	<p>The School Travel (Piloting of Schemes) (England) Regulations 2007, S.I.2007/1366 made provision for the piloting by authorities (Pathfinders) of the school travel scheme provisions in section 508E of, and Schedule 35C to, the Education and Inspections Act 2006.</p> <p>Accordingly in 2007 the DfES (DCSF), invited Local Authorities to submit bids for Pathfinder funding for innovative schemes that met the following key criteria:</p> <ul style="list-style-type: none"> • transport arrangements that support parental preference; • transport arrangements for pupils living more than 2 miles from school; and • reducing levels of car use on the home to school journey. <p>KCC submitted a bid for match-funding to support the roll out of the Kent Freedom Pass. However, KCC and other Local Authorities were subsequently notified by DfES that:</p> <p>‘None of the bids were fully compliant with the criteria set out in the prospectus or in regulations. Ministers have therefore decided that we should not proceed with the pathfinder pilot at this time. We will however consult with the Local Government Association to consider alternative options for home to school transport arrangements.’</p> <p>This is the latest position</p>

CLIMATE CHANGE – OCTOBER 2006

Recommendation	Progress at June 2010
<p>1. An explicit corporate acceptance of climate change and how human activity contributes to it.</p>	<ul style="list-style-type: none"> • Signed Nottingham Declaration on Climate Change. • Council approved first set of actions in response to Select Committee. • Cabinet Working Group on Climate Change established to oversee implementation of actions (Alex King, Nick Chard, Kevin Lynes, Graham Gibbens, David Brazier) meets as a minimum on a quarterly basis. • Climate Change Programme now moved to wider Sustainability & Climate Change team in Environment, Highways and Waste to recognise that it has now entered delivery stages. • Sustainability & Climate Change section is integrated into all business plans • Additional governance in place where needed (e.g. working groups reporting into KCC Environment Board). • KCC emissions reductions and climate change adaptation embedded in Corporate Environmental Performance and ISO 14001 delivery. • KCC Environment Policy (including carbon emissions) agreed by Cabinet Dec 2007 and reviewed annually. Latest iteration to be launched shortly. • The Kent Agreement 2 has contained within it two targets directly linked to climate change: NI 186: Reduction of emissions in the local authority area and NI 188: Preparing to adapt to climate change. • Environmental performance and climate change covered as part of all KCC induction. • Progress reported annually to Directorate Policy Overview and Scrutiny Committees (POSCs) • KCC sustainability and climate change officers and elected members are leading and actively participating in several regional and national good-practice networks including the Local and Regional Adaptation Partnership (LRAP), which steers work on climate change adaptation nationally and DECREASE, a regional steering group for mitigation. •
<p>2. Detailed assessment of climate change impacts on KCC services and development of adaptive responses.</p>	<ul style="list-style-type: none"> • Funding secured and work completed on a comprehensive, Kent-wide Local Climate Impacts Profile (identifying current vulnerability to severe weather) with a range of key partners. • Climate Change Projections (UKCP09) are now integrated into KentView and used to raise awareness of the implications of climate change • All business unit operating plans have reference to developing an understanding of how the changing climate will impact service delivery and what action to take in response. • Workshops held across senior management teams within KCC to identify the impacts of climate change on their service area using adapted methodology from the UK Climate Impacts Programme. • Workshop held for risk managers across Kent partners to assist in the integration of climate

Recommendation	Progress at June 2010
	<p>change into risk management processes</p> <ul style="list-style-type: none"> • Outputs from LCLIP and workshops risk assessed through KCC's risk management processes to identify key priorities for the county to be developed into a Kent Adaptation Action Plan, linked to the Kent Environment Strategy Theme 2: Meeting the Climate Challenge. • Meeting held for first priority theme (Health and Social Care) in May 2010 to identify potential actions and appraise these. Other theme meetings to be held over the next three months with the action plan to be completed for consultation in November 2010. • Development of resources for Green Guardians to undertake workshops within teams to identify risks and opportunities from climate change and actions to address these. The outputs from these will also be monitored centrally to identify any opportunities for partnership working and sharing of resources. To be piloted in KCC and Thanet District Council over the summer 2010. • Climate change adaptation target (NI 188) for the county agreed under the Kent Agreement 2 (2008-2011). Currently at Level 1+ with a view to meet Level 3 by March 2011.
<p>3. Ensure climate change impacts on flood risk, water resources and emergency planning are taken into account.</p>	<ul style="list-style-type: none"> • Separate Select Committee on Flood Risk convened in summer 2007, recommendations adopted by Council in March 2008 (together with Pitt Review actions). Significant work now being taken forward in KHS, Kent Resilience Forum and elsewhere. • New water policy approved Dec 2006. Now being delivered through mechanisms ranging from responses to external consultations through to practical KCC led delivery projects. • A Flood Risk Management Officer is now in post (May 2010) in the Natural Environment and Coast team providing strategic leadership for flood risk in the county. To develop, and plan for, flood risk management within the County Council in accordance with the relevant responsibilities as defined under the Flood and Water Management Act. • The Kent Environment Strategy Theme 1: Living 'well' within our environmental limits contains within it targets for water efficiency both within public buildings and through retrofitting homes in the county • Target to reduce KCC's own water use by 7.5% by 2010 on track. • New water efficiency demonstration project for existing housing: KCC is leading a 500 home pilot project in Ashford to retrofit water saving measures into existing homes. This is a partnership project with South East Water, Environment Agency, Ashford Borough Council and the Kent Wildlife Trust and it is promoting simple, free water saving measures to households in the Washford Farm area of Ashford. The project started at the beginning of March and aims to offer a cost effective mechanism for off-setting the additional water use from new homes at the same time as helping local residents to save money on their water bills. If successful, this project could be rolled out more widely. • KCC has set up and, since 2005, has led the Kent Water Demand Management. This partnership with key water industry organisations has established itself as a national exemplar

Recommendation	Progress at June 2010
	<p>and has won a commendation for 'Inspiring Change' under the Environment Agency National Water Efficiency Water Awards for 2007.</p> <ul style="list-style-type: none"> • Kent Resilience Forum has a Severe Weather sub-group who have developed plans for flooding and drought. • Kent Resilience Forum Risk Assessment Working Group have updated Kent Community Risk Register to reflect current likelihood of flooding and other extreme weather hazards (e.g. heatwave, snow, severe gales). Eight out of ten of the top risks in the Community Risk Register are related to severe weather. • Event held on Water Efficiency in Kent 12th April 2010. Speakers included Kevin Lynes (Cabinet Member for Regeneration and Economic Development, Kent County Council), Trevor Bishop (Environment Agency), Jacob Tomkins (Waterwise), Alan Turner (Kent County Council), Gemma Avory (South East Water), Laurienne Tibbles (Ashford's Future), Alison Murphy (Sutton & East Surrey Water), Ian McAthy (Veolia South East) and Darren Bentham (Southern Water).
<p>4. Provide support for better sustainable energy advice to Kent's residents.</p>	<ul style="list-style-type: none"> • Working with the Energy Saving Advice Centre and Districts to provide advice and help to households in reducing emissions. Support given to departments across the LSP who have direct contact with the public to be made aware of the advice centres. • KCC are part of the Kent Energy Efficiency Partnership (KEEP) and through this attend the County Show and raise awareness of energy efficiency and grants through the Kent Action to Save Heat (KASH) scheme. • The Multi Agency Referral Form piloted in Thanet enables a co-ordinated approach to those services looking to engage with Kent residents face to face. This includes questions on energy efficiency in the home and has the potential to be rolled out across the county which will be explored in 2010-11. • The Kent Retrofitting Programme (Phase 1 in progress) will intensify the take up of basic measures such as cavity wall and loft insulation by focusing on an area based approach, putting money back in the pockets of Kent residents. As part of this an innovative and targeted communications and engagement campaign will be developed. • Targeted mail out carried out to households with high carbon profiles raising awareness and offering support. • Climate Change Community Conference held in June 2010 including presentations from Energy Saving Trust, Community Groups and UK Low Carbon Communities Network. This was over-subscribed and received 100% positive feedback from attendees. • Challenge Fund set up for 2010 to identify projects with potential for energy saving or climate resilience. Two communities will be supported with all others to receive further advice on accessing funding through the KCC Funding Team.

Recommendation	Progress at June 2010
	<ul style="list-style-type: none"> KCC website fully updated with advice for residents on energy saving. Advice and support given to Districts in updating their pages with many now linking to kent.gov.uk.
<p>5. Complete a feasibility study for use of biomass in KCC buildings and replace conventional fuels with bio-fuels in KCC vehicles where possible.</p>	<ul style="list-style-type: none"> KCC fleet vehicles operated by Commercial Services have been running on 5% biodiesel since 2006. Now technically possible to increase to 30% although currently this does not seem commercially viable (increases vehicle service frequency and minimum order quantity exceeds tank capacity at Gibson Drive). 3 biomass boilers have been installed with KCC funding support during 2008 and 2009. European Funding secured to establish mechanisms for deriving economic value of Kent woodlands in providing a local supply of Biomass fuel.
<p>6. Increase support for energy efficiency and renewable energy, particularly micro-generation, in the KCC estate and across Kent as a whole.</p>	<ul style="list-style-type: none"> Carbon emissions reduction targets for KCC (10% by 2010, 20% by 2015 on 2004 baseline) agreed by Cabinet (March 07). Carbon emissions have increased by 10% to date, due to growth in the KCC estate and government led programmes affecting schools energy use ie Increased use of ICT and extended schools. Commitment in principle to BREEAM “very good” design standard for KCC buildings. Government now requires all new buildings to be “excellent / zero carbon” by 2018. Formal monitoring of BREEAM uptake under Towards 2010 reporting. KCC Energy Loan Fund extended (total £1.5m fund for capital investment in energy / water efficiency and renewables projects) and realising carbon and budget savings. We estimate that the first 64 projects under this scheme will save £1,923,246 and 14,961 tonnes of CO2 over the lifetime of the equipment, which cost £928,955 to buy and install Grants have been made available to 18 schools to install one or more renewable energy solutions such as solar photovoltaic or wind energy projects. 4 further school renewable energy projects are to be completed during 2010. Low energy traffic signals will deliver £1.8 million savings; Low energy lighting fitted in Ramsgate Road Tunnel has achieved 40% reduction in energy use and is the largest project to date under the KCC Energy Loan Fund. The streetlighting strategy is currently under consideration. All estate buildings >1000m2 now have display energy certificates providing an energy efficiency benchmark and a full report on potential opportunities. These are being used to target energy efficiency projects and further utilise the KCC Energy Loan Fund. Participated in Carbon Trading Councils initiative 2008-10 to help prepare for Carbon Reduction Commitment (CRC) a mandatory cap and trade scheme commencing April 2010. Recruited new post to manage CRC reporting and ensure scheme compliance. KCC achieved the Carbon Trust Standard for its programme of carbon reduction earning early

Recommendation	Progress at June 2010
	<p>action credits under the CRC scheme.</p> <ul style="list-style-type: none"> • Smart meters installed at all monthly billed sites providing automatic electricity readings. • The Sustainable Estates Taskforce continues to engage Directorates in improving estate buildings, overseeing benchmarking and prioritisation to support further retrofitting of energy efficiency and water efficiency measures. • Ongoing training programmes on energy management for facilities managers, school caretakers and now working with Kent Design to establish professional development opportunities for asset managers and capital projects staff. • Low Carbon Opportunities for Growth strategy developed for low carbon economic development in Kent incorporating renewables, new development, flexible working and land based activities. • Renewable Energy Select Committee convened in Spring 2010 with a final report to be produced in Autumn 2010. • Kent Climate Change Network set up in January 2009 consisting of leads on climate change from across Kent partners. This group meets quarterly and takes on partnership projects (e.g. LCLIP) and shares best practice. Communications in addition to these quarterly meetings are via the Kent Climate Change Network web portal on Kent Connects where best practice, delivery plans, minutes and agendas are uploaded.
<p>7. Review transport policy to achieve an overall reduction in emissions from transport in the KCC estate and across Kent as a whole.</p>	<ul style="list-style-type: none"> • The <i>Kent JourneyShare</i> scheme saved more than 3 million car journeys and 1,000 metric tonnes of carbon in 2009 • KCC business miles have reduced for the 2nd year running. A 3.5% reduction was achieved in 2009-10 and saved £277,000. The launch of the BT MeetMe teleconferencing service has supported this reduction. • Improved monitoring of fuel usage of KCC fleet vehicles and driver training in fuel efficient driving techniques. • KCC Streetcar fleet in Maidstone being extended to a new location in conjunction with a major house builder. • More than three quarters of schools now have travel plans. • Freedom Pass extended to whole of Kent and used by more than 13,000 young people • Use of sustainable transport to school has risen by 2.9%
<p>8. Make more efficient use of land in the development process and meet higher standards of sustainable construction.</p>	<ul style="list-style-type: none"> • KCC submitted responses to consultations including the update on PPS1 supplement on climate change and PSS22: Renewable energy (closed June 2010). • High-level training programme to be developed for Planning colleagues across Kent Partnership in 2010-11 building on the outputs from the consultation process. • Report published and implementation in progress about impacts of climate change on Kent biodiversity including awareness raising across partnership with a target in the Kent

Recommendation	Progress at June 2010
	<p>Environment Strategy on the establishment of habitats and networks in Biodiversity Opportunity Areas (BOAS).</p> <ul style="list-style-type: none"> • Targets incorporated into the Kent Environment Strategy on low carbon, resource efficient new development and easy access to transport, services and broadband. • Low Carbon Opportunities for Growth strategy developed for low carbon economic development in Kent incorporating renewables, new development, flexible working and land based activities.
<p>9. Introduce a Climate Change Action Plan, supported by clear targets.</p>	<ul style="list-style-type: none"> • KCC's own emissions targets adopted and published. • Climate change mitigation (NI 186) and adaptation (NI188) targets for the county agreed under the Kent Agreement 2 (2008-11), under both the Environmental and Economic themes. • Comprehensive, yet pragmatic delivery plans have been created, identifying the activities necessary to ensure progress on the KA2 targets. Template plans for districts include examples of best practise, support mechanisms and identification of where resources are available. • The climate change programme team provide a central resource of expertise for the LSP, becoming a Centre of Excellence for the county as a whole and are beginning to gain national recognition. • The full Climate Change Adaptation Action plan will be circulated to Kent partners in November 2010. This is being developed in partnership to address priorities identified through the Local Climate Impacts Profile and workshops across senior managers within KCC and wider Kent partners. • Kent Environment Strategy developed and agreed
<p>10. High profile communications programme.</p>	<ul style="list-style-type: none"> • Revamp of kent.gov climate change pages with new Kent case studies and greater detail on actions that can be taken by communities. • Communications strategy for Sustainability & Climate Change in development by the Environmental Engagement Programme (formerly the Changing Attitudes and Behaviours Programme) • Climate Changing Briefing Pack developed for elected Members and senior managers across Kent partners. Agreed by the Leader and circulated in June 2010 by the Cabinet Working Group on Climate Change. • Community Climate Change Conference received significant media interest with articles in Kent on Sunday and BCC Radio Kent. • The Kent Climate Change Network bulletin goes out monthly incorporating both partnership and national news and best practice. This has received regional recognition and currently has nearly 150 subscribers.
<p>11. Clarify political and management</p>	<p>Please see R1.</p>

Recommendation	Progress at June 2010
leadership and accountability on climate change within KCC.	
12. Improve education on climate change impacts.	<ul style="list-style-type: none"> • The KCC Climate Change Pack for schools was launched in Dec 2009, together with the Kent Schools Action on Climate Change Pledge. The pack builds on the recent Government pack and drills down to make the information and activities more Kent-specific and aligned to the new curriculum changes as far as possible. The pledge asks schools to commit to joining in action to reduce the carbon emissions of Kent. • A wide-reaching schools action plan is in development building on work undertaken for sustainable schools. This will be targeted in energy and water efficiency and climate change adaptation in the first instance, looking at priority schools with high energy usage or at higher risk of flooding.

PSHE/CHILDREN'S HEALTH – APRIL 2007

Recommendations	Progress at end May 2010
1. That all those dedicated individuals working to provide young people in Kent with high standard sexual health services be commended.	Complete
2. The Committee urges that all key agencies be wholly committed and signed up to the Kent Teenage Pregnancy Strategy in an effort to decrease the rate of teenage pregnancy.	Partnership working between Local Partnerships, Director of Public Health, CFE and Teenage Pregnancy Board is well established. The Kent Teenage Pregnancy Strategy and its Board have been reviewed, and new action plans and priorities have been developed to bring about an increased reduction in teenage pregnancy. All key agencies are signed up to the KCC PSHE Education Strategy and its implementation.
3. The Committee endorses and supports all the efforts of the Kent Teenage Pregnancy Partnership. It recommends expanding the Partnership's reach to all the young people in Kent by further promoting its sexual health services in places young people frequent.	<p>Promotion of sexual health services to young people continues through activity such as:</p> <ul style="list-style-type: none"> • local media campaigns; • distribution of promotional materials in schools, colleges, youth clubs etc and by school nurses, outreach nurses, the Connexions Services, pharmacists etc. • web-based information services; • 'The House' campaign.
4. The Committee strongly recommends the broad production, promotion and distribution of discreet information on local sexual health services and support.	'For young people' resources are available in increasing numbers of schools, school based sexual health clinics, C Card venues (C Card is a free condom scheme), through the EHC scheme (emergency conception) and the development of the 'Healthy Bytes' model (offers small animated advertisements around a range of health issues on computer desktops in schools). Some progress has been achieved through the use of on-line resources, e.g. Teen Health Check. Dissemination of sexual health literature for young people is being co-ordinated through Health Promotion services.
5. The Committee recommends that all partner agencies involved must facilitate the expansion of the National Chlamydia Screening Programme, to ensure full screening coverage of all sexually active young people in Kent under the age of 25.	<p>In East Kent there has been a steady rise in the number of young people screened for Chlamydia with an estimated 20.55% of the target population screened in 2009/10 (20,427 young people). The PCT works with a variety of partners in a range of settings to maximise uptake this includes: Schools, Youth clubs, Barracks, Prisons and the workplace in addition to a range of NHS settings.</p> <p>In West Kent there has been a steady rise in the uptake of the number of young people screened for Chlamydia with an estimated 18% of the target population screened in 2009/10. The PCT works with a variety of partners in a range of settings to maximise uptake including</p>

Recommendations	Progress at end May 2010
	<p>schools, through outreach work and CASH (Contraceptive and Sexual Health Clinics).</p> <p>Chlamydia screening has been provided as part of 'The House' campaign and through all Connexions Action Points in Kent.</p>
<p>6. That GUM clinics must replace appointments with a "walk in" service. The Committee insists that the proportion of Genito-Urinary Medicine (GUM) clinic attendees offered an appointment within 48 hours of contacting the service must reach 100% by 2008.</p>	<p>NHS Eastern and Coastal Kent have investigated more than £2.5 million in Sexual Health Services over the past three years with the aim of improving access to services by increasing the number of appointments offered within 48hrs of contact and by increasing the availability of walk in clinics particularly to young people. The PCT is currently meeting the target for 48 hour access set by the Department of Health.</p> <p>NHS West Kent is consistently meeting its Department of Health access target for GUM. Additionally, NHS West Kent is working with providers to improve community access to sexual health services.</p>
<p>7. That the number of school nurses working in secondary schools in Kent be increased, and that the number of accessible, confidential and young people friendly sexual health clinics in all secondary schools in Kent be raised by at least one per cluster by 2008.</p>	<p>Almost 50 schools/colleges across Kent now have an on site sexual health service. These are staffed by school nurses and sexual health outreach workers. Widening access to sexual health services which are accessible to schools in West Kent is an area for development in the revised strategy for teenage pregnancy. There is also a school nurse texting service for young people.</p>
<p>8. The Committee commends and supports all those working with disengaged, vulnerable young people, and urges the effective re-integration of more young mothers and fathers into school to complete their statutory education.</p>	<p>All statutory school age parents are supported to return to school post birth. Where this is not possible other educational programmes are implemented which meet their individual needs. There are now 7 Pinnacle Coordinators in post covering 7 of the 12 districts. They provide outreach 1:1 support to young parents and coordinate local services to ensure their needs are met. There are currently 5 specialist school provisions offering extended services to young parents and the Young Parents Team are negotiating the development of these provisions in all areas of the county.</p>
<p>9. The Committee recommends that all schools in Kent work towards Healthy Schools validation by March 2009, through a process which is all inclusive to parents and governors.</p>	<p>Around 85% of Kent schools have achieved this status and all remaining schools are working towards Healthy Schools validation. Some of the schools who have achieved the status are working towards the new enhanced Healthy Schools status.</p>
<p>10. The Committee strongly recommends a strategy for a more consistent and systematic Personal, Social and Health Education (PSHE)</p>	<p>The PSHE Education Strategy (2008-2012) was approved and launched in autumn 2008. An action plan to deliver the strategy has been developed and is being implemented by a multi-agency group.</p>

Recommendations	Progress at end May 2010
delivery, that is coupled with more robust assessment and monitoring methods and that is adopted in all primary and secondary schools in Kent.	
11. The Committee urges that the new RE and Citizenship Advisor remains permanently in place to ensure that one advisor is permanently and wholly responsible and accountable for PSHE in Kent.	The Adviser for RE and Citizenship was appointed in 2007 but the post is currently vacant. The outcomes from the CFE re-structure may have an impact on arrangements to provide a dedicated adviser.
12. That PSHE certificates for both teachers and nurses be widely promoted and supported. That each school cluster in Kent has a PSHE lead and each secondary school in Kent has at least one PSHE certified teacher. That PSHE awareness be raised through a countywide multi-agency conference, which includes all the decision makers, by March 2008.	<p>The programme in place and oversubscribed. This programme has now been extended to enable other professionals to undertake this training. The course is heavily promoted to school nurses and schools, including target schools. However, there is an optional module within the Specialist Practitioner course regarding SRE and Drugs/Alcohol with regard to young people. Nurses will be asked to undertake this module on the accreditation course due to the government agenda to significantly increase numbers of specialist practitioners.</p> <p>The multi-agency PSHE Education conference was held in January 2008. It was attended by schools and young people, agencies, Members and officers. Pupils from Brockhill Park School and Sittingbourne Community College supported key activities on the day and the event informed the development of the PSHE Education strategy (reference: recommendation 10).</p>
13. The Committee strongly urges the County Council to press Government to make PSHE statutory and therefore part of the core curriculum, thereby ensuring that a selection of PSHE lessons are duly observed during inspections by Ofsted.	DCSF announced in Oct 08 its intention to make statutory provision for PSHE. However, requirements to make PSHE Education statutory were dropped from the Children, Schools and Families Bill before it became law. The Conservative spokesman in the House of Commons has indicated that the role of PSHE Education in the curriculum is an issue that would be addressed and consulted on.
14. The Committee insists that all secondary schools in Kent ensure access to websites such as "foryoungpeople", "RUthinking" and "Frank", and that they provide permanent information on local sexual health services on a visible notice board.	Completed. Firewalls lifted in schools. Web based resources promoted through display at headteachers conference and to subject teachers/teachers through networking meetings and CPD opportunities.

Recommendations	Progress at end May 2010
15. The Committee recommends that school governors ensure that strong and consistent sex and relationships education within a PSHE framework is delivered. That SRE be taught appropriately from primary school and by specialist teachers.	<p>Ongoing training for teachers, head teachers and school governors supported by the Learning Group, CFE is available and promoted to schools.</p> <p>Kent Trust web provides access to current guidance on policy developments, aspects of teaching and learning, assessment and use of resources.</p> <p>As part of the Healthy Schools work in east Kent, PSHE good practice meetings and networking meetings have been set up in 10 out of the 12 LCSP areas. As a result training needs have been identified and action plans are being formulated to support schools with the delivery of PSHE Education.</p>
16. The Committee strongly recommends that the “relationships” aspect of SRE be emphasised more than the biological aspect, and that, in order to reflect this emphasis, the name “sex and relationships education” be changed to “relationships and sex education”.	The final version of the new national guidance for SRE is awaited. However, the teaching of relationships is firmly embedded in the draft version of the guidance which was put out to consultation. Kent guidance promotes the teaching of sex education within the context of relationships.
17. That the nature of SRE lessons reflects equality of responsibility between boys and girls, and therefore that it has a stronger focus on young men and on their attitudes and responsibilities when negotiating sexual relationships. That it be considered to teach particular aspects of SRE in single-sex groups.	Kent guidance reflects the equality of responsibility between girls and boys, and schools are encouraged to pay particular attention to the attitudes and behaviours of some young men. Equality of responsibility between girls and boys is also firmly embedded in the draft version of the new national guidance.
18. The Committee commends that schools encourage greater involvement of both pupils and parents/carers in the planning and evaluation of SRE programmes.	The involvement of parents and pupils/students is promoted in information to schools. This is further supported by national guidance as part of the Children’s Plan and is embedded in the draft version of the new national guidance.

TRANSITION TO A POSITIVE FUTURE – MAY 2007

Recommendations	Progress June 2010
1. That KCC work with all providers to increase the availability and choice of leisure facilities for young disabled people and promote and publicise 'taster sessions' to encourage participation.	KCC is one of 21 Pathfinder authorities allocated £15m for short breaks and access to leisure activities for more young disabled people. Partnership working is being developed to take this forward across the county. The Kent Partnership Board, local Learning Disability groups and KASS teams have worked with colleagues, for example, the District Council Sports Development Officer in Thanet. Bluewater management were engaged through Dartford LDPB resulting in a 'Changing Place' to facilitate better disabled access at the centre. Members would like good practice to be emulated across the county to bring consistency and continuity.
2. That KCC and schools promote a variety of initiatives to raise disability awareness among peers of young disabled people in mainstream schools and the wider community.	The Kent Children's Trust will be signing up to the Charter proposed under 'Every Disabled Child Matters'. KCC also works with organisations such as Partnership with Parents, Parents Consortium and the Centre for Independent Living, all of whom are engaged in raising disability awareness. There is evidence that projects in particular districts have raised levels of confidence and improved access by disabled people to a noticeable degree in some shops.
3. That the Cabinet Members for Children Families & Education and Adult Social Services Directorates are made aware of the Hampshire transition documents and protocols, particularly the new Transition Handbook and Multi-agency Guide, with a view to working towards a similar scheme, for Kent.	<p>Kent's Transition Protocols are now in place having been developed in consultation with numerous stakeholders and informed by best practice in a variety of authorities. They were signed off by the Children's Trust Board and formally launched by the Leader on 6th November 2008.</p> <p>Person centred planning (PCP) is a central aspect of the transition work. Specialist schools are now working to the PCP approach. KASS has appointed Transition Co-ordinators to work with schools, education and Connexion to promote effective transition planning.</p> <p>The experience of people in transition is monitored are part of the ongoing review at key stages of transition.</p>
4. That KCC should evaluate the capacity of current data systems to enable strategic monitoring of transition plans.	<p>A non-technical solution is in place ensuring that key data is, with parental consent, shared across agencies. The introduction of ICS should facilitate further improvements in the future.</p> <p>Work continues in using information about the number of people through transition to inform local service commissioning. Kent wide Transition Executive Group remains in place to consider and oversee how strategic issues are addressed.</p>

Recommendations	Progress June 2010
5. That the Transition Task Group investigates the potential for the increased use of Trans-active in Kent schools, colleges and other settings.	Trans-Active and other models have been investigated.
6. That KCC should identify the source and type of advocacy available for parents and young people to facilitate better transition planning and make provisions to meet any gaps in service.	<p>For the first time ever, a contract for advocacy services for adults with LD has been let to a national organisation. KPB and the 2010 Transition Executive are overseeing training of peer mentors identified through local LD groups. Partnership with Parents provides independent advice and representation.</p> <p>KCC has maintained its investment in advocacy services and the present commissioning consideration is being taken forward with due regards to how people in transition can exercise greater choice and control as part of the personalisation changes.</p>
7. To ensure that Children, Families and Education and Adult Social Services' commissioning strategies are co-ordinated, including the use of jointly-resourced budgets where appropriate, to provide a more graduated and consistent approach to service provision for young disabled people in transition from childhood to adulthood. Such strategies should incorporate Transition Worker roles in order to demonstrate clearly alternative means of providing similar support.	<p>This longer term aim will be helped by the Kent Protocol (Rec 3) which requires KASS to have early involvement in planning for children with complex needs and the continued involvement of CFE staff beyond a young person's 18th birthday in an advisory role. The 'transition worker' role is under review and an 'Invest to Save' business case is being put forward.</p> <p>KASS has appointed Transition Co-ordinators to work with schools, education and Connexion to promote effective transition planning.</p>
8. That the Managing Director of Adult Social Services and the Managing Director of Children, Families and Education must ensure that information about transition and Adult Social Services is available in a range of accessible formats and is brought to the attention of young disabled people and their parents in advance of meetings to enable them to participate in transition planning.	<p>The KASS/CFE officer team are checking that this sharing of information is happening as it should. The Transition Protocols include information for families and there is an Easy Read version for people with LD.</p> <p>A process is in place to ensure that we can meet the needs of those who require information in different formats.</p>
9. That KCC, Connexions and partners identify how to use available resources more effectively to benefit young disabled people (including those with learning	The Protocols should lead to more effective use of multi-agency resources and KCC's influence over Connexions resources is increasing.

Recommendations	Progress June 2010
difficulties) in transition.	
10. That individuals identified as Lead Professional for young people in transition to adulthood have the capacity to undertake the function and are provided by KCC and partners with training and support.	LP role was rolled out April-September 2008 and the requirements of the Transition Protocol were included in guidance. Connexions led the development of revised section 139A assessment documentation which should have the impact of reducing duplication in the assessment process.
11. That KCC, schools and other partners promote the use of Direct Payments by young people whose social care needs will extend into adulthood, by raising awareness and understanding of Direct Payments among CFE staff and ensuring that Direct Payments are discussed (with the involvement of a peer-mentor or Direct Payment Support Worker/Adviser where possible) as part of transition planning from Year 9 onwards.	Aiming High Pathfinder funding will enable more staff to be recruited, more Personal Assistants and a higher take up of DP. DP are addressed in the Protocol and Legislative barriers will largely be rectified by the Health and Social Care Bill when it becomes law in 2009. (A complex situation remains for a large number of young people placed in Kent by other local authorities for whom Kent would take on considerable cost if they choose to stay in the county and access its services at 18.) Promotion of Direct Payments continues and this is signified by the increase of Direct Payments support from CFE. As a result of changes in the legislation, it is a great deal smoother for young people and their parents to move their Direct Payments provision from children's' to adult services. There is currently over 500 Direct Payments user in CFE in addition to those supported by KASS.
12. That KCC, through Kent Supported Employment and its partners, explore the potential of a programme whereby disabled young adults are employed as peer-mentors to assist with transition planning in schools and elsewhere.	The Job Action Group has been established to increase employment opportunities for people with LD. KSE lead on a pilot (DwP) project to help disabled young people to achieve their employment aspirations. Employment pathway through the 'Getting a Life' initiative has offered opportunities to some people. The KCC Employability Strategy should provide further opportunities.

FLOOD RISK MANAGEMENT SELECT COMMITTEE – NOVEMBER 2007

Recommendations	Progress at June 2010
<p>1. That KCC look into setting up and resourcing a permanent Flood Risk Committee, in partnership with District Councils, to monitor: organisational changes affecting the management of flood risk in order to minimise the effect of such changes; the KHS gully clearance programme; non-structural means adopted by KCC and District Councils to reduce flood risk, and the Environment Agency's progress on proposed flood defence works as well as maintenance of existing defences.</p>	<p>Flood risk management committee established: In response to the Flood Risk Management Select Committee and the Flood and Water Management Act (FWM Act) (April 2010) a member based Flood Risk Management Committee has been established to provide oversight and scrutiny of flood risk management across the county. It first met in January 2010 and has met twice since. Work to date has focussed on getting members up to speed with existing and new responsibilities of the key flood risk authorities. The Committee's TOR states that it is responsible for:</p> <ul style="list-style-type: none"> • the preparation, monitoring and review (in conjunction with the Flood Risk Management Officer) of a strategic action plan for flood risk management in Kent taking into account KCC Select Committee recommendations, the Pitt Review and relevant requirements of the Flood and Water Act; • reporting annually (and more often if necessary) to the Environment, Highways and Waste Policy Overview Committee and to the Cabinet Member for Environment, Highways and Waste; • reviewing and responding to any consultation on the implementation of the Pitt Review and the future development of the Flood and Water Act; • receiving reports from the South East Regional Flood Defence Committee and responding as appropriate; • the investigation of water resource management issues in Kent. <p>The Committee comprise of Richard King (Chairman); Andrew Bowles; David Brazier; Michael Harrison; Willie Richardson; Paulina Stockell; and Martin Vye. The Environment Agency also attends meetings. The Committee is supported by the Flood Risk Management Officer (see action 7).</p> <p>Kent Strategic Flood Partnership in development: In response to the requirements of the FWM Act, a Strategic Flood Partnership is currently being established for the county. Directors from the district and borough councils have been invited and the same will be extended to the Environment Agency, Southern Water, Internal Drainage Boards and other relevant flood authorities. It is intended that an inception meeting will be held by September.</p> <p>Improved coordination across Council on flood risk management: coordination across the relevant divisions has greatly improved over the past 12 months. The creation</p>

Recommendations	Progress at June 2010
	of the Flood Risk Management Officer post (see recommendation 7) will only serve to further this.
2. That there should be adequate, ring-fenced, direct government funding for flood risk management to provide a more transparent system which will reassure the public that vital plans, strategies and flood defence work will not be compromised by competing demands within DEFRA or elsewhere.	<p>Prior to the election Defra committed an extra £36 million a year to be made available to fund the new lead local flood authority role resulting from the FWM Act, with money provided as an Area-Based Grant to every lead local flood authority. This funding was not to be ring fenced, despite objections from local authorities. In the recent budget cuts announced by the Government, Defra have lost £162m from their budget but how this will affect the funding for flooding is not yet made clear. It also seems that ring fencing of future funding is unlikely.</p> <p>The LGA is working with Defra to identify what funding is required and the methods by which this should be made available to local authorities.</p>
3. That KCC should lobby the government to consider re-designating the flood management arm of the Environment Agency as a dedicated flood risk agency as well as giving the EA a strategic overview of all types of flood risk.	<p>The FWM Act gives the Environment Agency a strategic overview role for flood risk. This includes a responsibility for:</p> <ul style="list-style-type: none"> • Setting National Strategy for Flood and Coastal Erosion Risk Management. • Supporting Lead Local Flood Authority. • Developing tools. • Investment. • Reporting to SoS. • Powers to instigate work on non-EA assets. • Statutory consultee on flood planning applications.
4. That KCC promotes the further development of an Engineering Consultancy led by Canterbury City Council Engineers to disseminate good practice and offer training/apprenticeships to build a practical skills-base and retain local knowledge/expertise in flood risk management.	A county-wide drainage team has been established within KHS (as per report March 2009).
5. That KCC supports development in brownfield and other areas subject to the rigorous application of site specific sequential and exception tests of Planning Policy Statement 25.	KCC Planners have noted and observed – no further action required (as per report March 2009).
6. That KCC oversee the development of further sub-	The Flood Risk Regulations (FRR) (2009) (domestic transpose of the EU Floods

Recommendations	Progress at June 2010
regional flood risk assessments, based on river catchments, and undertakes to monitor this development.	<p>Directive) have set a programme for delivery of flood risk mapping and planning for the next 5 years. This includes:</p> <ul style="list-style-type: none"> • Preliminary Flood Risk Assessment (PFRA) by December 2011. • Mapping work by December 2013. • Risk management plans by December 2015 <p>The aforementioned Kent Strategic Flood Partnership will oversee delivery of this work. KCC as the lead local flood authority will have a key role in the completion of this work.</p>
<p>7. That KCC ensures that its Environment and Waste Team are sufficiently resourced to enable them to: develop a county-wide coastal policy; maintain their oversight of Shoreline Management Plans (SMPs) to promote consistency across the county; and raise public awareness of plans.</p>	<p>The Coastal Officer post has been secured (as per report March 2009).</p> <p>A dedicated Flood Risk Management Officer has now been secured within the County Council and the post was filled in May 2010 (max.tant@kent.gov.uk). The purpose of this post is to:</p> <ul style="list-style-type: none"> • Provide strategic leadership for flood risk management in Kent, working in partnership with relevant bodies across the county. • Develop and maintain effective working relationships with district authorities, the Environment Agency and other relevant authorities to secure a collaborative and holistic approach to flood risk management in the county. • To develop, and plan for, flood risk management within the County Council in accordance with the relevant responsibilities as defined under the Flood and Water Management Act. <p>Key immediate tasks for the Officer is the establishment of the Kent Strategic Flood Partnership; commencement of the work required to complete the PFRA for the FRR; and a review of the new responsibilities for KCC under the Flood and Water Management Act and assessment of measures, and associated resources, required to implement these.</p>
<p>8. That KCC should lead on the co-ordination of work with landowners and other agencies to identify options for the funding of changed land-use or buy-out to ensure that plans to achieve more naturally functioning flood plains and coastline in Kent are arrived at equitably.</p>	<p>No local action has been taken pending the outcome of national work being undertaken to look at issues of blight associated with coastal policy (Defra) (as per report March 2009).</p>
<p>9. That KCC works in partnership with the EA to ensure that River Basin Management planning is fully</p>	<p>KCC and EA are working to ensure integration and no additional action is required (as per report March 2009).</p>

Recommendations	Progress at June 2010
integrated with existing Catchment Flood Management Plans (CFMPs) and with regard to SMPs.	
10. That Kent Highway Services (KHS) and the EA seek to reconstitute Flood Liaison Advice Groups (FLAGS) in Kent (ideally catchment based), with representation from the insurance industry and local communities.	KHS are now working with Kent Resilience Forum, with input from Emergency Planning (as per report March 2009).
11. That KCC instigates discussions between local planning authorities, Southern Water and others on the feasibility, benefit and cost implications of using non-return valves/sealed sewage systems in all new developments and existing developments where sewage flooding is proven to be a problem and requiring it to be a condition of planning consent.	Needs to be pursued through the development control arm of the Kent Planning Officers Group.
12. That KCC promotes the use of sustainable drainage systems (SUDS) throughout Kent with over-attenuation of surface runoff, guided by best practice adopted by Canterbury and Ashford councils and findings of the integrated urban drainage pilots.	Kent Design Guide (with Technical Index) promotes SUDS and no further action is required (as per report March 2009). To note: new responsibilities for KCC in relation to SUDS. Please refer to accompanying note on FWM Act.
13. That Kent planning authorities adopt the requirement for Drainage Impact Assessments for all new developments, following the Canterbury model.	Discussion needs to be held at district level to review the requirement of drainage impact assessment and feasibility for its inclusion (as per report March 2009). Some progress on this has been made by District Councils, with most requiring Drainage Impact Assessments to accompany planning applications for relevant development proposals. Ashford Borough Council has recently produced Supplementary Planning Guidance on Sustainable Urban Drainage systems.
14. That the Fire & Rescue Service are included as an active partner in the planning process for new developments.	District development control liaise with KFRS and no further action is required (as per report March 2009).
15. That the Kent Design guide is revised to include information on mitigating flood damage and makes reference to innovative designs for the future, such as floating homes.	To be picked up as part of the Kent Design Initiative/revision of Kent Design Guide.

Recommendations	Progress at June 2010
<p>16. That KCC lobbies government to produce a set of Building Regulations for use in flood risk areas so that planners are supported by increased but nationally consistent obligations to assist developers with a high level of flood proofing/mitigation.</p>	<p>A clause in the FWM Act amends the Building Act 1984. Sir Michael Pitt recommended revising the Building Regulations to ensure that all new or refurbished buildings in high flood-risk areas are made flood resistant or resilient. Currently, powers in the Building Act allow regulations to be made to cover flood resilience or resistance for new buildings or for major alterations. However they do not allow similar provisions to be made for most types of minor repair work. An example of minor work might include replacing flood-damaged plaster with a more resilient plaster. The new clause extends the scope for which Building Regulations can be made to achieve this.</p> <p>Furthermore, Planning Policy Statement 25 (PPS25) was published in March 2010 and sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.</p>
<p>17. For KCC to work in partnership with the EA to publicise actions householders can take to increase the flood resilience of their homes.</p>	<p>KRF has made information is available via the Kent Police website on preparing for a flood which includes links through to the Environment Agency's new guidance. See http://www.kent.police.uk/Advice/your_property/emergency_planning/flooding.html</p> <p>The Environment Agency's public awareness programme Floodwise is ongoing in Kent, which promotes, and encourages uptake of, a free flood warning service.</p>
<p>18. That KCC specifically allocate funding to enable the proposed road gully cleansing work to go ahead without delay and, where necessary, to enable the condition and capacity of highway drainage systems to be improved and the location of gullies and their characteristics to be recorded on GPS. That the KHS winter maintenance budget is readjusted to become an extreme weather budget.</p>	<p>Budget for gully emptying for 2010/11 now £2.9m (£2.8 million in 2009, increased from £1.8m previously). The condition and performance of highway drainage system is being recorded during cleansing and rectified if problems identified. Asset data inventory being collected now.</p> <p>The winter maintenance budget remains under consideration.</p>
<p>19. That KCC works in partnership with local authorities, the police and traffic wardens to inform the public about road drainage cleansing activities to address the issue of vehicles obstructing gullies and</p>	<p>KHS will be developing a website over next two years that will list programme of works and facilitate the prioritisation of maintenance (as per report March 2009). Gully emptying schedules will be posted on the web site.</p>

Recommendations	Progress at June 2010
delaying vital works.	Route optimisation for gulley emptying routes is underway, providing a more efficient service.
20. That the government should urgently consider the EA's request for funding to enable vital works to proceed at Jury's Gap, Camber.	This refers to the Broomhill area, between Jury's Gap and Camber. The project is currently in the consultation and design stage with the local community. Construction work is planned to commence in March 2012, with completion programmed for 2013-2014. During the design and construction period the wall will continue to be maintained to its current standard of protection.
21. That the EA should encourage the input of local authority and Internal Drainage Board (IDB) experts on local strategies and schemes and that IDBs gain representation on the Southern Regional Flood Defence Committee (RFDC) in order to optimise the benefit to be gained from local knowledge.	<p>In relation to the SE RFDC, IDBs are represented through the local authority representative, which has been agreed by the RFDC as the correct approach (as per report March 2009).</p> <p>To note: as a result of the FWM Act the Regional Flood Defence Committees (RFDC) have now been renamed to Regional Flood and Coastal Committee to reflect the inclusion of coastal management within their remit.</p>
22. That the EA develop and implement a phased rolling programme of maintenance to include 'low risk' areas (in collaboration with the Kent Internal Drainage Boards).	The Environment Agency is currently embarking on a full maintenance programme for Kent's Main River network including areas classed as 'low risk'. A copy of the maintenance programme is available on the EA's Web site http://www.environment-agency.gov.uk/homeandleisure/floods/109548.aspx
23. That the EA prioritise clearance of waterways in the Romney Marsh Area.	Maintenance work for all main rivers is carried out on a priority basis – most of Romney Marsh is classed as medium or high Risk. This year's maintenance programme is underway and will be completed to programme in March 2011.
24. That the Kent Resilience Forum (KRF) Severe Weather Group (SWG) audit and promote the development of emergency plans/specific flood plans for at risk areas in liaison with the Environment Agency and develop a generic flood plan for Kent.	The Sever Weather Group protocol has been practiced and the protocol is due for publication late summer/early autumn 2010.
25. That the government consider placing a duty (with funding) on the Fire & Rescue Service to respond to a flood emergency and further considers designating FRS as the lead body in charge of a flood incident.	<p>This recommendation has been made by the Pitt Review and has been adopted by Central Government. It will now be a matter for them to incorporate this into legislation (as per report March 2009).</p> <p>Despite the introduction of the Flood and Water Management Act, which was intended to</p>

Recommendations	Progress at June 2010
	take forward the Pitt Review recommendations, there is still no duty on the Fire & Rescue Service to respond to a flood emergency. However, in response to flooding being high on Kent's risk register, Kent Fire and Rescue Service have notably increased their capability to respond to a flood incident and have invested in flood/water rescue equipment.
26. That the Kent Resilience Forum Severe Weather Group formulate and publicise an action plan in relation to flooding to raise public confidence in Kent's preparedness for flood events and consideration should be given to merging the SWG with the Flood Warning Planning Liaison Group to reduce duplication and avoid confusion as part of a wider streamlining of the group structure within the Resilience Forum.	<p>Classification of the flood plan will be subject to final KRF approval. Once established, levels of information can be extracted and placed into existing warning & informing work streams within the KRF. Regardless of any sensitive detailed information, the KRF continue to underpin county-wide W&I strategies to support this statutory duty under the Civil Contingencies Act 2004 (as per report March 2009).</p> <p>The latest action plan will be adopted this summer.</p>
27. That KHS should send officers to work alongside local district colleagues in an emergency situation.	Arrangements exist for this and no further action is required (as per report March 2009).
28. That the Environment Agency, through its chairmanship of the KRF Severe Weather Group, should ensure there is a systematic survey of critical infrastructure (location and flood defences) and through the SWG promote work with utility companies to ensure supplies can be protected and maintained during flood emergency situations.	These discussions are on-going between the EA and the Utility Companies (as per report March 2009).
29. That the Severe Weather Group liaise with partners in the Kent Resilience Forum and east coast authorities to formulate an emergency response plan for an extreme coastal event and, given the risk to life and property from sea flooding, assess whether the current warning system and communication processes are adequate or whether a siren system should be acquired for Kent, and that people are educated about what to do when they receive a flood warning .	The generic plan detailed above will deal with many of the issues stated in this recommendation. However, coastal flood risk mitigation and further analysis are continuing to support this approach (as per report March 2009).
30. That KCC support the Environment Agency in raising flood risk awareness (including the appointment	In direct response to the Pitt Review, KCC are piloting the development of a generic community resilience plan template which is being rolled out to PCs across the T&M area.

Recommendations	Progress at June 2010
<p>and training of flood wardens and to ensure that vulnerable people are identified and supported in emergency situations) via town and parish councils and similar community groups.</p>	<p>Response has been positive; therefore we are looking to further rollout county-wide (as per report March 2009).</p> <p>Further to this the Environment Agency's public awareness programme Floodwise is ongoing in Kent, which promotes, and encourages uptake of, a free flood warning service.</p>

CARERS SELECT COMMITTEE – DECEMBER 2007

Recommendations	Progress at June 2010
<p>1. Need to raise awareness and profile of carers and carer support services and make information available out of standard hours.</p>	<p>To raise the profile of young carers a range of events have been held, which have included training for school governors, school staff, and events with children organised via the projects working in schools. Children, Families and Education have developed young carers leaflet available through key statutory and non-statutory organisations countywide. To help raise professionals' awareness of how to identify and support young carers a DVD has been produced featuring input from Kent's young carers.</p> <p>Kent Adult Social Services HQ and area based staff supported carers' week events.</p> <p>The KASS carers' website has been revamped to make it easier to use.</p> <p>Carers' issues featured prominently in a Conference held in May 08 on the economic, social, employment and housing implications of the ageing population. This helped highlight the critical role carers' play with partner organisations across Kent. The conference attracted national/ international experts including one on carers' policy.</p> <p>KASS continues to involve carers in recruitment process where possible. Users and carers have been engaged in drawing up shortlists of candidates, contributing interview questions, sitting on interview panels. Users and carers have also been involved in selecting panels to appoint providers.</p> <p>The work of the standing Adult Services Carers Advisory Group has also added weight to raising the profile. West Kent NHS and NHS Eastern and Coastal Kent (Primary Care Trusts) have carer leads identified which has had the effect of pushing carers' issues forward.</p> <p>Inequalities in Health in Kent the Director of Public Health's annual report contained a chapter about the health inequalities experienced by carers. This is an influential report read by health and social care commissioners, which contains specific recommendations to improve the health & well being of carers.</p> <p>Work is underway to raise the profile and the support offered to carers within KCC workforce. A staff survey is planned to gain insight into the number of employees juggling caring with employment. The carers leave pilot scheme has been well received and extended until August 2009.</p> <p>KASS is planning a Carers and Personalisation event to provide carers the opportunity to inform the implementation of Self Directed Support</p>

Recommendations	Progress at June 2010
	<p>Work has been undertaken with County Duty Service to ensure a more consistent and proactive response to carers' issues and enquiries when raised through the duty service.</p> <p>During national Carers Week 14th-18th June 2010, Kent Adult Social Services launched it's 'Do I look Like I Care?' social media campaign. With thanks to 4 younger adult carers who volunteered to be filmed and interviewed, a series of short advertisements were published, one per day throughout the week. The advertisements were aimed at younger adult carers between the ages of 18-30 and were posted on Youtube and seven other internet video sites. It was also promoted by many Facebook and Twitter sites. This was accompanied by a press release and interview clips which were aired on participating local radio stations, Heart FM dedicated a whole webpage to the campaign.</p> <p>This campaign promoted www.kent.gov.uk/carers with the intention of raising awareness among Kent's younger adult carers about the services Kent provides to Carers and to encourage them to become involved in shaping future support services for Carers in their age group.</p> <p>Better Support For Carers in the NHS Develop a range of strategies to improve Carers' experiences of accessing and using their local NHS Services, working in partnership with Local Authorities and the voluntary sector.</p> <p>West Kent NHS launched 3 video clips on Youtube aimed at Carers urging them to look after their health and to contact their local Carers Organisation or GP for check ups. 'Who's supporting them to keep caring and live their own lives?'. Links to these videos have been made available on www.kent.gov.uk/carers</p> <p>DementiaWeb and 24 hour Helpline The 24 hour helpline will compliment the website ensuring those without web access can benefit from the information on the website. The helpline will also provide a supportive and informed listening ear to those who wish to discuss any worries or concerns. The website and helpline was launched countywide in May 2010.</p>
2. Promote single point of contact for carers.	<p>The Department of Health is soon to launch and promote a national Single Point of Access for Carers. KASS has supplied local carers' information to this scheme and is pursuing opportunities to utilise this scheme locally. We do not want to duplicate or confuse carers with two single points of access and hence we are eagerly awaiting the national scheme to see how best to supplement with more local information.</p> <p>The Carers Emergency Card Scheme has created a unique telephone number for carers 08458 247 105. This number is operated by the Kent Contact Centre and could be further utilised as a single point</p>

Recommendations	Progress at June 2010
	<p>of contact if necessary.</p> <p>The Carers Emergency Card is promoted and administered on KASS behalf by seven Carers Support Organisations across Kent. When carers make a request to join the scheme if they wish they will also be informed of other carers services available in their area, such as support groups etc.</p> <p>Following the launch of the Department of Health Single Point of Access for Carers, work on this has commenced and the new service is due to be in place in April 2011.</p>
<p>3. Involvement of the Carer Support Organisations at assessment and subject to carers consent sharing the statutory assessment should be considered.</p>	<p>A new Carers Assessment Policy has been written and formally agreed at KASS Policy Development and Review Board. The policy clearly sets out KASS duties in assessing and providing support to carers.</p> <p>In conjunction to developing the policy it has been agreed to trial the outsourcing of carers' assessments to Carers Support Organisations. Work has begun to progress this trial, two pilot sites have been identified in Tonbridge & Dover. The pilots are planned for a year with monthly monitoring of three key quality markers, quantity, quality (including carers experience) and cost.</p> <p>We are exploring mechanisms for information sharing across health, social care and the voluntary sector. Carers Assessments have been considered in discussion regarding Kent Adult Social Services decisions to procure a Common Assessment Framework /Single Assessment Process tool. We are actively exploring enhancing self-assessment for carers (online and paper) as part of the Self Directed Support.</p>
<p>4. Reviews or contact from Care managers should be regular with annual reviews as a minimum.</p>	<p>The present policy is clear in that service users and carers needs should be assessed as follows: Within 3 months of the initial service, annually there after or sooner if a significant change in needs/circumstances do arise.</p> <p>The revised carers' policy makes it clear to carers who and how to contact the relevant teams.</p> <p>The issue will be addressed further as KASS finalise its development plans for Self-Directed Support.</p> <p>Performance monitoring systems on reviews are in place and reported to the Government and KASS Senior Management Teams. These reports will also be shared and discussed at the Carers Advisory Group.</p>
<p>5. District Social Services Teams to</p>	<p>The launch of the revised Carers Assessment Policy will provide the opportunity to further raise the</p>

Recommendations	Progress at June 2010
address and overcome issues around call management.	<p>profile of carers within KASS.</p> <p>To compliment the new policy, training is being developed to reinforce the policy implementation and further clarifying duties and responsibilities towards carers. The aim is to create a far more consistent approach to the assessment and support offered to carers.</p>
<p>6. Emergency Card Schemes, backed up by emergency plans and response teams should be expanded and developed Kent wide if the pilot is successful.</p>	<p>On Carers Rights Day December 5th 2008 a Kent Carers Emergency Card Scheme was launched. The scheme is designed to provide carers with peace of mind when away from the person that they care for that should something untoward happened to them that emergency assistance could be accessed. Currently there are over 1300 carers signed up to the scheme and the number is growing steadily, since the launch there have been 107 applications generated from the website alone. When applying Carers are offered as much support as necessary to complete their emergency plan if they have no friend or relative to step in at short notice or their emergency plan fails for any reason, either County Duty or the Out of Hours service will step in to arrange emergency support. This support is available to all carers not just those carers of people receiving community care services.</p> <p>To compliment the scheme additional carers grant funding has been commissioned with the voluntary sector to provide increased levels of community based respite.</p> <p>Currently there are over 1300 carers signed up to the scheme and the number is growing steadily.</p> <p>An Example of how the Emergency Card has been used:</p> <div data-bbox="734 927 2074 999" style="border: 1px solid black; padding: 5px;"> <p>A Kent Carer recently became ill and was taken to hospital. The card identified that he cared for his wife and his wife was found immediate respite care.</p> </div> <p>Dementia/Care Crisis Support Service NHS West Kent has commissioned a new service aimed to prevent the breakdown of caring situation that normally led to people with dementia being admitted to hospitals or to care homes.</p>
<p>7. KCC together with Health and VCO's need to ensure that provision of respite/breaks is flexible, of the right type and that provision meets the needs of carers as well as the cared for person.</p>	<p>A standing Carers Advisory Group has been established. The Group is jointly chaired by Steve Leidecker, and Barbara Hagan, a representative of carers support organisation. The Group was instrumental in shaping the service development priorities for 2008/9. These are;</p> <p>A Single Point of Contact - a county-wide dedicated advice and information helpline service for carers</p> <p>Carers' Emergency Card - 24/7 contact number in case of an emergency. This means that if a carer</p>

Recommendations	Progress at June 2010
	<p>becomes ill or is involved in an accident they can be assured that there will be someone to look after the person that they care for</p> <p>Carers' Training and Education - to cover topics such as moving and handling, medication, dealing with difficult or challenging behaviour, coping with specific conditions and employment. A group of Kent carers support organisations, supported by KASS are bidding for funding to provide the Expert Patient Programme for carers called 'Caring with Confidence'.</p> <p>Carers' Emergency Support Services - developing time-limited (48-72 hours) home-based emergency cover to provide support in times of crisis e.g. carer's unplanned admission to hospital or a medical emergency, a family member being taken ill and requiring help or attention, the death or funeral of a close friend or family member.</p> <p>Short breaks - Increasing the type and availability of short breaks, including at home, in the evening and overnight.</p> <p>KASS will use its influence via the Carers Advisory Group and other methods to ensure that the PCT sign up to joint commissioning plans to ensure that the additional carers' money routed through the NHS is spent to compliment existing services, addressing gaps and delivering against the agreed priorities. Emergency or crisis support will be a priority commissioning area for the NHS.</p> <p>Some examples of short breaks and Carers having a life of their own as a result of the Carers Assessment Policy:</p> <ul style="list-style-type: none"> ▪ A Carer was able to pursue their interest in photography when he financed a photography course through the Carers one-off Direct Payment. ▪ A Carer who was unable to leave the property due to caring responsibilities used the Carer one-off Payment to purchase a laptop for internet shopping. ▪ A Carer providing 24 hour supervision used the Carers one-off Payment to finance a trip to visit his grandson and watch him graduate <p>Peer Support and Dementia Cafes The Demonstrator Project has enabled a new peer support groups to be established in the Maidstone, Ashford and Shepway areas and in the new financial year there will be another peer support group in the Malling area.</p>

Recommendations	Progress at June 2010
<p>8. Multi Agency Adult Carers Strategy to be progressed as a priority.</p>	<p>Work has begun to develop a Kent Adult Carers Strategy; the strategy will be our Kent response to delivering the National Carers' Strategy which was published in June 2008. To take the works forward a sub group of the standing Adult Services Carers Advisory Group has been established with representation from KASS, the voluntary sector, both Kent PCT and carers. The group will develop a high level strategy to show how in Kent we intend to implement the National Carers Strategy. Following on from the strategy there will be two separate joint commissioning plans for East & West Kent. KASS will ensure that links are made between the Kent Adult Carers Strategy and work within Kent to deliver the imminently expected National Dementia Strategy and the recently published End of Life Strategy 2008.</p>
<p>9. Need to ensure that awareness is raised within schools to increase understanding of what it means to be a 'young carer', and find ways to identify and support Young carers.</p>	<p>In 2008 guidance was issued to all schools regarding the needs of young carers and how to support them in the school environment. In order to support schools in applying this guidance an additional 20K was allocated to each of the five young carers projects across the county to enable them to work directly with local schools. This has enabled us to identify additional young carers across the county.</p> <p>Awareness raising and training has taken place with a number of Local Children's Services Partnerships (LCSP) and with specific groups of staff who work in schools or support the school environment i.e. Family Liaison Officers, Parent Support Advisors etc. Strategic links have been made with other initiatives that support the well-being of pupils in school e.g. PSHE and Healthy Schools.</p> <p>The Anti-bullying Strategy makes specific reference to bullying that takes place as a result of disability and the KSCB Anti-Bullying Policy specifically identifies young carers as a group of vulnerable young people at risk of bullying. The Joint Protocol between Children's and Adult Services (see below) clarifies the routes of referral into children's services for those young carers with additional needs.</p> <p>Ashford Carers Support services have been able to introduce a Schools Development worker (SDW); the SDW has been working in liaison with 12 local schools providing advocacy, signposting and support to Young Carers in the area. In addition the funding helped to provide some respite days for Young Carers including a first aid training day, summer BBQ and a camping trip</p> <p>Through home access to targeted groups funding 62 Young Carers and their families have been provided with a laptop and broadband access for two years. The allocation of laptops has been targeted at the most vulnerable Young Carers.</p> <p>The Youth Capital and Youth Opportunities Fund. Young people are trained as decision maker at a number of events, including residential courses. During this year, 25% of the decision makers who have been trained are Young Carers.</p>

Recommendations	Progress at June 2010
	<p>During this year three Young Carers have been supported to stand for election to the Kent Youth County Council. All three were successful and have achieved a position in the council.</p> <p>A Young Carers DVD produced with Young Carers in the county is being made available to all schools through the Healthy Schools Programme and will be incorporated into training for staff across all agencies.</p>
<p>10. Consider the need for a clearly identified lead professional for young carers on CSS operational front and education, alongside those for policy/strategy.</p>	<p>The additional monies identified during the last year to support local young carers projects working more closely with local schools will have helped to begin to share the expert knowledge held within the projects to other agencies, specifically schools. This year, to support the LCSPs in developing links with the young carers projects and to prioritise support for young carers, each LCSP has been offered £500 per 1000 of child population to develop young carers support. To date the majority of LCSPs have taken up this offer and a report will be made next year on the outcome of this work.</p> <p>In a year of great change in children services the majority of agencies have identified leads for young carers. These leads are proactive in promoting the needs of young carers within their agency and as a result a range of awareness raising events have taken place and are planned. Further work will take place to clarify young carers leads for all agencies. It is as yet too early to judge the impact of the CAF in identifying and meeting the needs of young carers. It will be important to monitor this during the coming years.</p>
<p>11. Need to ensure clear responsibilities and referral pathway for young carers between Kent Adult Social Services, and CFE and other agencies, and ensure that protocols between Kent Adult Social Services and Children's Social Services are developed as a matter of urgency.</p>	<p>A Joint Protocol between Adults and Children's Services is now in place within KCC. Recommendation will be made to the Kent Children's Trust Board that the Protocol is adopted children's and adult services across the county.</p> <p>The joint protocol identifies the appropriate person to carry out assessment within households. It is anticipated the adoption of the protocol will increase the number of young carers identified and therefore support offered to them.</p> <p>Staff awareness/briefing plan is being developed.</p>
<p>12. Invisible People – the multi agency young carers strategy and accompanying commissioning strategy (currently in draft) should be implemented urgently and monitored to ensure objectives and targets are met.</p>	<p>Invisible People- Kent's Young Carers Strategy was subject to formally launched in July. The document is available via Kent Trust Web and the KCC web-site. The multi-agency implementation plan that supports the document is subject to annual review by CFE POC and the Kent Children's Trust Board. Work has begun on a 'Hidden Harm Strategy' this multi agency strategy will pull together the work necessary to protect vulnerable children (many of whom will be young carers) who live with parents of guardians with substance misuse problems.</p>

Recommendations	Progress at June 2010
	<p>In 2008, there were 600 Young Carers across the county receiving support. This figure has more than doubled with over 1200 Young Carers being supported across the county during 2009/10. This support, commissioned through the Local Children's Services Partnerships, includes:</p> <ul style="list-style-type: none"> • A range of social and recreational activities for Young Carers including residential weekend, weekly support groups, holiday and weekend activities; • Activity in more than 130 schools to build awareness of Young Carers, develop capacity to deliver in school support and identify Young Carers; • Tailored individual support for those Young Carers most in need.
<p>13. KCC in partnership with Health and the VCO's need to improve understanding and signposting from Health sector to available help and support for carers in the county.</p>	<p>The new standing Carers Advisory has for the first time in Kent brought all the key strategic partners involved in supporting carers together. Both PCT have identified Carers Leads who are working in partnership with KASS to develop the Kent Adult Cares Strategy and associated commissioning plans. The identification, sign posting and support offered by primary care is a consistent theme and one that will feature heavily in the strategy.</p> <p>We expect that training for GPs, a requirement of the dementia strategy will also contribute to improving the current situation.</p> <p>'Live life to the full in West Kent' which is an informative booklet full of advice information and guidance.</p> <p>West Kent CareCall, a service commissioned by NHS West Kent and established in April 2009 is a proactive telephone-based health coaching service for people with long term conditions.</p>
<p>14. KCC to pursue with Health the need to consider how carers of mental health patients (and service users) can be better supported, particularly at times of crisis and out of hours.</p>	<p>The provision of carers assessment workers, piloted in West Kent, has now been extended to cover all of Kent. These workers ensure that all carers of people with severe mental health problems are offered their own assessment of their needs and are signposted to the support they need. Likewise, funding for Carers Breaks has in the last year been implemented in all parts of Kent. These are designed to give carers a break and are arranged by carers support projects.</p> <p>The Mental Health Matters help-line is now funded from 5PM to 9AM on weekdays and 24hrs weekends and holidays. The service is available to carers and referrals can be made to the Crisis Resolution and Home treatment Teams.</p> <p>Kent Adult Social Services will aim to influence how the local NHS intends to allocate the new funds that they are receiving for carers, increasing services available to carers out of hours and at time of</p>

Recommendations	Progress at June 2010
	<p>crisis will be a priority.</p> <p>Further work needs to be done to ensure carers needs are fully recognised in crisis and out of hours. We will be finding ways to include mental health in the Carers Emergency Card scheme. A seminar is shortly to take place with all mental health carers projects across Kent which will examine how carers needs can be better recognised at times of crisis and out of hours.</p>

Recommendation	Progress
<p>1. KCC to establish, in partnership with Kent Primary Care Trusts (PCTs), an independent task board which will carry out a comprehensive and systematic needs assessment of alcohol service provision in Kent. This review should investigate, quantify and evaluate the current level of need and the financial resources available in both East and West Kent; it should consider coordination, commissioning and provision mechanisms involved; it should assess the effectiveness of local alcohol treatment systems in all the four tiers of intervention, and it should explore opportunities for savings in order to maximise budget spend on service delivery. The Kent Drug and Alcohol Action Team (KDAAT) should produce an annual updating report indicating in the various areas of operation the number of individuals receiving treatment and the reasons for their referral.</p>	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven <i>Action updated 20 5.10 by Meradin Peachey</i></p> <p>Kent Action on Alcohol Steering Group (KAASG) was established to reflect multi-agency representation and resources were identified enabling the commissioning of Oxford PHRU for the completion of a comprehensive alcohol needs assessment. An initial report was received in readiness for the launch in the Alcohol Select Committee Report in July 2008 and a final report is anticipated on 31 July 2009.</p> <p><i>A needs assessments was completed by November 2009 and this underpinned the Kent Alcohol Strategy, PCT commissioning plans and community safety partnership plans. More work will be done on a gap analysis of services across the county now that there are more services, and how we can improve local data collection.</i></p>
<p>2. The needs of all those individuals requesting assistance, especially those caring for dependants, should be assessed carefully, and treatment should be prioritised according to the importance and urgency of each situation.</p>	<p>KAASG is working with KDAAT Young Person's Service in the coordination of a multi-agency group to address issues of Hidden Harm. A gap analysis has been completed and a Hidden Harm Strategy has been prepared for consultation across the County. Via safeguarding structures the identification and assessment of families at risk is prioritised and ongoing work will be developed with substance misuse treatment providers and Children's Social Services.</p> <p><i>Young peoples services were included in the HOUSE campaign which identified a number of vulnerable young people that were referred into services.</i></p> <p><i>The safeguarding board has prioritised prevention support for children living in families with substance misuse.</i></p> <p><i>The development of the service user and carer groups has progressed and funding will continue in 2010/11.</i></p>

Recommendation	Progress
<p>3. The outcomes of the needs assessment should inform the production of an overarching alcohol strategy for Kent. The production of the strategy, aiming at reducing the impact of alcohol misuse in Kent, should be lead by KDAAT. The strategy should address a variety of issues including treatment services, underage drinking, public awareness, alcohol-related crime and responsible retailing. It should clearly identify effective actions to be taken, together with responsibilities and accountability of all the agencies involved in the coordination, commissioning and provision of alcohol-related services. The strategy should include mechanisms that will evaluate and monitor the progress of its implementation, and it should encourage closer collaborative ties between all the agencies involved.</p>	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven <i>Action updated 20 5.10 by Meradin Peachey</i></p> <p>The draft Alcohol Strategy is now ready for consultation across the County with a view to progress to Council in Autumn 2009. <i>The Alcohol Strategy has been subject to wide consultation with partners and is due to be launched in the summer2010.</i></p>
<p>4. KCC to lobby Central Government to raise the priority and profile of the issue of alcohol misuse in the UK. KCC should press for an increase in funding to finance services dealing with alcohol misuse. This pressure should be carried out through the influence of the Local Government Association (LGA), as well as through direct contact with Central Government agencies.</p>	<p>Alcohol misuse and issues relating to licensing and retail costs have been a Central Government priority for action and legislation is anticipated that will amend current licensing laws. The issue of cost is now in the public domain and KAASG can contribute to this ongoing work. Kent is working with the retail industry via Kent Community Alcohol Partnership (KCAP) – see answer to point 27 and a dialogue has commenced with Shepherd Neame. <i>The Chief Medical Officer and the Royal College of Physicians now supports KCC select committee recommendations.</i> <i>There is considerable national lobbying supporting KCC position.</i></p>
<p>5. KCC should ensure that the distribution of financial resources for alcohol-related services is monitored, amongst other methods, through Local Area Agreement (LAA) structures and mechanisms. KCC should prioritise the allocation of resources for these crucial alcohol services, given their impact across so many other aspects of life.</p>	<p>KAASG has identified, within the Alcohol Strategy, the areas that contribute to the LAA process, namely treatment services, Accident & Emergency Admissions and young people and alcohol. Additional resources have been secured from PCTs and a further growth is planned in expenditure in 2009/10. <i>The PCTs have increased resources available for specialist services and there are now tier 2 and 3 services in West Kent. Specialist services have been re-tendered and now have a more community based model of treatment enabling wider access.</i></p>

Recommendation	Progress
	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven</p> <p><i>Action updated 20 5.10 by Meradin Peachey</i></p>
<p>6. KCC to establish closer links with local academic institutions, such as the University of Kent, in order to deal with alcohol misuse. Work should be carried out with the European Institute of Social Studies (EISS) of the University of Kent, in an effort to attract European Union funding to finance alcohol misuse services in Kent. KCC should liaise with EISS to encourage the participation of both the alcohol industry and Kent-based agencies dealing with alcohol misuse in the EU Alcohol and Health Forum. Care should be taken to present the Forum with the many projects that the alcohol industry in Kent may initiate.</p>	<p>KCAP is to be externally evaluated by the University of Kent and other treatment services will be assessed and evaluated as appropriate and as funding permits. In the Autumn 2008 a dinner was held at the University of Kent to establish links and areas for future exploration.</p> <p><i>Kent liaised with the EU Alcohol and Health forum through the European Public Health Alliance to advocate for strong European policy development . The Kent & Medway Health and Europe Centre led a well-attended alcohol conference in November 2009, showcasing evidence from UK and other countries of what works in approaches with Young People.</i></p> <p><i>The “Think Family” principle is being extended across children and Young People services.</i></p>
<p>7. The effectiveness of GPs in early identification and referral of alcohol misusers in Kent should be improved. All GPs in Kent should be strongly encouraged to attend special training that will help them identify alcohol misusers, especially those with dependants.</p>	<p>GPs with Special Interest (GPSI) have become established in respect of the drugs agenda. KDAAT is seeking to address GPSIs with a specific alcohol brief once funding becomes available. Via the Accident & Emergency pilots briefing intervention models are being developed via existing providers in the treatment field.</p> <p><i>Alcohol screening has been incorporated into NHS health checks provided by GPs in Eastern & Coastal Kent. It is under consideration in West Kent, where half of all practices signed up to alcohol screening of new patients. Brief intervention and advice in A&Es is still not common practice. This under discussion in West Kent and a resource has been identified for a nurse alcohol worker for East Kent Hospitals Trust.</i></p>
<p>8. GPs and other primary care staff should increase the provision of “motivational brief interventions” and advice to individuals drinking excessively, but not yet experiencing major problems resulting from excessive consumption.</p>	<p>See answer to Recommendation 7.</p> <p><i>This is being funded through the NHS health checks programme in Eastern and Coastal Kent and is being considered in West Kent.</i></p>

Recommendation	Progress
Funding sources to finance these brief interventions should be identified by Kent Primary Care Trusts (PCTs).	Presented to Alcohol Select Committee 17.3.09 by Angela Slaven <i>Action updated 20 5.10 by Meradin Peachey</i>
9. Immediate intervention should be provided to support those with urgent needs, such as children mistreated by alcoholic parents, young carers of misusers and misusers suffering from alcohol withdrawal crises. If during assessment a parent is identified as in need of alcohol treatment, KCC Social Services should ensure that support is provided to ascertain that the children are properly cared for.	See answer to Recommendation 2. <i>Prevention is also a priority for the safeguarding children's board</i>
10. Additional temporary sheltered housing should be facilitated by KCC for individuals recovering from alcohol addiction, particularly those discharged from hospitals, prisons and residential alcohol treatment, in order to prevent relapse.	Discussions have commenced with service providers in the county who act as registered social landlords (RSLs) for this targeted group. Existing provision is currently coping with demand and additional resources from Supporting People to provide floating support at the point of move on has enabled a more fluid and flexible accommodation response.
11. There should be a hard-hitting health campaign targeted at the young to increase their awareness and so reduce the damaging effects of alcohol. The Committee urges that this campaign should stress personal responsibility and self esteem, give information about sensible drinking and about the variety of alcohol- related services available in the County	House has been developed as a multi-agency response across the county. The programme will be assessed and evaluated externally but already evidence is emerging that young people previously outside treatment services are being identified and support is being given and where necessary referral on to more structured programmes. <i>HOUSE has resulted in higher number of referrals of vulnerable young people to connexions, youth services, health services drug and alcohol services.</i>
12. In order to help those seeking support: 1. A logo, which facilitates the identification of all alcohol services in the County, to be adopted. The "alcohol" section in the KDAAT website to be developed and expanded.	The issue of a logo is a matter for resolution at a corporate level and has not been progressed. The KDAAT website is being refreshed and new leaflets supporting the NHS campaigns have been produced.

Recommendation	Progress
	Presented to Alcohol Select Committee 17.3.09 by Angela Slaven <i>Action updated 20 5.10 by Meradin Peachey</i>
<p>13. KCC should produce a directory in hard copy of all alcohol-related services available in the County which includes all voluntary sector provision, to aid partners and clients to access help for individuals in crisis.</p>	<p>KDAAT has produced a new leaflet identifying treatment providers and other avenues of support. This links to the national directory. No hard copy document has been produced but a Communication Strategy has been established to ensure that the timeliness and accuracy of information available to professionals and other groups is available.</p>
<p>14. More consistent Personal, Social and Health Education (PSHE), which includes effective alcohol education, should be delivered in both primary and secondary schools in Kent. PSHE accreditation for both teachers and nurses should be widely supported. The organisation and promotion of this training should be carried out by Schools Drugs Education Advisers through Local Children's Services Partnerships. The Kent PSHE Advisory Group should pay particular attention to this recommendation when investigating young people's personal health and wellbeing in the County.</p>	<p>Kent is now compliant with the PSHE requirements and further opportunities are being developed by the Kent Safer Schools Health model.</p> <p><i>This is also a priority for the new Teenage pregnancy strategy.</i></p>
<p>15. The inclusion of persons recovering from alcohol addiction in the delivery of alcohol education in schools in Kent should be considered by Local Children's Services Partnerships. Guidance for schools will ensure that lessons delivered by outside speakers, including previous alcohol misusers, comply with a clear quality assurance framework.</p>	<p>Within the Alcohol Strategy workforce development is recognised as a key strand and through the Progressions Awards at South Kent College, we are developing opportunities for service users to develop the skills and confidence to begin to contribute to the overarching agenda. LCSPs in their Needs Assessment can access these resources via local treatment providers.</p>
<p>16. Parents and Kent-based primary and secondary schools should work in partnership to promote legal, safe and sensible drinking. Schools should involve parents in their children's alcohol education by transferring learning about sensible drinking into the home.</p>	<p>Parental Awareness has been developed using the national tool kit and a booklet has been issued to all schools to engage parents in the promotion of the work.</p>
<p>17. Successful initiatives dealing with other related health issues, such as drug misuse, drink driving and sexual health,</p>	<p>This is being addressed through the KAASG Communication Strategy.</p>

Recommendation	Progress
should be explored for adaptation to the theme of alcohol misuse. KCC should support the delivery of these initiatives in tackling alcohol misuse.	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven</p> <p><i>Action updated 20 5.10 by Meradin Peachey</i></p> <p><i>Various national social marketing campaigns are being adapted for use in Kent over the Christmas period and using the LIFE channels in GP practices.</i></p> <p><i>KASSG has a clear understanding of the national campaigns and is reflecting how these can be complemented within the Kent plan. The World cup offers an opportunity to further develop the social marketing response.</i></p> <p><i>KASSG has collated a visual map of national social marketing campaigns that can be used locally, this will be shared with all CDRPs so they can target messages in their local communities.</i></p>
<p>18. The work carried out by the Safer and Stronger Communities Group and its sub-group, in their effort to reduce alcohol-related crime linked to the night-time economy and to deal with domestic violence in Kent should be comprehensive, including the diversity of offences fuelled by alcohol misuse which are not necessarily of a violent nature.</p>	<p>Work is ongoing with Kent Police, Probation and Children's Services to ensure the sharing of data and information in order that a more coherent approach can be applied and resources can be targeted more effectively. The analysis is being linked to the work being undertaken by Oxford PHRU.</p> <p><i>The Kent Fire service is actively seeking support form partners through the Safer Stronger groups to share information about high risk individuals so they can visit and offer prevention. An approach has been made to the Mental Health Trust to specifically agree a data sharing protocol.</i></p>
<p>19. Communication between agencies at county level and those at more local level should be enhanced. Better data sharing between organisations dealing with alcohol-related crime, such as the police and Crime Disorder Reduction Partnerships (CDRPs) should be secured. The sharing of best practice between Kent-based CDRPs in tackling alcohol-related disorder should be improved. Both Central Government and the alcohol industry should be encouraged to provide data and finance.</p>	<p>KAASG is leading on the coordination of the groups that sit within Safer Stronger Communities, Safer Kent Delivery and the Public Health Boards. KAASG has a clear data strategy attached as Appendix 1</p> <p><i>Both PCTs contribute to the strategic assessments for the CDRPs with alcohol data.</i></p>
<p>20. A Kent-based alcohol misuse conference, including representatives of local authorities, CDRPs, KDAAT and the alcohol industry, is established.</p>	<p>In July 08, the Select Committee Report was launched at a Kent based conference. In November 2009 an EU Symposium will address young people and alcohol.</p> <p><i>The Kent & Medway Health and Europe Centre led a well-attended alcohol</i></p>

Recommendation	Progress
	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven</p> <p><i>Action updated 20 5.10 by Meradin Peachey</i></p> <p><i>conference in November 2009, showcasing evidence from UK and other countries of what works in approaches with Young People. The planning and execution of this conference was supported by KDAAT and Kent PCTs.</i></p>
<p>21. All hospitals in Kent improve Accident and Emergency (A&E) data gathering on injuries resulting from alcohol-related violence. All A&E departments in Kent should be strongly encouraged to collect and share data with other agencies in order to pinpoint “hot spots” and sources of crime resulting from alcohol misuse, and should quantify accurately NHS costs of dealing with health consequences.</p>	<p>Two pilots are currently being completed and evaluated. A review of the evaluation will commence in July 2009 and the outcomes considered prior to further roll out.</p> <p><i>A&E data is available to the police, this includes alcohol and knife related incidents. However it still needs more development to improve collection through A&Es. An implementation project has been ongoing since September 2009. A conference is being held May 2010 to improve enthusiasm and understanding of the importance of this data collection</i></p>
<p>22. Magistrates to be provided by Her Majesty Court Service (HMCS) with training which will enable them to deal more effectively with alcohol-related crime.</p>	<p>Magistrates across Kent are in the process of being trained. This is related to the delivery of alcohol treatment programmes ATR (statutory court order) and is being managed by the Kent Probation Service.</p>
<p>23. The Select Committee supports the KCC Towards 2010 target 58 to work with off licence pub and club owners to reduce alcohol fuelled crime and disorder, anti-social behaviour and domestic abuse. In addition, we recommend that problems of drinking outside the curtilage of licensed premises should be addressed, and that KCC should seek to discourage the practices of discounting alcoholic drinks, charging high prices for soft drinks and other strategies that could promote irresponsible drinking by all retail outlets</p>	<p>Drinking outside licensed premises is an area being addressed by Kent Police and other responsible authorities. A number of reviews resulting in licensing conditions have been imposed following crime, disorder or serious nuisance caused outside licensed premises. Examples include a review called by environmental health due to repeated excessive noise and by police following crimes outside a licensed premises. Clearly, each case is considered on its merits and the aim is to work with Designated Premises Supervisors to prevent any issues arising or reoccurring.</p> <p>Police have used dispersal powers requiring that persons leave an area if they are linked to alcohol-related crime and disorder. These are used extensively throughout Kent.</p> <p>Kent Police set a target for 2008-09 of reducing alcohol and drug-related violence in identified night-time economy areas by 5% based on 2007-08 figures, although full year data is not available, the figures for the first 11 months show significant falls in these violent crimes.</p>

Recommendation	Progress
	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven</p> <p><i>Action updated 20 5.10 by Meradin Peachey</i></p> <p>Second point: If discounted drinks promotions are shown to directly impact on any of the 4 licensing objectives (public safety, crime and disorder, public nuisance and harm to children) responsible authorities can seek a review to impose appropriate conditions.</p> <p>See also answer to 27 re KCAP</p>
<p>24. KCC to support, where appropriate and after other measures have been explored, the establishment of alcohol free areas and of Alcohol Disorder Zones, which can require premises failing to implement actions designed to reduce alcohol-related anti-social behaviour in their vicinity to contribute towards the cost of the additional policing necessary to suppress the disruption. Kent Police, Trading Standards and other appropriate agencies should increase their efforts to identify retailers who supply alcohol to under age persons and ensure that penalties are applied.</p>	<p>Alcohol Disorder Zones (ADZ). It is widely accepted that designating an area as an ADZ is very much a last resort when all other measures have been pursued. There have been none created to date anywhere in the country, creating an ADZ shows that the partnership has failed to manage the NTE. [An ADZ could be adopted when all other measures failed to reduce the identified disorder. If so, the police and the local authority need to agree that an ADZ is necessary. A 28 day consultation process follows, then an action plan is agreed, if this fails, the ADZ can be designated. This means that premises in that area can be made to contribute towards the costs towards dealing with issues in the night time economy.</p> <p>Underage drinking: Kent Police have used confiscation powers to confiscate drink from underage persons. This also involves investigating where the drink was purchased from and notifying parents of what has happened. Following test purchases KCC's Trading Standards have prosecuted a number of retailers for selling alcohol to young people. Trading Standards Officers have been accredited and have issued a large number of Penalty Notices for Disorder (PND's) - effectively an £80 fine, where a prosecution is not appropriate. More recently the service has instituted a number of reviews of licenses which have resulted in the licensing authority adding conditions or even suspending a licence.</p>
<p>25. Public knowledge of the rights to object to licence applications for the sale of alcohol and to call for license reviews if problems of public nuisance occur to be improved. Local experience of public nuisance was previously submitted via Parish Councils, and the Select Committee recommends that KCC engages the support of the Kent Association of Parish Councils to lobby Government to reinstate Parish Councils as consultees in license</p>	<p>The 12 District Councils as the licensing authorities receive all the applications for new licences and alterations to existing licences. This same information is also sent by applicants to the statutory responsible authorities, which includes KCC but does not include the Parish Councils. Parishes have expressed a desire to comment on licence applications / changes but it appears that they are not being consulted by the licensing authorities. KCC's Director of Community Safety is writing to the 12 DC Chief Executives to establish the position within each licensing authority. Depending on the answers received this matter will be placed on the</p>

Recommendation	Progress
applications.	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven</p> <p><i>Action updated 20 5.10 by Meradin Peachey</i></p> <p>agenda for discussion at the Crime and Disorder Partnership (CDRP) meetings to consider a local change of policy or, if required, an approach to Central Government for a change in the law or guidance issued to local authorities.</p>
<p>26. KCC to engage and encourage Central Government to ensure that the rate of taxation of drinks increases proportionally with their alcoholic strength. A greater part of the additional revenue accrued from alcohol taxation should be re-invested for the prevention and treatment of alcohol misuse.</p>	<p>Since the Select Committee hearings, the low cost of alcoholic drinks and its effect on levels of consumption has been well publicised in the media. The Government are considering a number of possibilities which would result in the price of alcoholic drinks being increased.</p>
<p>27. KCC to support Central Government's engagement of large supermarket chains encouraging them to review their alcohol marketing strategies, including "loss leader" discounting practices, and to ensure that alcohol is not sold to under-age customers.</p>	<p>KCC's Trading Standards service is leading on the UK's largest partnership initiative joining forces with Kent Police, the Health Service, District Councils, many services across the County Council (such as the DAAT, Community Wardens, Youth Service, Schools etc) and the retail industry to form the Kent Community Alcohol Partnership (KCAP). Large national retailers are represented by the Retail of Alcohol Standards Group which comprises all the major supermarkets and other national retail chains. The Kent Community Alcohol Partnership has a Steering group led by KCC's Dir of Community Safety and includes a national senior manager for one of the major supermarkets, on behalf of RASG.</p> <p>KCAP aims to change attitudes to drinking by informing and advising young people on sensible drinking, supporting retailers to reduce sales of alcohol to underage drinkers, promote responsible socialising and helping local communities to tackle alcohol related issues.</p> <p>The project was launched across the County in November 08 and in the three pilot areas (Edenbridge, Canterbury City Centre and the Westwood Cross area in Thanet, covering a population of almost 100,000) in March 09. The pilots will run until September 09 and if successful (evaluation to be carried out by Univ of Kent at Canterbury), the project will be rolled out across Kent.</p> <p><i>The project continues to be rolled out</i></p>

Recommendation	Progress
<p>28. KCC to encourages Central Government to make Personal, Social and Health Education (PSHE) a statutory subject with inspection by Ofsted (please refer to Appendix 4 for related recommendations in KCC PSHE report).</p>	<p>Presented to Alcohol Select Committee 17.3.09 by Angela Slaven <i>Action updated 20 5.10 by Meradin Peachey</i></p> <p>Incomplete – the Action Plan indicates work to commence June 2009.</p>

ACCESSING DEMOCRACY - Summary of progress towards each Select Committee Recommendation

Recommendation	Progress to date (June 2010)
<p>1. Raise profile of elected members and use other strategies to change public perception.</p>	<p>This overarching recommendation depends on the delivery of all the other recommendations. It involves the use of technology, development of a Members portal, potential development of Members' blogs, and Members websites, shadowing opportunities for elected Members and officers, roadshows, the emerging localism agenda etc.</p> <p>Members are welcome and encouraged to use Gateways to hold "surgeries" or as a facility for reaching their local constituents.</p> <p>Development of members portal. Work ongoing to consider options including use of Pic and Mix. Lead: Jude Sage/Edward Thomas and Members of the Member Information Member Officer Group.</p> <p>Communications publicity Campaign Campaign to raise awareness and understanding of what councils do, role of members and how members and the public have made a difference. To be launched as part of Local democracy week. (links to R4). Lead: Jane Clarke/ Marcus Chrysostomou.</p> <p>Shadowing opportunities for elected members and officers: Internal scheme to be piloted with lead officers and members to shadow each other. Lead: Paul Wickenden, Coral Ingleton.</p> <p>British Youth Council scheme 'Youth of today'- looking to take part in scheme aimed at 13 to 19 year olds to shadow councillors designed to help young people learn more about what they need to know to take part in the democratic process. Lead: Nigel Baker/John Turner</p>
<p>2 .a) A 'menu of options' of how local people can get involved in local democracy in Kent should be promoted.</p> <p>b) All proposals taken through County Council or Overview and Scrutiny should be required to state the degree of public involvement to date. This would improve accountability and demonstrate how information from consultations is used (especially the effect on decision making).</p>	<p>Promoting options for involvement: The many different ways local people can get involved/make change happen can be highlighted as part of the communications publicity campaign (see R1), and as part of the Gateway Multi channel.</p> <p>The County Council is exploring the various mechanisms available to it to allow the public to express their views which might highlight areas for possible review. This could be piloted through a mechanism to be developed to understand the views which might lead to a Topic Review for the Select Committee Topic Review Programme.</p> <p>Consultation Portal: Many consultations are currently promoted on the KCC website and a few have direct links for residents to use to access the consultation and participate. Improvements to the consultation portal – including covering all consultation and involvement; searchable database; online</p>

Recommendation	Progress to date (June 2010)
<p>c) Existing good practice should be advertised and promoted, identifying future priority issues for local action/campaign with elected members and/or highlight possible areas for review.</p>	<p>access to participate; results and outcomes – deferred again and needing higher priority to move to implementation. Lead : Robert Hardy</p> <p>Model Report. Model report about to be re-launched to include new paragraphs on degree of public involvement to date and how the duty to involve and promote democracy is being delivered. Lead: Geoff Mills/ Christine Singh</p> <p>Participation Techniques - Key to explore new opportunities to increase involvement of local people in local democracy. This is an evolving process and focus is on continued development to involve local people. Consideration by committees to using different methods to engage with all sectors of the community where appropriate. Implemented Webcasting of Local Board Meetings with interactive live feed. Increasing knowledge base of different participation techniques (Participate by right, Social Innovation Laboratory for Kent method deck).</p> <p>Local action to empower communities project - The 100 days campaign is under discussion and early planning stage. A multi agency approach, members, partners and the public working together to tackle a specific issue through joint action. A catalyst for change and empowering 'change makers' in local community. Initial meeting held 25 Nov 09. Lead: Robert Hardy/Jane Clarke/Marcus Chrysostomou. 3 Member focus group to be established.</p> <p>Gateway are available to promote democracy more generally. Opportunity of using Gateway for surgeries highlighted to all members. The network of seven Gateway across Kent is an ideal platform for promoting democracy in our county. With over 40 partner agencies in place delivering services via Gateway, it has proved a vital link and vehicle for communicating with the public. A variety of meeting rooms are available via reservation to host drop-in sessions or surgeries with councillors. This is already working successfully in Tunbridge Wells Gateway and Thanet's Gateway Plus, with all Gateway printed publications promoting url links to find further information on the Councillors in their area.</p> <p>Gateway provides a user-friendly, supportive, modern and comfortable atmosphere, in which the work of Councillors, and the issues and needs of the people of Kent can meet. Each Gateway has the ability to hold 'roadshow' type events where there is a targeted promotional theme if there was a specific date/ week that you would like to focus on. For example, held a 'Backing Kent People' (BKP) week across the Gateway network, where all Gateway had a BKP pop-up and Moneybox booklets to distribute which was also supported by a series of radio adverts advising the event. Lead: Tanya Oliver/Marcus Chrysostomou.</p>

Recommendation	Progress to date (June 2010)
	<p>There are currently two mobile Gateway units, designed to enhance public access in rural and hard to reach communities – particularly communities with relatively poor public transport links and/or at a distance from commercial hubs. The Gateway mobiles can be used as a channel to support specific public sector campaigns and consultations. Gateway will be used as part of the 100 day campaign. Lead: Tanya Oliver/Marcus Chrysostomou</p> <p>Kent TV: Kent TV provided an excellent medium to facilitate democracy and reach younger people in particular. Piloted the use of Kent TV during elections approaching the three political group leaders. Following the decision not to continue with the pilot, KCC has made a commitment to continue engaging with citizens through digital media on Kent.gov. The wealth of information gathered during the pilot is now available on the website; a small team will work on creating new content and on specific projects to continue engaging with young people and help the public to engage further with democracy through video.</p>
<p>3. The Member Charter, and programme of member development to help ensure Kent has high calibre effective community leaders, should incorporate media training and public speaking skills.</p>	<p>As part of the County Council's preparation for the South East Employers Member Development Charter all Members were invited to identify those skills on which they would welcome development. Media training was a high priority and this has been built into the ongoing programme of development for all Members. Training has been arranged for all members.</p> <p>The IMG Member Development and the IMG Member Information undertook a survey of all prospective candidates and interviewing all elected Members on their needs following the County Council elections. The staff in the Information Point interviewed members as part of their induction.</p>
<p>4. As part of the 'Communications Strategy' KCC should actively promote the role of elected members as community leaders and advocates within their community using a range of communication tools.</p>	<p>The Media and Communications Centre can advise but do not have the resources to promote each Member, but are running a publicity campaign to promote KCC Members and what they do, (see Rec 1)</p> <p>Toolkit for members: The Communications team has developed a toolkit for members to enable individual members to utilize the various communication tools available. Also have toolkit from Courier Group and will marry together. Working on new communications protocol for committees Lead: Jane Clarke/Marcus Chrysostomou</p>
<p>5. Embrace democracy in secondary schools and school councils should be encouraged to operate through age range - advocate school councils in primary</p>	<p>Opportunity to embrace democracy in secondary schools through the Personal, Social and Health Education curriculum on School and Councillor Wellbeing, extend the Kent County Council where Year 6 children will join together to form the Kent Primary School Children's Council and discuss the big</p>

Recommendation	Progress to date (June 2010)
<p>school.</p> <p>(a) All elected members should be involved in schools democracy week.</p> <p>(b) Ensure all teaching staff are firmly encouraged to undertake Continuous Professional Development on democracy.</p> <p>(c) Linkage between School Councils, Kent County Council and District, Town and Parish Councils should be promoted.</p>	<p>issues of the day. Projects being undertaken:</p> <p>Kent Primary Schools Children's Council (KPSCC). The on-going plan is for the KPSCC to meet twice a year to discuss the issues of the day. The KPSCC is made up of 69 Year 5 pupils (3 from each LCSP) and is held at The Chambers in Maidstone's County Hall. These pupils stay as KPSCC for four meetings (over two years) to ensure continuity, development of discussion and to build strong relationships. The meetings, which are chaired by the KYCC, take place in March and November every year and the fourth meeting will take place in November 2010. The agenda is formulated around the ideas brought in by each KPSCC member. So far, the topics debated include: the appropriateness of PHSE education in primary schools, bullying, internet safety, climate change, sustainable schools, Say No To Phonebooks and the Rights of the Child (Article 12 from the Convention on the Rights of the Child).</p> <p>At the March 2010 meeting, a group formed a journalist team to report on and produce a newspaper which was viewed at the day. This meeting also saw the premiere of the animated DVD "Voices Grow Louder." Voices recorded at the November 2009 meeting were animated into a Creature Comforts-style DVD by the 12 KPSCC members from Maidstone, Tonbridge and Malling. Unicef and CRAE requested copies of the DVD to help promote the importance of pupil voice. The KPSCC members all received letters from Baroness Delyth Morgan (DSCF) in November 2009 and the Rt. Hon. Dawn Primarolo (DCSF) in March 2010 which congratulated the children in actively engaging with important issues. All meetings provide the children the opportunity to hear presentations from Keynote speakers and ask open and frank questions, which are then reported back to their schools and District councils. The link between all the KPSCC members is maintained by their registration to the safe social networking site SuperClubsPLUS. The event is also used to conduct consultations with the KPSCC members and their input has contributed to the KCC/KCT Participation Charter/Commitment. Lead: Emma Jenkins (CFE)</p> <p>Councillors in Secondary Schools project developed. This project, which involves councillors visiting schools to tell children more about democracy, aims to improve young people's understanding of and interest in the democratic process. Launched in democracy week and takes place during Key stage 3 focus within citizenship classes. Teaching support and a resource pack are provided together with 'before' and 'after' questionnaires to monitor effectiveness. Results so far have been extremely positive. Using Electoral commission recipes for framework.</p> <p>The intention is for all eighty four Members to build good relations with at least one of their local secondary schools through the implementation and roll-out of the Councillors in Schools project.</p> <p>An invitation was sent to all secondary schools via the cluster web and all Members with a request to</p>

Recommendation	Progress to date (June 2010)
	<p>initially express an interest in participating. Nine schools and fifteen Members have responded which produced five natural matches. To date four Members have held an initial meeting with their local school and identified a way forward on becoming better integrated within the school environment and amongst the students. A further two Members have meetings scheduled and more will take place as and when mutual dates can be determined. Has for example led to involvement of students and members in consultation on new cycle paths, youth provision in new community building, student surgeries.</p> <p>Lead: Louise Bolton.</p> <p>Kent TV - engaging schools and young people: In February 2010 the decision was taken not to extend the Kent TV pilot. However KCC is committed to looking at new ways of engaging with young people through digital media and in particular video content. This will include proposals for a 'Youth Channel' which will allow young people to upload their own videos, giving them a forum to express their views and showcase their talents, in a safe and moderated environment</p>
<p>6. Citizenship pack should include information on how to register to vote, the role of local elected members and how to contact local members at District, County and National level.</p>	<p>The Citizenship pack includes the Electoral Commission leaflet "Register to Vote" which includes an electoral registration form. The leaflet is a generic one. Also enclosed in the pack is a list of the addresses of the 12 district council electoral registration sections in Kent. Many new citizens will have registered to vote prior to gaining citizenship as they already have entitlement to vote eg EU elections etc but the leaflet will be useful to those who have not already registered.</p> <p>Information provided on</p> <ul style="list-style-type: none"> - Member roles, contact information. Jane Clarke/Marcus Chrystommou - Kent and Medway Citizens Panel information included. Nick Warren.
<p>7. Need to ensure that induction and information pack for new staff includes information on how to have your say and get involved in local decision making and how public involvement has made a difference.</p>	<p>The induction programme for new staff includes the decision making process and how it is possible to get involved in local decision making. This programme is also delivered to other staff groups across the County Council. Information about how to have your say to be provided/linked in online information pack - Delayed until revision of new website (how to get involved pages). Lead: Denise Fitch/ Philippa Cracknell</p>
<p>8. KCC should provide subtitles and British Sign Language option on all DVDs produced.</p>	<p>Strategic Development Unit already do this and the Gateway DVD produced in January 2007 has been used as an example. Communications to develop standard note/ policy to ensure production of DVDs and BSL is consistent across KCC. Is policy that this should happen each time a DVD is made.</p>

Recommendation	Progress to date (June 2010)
<p>9. a) Elected members should have a hard copy summary of all the planned KCC consultations.</p> <p>b) Information regarding consultations and the need to inform and involve elected members needs to be highlighted and included within future plans to develop a discreet section of information for members on the web and clear commitments reflected within the Consultation and Engagement Strategy.</p> <p>c) Information on consultations should include note on method of engagement to be used.</p>	<p>This will be linked to the new consultation and involvement database being developed for Kent.gov. BUT please note this has been further delayed and needs to be afforded a higher priority in order to secure its implementation.</p> <p>The Consultation and Engagement Strategy offers the opportunity to explore a range of tools depending on the consultation being conducted to reach the audience using in the most appropriate method(s). The comprehensive Engagement and Involvement strategy is being developed in sections and is programmed to be brought together and launched in June2010.</p> <p>c) Information to be incorporated in consultation database – to help recognise and embed practice. Please note reference to delay as above.</p>
<p>10 a) Facilities for video conferencing should be utilized, maximizing opportunities in Kent with KCC and partners.</p> <p>b) Elected members should be supported in using this service through current resources, training and support mechanisms.</p>	<p>To ensure that when opportunities present themselves for installing video conferencing facilities this should happen. For example, 'Gateway's' have video conferencing facilities.</p> <p>Through the decision making and democratic processes of the County Council all opportunities should be taken to explore the use of video conferencing. This will be built into the Training and Development module for elected Members.</p> <p>Video conferencing promoted to staff via global emails and training sessions provided and promoted. Training being given on a one to one basis where required.</p>
<p>11. a) Need effective promotion of E-consultation and decision making (E-democracy) to raise profile and encourage local people to have their say and voices heard.</p> <p>b) All engagement activities and weblinks should be brought under easily recognisable umbrella and portal e.g. 'Ask</p>	<p>E-consultations represent only one engagement tool. The Consultation and Engagement Strategy offers the opportunity to explore a range of tools depending on the consultation being conducted to reach the audience in the most appropriate method(s).</p> <p>"Access Kent" is one of the key themes being supported by the Kent Partnership and will contribute a lot on streamlining engagement as well as access.</p> <p>Consideration is being given to revamping Member blogs. There is an issue here about developing a policy on the use of blogs.</p>

Recommendation	Progress to date (June 2010)
<p>Kent', to ensure two way interactive communication.</p> <p>c) Facilities for blogs, emails, online surgeries, plus training and support should be available for elected members.</p>	<p>New 'Have your say' area on the website, completed on direction of Consultations Group. Plus about to promote online survey tool for staff to use. Lead: Marcus Chyrsostomou</p> <p>b) To build in to Access Kent Initiative and see how this develops, now Gateway multi channel. Lead Tanya Oliver</p> <p>c) Power hour support to talk through and embed ways of working.</p>
<p>12 In promoting the role of elected members and interaction with communities KCC should embrace e-democracy/ technological solutions to make elected members activities more visible and to open up dialogue and debate, for example e-petition, e-campaigns generated by Local Boards and local people, and e-debate.</p> <p>(As tool in box to increase participation and revive democracy.)</p>	<p>The emerging localism agenda and the duty to involve and to promote democracy opens up a whole range of ways in which the Council will engage with its local people which will promote the role of elected Members.</p> <p>New website: exploring possibilities of new website to move accessing Democracy agenda forward to raise profile and encourage local people to have their say, opening up dialogue and debate. Lead: Jane Clarke</p> <p>Webcast and live emails to Neighbourhood forums: The Gravesham Neighbourhood Foras successfully trialled webcasting the joint KCC/GBC/Parish neighbourhood forums in Gravesham. The webcast includes the presentations (normally given by officers relating to the issues on the agenda) and round table discussions that follow the presentation capturing public mood and issues raised. Internet users can also send in live questions and comments (but moderated first) to be fed via lap top and digital project onto the screen at the front of the meeting. Videoed material would be used to create short DVDs by GBC/KCC to promote the Forums and widen interest further. Lead Officer: Will Farmer.</p> <p>e- petitions: Being developed to use Modern.gov system to support e-petitions. Part of the petition scheme that is due to be approved at County Council on 22 July 2010. Lead Officer: Denise Fitch/Denise Eden Green.</p> <p>Kent TV was considered as a possibility to use Kent TV as a platform for local forum meetings through webcasting or training to local community members so they can film their own videos on issues that are affecting them. With option to use voting facility available on Kent TV to gage peoples views. The Kent TV specifications allowed for quarterly debates/Webinars on current topics relevant to Kent, this should involve members of the public and be attended by relevant experts. The Pilot has now ended.</p>

Recommendation	Progress to date (June 2010)
	<p>The new Digital Service will look at new ways of engaging with the public to enhance e-democracy and engagement. This will include piloting Members video blogs and creating content informing people of their rights and how to engage with the council.</p> <p>Web jam. In Feb 2010 , KCC had been proposing to hold a public ‘web jam session on behalf of the Kent Partnership. This would have enabled residents of Kent to ask questions or write comments on a particular subject within an on-line ‘real-time’ environment. The session would have interactive allowing moderators and KCC/partners’ staff to respond to the questions asked. KCC is a strong supporter of using new innovative technologies to communicate with Kent residents. The web jam presents a new way in which citizens can get involved in shaping public policy and informing KCC and partners what they feel is important. However, due to the cutting-edge technology involved there is a significant cost attached to such activities. Given the current financial climate, we feel that spending such costs can not be justified at the present time. We will look to use existing communication channels such as the Kent and Medway Citizens Panel and public user groups to get residents views to inform our work.</p>
<p>13. Raising interest in both the opportunity and how to become an elected member needs to be clear and transparent. Agree more diversity in elected members is seen to be beneficial but is complex and worthy of separate study.</p>	<p>Help KCC embrace the duty to promote democracy, and develop information for website. Adjust as necessary to ensure take account of the duty (Local Government and democracy and Construction Act 2009) when it exists and the statutory guidance for this duty.</p> <p>Information on ‘How to become a councillor’ to be provided on website. Web team working with L&DS to write web pages on How to become a councillor. Lead officer: Jane Clarke</p>
<p>14. ‘Top tips’ and contact details on making contact with seldom heard/ perceived hard to reach communities should be included in all new ward packs.</p>	<p>Time for new ward packs has now elapsed. To incorporate information within section on member web as develops.</p>
<p>15. (a) The introduction of role descriptions for all elected members needs to be supported.</p> <p>(b) The Improvement and Development Agency (IDeA) Councillors guide should be actively promoted and need to ensure all elected members have a copy.</p> <p>(c) Training for elected members in ways</p>	<p>(a) All this work is being picked up in the work that is being undertaken in the County Council’s bid to achieve the Member Development Charter. Work is also being undertaken to identify the support councillors need to carry out their role and the County Council will be invited to sign up to the Improvement and Development Agency (IDeA) declaration of giving councillors the support they need.</p> <p>(b) All County Council Councillors issued with a copy of the Councillors Guide.</p> <p>(c) An ongoing and full training and development programme has been prepared and in consultation with the IMG. Member Development and is being delivered.</p>

Recommendation	Progress to date (June 2010)
of local government and ongoing training to help elected members carry out their role effectively should be actively supported.	
<p>16. To effectively strengthen local structures for community engagement and encourage involvement in local decision making need</p> <p>(a) Localism to be more outcome focussed.</p> <p>(b) mechanism for prompt feedback to the public on specific issues.</p> <p>(c) to explore further with District, Town and Parish Councils and other local partners what they believe would improve community engagement.</p> <p>(d) to devolve power and resources to support local priorities and action, from discretionary funds being delegated to local forums for decision making.</p> <p>(e) Chief Officers and Cabinet should identify which services can be delegated to local level and be influenced by members in their representative capacity based on views of community priorities and preferences.</p>	<p>Ongoing discussions are taking place with partner organisations to develop a range of pilot models for localism across the county and for ensuring that the localism agenda is more outcome focussed with appropriate feedback mechanisms for the public on specific issues, ongoing.</p> <p>Several Members as well as local fora have expressed a wish to pursue the model of participatory budgeting when allocating its grants which will allow the communities to set its priorities, ongoing.</p> <p>In the County Council Budget for 2009/2010 £25,000 was set aside for each Member top sliced from the Highways Budget for Members to spend on highways issues and other service areas and budgets are being explored by Cabinet and Chief Officers.</p> <p>“Gateways” and Digital Kent are ideal facilities to access communities and effectively engage.</p>
17. The opportunity for participatory budgeting from devolved discretionary	Participatory Budgeting workshop featured at the Community Engagement Conference at Oakwood on 28 November 2008, and included in the Member Development programme. Piloted innovative method

Recommendation	Progress to date (June 2010)
<p>funds should be provided within the next budget year, with delivery mechanism to be determined, and a sum of underpinning monies to enable local people to determine how the resource should be spent.</p>	<p>of Participatory Budgeting 09/10 where residents and supporters of local organisations decided who should be allocated community grants.</p> <p>The pilots run last year over came many of the anxieties on the part of local community groups and councillors who were unsure about the process, whether residents would turn up and the resource intensive nature of the set-up process for Participatory Budgeting. A strong and effective delivery team, the transparent decision making processes and the numbers of people willing to give up a Saturday has seen many more KCC members wanting to run PB events to allocate community grants – with 7 events planned for 10/11 so far.</p> <p>Dates so far are: 17 July –Willesborough in Ashford 11 September – Sandgate Folkestone 18 September - Dover West and Dover North 25 September – Tonbridge and Malling 2 October – Deal, Walmer and Sandwich 8 October – Dover Town November – Gravesham Forums (TBC)</p> <p>Lead: David Geoghegan</p>

PASSENGER RAIL SERVICES IN KENT - Summary of progress towards each Select Committee Recommendation

Recommendation	Progress to Date (June 2010)
<p>1. The County Council should with the evidence available at this time, welcome the new high speed rail services starting in December 2009 serving stations in Kent with new trains.</p>	<p>Response to the County Council in April 2009 given below – see later responses on experience since services started in December 2009</p> <p>Agreed. The County Council has consistently supported the Channel Tunnel Rail Link (CTRL). One of its benefits is to offer faster domestic services from east and north Kent to London and over the years the County Council has worked with partners to lobby for the CTRL scheme to be completed and for domestic services to serve as many stations as possible.</p> <p>The new high speed rail services will help regenerate parts of east and north Kent by making access to London more attractive. This will encourage people to move to cheaper housing, further away from London but within acceptable commuting range. With the new services running to St. Pancras and Stratford, people currently living to the north and east of London will in future be attracted to relocate in Kent. The new services will also attract businesses to locate in areas close in London in terms of time, but at rates significantly below those in central London. They will also encourage tourism to Kent by making attractions in the County more accessible by rail from central and north London as well as areas beyond the capital.</p> <p>Medway Council held similar views before the services started</p>

Recommendation	Progress to Date (June 2010)
<p>2. County Council should welcome the link to St. Pancras in opening access to a growth area in London and offering excellent connections to the Midlands and the North.</p>	<p>Response to the County Council in April 2009 given below – see later responses on experience since December 2009</p> <p>Agreed. Not only do the high speed services help to regenerate parts of East and North Kent, but they significantly improve opportunities for Kent residents and businesses to access the growth areas around Kings Cross/St. Pancras and Stratford/Docklands as well as providing excellent connections with the East Coast, Midland and West Coast Main Lines</p>
<p>3. County Council should use the publicity surrounding the launch of the new services to promote:</p> <p>a) Tourism from London and north of London to Kent, building on the present campaigns by Visit Kent (and other partners).</p> <p>b) Inward investment by businesses especially knowledge based (i.e. non industrial) businesses to take advantage of Kent's good connectivity building on the work by Locate in Kent.</p>	<p>Visit Kent, in partnership with Southeastern and other Councils (including Medway Council), ran a joint marketing campaign between May 2009 and March 2010 to cover the period of the preview and full launch of the new high speed services. This campaign was successful with over 50,000 website hits recorded and an estimated £800,000 brought to the local economy. Visit Kent considers it too early to assess the impact on tourism this year but there is some anecdotal evidence that hotels in Medway, Canterbury and Ashford have seen a positive impact on their businesses</p> <p>Locate in Kent prominently stresses the fast journey times achieved by high speed rail on its website, but at present does not consider that it has been a significant factor in attracting businesses to Kent. The ongoing recession has delayed development throughout the County and this is particularly evident at Ebbsfleet. Additionally, the significant development around Stratford Station has been delayed and is not yet completed.</p>
<p>4. The County Council should lobby for services lost in the new timetable to be reinstated at the earliest opportunity.</p>	<p>The most significant services lost due to the new timetable are:</p> <ul style="list-style-type: none"> • Loss of the Maidstone – Cannon Street (Charing Cross) service • Reduction in numbers of trains from the North Kent Line to Victoria and Charing Cross and longer journey times • Reduction in number of off-peak trains and slower journey times between Ashford and Charing Cross <p>The County Council has held a Rail Summit on 25 March with Southeastern, Network Rail, Passenger Focus and Rail User Groups to discuss these and other issues and it is intended to continue to hold another in the Autumn and bi-annually in future.</p>

Recommendation	Progress to Date (June 2010)
	<p>The County Council and other partners have continued to lobby for the restoration of these services – particularly for the Maidstone to City services involving the three local MPs, Maidstone BC and Tonbridge & Malling BC as well as KCC and local rail user groups. To date this pressure has not been successful and Southeastern considers that the likelihood of any significant changes being made during the current franchise period is remote. The current franchise runs until 2012, with a possible extension to 2014 if certain performance targets are met by the train operator.</p> <p>Southeastern explained that they could not afford to introduce new services involving additional rolling stock as the subsidy they are receiving from Government continues to decline significantly and they are expected to pay a small premium to the Government in 2014. Southeastern's revenues have not increased as forecast in the franchise agreement due to the recession and the delays in housing and employment development - particularly at Ebbsfleet and Stratford. Indeed, Government has had to grant Southeastern additional subsidy recently to compensate for this loss in revenue.</p> <p>The opportunity will be taken by the County Council and partners to press the new Government to restore these services.</p>
<p>5. The County Council should work with key partners to ensure a direct pedestrian link between Northfleet and Ebbsfleet stations is created as soon as practicable</p>	<p>Ideally there should be a high quality pedestrian direct link between Ebbsfleet and Northfleet to enable ready access to high speed and Eurostar services from rail passengers from Dartford and stations in south London. The current walking distance between the two stations is around one kilometre and a direct link with an underpass crossing under a number of railway lines would reduce the distance to some 300m.</p> <p>Unfortunately, the cost of providing a direct pedestrian link between Northfleet Station and the Ebbsfleet car park is relatively high, requiring an underpass estimated to cost some £9m. There appeared to be funding available from the HCA and Network Rail to cover this cost, but a reappraisal of the allocation of Community Infrastructure Funding (CIF) by the HCA took away £5m of the funding</p> <p>Additionally, there has been no development in the Ebbsfleet area so that the prospect of developer contributions towards this scheme is limited. It seems extremely unlikely that a good quality direct pedestrian link will be provided between the two stations in the near future.</p> <p>However, the introduction of the high speed services does mean that there is a regular train link between Gravesend and Ebbsfleet and Fastrack bus services do connect Ebbsfleet with Dartford and Greenhithe stations to the west.</p>

Recommendation	Progress to Date (June 2010)
<p>6. The County Council should produce a review of the stations that will be served by High-Speed rail to identify and prioritise work needed to stations and station access to be ready for or soon after the December 2009 launch</p>	<p>A regular forum is to be set up between KCC and Network Rail to discuss station issues. Meanwhile progress on upgrading High Speed Stations has been mixed and there is considerable uncertainty over available funding from Network Rail, Southeastern, KCC and Medway Council in the future</p> <p>KCC Stations</p> <p>Dover Priory – works are currently underway to radically improve the access for pedestrians to the station and improved facilities for bus passengers</p> <p>Folkestone Central – there are plans by Southeastern to improve facilities for cycle parking and for waiting passengers</p> <p>Folkestone West – access has been improved by KCC with new traffic signals and a controlled parking zone has been introduced by Shepway DC. Negotiations to extend the station car park have proved difficult in the past, but Network Rail is continuing to pursue this.</p> <p>Ashford – the domestic ticket hall has been rebuilt and enlarged by Southeastern and the forecourt has been improved for pedestrians, cyclists and buses by Ashford Futures. Longer term improvements are planned to the international station entrance in conjunction with the Smartlink scheme</p> <p>Margate – Network Rail and KCC plan to provide better pedestrian access, including new crossing to nearby bus stops, improved bus service information and cycle parking, together with a walking route to the town centre and Turner Contemporary Arts Centre.</p> <p>Ramsgate – KCC plans to improve cycling and public transport access to the station providing pedestrian crossings, enhanced bus bays, cycle routes, bus journey information, pedestrian signage, cycle parking and improvements to the adjacent junction of Wilfred Road/Grange Road.</p>
	<p>Canterbury West – Network Rail is currently providing step-free access at the station, including a new footbridge with lifts. Network Rail and KCC plan to improve cycle access</p> <p>Faversham – no plans at present</p> <p>Sittingbourne – Network Rail has plans to provide an additional footbridge at the station with lifts, coupled</p>

Recommendation	Progress to Date (June 2010)
	<p>with ramps and disabled toilets to make the station fully DDA compliant</p> <p>Gravesend – Network Rail is planning to improve circulation space in the station building and provide a mobility impaired toilet later this year. Longer term improvements to the station access and lengthening platforms for 12 car trains are tied in with the Transport Quarter scheme</p> <p>Medway Council Stations</p> <p>Strood – Network Rail are developing plans for platform extensions to 12 car, and also to provide a new footbridge to make the station DDA complaint. Medway Renaissance are examining the potential for a new station building</p> <p>Rochester – Network Rail and Medway Council are actively exploring plans to relocate Rochester station further to the west to improve access to Rochester Town Centre. This will also allow 12 car operation, an improved station environment and access to the Rochester Riverside development all of which are difficult at the current location.</p> <p>Chatham – works are being carried to improve some passenger facilities in the near future while the longer terms strategy for this station is being developed</p> <p>Gillingham – Improvements to the station building, forecourt and platforms including the provision of a second entrance on Railway Street will be provided during 2011</p> <p>Rainham – Medway Council and Southeastern are developing plans for improvements to the station forecourt area</p>
<p>7. The County Council should encourage the bus and rail companies to introduce more promotional off-peak fares, joint passes, through tickets (such as the BusPlus pass) and Open Jaw tickets.</p>	<p>Stagecoach in East Kent offers a range of multi-journey tickets on their bus services.</p> <p>The Megarider Gold ticket is just £19 for seven days unlimited travel across East Kent & East Sussex on local Stagecoach buses. Passengers buy their ticket from the driver on the first day they wish to travel and then use their ticket as often as they like for a week.</p> <p>The Dayrider ticket is valid on the day of purchase, and may be used on any bus service operated by Stagecoach or Arriva in Kent or East Sussex. This is a good example of joint-ticketing, but both operators would have to agree to extend this principle to tickets valid for a longer period.</p> <p>Arriva Southern Counties also offer a range of multi-journey tickets on their bus services.</p>

Recommendation	Progress to Date (June 2010)
	<p>The Arriva Day Saver is valid in a specified zone, and can be bought from the driver on the day. There are also weekly savers and 4-weekly savers which are valid in a specified zone for their respective periods, and can be bought from local Paypoint outlets.</p> <p>The Dayrider ticket is similarly valid on all Arriva and Stagecoach bus services in Kent and East Sussex, and can be bought from the driver on the day.</p> <p>Plusbus is now well established in Kent, and is probably the best example of through ticketing between rail and bus, now available at 24 stations in the county. The Plusbus ticket is bought with the train ticket at the railway station, and offers a discount price bus pass that offers unlimited bus travel around the town to which it applies.</p>
	<p>Plusbus prices start at £1.60 per day, with most between £2 and £3 per day. Further discounts are also available with railcards, which offer one-third off the rail ticket and Plusbus ticket (subject to railcard conditions). Plusbus season tickets are also available, matching the length of the rail season ticket for 7 days, 1 month, 3 months or 1 year.</p> <p>While Openjaw tickets are well established on airline routes, the bus and rail operators appear more wary of the benefits. There are some rail tickets which are partially Openjaw, in that they permit the holder to travel between two stations “by any appropriate route”, but not usually to return from a different station. Local bus operators already offer the multi-journey tickets described above, which effectively offer more flexibility than would be available with an Openjaw ticket.</p> <p>KCC will continue to encourage bus and rail operators to work together in promoting a variety of multi-journey tickets, both within and between each mode of travel.</p>
<p>8. The County Council should work with the bus companies to develop more frequent services serving rail stations, particularly more late services serving returning rail commuters and to assist with the Traveline project for accurate journey planning.</p>	<p>KCC currently works in co-operation with the principal bus operators through its Quality Bus Partnerships (QBP) in seven of the twelve districts. There are plans for further QBPs in two more districts, and eventually it is hoped to have similar agreements throughout the county. Together with the district council, the three parties to each QBP agreement work together to improve local bus services, and included within this remit is the improvement of bus/rail interchange arrangements.</p> <p>KCC encourages bus operators to provide extended peak period services to and from railway stations, but in locations where this is not commercially viable the county may provide revenue support for bus services which provide access to and from employment.</p>

Recommendation	Progress to Date (June 2010)
	<p>Both principal bus operators, and KCC on behalf of the supported bus network, work very closely with Traveline to ensure that the information used by Traveline accurately reflects bus stop locations and bus timetables to allow accurate journey planning.</p>
<p>9. The County Council should lobby for low introductory fares to ensure early success for the High Speed services.</p>	<p>Lobbying for lower introductory fares before the services started was unsuccessful</p> <p>Southeastern has been reticent about passenger numbers on the high speed trains, saying only that the total numbers of am peak passengers on the high speed services is around 4,000 with around half each travelling on the North Kent Line via Ebbsfleet and half via Ashford. Whereas the services via Ashford are well loaded and are deemed successful, those on the North Kent Line are relatively empty as there is a more regular service on that line. Numbers using Ebbsfleet are particularly disappointing due to the lack of any development in the immediate area and the feared rat-running to Ebbsfleet being overestimated. The survey by Southeastern in the spring also shows that there has been an increase of around 1,000 passengers in the morning peak on the classic network compared to pre-December 2009 figures.</p> <p>The contrasting success of these services is not thought to be mainly due to fare levels but rather to journey time savings. The journey time savings on the high speed services on the North Kent Line (between the Medway Towns and Thanet) to St. Pancras are relatively small compared to the classic services to Victoria, London Bridge etc. so the incentive to switch to high speed is small, when most passengers want to access the classic stations.</p> <p>On the other hand, the journey time savings via Ashford are very significant and therefore have caused switching to High Speed and created new journey opportunities which did not exist before. The premium fares do not appear to have been a deterrent</p>
<p>10 The County Council should decide how best to consider public transport issues in future either through an existing or new board; a formal S101 Joint Committee between Kent County Council and Medway Council; or by establishing a separate or joint Strategic Public Transport Forum</p>	<p>Good liaison between officers of Kent County and Medway Councils on public transport continues on a day-to-day basis and KCC and Medway Council are partners in the North Kent Multi Area Agreement (MAA).</p> <p>It is considered that there is not a current need to establish another forum between the two Councils.</p>

Recommendation	Progress to Date (June 2010)
<p>11. The County Council should recognise the timescales for influencing rail services and infrastructure provision and begin consideration of the following:</p> <p>a) Potential Thameslink services to Maidstone, the Medway Towns, Tonbridge and Sevenoaks</p>	<p>a) There is a real possibility of this scheme slipping but currently the Thameslink scheme is scheduled for completion in 2016 and offers significantly increased capacity between London Bridge and St Pancras, via Blackfriars, City Thameslink and Farringdon and great potential for direct rail links from parts of Kent to the City.</p> <p>Service patterns for the Thameslink services are not likely to be finalised until 2014/5 even if the scheme does not slip beyond 2016. Current indications in the Kent Rail Utilisation Strategy (RUS) are to extend Thameslink services in Kent to:</p> <p>Maidstone East – all day Sevenoaks, via Swanley – all day Paddock Wood, via Tonbridge – peak hours only Tunbridge Wells, via Tonbridge – peak hours only</p> <p>Whilst the all day services are welcomed, particularly the Maidstone service which will offer a much wider range of direct services to London destinations, including the City, there is much concern that the introduction of peak services to Tonbridge, Tunbridge Wells and Sevenoaks would mean the loss of direct services in the peak to Cannon Street.</p>
<p>b) Network Rail's forthcoming Rail Utilisation Strategy</p> <p>c) The renewal of the Southeastern franchise in Kent 2014</p>	<p>The County Council and its partners need to retain close attention to the development of this scheme and to protect the best interests of Kent residents and businesses</p> <p>b) The Kent Rail Utilisation Strategy (RUS) was published in January 2010. Apart from the indications that Maidstone should be linked to the Thameslink network from 2016 and that there is a good business case for extending the High Speed Ebbsfleet starters to Ashford or Maidstone West, there are few significant new proposals</p> <p>We will continue to work with Network Rail to improve the rail infrastructure in Kent to provide better rail services and improved journey times (see response to 12b)</p> <p>c) The current Southeastern franchise runs from April 2006 to the end of March 2012, with an automatic two year extension if targets are met. The Councils will have to respond robustly to the consultation on the proposed train specification in the new franchise and to consider carefully what the bidders to run the franchise from 2014 are offering.</p>
<p>12. The County Council should consider the feasibility of the following rail services/infrastructure projects:</p>	

Recommendation	Progress to Date (June 2010)
<p>a) direct services from Kent and Medway to Gatwick airport</p> <p>b) rail links to the Kent International and Lydd Airports</p>	<p>a) Discussions are currently underway between KCC, Southern and Gatwick Airport to consider the re-introduction of a through rail service between Kent and Gatwick Airport. The discussions are at an early stage, but all parties recognise the need for a through service, at least to and from Tonbridge and ideally extended to and from Ashford. Such a change would require agreement from the Department for Transport, as it would involve amending the existing franchise agreement by which Southern operates. A new through rail service would also require co-operation with Network Rail for pathing of trains, and would need to utilise some of the additional platform capacity planned at Redhill to facilitate the necessary reversing of trains.</p> <p>However, there is considerable good will on all sides, and officers are optimistic that, provided the business case can demonstrate its viability, a successful outcome of these discussions will deliver a direct rail service between Kent and Gatwick Airport.</p> <p>b) The County Council commissioned consultants to look at how the journey times by rail to Kent International Airport at Manston could be improved. This looked at many options for sections of new high speed line connection with the existing CTRL (HS1), but concluded that the cost benefit ratio was insufficient for the schemes to be built in the foreseeable future.</p> <p>KCC and Network Rail have also commissioned a study to investigate how much the existing Ashford – Thanet line can be improved to reduce journey times. Network Rail has identified potential scope to improve times by about 10 minutes over the length of line and will be finalising the detail by the end of the year.</p> <p>The County Council is currently working with partners to press the case for a Parkway Station to be built near the airport to give better access to Manston Business park, Sandwich and Pfizer, Deal and Westwood Cross as well as KIA. If these journey time savings can be achieved in full, it would mean that the journey time between St. Pancras and a Thanet Parkway Station would be under an hour.</p>
	<p>The planning application for the proposed extension of the runway at Lydd and the expansion of the terminal facilities may be called in by Government. The railway line from the junction with the Ashford – Hastings Line and Lydd is in poor condition and would likely require significant investment to enable its use by passenger trains travelling at a respectable speed.</p>
<p>13. The County Council should engage with Southeastern and the Olympic Delivery Authority (ODA) to plan for joint ticketing arrangements to maximise use</p>	<p>The planning of rail services during the 16-day period of the main Olympic Games is at an early stage. Whereas the initial intention was to use all the High Speed domestic trains to run a shuttle service between Ebbsfleet, Stratford and St. Pancras for Olympic-related passengers only, this view has now</p>

Recommendation	Progress to Date (June 2010)
<p>of public transport to the Games and to minimise disruption to Kent's residents and businesses during the 16 day period of the main Games.</p>	<p>moderated and the intention is to allow some high-speed services to continue at least to Ashford, although this may not happen during the whole period of the day</p> <p>The Olympic Delivery Agency currently envisages free rail travel within London for event ticket holders but that spectators from Kent would have to purchase rail tickets in advance. The ODA has recently stated that a combined rail/event ticket from Ebbsfleet Station will be available but this situation needs to be monitored over the next two years.</p>

AUTISTIC SPECTRUM DISORDER - Summary of progress towards each Select Committee Recommendation

Recommendation	Progress to date
<p>1. The Autistic Spectrum Disorder (ASD) Select Committee recommends that the Kent Adult Social Services Directorate, through the Joint Strategic Needs Assessment for adults in Kent, establishes the most effective way of conducting a county-wide study investigating:</p> <ul style="list-style-type: none"> • the prevalence and incidence of adults with ASD in need of support and not currently receiving service provision • levels of service satisfaction of those adults with autism living at home and currently receiving support. <p>This investigation will inform the planning and commissioning of future services for adults with ASD. The study could involve sponsoring a bursary for a student to carry out a research project at the Tizard Centre, University of Kent</p>	<p>KASS in partnership with Health has used South East Public Health Observatory and National Audit Office data to inform a Learning Disability Joint Needs Assessment which is currently out for consultation. This does not capture the needs of all the people with Autistic Spectrum Disorder as not every person with ASD will have a learning disability.</p> <p>Further work is planned to help us better understand the prevalence as well people's need for Support Services.</p> <p>The prevalence study work commissioned by Central Government will also improve on understanding.</p>
<p>2. KCC should encourage the inclusion of autism-related services, in the form of "care pathways", amongst the services provided by multi-disciplinary mental health teams in the County. The local authority should also explore the possibility of setting up, in partnership with the NHS, a highly specialised autism service in Kent, such as the one offered by the South London and Maudsley Hospital</p>	<p>Self-Directed Support (SDS) Champions are established within the Kent and Medway Partnership Trust (KMPT) as advocates of inclusive services. They are particularly active at social inclusion and recovery meetings.</p> <p>The Autistic Spectrum Disorder Working Group (ASDWG) has investigated the Maudsley Hospital model and found this not to be appropriate for Kent. The first year delivery plan of the National ASD working group is to propose a model that is informed by national research which Kent will take into account.</p> <p>Kent and Medway Partnership Trust has commissioned good quality ASD Specialist Assessments supported by the JNSA, to establish diagnosis, care planning and the commissioning of appropriate services to meet the needs of the person and their family.</p>

Recommendation	Progress to date
	<p>KCC and its partners will be guided by the The National Institute for Health and Clinical Excellence (NICE) model Care Pathway expected later this year. This will enable us to develop both referral and care pathway that incorporates all appropriate agencies, statutory as well as voluntary.</p>
<p>3. The Kent Adult Social Services Directorate should ensure that:</p> <ul style="list-style-type: none"> • all its staff involved in the assessment of autism are fully trained to understand the uniqueness, complexity and implications of the condition. This training should be coupled with an increasing number of early interventions aimed at diverting people with autism from care pathways that are inappropriate and expensive. • adequate advocacy services with ASD-specific knowledge are offered to all people with autism 	<p>A training module on ASD is being developed with input from appropriate voluntary sector agencies such as Kent Autistic Trust (KAT). Target training commenced in 2009 with the intention of training the majority of staff start later in 2010. There are also joint training initiatives being planned with Jobcentre Plus</p> <p>In addition, training funded by KASS is already being provided to private and voluntary sector agencies, under contract with South Kent College This will increase awareness and understanding of ASD leading to the commissioning of more appropriate services</p> <p>Any examples of best practice for improving training which may emerge from statutory guidance from the DH, due to be published by end December 2010, will be noted and used to shape existing training modules</p> <p>Kent Autistic Trust (KAT) provides an advocacy, information and support service for Kent and Medway and has secured funding until March 2015</p> <p>KMPT has a Service Level Agreement to improve access to services for people with mental health problems to supplement existing services.</p>
<p>4. The Kent Adult Social Services Directorate should aim to achieve greater access to person-centred planning for, and a greater usage of Direct Payments by, people with ASD.</p> <p>It will liaise with the recently appointed Specialist Advisor for Autism at the Department of Health in an effort to expand its capacity, expertise and leadership on autism in Kent</p>	<p>Self Directed Support (SDS) which places the individual at the centre of support planning was introduced by KASS in October 2009 and by April 2011, everyone eligible for services receives a Personal Budget and be offered Direct Payments as a means of exercising choice and control over the services they receive. This can be managed by the service user or by a third party on behalf of the service user.</p> <p>KCC and NHS Eastern and Coastal Kent are partners in a Personal Health Budgets pilot with the DH focussing on Thanet. If the pilots are successful, merging Health and Social Care Budgets and adoption of Single Assessment Process (SAP) will be a strong possibility, thus delivering even greater choice and control to service users.</p>

Recommendation	Progress to date
	KASS has strong links with the DH Specialist Advisor which was forged during development of the National Autism Strategy and this will continue through to implementation.
<p>5. The Managing Director of Kent Adult Social Services should oversee and ensure the prompt production and implementation of a protocol for joint working between KCC's learning disability and mental health teams, in order to provide a more inclusive and responsive service to individuals with ASD</p>	<p>This is already informing practice between LD and KMPT</p> <ul style="list-style-type: none"> • The transition protocols provides us with the sound basis for ensuring that effective joint team working takes place • Learning Disability and Kent and Medway Partnership Trust joint protocols (covering people who present with joint mental health and learning disability needs) have been developed and staff training carried out to enable better identification of anyone with Aspergers or high level ASD • Protocols are further reinforced through Action Planning so that they are responsive to the needs and issues of individuals with ASD.
<p>6. The Select Committee endorses the production of Transition Protocols, which can enhance data sharing between children and adult social services in Kent, and recommends that the impact of these protocols on service planning and provision for young people with ASD – including those with Asperger syndrome - is specifically monitored</p>	<p>Monitoring and Evaluation are key elements of the strategy. In a joint CFE/KASS survey carried out in Autumn of 2009 with the carrying out of a survey which revealed that 75% of respondents reported that they were satisfied with the service they received during the transition process of from CFE to KASS.</p> <p>With the introduction of Integrated Children's System (ICS) there is now a single system with key data available to both CFE and KASS staff. This has improved the flow of information about individual young people leading to more integrated and person-cantered planning and commissioning of services.</p> <p>Regular evaluation and monitoring of the effectiveness of the Protocols is ensuring that the transition arrangements between the two directorates children is being continuously improved. This is reported as part of the progress report on Target 55 of the Towards 2010 Objectives</p> <p>The monitoring of the Children and Young Peoples Plan also monitor how well people are supported.</p>
<p>7. Kent Adult Social Services should lead on the establishment of a multidisciplinary task group with representation from agencies</p>	<p>A cross agency Autistic Spectrum Disorder Task group has been established to drive forward work on the recommendations. PCTs, KMPT, Mental Health, Gypsy Unit, CFE and KASS are all represented. A housing representative is yet to be secured, although the housing rep on the</p>

Recommendation	Progress to date
<p>including health, social care, housing, employment services, education, independent sector providers and the voluntary sector.</p> <p>The task group - which should liaise with the Kent Learning Disability Partnership Board - will widen and strengthen the interdependence and joint working amongst all these agencies, to provide more efficient and effective services to people with autism and individuals with learning disabilities</p>	<p>County Transition Group can provide an interim link with the group. The group reports to the Transition Executive Group chaired by the Managing Director for KASS.</p> <p>The Group will work closely with the Kent Learning Disability Partnership Board. The thrust of its strategy is to make existing services work better for people with ASD rather than establishing a new specialist service.</p> <p>The Group also has members who have links or sit on key subgroups of the Kent Children Trust Review arrangement. KASS Policy Lead Manager sits on the Change for Children's Teams which is supporting the change programme of Kent Children's Trust. A housing representative now sits on the County Transition Group this will help inform integrated working to meet the particular needs of people with Autism and their families.</p> <p>Terms of reference of the group has been agreed</p> <p>The group will drive the action plan with the "Valuing People Now" Delivery Manager being the link with the LD Partnership Board and Head of Integrated Services for Children with Complex Needs the link for CFE</p>
<p>8. KCC should make sure that transition planning offered to young people with autism should start at the age of 14, and that it should be in place before they reach statutory school leaving age. The local authority should ensure well coordinated, seamless transitions into adulthood, involving person-centred, effective planning and support. Planning should be coupled with a mechanism to monitor progress and to secure a smooth transition</p>	<p>Kent's Transition Protocol ensures that young people with ASD who have complex needs are able to make the move from adolescence to adulthood with the support they need and with their involvement in all decision making processes to achieve the outcomes they want in line with Self Directed Support.</p> <p>A framework for monitoring and evaluating the effectiveness of Transition planning has been developed and implemented by County Transition Planning and Review group, supported by Good Practice supervisors.</p> <p>It sets out shared policy, responsibilities and agreed roles in the transition process, timelines and paperwork so that everyone can work together effectively.</p>
<p>9. Kent County Council should review the availability of specialist psychology, psychiatry and speech therapy health services to people with autism both during transition and into adulthood</p>	<p>Kent and Medway Partnership Trust has restructured its service arrangements recently. In line with the joint Learning Disability and Mental Health joint protocols, people presenting with autism in the absence of learning disability will be assessed appropriately.</p> <p>The Autistic Spectrum Disorder Task Group has further work to do in response to this</p>

Recommendation	Progress to date
	<p>recommendation.</p> <p>Child and Adolescent Mental Health Services commission appropriate services including through community LD teams upon identification of anyone with ASD</p> <p>CFE are able to identify those who are within the education system and who need specialist psychological support.</p>
<p>10. Kent County Council should support a campaign to raise awareness in the community about autism. KCC should also urge internal and partner agencies, including the NHS, the Criminal Justice System, the police and the housing, employment and education services, to enhance awareness amongst their staff about autism, its complexities and the implications for their service delivery</p>	<p>Kent Autistic Trust (KAT) has a good track record of raising awareness and is part funded by KCC</p> <p>KCC sponsored the creation of a DVD of a young person with ASD to tell their story through film and is proving a powerful means of raising awareness.</p> <p>The possibility of creating a network of “Autism Ambassadors” – local volunteers who actively represent and promote the needs of people with ASD will also be explored by the lead manager.</p> <p>Any new ideas that emerge from the National Programme Board for tackling the stigma of Autism within the community will be considered for inclusion the awareness raising campaign across statutory and voluntary sector agencies.</p>
<p>11. KCC should contribute to the development of a website which provides up-to date national guidance as well as local information on all the services and support available to people with ASD and their families in Kent. Information and guidance should be presented in a clear, unambiguous and user-friendly form</p>	<p>Kent Autistic Trust (KAT) provides accessible information about services available locally for people with ASD and their carers.</p> <p>KCC will explore with KAT other means of communication that is more person centred i.e. face to face and linking with Kent’s website.</p>
<p>12. Kent County Council should:</p> <ul style="list-style-type: none"> • review its recruitment practices and selection criteria so that they support and enable the employment of more people with autistic spectrum conditions within the Authority • explore the potential of further education colleges in Kent to maximise the employment opportunities of people with autism in the 	<p>Kent Supported Employment has a good track record of offering supported to people with LD and ASD. KCC is a Project Search demonstration site. The first intake of learners is in September 2010 and brings together Further Education and Supported Employment.</p> <p>As part of Getting a Life, KCC and partners been working on an employment pathway for people age 14, including those ASD. This has involved input from CFE, special schools, FE sector, Good Day Programme, Jobcentre Plus and Connexions. Kent Supported Employment is also working with the FE sector to ensure that courses are better geared to supporting pathways into both supported living and employment.</p>

Recommendation	Progress to date
<p>County</p> <ul style="list-style-type: none"> • require the Supporting Independence Programme team to carry out a project, possibly with the Tizard Centre, aimed at helping people with ASD to access employment 	<p>Employability Strategy is due to go to full Cabinet in July 2010 and will ensure that KCC is employing greater numbers of people from socially excluded groups including people with ASD. It will have an outward focus and working with partners, especially those in the public sector to ensure that are also employing greater numbers of people from socially excluded groups.</p>
<p>13. Kent County Council should:</p> <ul style="list-style-type: none"> • carry out an audit involving all Kent District Councils to ascertain accurately the housing options available to people with ASD and those with learning disabilities • urge both District Councils and the Joint Planning and Policy Board to take particular account of the needs of people with autism when discussing and deciding housing options • encourage both District Councils and the Kent Adult Social Services Directorate to consider allocating some of their PFI housing options to people with autism 	<p>All LD teams have arrangements for close working with local Housing Groups</p> <p>Housing Needs Surveys have been carried out in all districts. These will be pulled together to provide a comprehensive picture.</p> <p>Health and Social Care integrated teams have devised Housing Action Plans to support the housing need for people with ASD</p> <p>A series of “How do I” tenancy agreement leaflets help with practical advice to tenants.</p> <p>Private Finance Initiative (PFI) has enabled some people with ASD to become tenants through the allocation of supported living accommodation.</p>
<p>14. Kent County Council should:</p> <ul style="list-style-type: none"> • start a pilot scheme in Kent in which a drop-in facility providing autism related information and guidance is available one day a week. The Committee suggests using an existing local setting, such as the successful Ashford Gateway, as the base for this pilot scheme. In order to maximise the effectiveness of this initiative, it is essential that the staff working in the premises are made aware both of the initiative and about the condition of autism contribute to the funding of a befriending scheme, using trained volunteers, which may be run in collaboration with The National Autistic 	<p>KASS will explore the idea of using two of these facilities for a pilot scheme and will be guided by both the National Autistic Society (NAS) and Kent Autistic Trust (KAT with regard to setting it up.</p> <p>Consideration is being given to the establishment of a specialist enablement service for people with ASD as part of the roll out of Self Directed Support to all parts of KASS.</p> <p>KASS is currently exploring how together, with partners we can provide different forms of drop-in type support. This may include seeking to very relevant existing service level agreements.</p>

Recommendation	Progress to date
<p>15. The Kent Adult Social Services Directorate should carry out a county-wide audit to quantify the need for respite of people with ASD and their families.</p> <p>The purpose of this study is to inform the planning of future respite service provision in Kent, taking into account the Authority's financial constraints</p>	<p>See comments provided in response to recommendation 1 above which covers this matter.</p>

Provision of Activities for Young People - Summary of progress towards each Select Committee Recommendation

Recommendation	Progress to Date
<p>1. That, as part of the comprehensive review of community library services, Libraries and Archives consider the role of mobile libraries as a means of engaging more young people in positive activities, and whether a change of timetable is a practical way of facilitating this.</p>	<p>The Library service provided strong and most consistent support for the innovative HOUSE project across each of the locations. Library staff have proven to be an exemplar in engaging young people in the potential future design of library services. The Library Service have provided young people with books that have assisted them with particular life events (such as bereavement, family changes) which have been invaluable to a number of young people and had a profound influence on young people's confidence, self-awareness and self-esteem.</p> <p>Library mobile vehicles have recently become singled staffed making the engagement of young people more challenging through this avenue however consultation with over 1000 young people is being used to continually inform design and delivery of services and have produced three specific offers for young people designed to support them in looking for work, learning opportunities and gaining the best value from library services.</p>
<p>2. That KCC particularly through the Kent Youth Service and Extended Services continue to encourage and support schools in their efforts to develop extended services that compliment and supplement those already available in their local communities as an essential part of Integrated Youth Support in Kent.</p> <p>To facilitate this, the Extended Services Team should explore how available funding could be utilised to ensure that schools are supported in their efforts to develop up to and beyond the core level of extended services by, for example:</p> <p>a) making extended school co-ordinators or community youth tutors</p>	<p>During the past year two schools identified that they were unable to continue funding the Community Youth Tutor model, however this has opened the opportunity for other schools to participate in the model which has resulted in new posts at Folkestone Academy and potentially at another school in the Dover area. In addition the Sheppey Academy has reversed its position and recruitment for a new CYT is underway.</p> <p>No further funding has been identified to develop this work, however Kent Youth Service is continually reviewing its service delivery and methods of working. As such funding for new CYT posts during 2010/11 may be identified through a review and reduction in dedicated Detached and Outreach projects.</p> <p>Analysis of which members of staff require training and access to Togogo is underway. Once completed this will allow training on the redeveloped Togogo site for Extended Service Co-ordinators and ensure that local information is kept up to date. This training will take place once the Children & Young People's Services Activities Database has been redeveloped along with Togogo.</p> <p>A review of Youth Advisory Groups was completed, recommending a number of changes which will allow a wider, ongoing consultation with partners and young people about service development at a District level. These groups, which focus on the development of local services, will establish a strong working relationship to advise the new local Children's Trust arrangements on key issues 13-19 year olds, particularly the provision of positive activities.</p>

Recommendation	Progress to Date
<p>available in more schools</p> <p>b) with colleagues in the Youth Service, developing expertise among School Governors and Head Teachers by providing training/presentations on extended service development and community engagement</p> <p>c) ensuring that information about extended services within Local Children's Services Partnerships (LCSPs) is gathered, recorded and made available to the public through various media (as outlined elsewhere in this report) and taken into account as an integral part of the Youth Strategy in every district</p> <p>d) with Youth Service Colleagues, encouraging and assisting schools to ensure there is effective and ongoing consultation with local communities (beyond the immediate school population) about the development of extended services</p> <p>e) ensuring that the allocation and distribution of funding for extended services (routed LCSPs) is clearly recorded and made available to assist with planning for service provision within local communities.</p>	<p>An offer of bespoke training and guidance has been sent to all Governors and Head Teachers to both promote and respond to interest in how schools can be supported in developing the local offer to young people by working with both Extended Services and the Youth Service.</p>
<p>3. That KCC together with district and borough councils should:</p> <p>a. proactively engage with rail travel providers in Kent to determine the</p>	<p>A report on the progress of the Freedom Card was presented to Cabinet in November 2009. This report identified potential developments for the scheme. At this point in time rail travel remains unlikely to be</p>

Recommendation	Progress to Date
<p>feasibility, cost and business benefits of incorporating off-peak rail travel into the Freedom Pass to enable more young people to make use of existing activities and facilities.</p> <p>b. proactively engage with bus travel providers to determine the feasibility, cost and business benefits of adding integrated (perhaps specific nights of the week) later bus services to enable more young people to make use of existing activities and facilities.</p> <p>c. consider the benefits and potential cost savings of combining the Freedom Pass with any (future planned) Leisure Card and for example, Library card. This should be considered alongside the concept of rewards for positive activities (e.g. encouraging use of healthy activities).</p>	<p>included as the cost implications are too great and rail companies are unwilling to participate at this stage.</p> <p>As the Freedom Pass has been rolled out across the county the Environment, Highways and Waste and bus service providers have been continually responding to service demands by putting on larger vehicles and extra services where necessary.</p> <p>The Communities Directorate Finance team has undertaken a scoping exercise to determine the costs involved in implementing a Leisure Pass. Solutions for this could take on a number of formats and include a range of functions. The implementation of a smart card system which both the local authority and parents could contribute funds to would incur administrative costs of £25 per person to run (circa £3.25m for all 13-19yr olds) and could also involve significant capital investment to increase the network of smart card machines at participating venues (an initial investment of £1m was required to equip buses with smart card machines). Whilst this level of investment is unlikely the Youth Service and the Reward Team are currently examining whether the contract with Asperity to provide staff discounts could also source activity discounts with local providers by using the existing Freedom Pass.</p> <p>Kent Youth County Council is currently researching the possibilities for a campaign to support the extension of the Freedom Pass to young people aged 16 and 17.</p>
<p>4. a. That to fully utilise available transport KCC directorates should co-operate to produce a register of passenger carrying vehicles (minibuses) that could potentially be shared with the youth service and/or voluntary sector organisations for individual trips or on a more regular basis and that guidelines be produced for the use of such vehicles.</p>	<p>Resources from Communities Directorate have been identified to undertake this task and work is currently underway to finalise a directory of available vehicles.</p>

Recommendation	Progress to Date
<p>b. That the Youth Service liaise with the Rural Regeneration Officer to determine whether links could be made to existing community transport schemes to provide assistance with transporting young people to leisure activities, or to investigate whether any joint funding arrangements could be of benefit.</p> <p>c. That there be a drive to recruit certified PC V drivers employed by KCC and partner organisations in Kent to register for occasional voluntary driving duties (subject to satisfactory CRB disclosure being in place) to assist the Youth Service's provision of sports/leisure activities to young people. Once established the Youth Service should assess the viability of extending the scheme to include affiliated and non-affiliated voluntary organisations.</p>	<p>The change in the framework of policy and funding for Rural Regeneration has put significant pressures on existing Community Transport schemes and expansion without considerable investment is not realistic. The Youth Service and Rural Regeneration Team are working together to influence the Integrated Transport Policy in order to reflect the needs of young people in isolated communities.</p> <p>A job description and recruitment process for volunteer drivers is currently being finalised and will be distributed via the Kent Volunteer network and also to partners through the district based Volunteer Driver networks.</p>
<p>5. That the Youth Service and in particular the Diversity Team should liaise with the Analysis and Information Team to determine how Mosaic could enhance their work in terms of community profiling and targeting information. That the Analysis and Information Team determine whether Mosaic could incorporate data on Traveller communities.</p>	<p>The Youth Service is undertaking a pilot examination of two centres using Mosaic to examine its usefulness in supporting Community Needs Analysis processes. Appendix 2 shows the community profile around the two centres and once ContactPoint updates have been completed to the Youth Service MIS system postcodes will be extracted and mapped to examine where the Youth Club Members originate from</p>
<p>6. That KCC (Youth Service and others) should work with district partners</p>	<p>Kent Youth Service remains dedicated to the development of Young People through the arts and during 2009/10 a large number of arts events were hosted and/or supported by Kent Youth Service and its</p>

Recommendation	Progress to Date
<p>including those in the voluntary and community sector to build upon the success of events such as Gifted Young Gravesham, those organised by Blade and Youth of Generation and explore opportunities to hold similar events elsewhere in the county.</p>	<p>partners across the county. Gifted Young Gravesham was delivered successfully again this year with plans for a similar event, Dartford Is Gifted, well under way. In addition the Youth Service hosted a Rhythmix weekend residential experience for young people wanting to develop their performance skills. The Service has also hosted 6 Kick Racism Out of Football events and also 6 events to celebrate LGBT history month in February – at each of these events young people are able to take part in forum theatre and practice other performance skills. The Youth Service also hosts 8 Try Angle awards ceremonies each year which both celebrate young people's achievement and provide a platform for young people to perform.</p> <p>On 15th of August 2009 the Youth Service hosted a partnership Summer Diversity Festival which was attended by more than 1400 young people who were able to take part in a number of cultural and sporting activities whilst more than 30 young people's acts were able to perform at the event and take part in talent shows, battle of the bands and workshops. The intention to hold a similar event in 2011 is dependant on securing external funding to do so.</p>
<p>7. That KCC adopts a policy of promoting positive language, perceptions and expectations of young people in all KCC publications and communications and encourages and engages with partners and the media to further this aim.</p>	<p>A code of good practice has been established by the Communications and Media Centre to ensure that all departments recognise the importance of promoting a positive message about young people.</p>
<p>8. a. That meetings which are to involve young people are planned and structured in a young person-friendly format.</p> <p>b. That Youth Advisory Groups focus on strategic planning in their districts and extend invitations to, and renews efforts to engage, private and voluntary sector facility and activity providers as well as potential funders, in order to create opportunities for mutually beneficial discussions at YAG meetings.</p>	<p>The Youth Advisory Group Review established a new set of Terms of Reference for the groups, emphasising the importance of playing a key role in the strategic development of services for young people – and particularly positive activities – at a local level. As part of this review the Terms of Reference also requires the meaningful participation of young people and ensuring that they are able to engage fully in meeting structures.</p>

Recommendation	Progress to Date
<p>c. That KCC Members be encouraged to contribute towards local young people's transport funds from Members' Community Grants (and other available sources) to finance organised trips for young people from their local area, focusing on those who attend youth groups and projects.</p>	<p>KCC Members Community Grants contributed directly towards work with young people in a variety of ways throughout the 2009/10 year. Full details of the spend of Members grants are available through the Community Engagement Team.</p>
<p>9. a. That projects with an intergenerational theme should receive a high priority in decisions about funding in Kent in order to break down barriers and build community cohesion.</p> <p>b. That KCC should consider how intergenerational activity could be supported in other ways such as through the Staff Club and Staff Discount schemes.</p>	<p>Kent Youth Service and partners prepared a bid for the 'Generations Together' programme which unfortunately proved unsuccessful. As a result the Service has included intergenerational work into its business planning processes. This has resulted in a range of activities taking place such as young people supporting Silver Surfers, Allotment Projects and intergenerational video projects examining the views of local young and older people.</p>
<p>10. That there should be increased opportunities for well motivated young people to shadow community leaders in order for them to gain experience of political life and leadership and that Members of Kent County Council should take a lead in facilitating this.</p>	<p>Workshadowing opportunities to work alongside Council Officers and County Councillors, including Cabinet Members have been taken up by 7 young people and students and this opportunity is on offer through Legal & Democratic Services as well as Kent Youth County Council. An offer for Members to shadow members of the Youth County Council has also been extended.</p>
<p>11. That Kent TV continues to provide young people with the opportunity to broadcast their interests and concerns and gain experience of TV and film production through the apprenticeship programme and the development of a dedicated broadcasting unit.</p>	<p>Kent TV was decommissioned at the end of the 2009/10 financial year and whilst this means that a 'youth channel' is not possible Kent Youth Service continues to offer young people a range of opportunities to engage in media and film activities and develop broadcast and production skills and experience.</p>

Recommendation	Progress to Date
<p>12. a. Development of Togogo could include:</p> <ul style="list-style-type: none"> ▪ Clear links to leisure listings for specific areas of interest such as cycling, parks, sports ▪ Times dates of meetings/venue contacts ▪ How to contact local Kent Youth County Councillor and Local Members of the County Council (by postcode look-up) ▪ The facility to vote on youth-related proposals ▪ Continually providing the opportunity for and proactively seeking out private and voluntary providers to invite listing ▪ Interactive local maps showing private/voluntary/LA provision ▪ Requesting that schools signpost Togogo on pupil VLEs (virtual learning environments screensaver and enabled in favourite sites) thus reaching every schoolchild ▪ Advertising Togogo on the Freedom Pass/Kent Travel Card/Library Card <ul style="list-style-type: none"> ▪ Allowing additional and selected advertising on the website (directly leisure related) to generate revenue and 	<p>The re-development of Togogo has been significantly delayed due to the delays in completing the Kent.gov site – Togogo will be hosted on the same platform and by the same provider. The Youth Service has begun working with young people to identify views and opinions on developing the site however specific functional capabilities will not be clear until later in 2010.</p> <p>In order to aid the development of the Togogo and the adjoining database a part-time administrator has been assigned the task of updated and improving data quality. This is particularly crucial as the Kent Resource Directory, which provided a significant amount of the information for Togogo, has been withdrawn from service.</p> <p>A basic, voluntary survey has been running as a Polaroid on the existing togogo site asking for feedback on the ease of use and design of the site and also asking people to give their postcode to allow mapping against the re-developed site.</p>

Recommendation	Progress to Date
<p>show discount offers.</p> <ul style="list-style-type: none"> ▪ Liaising with the Children's Disability Register co-ordinator to ensure that views and experience of disabled young people and their families help to make the site informative and relevant. <p>b. Following an initial reluctance by young people to engage with Togogo its effectiveness in reaching a range of young people from different areas and backgrounds should be measured before and after development of the site by using Mosaic to analyse users registering on the site with a postcode.</p>	
<p>13. That KCC Innovations Team works with young people, supported by professional advisers to produce a policy and guidelines for the safe use of social networking sites (Facebook, Bebo etc) by young people, and that KCC work towards developing protocols for effective and appropriate use of social networking sites by youth work practitioners, other KCC staff and Members as well as members of Kent Youth County Council.</p>	<p>A new policy for Internet Usage in Youth Centres and projects has developed which gives clear guidelines on how young people should be supported to gain the benefits of online communities whilst remaining safe. Additional guidelines support staff in ensuring their own personal and professional usage is appropriate and safe.</p> <p>A dedicated section of Knet gives clear guidance and direction on the use of Social Networking to promote KCC and its activities – in addition training to achieve a 'social media license' has been implemented allowing staff to achieve a corporate standard before using these tools.</p>
<p>14. That KCC should investigate the implementation of an SMS texting service to notify young people of discounts and offers of free access to leisure activities.</p>	<p>An SMS service exists and is available to use with the implementation of data handling processes to gain permission for the use of personal mobile phone numbers, however until such time as Togogo is redeveloped and/or future offers are able to be sourced through Asperity such a service would offer little value to young people. Resource to supply SMS services is yet to be identified.</p>

Recommendation	Progress to Date
<p>15. That KCC should consider providing support to Oi! (provided there is a sustainable business plan) to enable more young people to benefit from the work experience and personal development it offers and for the magazine to reach and involve a greater number of young people across the county. This support might take the form of a regular advertising slot paid for by the Kent Youth Service and other directorates/service (particularly CFE Extended Services) to: publicise activities and the availability of other local youth provision, and get across important messages e.g. links to advice on internet safety.</p>	<p>A variety of KCC departments have used SO! to promote activities and examine issues, these include Kent Apprenticeships, CFE Participation team, the HOUSE partnership project, Kent Drug and Alcohol Action Team, Kent Sport Leisure and Olympics and Kent Youth Service. In addition the Try Angle Awards have become a national media partner of the magazine which involves a young person's story and nomination form being printed in each issue.</p> <p>The Youth Service has offered support and guidance to, and material for, Nubia magazine a publication developed with a particular focus on BME young people and currently in it's 10th issue.</p>
<p>16. That the Youth Service increases its engagement with the diverse range of services provided by the voluntary and community sector to ensure that the contribution of this sector can be fully acknowledged, mapped and taken into account in planning positive activities within an area.</p>	<p>The completion of the YAG review and particularly the adoption of new terms of reference will allow an increased engagement with Voluntary Organisations in developing local services for young people.</p> <p>Kent Youth Service has renewed its Partnership Awards with 23 different voluntary sector groups to deliver a range of direct youth work across the County and a further 10 groups to provide a range of support services to other Voluntary Organisations throughout Kent.</p> <p>During 2009/10 the Youth Service facilitated 2 training courses focusing on developing the capacity to manage integrated services with 12 places taken up by leaders from Voluntary Youth Organisations.</p>
<p>17. That KCC, with its partners, considers how to increase the proportion of activities, as well as information advice and guidance, provided to young people in young-person centred surroundings, in locations accessible during evenings/weekends.</p>	<p>During 2009/10 Kent Youth Service took part in the DCSF led 'Open Weekend' during which all areas opened provision during the weekend. Currently some Youth Service Provision in each operational area is open Friday evenings and Saturday in addition to the wide range of residential opportunities offered across the County.</p> <p>Delivery of the partnership project HOUSE on the Move commenced in May 2010 taking advice, guidance and support to young people on Substance Misuse, Alcohol Abuse, Smoking Cessation and Sexual Health to a variety of locations around Kent and delivering services at times convenient for young people</p>

Recommendation	Progress to Date
	<p>to access.</p> <p>Connexions Kent & Medway Ltd has been awarded a new three year contract for the delivery of careers information advice and guidance with a requirement to examine how this can be done in closer integration with other partners and delivered in times and places where young people are keen to engage.</p>

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership

To: County Council – 22 July 2010

Subject: Adoption of a Petition Scheme

Classification: Unrestricted

Summary: All Councils are required to have in place a Petition Scheme. This report sets out the process for developing KCC's Petition Scheme and requests the County Council to adopt the scheme and make consequential amendments to the Constitution.

1. Introduction

(1) The Local Democracy, Economic Development and Construction Act 2009 introduced a requirement for every principal local authority to have a Petition Scheme for both paper and electronic petitions. The requirement to produce a scheme for paper petitions came into force on 15 June 2010 and the requirement to have a facility for electronic petitions will come into force on 15 December 2010.

(2) In order to develop the Petition Scheme, an Informal Member Group (IMG) was established chaired by Mr A H T Bowles and comprised Mrs A D Allen, Mr L Christie, Mrs T Dean and Mrs J Rook (apologies were received from Mr R Lees). The IMG met on 4 June 2010 to formulate its views on the first draft of the Petition Scheme. The draft Scheme, incorporating the views of the IMG, was then considered by the Selection and Member Services Committee on 2 July 2010 and a number of amendments were made. Attached as **Appendix 1** is the Scheme recommended by the Selection and Members Services Committee to the County Council for approval.

2. Petition Scheme

(1) The Department of Communities and Local Government has issued statutory guidance on the duty to respond to petitions, which includes a model Petition Scheme. The Petition Scheme, and any future revisions to it, must be approved by the County Council.

(2) The Petition Scheme applies to petitions that request the authority to take, or cease to take, the action described in the petition. Petitions cover matters that relate to the functions of the authority, or an improvement to the economic, social or environmental wellbeing of the authority's area to which any of its partner authorities could contribute.

(3) Petitions that relate to planning applications are exempt from the Petition Scheme and KCC has its own process for dealing with these. This is explained in the Petition Scheme along with contact details for submitting a petition relating to a planning application.

(4) Petitions can be signed by people who live, work or study within the County Council's area; there is no lower age limit on who can sign a petition. At the suggestion of the IMG this was expanded to include visitors to reflect Kent's position as a tourist destination.

(5) Although it is possible for councils to set a minimum number of signatures required for a submission to be considered as a petition and responded to accordingly, the Members of the IMG and Selection and Member Services Committee were of the view that no minimum level should be set. This would ensure that very local issues, e.g. provision of a pedestrian crossing, which may have a large impact on a small number of residents, are still capable of being responded to under the Scheme.

(6) The IMG discussed the possible conflict that might arise if an e-petition was submitted just before the closing date of a major service variation, such as a closure of a community facility or the re-provision of a service, which affected a significant number of people. Such service variations may well have followed an intensive consultation process and involve either staff transfers or redundancies, in addition to affecting service delivery. The IMG was concerned that a petition organiser might be under the misapprehension that the submission of a petition would automatically "stop the clock" on the process for the service variation, which would not always be the case. In practice, the Head of Democratic Services and Local Leadership would have to discuss this with the Directorate and the lead petitioner, and either agree a shorter timescale for the petition so that it did not fall outside of the published consultation timescale, or that the petition would be considered after the formal decision was taken.

(7) There are a number of provisions which the Petition Scheme must include, which are:

Acknowledgement of petitions and validation of e-petitions

(8) All petitions must be acknowledged in writing within a specified period. This acknowledgement will also set out the process for dealing with the petition. Members were of the view that this should be a maximum of 5 working days from receipt of a paper petition. When an e-petition is submitted via the website the receipt of it will be automatically acknowledged, checked by Democratic Services and, if necessary, there will be an email dialogue with the petitioner to clarify points such as timescale for the petition before it is made live on the system. Valid e-petitions will be made live on the website within 10 working days of the initial submission of the petition.

How the County Council can respond to the petition

(9) There must be provision within the Petition Scheme for the County Council to do any of the following in relation to a valid petition:

- (a) give effect to the request in the petition
- (b) consider the petition at a meeting of the Council
- (c) hold an inquiry

- (d) hold a public meeting
- (e) commission research
- (f) give a written response to the petition organiser setting out the Council's views about the request in the petition
- (g) refer the petition to a Policy Overview and Scrutiny Committee or, in the case of cross cutting issues, to the Head of Democratic Services and Local Leadership in consultation with the Chairman and Spokesmen of the Scrutiny Board (to determine which Policy Overview and Scrutiny Committee will consider the petition)

In addition, the following additional responses were recommended by the Selection and Member Services Committee:

- (h) holding a meeting with petitioners
- (i) calling a referendum

(10) The petition organiser must be notified in writing of the steps to be taken or proposed to be taken and the reasons for these, in relation to their petition.

(11) It is suggested that the timescale for responding (i.e. telling the petitioner what the County Council intends to do) should be 20 working days from receipt of the petition.

Requirement to debate a petition at a meeting of the County Council

(12) Councils are required to set a threshold figure for the number of signatures required for a petition to automatically trigger a debate at a meeting of the County Council.

(13) In accordance with the statutory guidance, thresholds should be achievable and expressed in a simple figure so that people know the number needed to trigger a debate. Thresholds should be set at a low level and should be achievable for petitions on very local, as well as authority wide, concerns. However, the setting of this threshold figure has proven to be particularly challenging for County Councils, which tend to have large populations with a two tier element.

(14) Councils can review their thresholds after a period of activity. If there have been no council debates triggered then consideration should be given to the reasons for this; for example, is there ample publicity for the Petition Scheme or should the threshold level be lower to ensure that it is achievable? The statutory guidance states that should it become apparent that a council is setting levels which are unachievable then the Secretary of State has the power to direct them to amend their Petition Scheme.

(15) The statutory guidance sets a maximum figure of 5% of the population of the local authority's area (in the case of Kent County Council this would be 70,000 people). The figure used in the model scheme is 1% of the population (in the case of Kent County Council this would be 14,000).

(16) The Selection and Member Services Committee, following the suggestion of the IMG, agreed to recommend that the thresholds for the County Council should be as set out below:

- (a) Countywide petition (covering a matter that affects the whole county) - 12,000 signatures;
- (b) Petitions that relate to a county matter within a single District/Borough area – 1,000 signatures;
- (c) Petitions that relate to a county matter within two or more District/Borough areas - a multiple of 1,000 signatures per district (i.e. for a matter relating to three districts 3,000 signatures)

(17) The Selection and Member Services recommended the following process for carrying out these debates at County Council meetings:

- (a) The County Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the next available meeting.
- (b) The lead petitioner, or their named representative, will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting.
- (c) The lead petitioner, or their named representative, will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by elected Members for a maximum of 45 minutes. If the lead petitioner, or their named representative, does not attend the County Council meeting then the petition will be considered in their absence.

(18) There is currently an informal process for petitions to be received by the Chairman of the County Council and handed to a Cabinet Member for investigation and response. The Selection and Member Services Committee supported the IMG and agreed to recommend that this process should continue but that once the petition has been received by the Chairman of the County Council it should then be given to the Head of Democratic Services and Local Leadership so that the petition can then be processed under the Petition Scheme.

Requirement for an officer to attend an overview and scrutiny committee

(19) Councils must also set a threshold figure for the number of signatures necessary to require an officer to attend a relevant meeting of a Policy Overview and Scrutiny Committee to account for their actions relating to a particular matter.

(20) It is for the County Council to decide what the threshold for this should be. The model scheme suggests that this should be 50% of the number of signatures required to trigger a debate at County Council, which was supported by both the IMG and the Selection and Member Services Committee. Therefore based on the thresholds in paragraph 2(16) above, 6,000 signatures would be required to call an

officer to account for a countywide matter and 500 signatures (or multiples) for a matter relating to a district.

(21) Once this matter is referred to the relevant Policy Overview and Scrutiny Committee it will be for that committee to decide if, for the purposes of addressing the concerns raised by the petition, it would be more appropriate for another officer to attend instead of the named officer. It is assumed that the officer will also be accompanied by the relevant Cabinet Member.

(22) The officers that are covered by this provision are:

Group Managing Director

Managing Director, Children, Families and Education

Managing Director, Communities

Managing Director, Adult Social Services

Executive Director, Environment, Highways and Waste

Executive Director, Economic Development & ICT

Director of Finance

(23) The process that the IMG and Selection and Member Services Committee have recommended for this is that the petition organiser, or their named representative, should be invited to attend the meeting of the Policy Overview and Scrutiny Committee and that the process for this should reflect the process adopted by the Cabinet Scrutiny Committee for allowing members of the public to speak on a matter called in for scrutiny. It is therefore suggested that the following process be adopted where a petition is submitted calling an officer to account at an Overview and Scrutiny Committee and it reached the required number of signatures:

The lead petitioners or their named representative:

- (a) will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting;
- (b) will be allowed to address the Committee for up to 5 minutes to summarise their views and to amplify, but not repeat, any points in their written statement;
- (c) will then be allowed up to 5 minutes to ask questions of the officer (the 5 minutes does not include the time for answers to be given). These questions should be used to seek genuinely new information. Questions must not be asked to which the member of the public already knows the answer.

- (d) the Policy Overview and Scrutiny Committee will then make any recommendations that it considers appropriate to the Officer/Cabinet Member.

Petition reviews

(24) If a petition organiser is not satisfied with the way in which the County Council had dealt with their petition they can request a review of the response to the petition by an Overview and Scrutiny Committee. In order to ensure that this review is carried out by a Policy Overview and Scrutiny Committee that was not involved in responding to the petition, it is proposed that the Scrutiny Board should carry out all of these reviews.

(25) The petitioner must be informed of the results of the review. The results must also be published on the Council's website.

3. E- Petitions

(1) As mentioned above, the County Council is required to introduce a system to enable the public to submit petitions electronically. The Selection and Member Services Committee on 27 January 2010 was advised that it is intended to use the current Committee Management System (modern.gov) to administer e-petitions as this is a no cost option, which is already being used by a number of authorities across the country.

(2) Once an e-petition has been submitted and the Head of Democratic Services and Local Leadership has approved it as a valid petition, it will be put on the website and opened for "signatures". Anyone wishing to "sign" an e-petition will be required to register and provide their email and postal address for administrative purposes (none of these will appear on the website).

(3) It is recommended that an e-petition should remain open for a maximum of 3 months (but that a shorter or longer timescale can be agreed with the petition organiser if appropriate).

(4) After the closing date, the petition will be dealt with in the same way as described in Section 4 below, unless one of the trigger levels is achieved for either an officer to be called to account to a meeting of a Policy Overview and Scrutiny Committee or for a debate at a meeting of the County Council.

4. Process for dealing with Petitions

(1) The Petition Scheme sets out what the public can expect from the County Council when they submit a petition, however, there needs to be a process behind that for the determination of petitions.

(2) The process is illustrated by the attached flow chart (**Appendix 2**). Basically, all valid petitions will be sent to the relevant directorate for their comments and input. If it is something that the Directorate is already dealing with, which will result in the action that the petition calls for, then no further action needs to be taken and the petition organiser will be informed accordingly. If a decision is required on what

action, if any, will be taken in response to the petition then this will be a decision for the relevant Cabinet Member(s) based on information received from the Directorate.

(3) Once a decision has been made on the way forward, the petition organiser will be informed (and in the case of an e-petition those that have “signed” the petition will be informed as well) and the outcome of the petition will be put on the website.

(4) Local Members will be informed of any petitions received that relate to their electoral division and the outcome of the petition.

5. Timescale for implementation

(1) Although the legal requirement to have an e-petition scheme does not come into force until 15 December 2010, as we have to publicise the Petition Scheme and log paper petitions on the web site, it would seem logical to include e-petitions within the new scheme from the outset.

(2) As mentioned above, the system for e-petitions needs to be made live and a number of pages on the website finalised once the scheme has been agreed. Accordingly, it is suggested that the Petition Scheme, including e-petitions, comes into force on 1 September 2010.

6. Consequential amendments to the Constitution

(1) It is suggested that the Petition Scheme, once approved by the County Council, should be incorporated into the Constitution as an appendix.

(2) There are a number of consequential amendments to the Constitution that will arise from the approved scheme. These are set out in **Appendix 3** of the report.

7. Additional recommendations from the Selection and Member Services Committee

(1) In addition to the suggestions which have been reflected in this report and the attached Petition Scheme, the Selection and Member Services Committee also recommended that the Petition Scheme be reviewed after its first two months operation and a report be submitted to the County Council on 9 December 2010.

(2) It should be made clear to petitioners that the County Council would not debate a petition on the same subject within 6 months of a County Council petition debate. This is reflected in the amendments to the Constitution in Appendix 3.

(3) The Committee also requested that the link to the petition pages on Kent.gov should be available from the home page. Also the system should provide a facility for feedback from the public on the petition process.

8. RECOMMENDATION:

The County Council is invited to approve:

(a) the adoption of the Petition Scheme attached as Appendix 1 to this report and

that it be incorporated within the Constitution;

- (b) the coming into force of the Petition Scheme, including the provision for submitting e-petitions, on 1 September 2010;
- (c) consequential amendments to the Constitution resulting from the introduction of the Petition Scheme, as set out in Appendix 3, with effect from 1 September 2010.
- (d) the submission of a report on the operation of the petition scheme to the meeting of the County Council on 9 December 2010.

Peter Sass
Head of Democratic Services and Local Leadership
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Background documents – *None*

KENT COUNTY COUNCIL

PETITION SCHEME

What are the guidelines for submitting a petition?

Petitions submitted to the County Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the County Council to take.
- the name and address of the petition organiser (this is the person we will contact to explain how we will respond to the petition), and
- the name and address and signature of any person supporting the petition. (Petitions can be signed by people who live, work, study in or visit the County Council's area).

Petitions which are considered to be vexatious*, abusive or otherwise inappropriate will not be accepted and you will be contacted to explain the reasons for this

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the County Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the County Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 5 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have already taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a County Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning application (**add link**), is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be

removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

How will the County Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by one of the Council's overview and scrutiny committees** or in the case of cross cutting issues the Head of Democratic Services and Local Leadership in consultation with the Chairman and Spokesmen of the Scrutiny Board will determine which overview and scrutiny committee will consider the petition
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

The County Council will tell you what it intends to do with the petition within 20 days of receipt of the paper petition or the close of an e-petition.

****Overview and scrutiny committees** are committees of Elected Members who are responsible for scrutinising the work of the County Council – in other words, the overview and scrutiny committee has the power to hold the County Council's decision makers to account.

If your petition is about something over which the County Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The County Council works with a large number of local partners **[link to list of LAA partners]** and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with County Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the County Council is responsible here **[link]**.

If your petition is about something that a different Council is responsible for, or for which we have joint responsibility, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council for them to respond to or comment on, but could involve other steps. In any event we will always notify you of the action we have taken.

Full County Council debates

If your petition relates to a county-wide matter and contains at least 12,000 signatures it will be debated by the County Council (unless it is a petition asking for a senior council officer to give evidence at a public meeting (see below)). If your petition covers a County Council matter that relates to a specific District Council area it will require at least 1,000 signatures for it to be debated by the County Council. If this matter relates to more than one District Council area then at least a 1,000 signatures per District Council area will be required for the matter to be debated by the County Council.

The County Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The lead petitioner, or their named representative will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting;

At the meeting of the County Council the petition organiser, or their named representative, will be given five minutes to present the petition at the meeting and the petition will then be discussed by Elected Members for a maximum of 45 minutes. If the lead petitioner, or their named representative, does not attend the County Council meeting then the petition will be considered in their absence.

The County Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant Cabinet Member or committee.

Where the issue is one on which the County Council's Executive is required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.

The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

(NB – the County Council will not debate a petition on the same subject within 6 months of a County Council petition debate).

Calling an Officer to give evidence at an Overview and Scrutiny Committee

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 6,000 signatures for a countywide matter and 500 signatures (or multiples) for a County Council matter relating to a District area(s), the relevant senior officer, accompanied by the relevant Cabinet Member, will give evidence at a public meeting of one of the Council's overview and scrutiny

committees. A list of the senior staff that can be called to give evidence can be found here **[insert link]**.

You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs.

The lead petitioners or their named representative:-

(a) will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting;

(b) will be allowed to address the Committee for up to 5 minutes to summarise their reviews and to amplify, but not repeat, any points in their written statement;

(c) will then be allowed up to 5 minutes to ask questions of the officer (the 5 minutes does not include the time for answers to be given). These questions should be used to seek genuinely new information. Questions must not be asked to which the member of the public already knows the answer.

E-petitions

The Council welcomes e-petitions which are created and submitted through our website **[link]**. E-petitions must follow the same guidelines as paper petitions (as set out above). The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions remain open for a maximum of 3 months, but a shorter or longer timescale can be agreed with the petition organiser if appropriate.

When you create an e-petition, it may take up to 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website. When an e-petition has closed for signature, it will automatically follow the same process as a paper petition (as set out above)

In the same way as a paper petition, you will receive an acknowledgement within 5 working days of the close of the e-petition. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here **[insert link]**. When you sign an e-petition you will be asked to provide your name, your postcode

and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the steps that the County Council has taken in response to your petition are reviewed. All reviews will be considered the Scrutiny Board.

It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the County Council's response is not considered to be adequate.

The Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting.

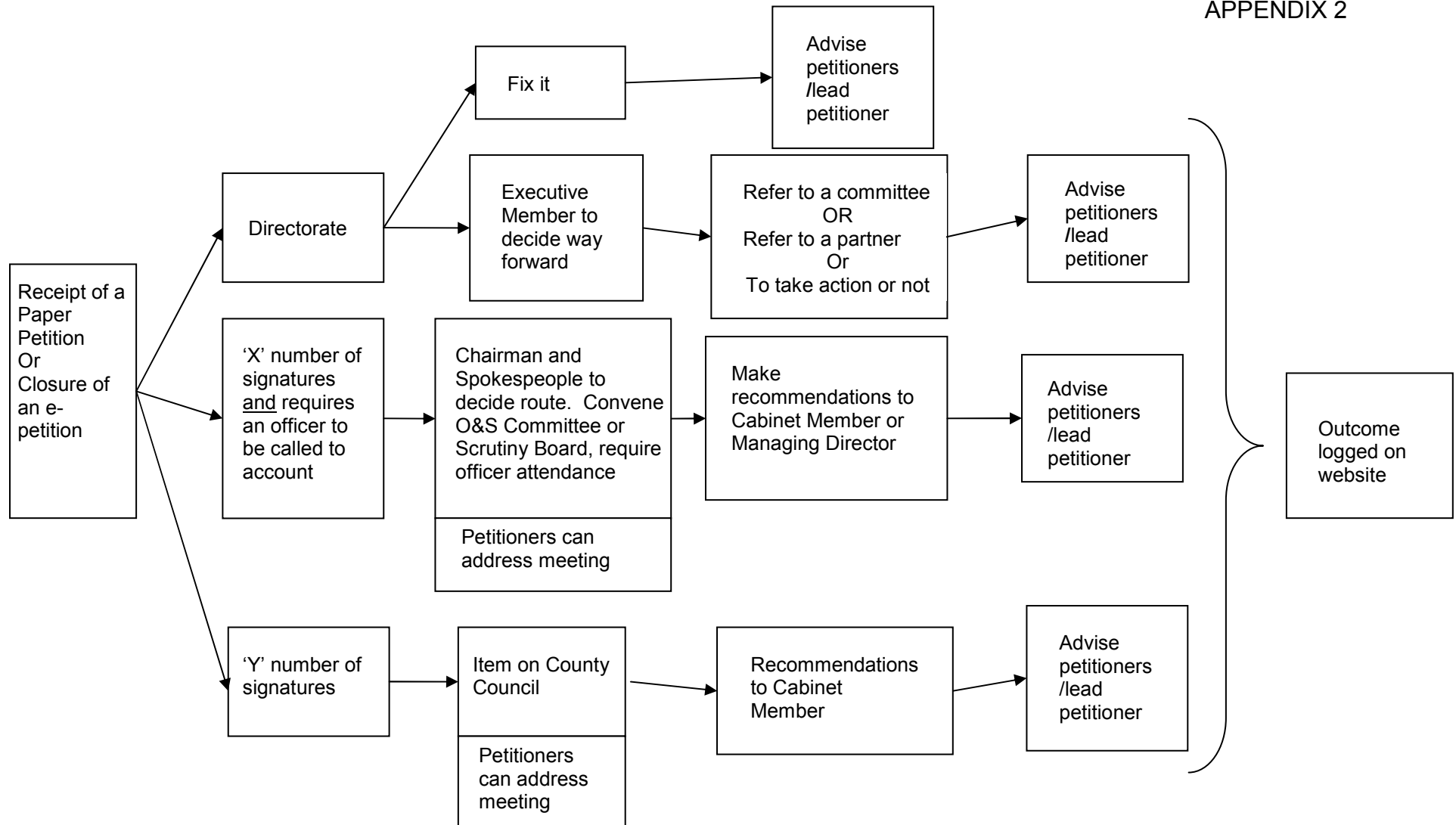
Should the Board determine that the County Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the County Council's Executive and arranging for the matter to be considered at a meeting of the full County Council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website

* In deciding if a petition is vexatious the guidance used for the Freedom of Information act the starting point will be:-

"Deciding whether a [Freedom of Information] request is vexatious is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause"

Approved by the County Council on 22 July 2010
In force from 1 September 2010



Amendments to the Constitution –resulting from the Petition Scheme

3.1 Public rights (page 6)

Members of the public have the following rights:

(1) **Voting and petitions.** People on the electoral roll for Kent have the right to vote and sign a petition to request a referendum for an alternative form of Constitution.

(2) *People who live, work or study in or visit the County Council's area have the right to submit or sign a petition in accordance with the County Council's Petition scheme as set out in Appendix x.*

Appendix 2 Part 2:

Functions delegated by the Council to Committees

Policy Overview and Scrutiny Committee Suite

2. Policy Overview and Scrutiny Committees (Page 22)

2.5 Each Policy Overview and Scrutiny Committee has the power to:

(i) *hear evidence from an officer following the receipt of a petition signed by the required number of signatories (in accordance with the approved Petition Scheme)*

(j) *consider petitions referred to it in accordance with the approved Petition Scheme and to make recommendations for action to be taken.*

3. Scrutiny Board (page 23)

(h) *to consider and determine all requests from a lead petitioner for a review of the response to a petition in accordance with the approved Petition Scheme.*

Appendix 4 Part 1:
Rules applying to Council Meetings

Agendas for Meetings (pages 60 – 61)

1.10 The agenda for each meeting, except the Budget meeting, will include:

(11) *a debate on a petition which has reached the required threshold level as set out in the Petition Scheme in appendix x (except where the matter has already been the subject of a petition debate within the preceding six months)*

Petition debate (to be added to list of items for consideration at County Council on page 63)

1.23 (1) *The petition organiser, or a named representative, will be given the opportunity to present the petition at the meeting and speak for up to 5 minutes. If the lead petition, or their named representative, does not attend the County Council meeting then the petition may be considered in their absence.*

(2) *Debate on the petition shall not exceed forty-five minutes.*

(3) *In responding to the petition, the County Council may decide to:*

(a) *take the action the petition requests*

(b) *not to take the action requested for reasons put forward in the debate*

(c) *to commission further investigation into the matter, for example by a relevant committee or*

(d) *where the issue is one on which the Cabinet is required to make the final decision, to make recommendations to inform that decision.*

By: The Cabinet Member for Finance, John Simmonds
The Director of Finance, Lynda McMullan

To: County Council – 22 July 2010

Subject: Proposed changes to Financial Regulations

Classification: Unrestricted

Summary: This report asks Members to approve the updated Financial Regulations, as an amendment to the Constitution

FOR DECISION

1. INTRODUCTION

- 1.1 The Financial Regulations have been reviewed and updated. Whilst there has been no major re-write or change to the format of the regulations, amendments have been made to reflect changes in structures/working practices, to ensure our regulations reflect current best practice and to strengthen areas where there was potential for ambiguity.
- 1.2 This review has been undertaken as part of a programme of work looking not only at the Financial Regulations, but also the related Schemes of Delegation and Financial Procedures. The aim is to publish the whole suite of updated financial documentation on KNet with appropriate links between the documents as well as to other relevant procedures/publications, making it easily accessible to all staff.
- 1.3 The revised Financial Regulations were agreed by the Governance & Audit Committee at their meeting on 30 April 2010 and now need to be approved by the County Council as an amendment to the Constitution.

2. MAIN AMENDMENTS

- 2.1 The process for conducting this review included:
 - Looking at Financial Regulations of other local authorities.
 - Addressing concerns raised by finance staff in relation to certain aspects of the regulations from experience of trying to implement and ensure compliance with them.
 - Ensuring adoption of best practice guidance published since the last review of the regulations.
- 2.2 The main areas of change have been around clarifying the approval of capital projects, strengthening the regulations around reserves and provisions, updating the Treasury Management regulations, transferring responsibility for approving debt write offs over £10,000 and making an explicit statement that it is the personal responsibility of all staff concerned with the use and care of the County Council's resources or assets to be conversant with the requirements of the Financial Regulations.

- 2.3 Since being approved by Governance & Audit Committee, a few minor amendments have been made by the Director of Law & Governance to reflect further changes in job titles and clarify the role of the Policy Overview and Scrutiny Committee Suite. The revised regulations are shown at Appendix 1.
- 2.4 The terms of reference of the Governance & Audit Committee have been revised and are due to be endorsed by County Council at this meeting. Once agreed, these revised terms of reference will need to be incorporated into the updated Financial Regulations.

3. RECOMMENDATION

Members are asked to:

- 3.1 Consider and approve the updated Financial Regulations as an amendment to the Constitution.
- 3.2 Give approval to update the Financial Regulations to reflect the revised Governance & Audit Committee Terms of Reference once they have been approved by County Council.

Julie Samson
Principal Accountant
Ext: 4684

KENT COUNTY COUNCIL

FINANCIAL REGULATIONS

Updated April 2010

The Council's Financial Regulations set the control framework for five key areas of activity:

A. Financial Planning

Covers Performance Planning, Capital Strategy, Treasury Strategy, Pension Fund Strategy, Revenue Strategy, Revenue Budgeting, Capital Programme and Budgeting, Reserves and Key Decisions.

Full Council is responsible for receiving the medium term financial plans and formally agreeing the annual budget, in line with statutory guidance.

The Group Managing Director, Managing Directors and Executive Directors are responsible for contributing to the development of these plans, while the Director of Finance is responsible for preparing and presenting them to the Cabinet for consideration.

B. Financial Management

Covers Revenue budget monitoring and control, Virement, Treatment of year-end balances, Capital Budget Monitoring, Accounting Policies, Accounting records and returns, Annual Statement of Accounts, Contingent Liabilities, Financial implications of Reports.

The Director of Finance is responsible for developing, maintaining and monitoring compliance with an effective corporate financial framework. This will encompass detailed financial regulations, professional standards, key controls and good financial information.

The Group Managing Director, Managing Directors and Executive Directors will operate within this framework, alerting the Director of Finance to any risk of non-compliance.

C. Risk Management and Control of Resources

Covers Risk Management and insurance, Internal Control, Audit requirements, Preventing fraud and corruption, Assets, Treasury Management, Investments and Borrowing, Trust funds and funds held for third parties, Banking, Imprest Accounts, Staffing Costs.

Cabinet and the Governance and Audit Committee are jointly responsible for agreeing the Council's risk management strategy, policy and supporting guidance and for reviewing the effectiveness of risk management within the Council.

The Director of Finance is responsible for developing, maintaining and advising upon robust systems for risk management and systems of internal control. This will be monitored through an effective internal audit function.

The Group Managing Director, Managing Directors and Executive Directors are responsible for establishing sound arrangements within these systems and notifying the Director of Finance of any suspected non-compliance.

D. Systems and Procedures

Covers general processes and procedures, Income, Ordering and Paying for Works, Goods and Services, Payments to employees and Members, Taxation,

trading accounts/business units, Internal Recharges.

The Director of Finance is responsible for the Council's accounting control systems, the financial accounts, supporting information and all financial processes or procedures.

The Group Managing Director, Managing Directors and Executive Directors are responsible for the proper operation of all systems, processes and procedures. All exceptions to the corporately agreed standards will be agreed with Director of Finance.

E. External Arrangements

Covers Partnerships, External Funding, Work for third parties, Local Authority Companies.

The Director of Finance is responsible for promoting the same high standards of conduct in the management of partnerships as within the Council.

The Group Managing Director, Managing Directors and Executive Directors are responsible for ensuring that the Council's interests are protected in such arrangements and that appropriate advice is taken at all stages.

OVERALL FINANCIAL RESPONSIBILITIES

Introduction

- 2.1 Financial management covers all financial accountabilities in relation to the running of the Council including the policy framework and budget. It is not possible to draft regulations or rules that cover every eventuality or circumstance. Consequently, the principles of sound financial management, proper exercise of responsibility, and accountability, as set out in Financial Regulations, should be applied in all circumstances, even where any particular circumstance is not specifically referred to.
- 2.2 **The full Council** is responsible for:
- i. setting the policy framework;
 - ii. approving and monitoring compliance with the Council's overall framework of accountability and control as set out in the Constitution;
 - iii. directly and through the Cabinet Scrutiny Committee, for monitoring compliance with agreed policy, including revenue and capital budgets;
 - iv. approving procedures for recording and reporting decisions taken. This includes key decisions and other decisions delegated by the Leader and those decisions taken by the Council and its Committees or delegated by them to officers. These delegations and details of who has responsibility for which decisions are set out in the Constitution;
 - v. agreeing the annual budget and Council Tax;
 - vi. determining and keeping under review how much money the Council can afford to borrow for capital expenditure;
 - vii. setting and revising the prudential indicators for capital finance;
 - viii. approving the policy on Minimum Revenue Provision (MRP) as set out in the annual MRP statement;
 - ix. setting the limits for virement or other budget changes through the Financial Regulations and decision making procedure rules;
 - x. setting the limits defining key financial decisions;
 - xi. determining any expenditure proposed by the Leader or the Cabinet that is outside the limits referred to in v above.
- 2.3 **The Leader** is responsible for:
- i. proposing the medium term financial plan, budget, council tax and prudential indicators to the Council;
 - ii. approving revenue, capital and treasury management strategies;
 - iii. determining which executive functions are exercised by him/herself, the Cabinet collectively, other individual members of the Cabinet or officers;
 - iv. ensuring that all executive decisions are taken in accordance with the Council's agreed principles of decision making including due consultation and the taking of professional advice from officers.
- 2.4 **Individual Cabinet Members** are responsible, within their allocated responsibility area and approved budget for:
- i. taking decisions in accordance with the framework of responsibilities delegated to them from the Leader;
 - ii. consulting with the Leader in relation to any proposed decisions as the Leader may direct;
 - iii. complying with Financial Regulations in force as agreed by or on behalf of the County Council;

- iv. taking decisions which are otherwise delegated to officers but which are:
 - (a) not in accord with the Policy Framework or budget agreed by the Council or management and business plans within their portfolio
 - (b) withdrawn from the delegation to Managing Directors and Executive Directors
- v. taking account of legal and financial liabilities when taking decisions including due consultation with and the taking of advice from officers;
- vi. processing decisions in accordance with the decision making and reporting framework set out in the Constitution.

2.5 The Policy Overview and Scrutiny Committee Suite is responsible for scrutinising decisions and actions taken by the Leader, Cabinet, Cabinet Members, Cabinet Committees and by officers in relation to compliance with Council agreed policy and budget.

2.6 The Governance and Audit Committee is responsible for:

- i. monitoring the Council's compliance with its own published standards and controls and with other standards and considering any proposals for changes to Financial Regulations and the Contracts and Tenders Standing Orders;
- ii. approving Spending the Council's Money and amendments to it;
- iii. liaising with the Audit Commission over the appointment of the Council's external auditor;
- iv. discussing with the external auditor and Cabinet the basis of the annual audit, including the overall level and composition of the fee and the content of performance work;
- v. receiving, considering and responding to reports from the external auditor including all performance reports and the Annual Governance Report;
- vi. overseeing the Internal Audit activity of the Authority;
- vii. monitoring the response of the Cabinet and Council Committees to audit reviews and investigations and the implementation of agreed recommendations
- viii. approving the annual accounts on behalf of the Council;
- ix. monitoring the operation of borrowing and investment policies and Treasury Management activity;
- x. agreeing the risk management policy with the Cabinet and reviewing the effectiveness of risk management and monitoring insurance arrangements;
- xi. keeping under review the Council's arrangements for corporate governance and agreeing from time to time necessary actions to ensure compliance with best practice.

2.7 The Director of Law and Governance, as the Monitoring Officer, is responsible for:

- i. after consulting with the Group Managing Director and the Director of Finance, reporting to the full Council (or to the Leader or Cabinet in relation to an executive function) if s/he considers that any proposal, decision or omission would give, is likely to give, or has given, rise to a contravention of any enactment or rule of law, or any maladministration or injustice. Such a report has the effect of stopping the proposal or decision being implemented until the report has been considered;
- ii. ensuring that records of executive decisions, including the reasons for those decisions and relevant officer reports and background papers, are made publicly available;

- iii. advising whether decisions of the executive are in accordance with the Budget and Policy Framework. Actions that may be 'contrary to the Budget' include:
 - initiating a new policy for which no budget exists;
 - committing expenditure in future years above the approved budgeted level;
 - causing the total expenditure financed from council tax, grants and corporately held reserves to increase beyond that provided for in the approved budget;
- iv. providing advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members.

2.8 The Group Managing Director is responsible for

- i. overall corporate management and operational responsibility (including, as Group Managing Director, overall management responsibility for all staff);
- ii. the provision of professional advice to all parties in the decision making process (the executive, overview and scrutiny, full council and other committees);
- iii. together with the Monitoring Officer, a system of record keeping for all the local authority's decisions (executive or otherwise);
- iv. reporting to the Council on the manner in which the discharge by the authority of its functions is co-ordinated;
- v. arrangements for internal control and the inclusion of the Annual Governance Statement in the annual accounts.

2.9 The Director of Finance, as the Chief Financial Officer, has statutory duties in relation to the financial administration and stewardship of the authority. These statutory responsibilities cannot be overridden. The statutory duties arise from:

- i. Section 151 of the Local Government Act 1972
- ii. Local Government Finance Act 1988
- iii. The Local Government and Housing Act 1989
- iv. The Local Government Acts 2000 and 2003
- v. The Accounts and Audit Regulations 2003
- vi. The Accounts and Audit (Amendment) (England) Regulations 2006
- vii. The Accounts and Audit (Amendment) (England) Regulations 2009
- viii. The Local Government Pension Scheme Regulations 1974 and 1997
- ix. The Local Government Pension Scheme Regulations (Management and Investment of Funds) 1998
- x. The Local Authorities Goods and Services Acts 1970 and 1988.

2.10 The Director of Finance is responsible for:

- i. after consulting with the Group Managing Director and the Monitoring Officer, reporting to the full Council (or to the Leader or Cabinet in relation to an Executive function) and the Council's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully;
- ii. the proper administration of the financial affairs of the Authority;
- iii. maintaining an adequate and effective system of internal audit;
- iv. contributing to the corporate management of the Authority, in particular through the provision of professional financial advice;
- v. providing advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy

Framework issues to all Members and supporting and advising Members and officers in their respective roles;

- vi. providing financial information about the Authority to Members of the Council, the media, members of the public and the community.

2.11 And in particular is responsible for:

- i. setting financial management standards, including financial procedures, and monitoring their compliance;
- ii. advising on the corporate financial position and on the key financial controls necessary to secure sound financial and risk management;
- iii. providing financial information to support the proper financial planning of the authority, to inform policy development, and to assist Members and officers in undertaking their financial responsibilities;
- iv. preparing the revenue budget, and reporting to the Council, when considering the budget and Council Tax, on the robustness of the estimates and the adequacy of reserves;
- v. monitoring income and expenditure against the budget and taking action if overspends of expenditure or shortfalls in income emerge;
- xi. preparing the capital programme and ensuring effective forward planning and sound financial management in its compilation;
- xii. producing prudential indicators, reporting them to the Leader and the Council for consideration and establishing procedures to monitor and report on performance in relation to these indicators;
- xiii. treasury management, the management of the Council's banking arrangements and monitoring the Council's cashflow;
- xiv. issuing advice and guidance to underpin the Financial Regulations that members, officers and others acting on behalf of the authority are required to follow;
- xv. ensuring that effective arrangements are in place for payments of creditors, income collection, payment of pensions, risk management and insurances and the production of financial management information;
- xvi. ensuring that any partnership arrangements (or other innovative structures for service delivery) are underpinned by clear and well documented internal financial controls;
- xvii. advising on anti-fraud and anti-corruption strategies and measures;
- xviii. contributing to cross-authority issues and to the development of the Council;
- xix. ensuring that statutory and other accounts and associated claims and returns in respect of grants are prepared;
- xx. ensuring that due consideration is given to the Council's wellbeing, correct financial management and security of the Council's assets when establishing a company or partnership arrangement; **LINK**
- xxi. ensuring that the MRP calculation is prudent;
- xxii. taking ownership of the Council's corporate financial system;
- xxiii. supporting the Superannuation Fund Committee in the management of the Kent Pension Fund.

LINK (CIPFA role of DOF document)

2.12 The Director of Finance, in accordance with Section 114 of the 1988 Act will nominate a properly qualified member of staff to deputise for him / her as Chief Financial Officer should he/she be unable to personally perform the duties under Section 114.

2.13 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. ensuring that the Leader or relevant Cabinet Member is advised of the financial implications and other significant risks of all proposals for the changes in services or the development of new services and that the financial implications have been agreed by the Director of Finance;
- ii. the signing of contracts on behalf of the authority provided that the expenditure to be incurred has the necessary budgetary approval. Further guidance regarding persons authorised to sign contracts on behalf of the Council can be found in the relevant directorate's Scheme of Financial Delegation. **LINK**
- iii. promoting the financial management standards set by the Director of Finance in their Directorates and to monitor adherence to standards and practices, liaising as necessary with the Director of Finance;
- iv. promoting sound financial practices in relation to standards, performance and development of staff in their Directorates;
- v. consulting with the Director of Finance and seeking his/her approval regarding any matters which are liable to affect the authority's finances materially, before any commitments are incurred;
- vi. ensuring that all staff in their Directorates are aware of the existence and content of the Council's financial regulations and any related procedures and other internal regulatory documents appertaining to or amplifying them and that they comply with them. They must also ensure that all of these documents are readily available for reference within their Directorates;
- vii. managing service delivery within the agreed revenue and capital budgets and other relevant strategies and plans;
- viii. developing performance, corporate and service targets and contributing to the Medium Term Financial Plan;
- ix. ensuring that budget estimates reflecting agreed service plans are prepared, and that these are prepared in line with issued guidance;
- x. ensuring that financial management arrangements and practice are agreed with the Director of Finance, are legal and consistent with best practice and Council policy;
- xi. consulting with the Director of Finance on the financial implications of matters relating to policy development;
- xii. putting in place a scheme of financial delegation setting out arrangements for the discharge of the Group Managing Director, Managing Director and Executive Director responsibilities contained within Financial Regulations.

Personal Responsibilities

2.14 Any person concerned with the use or care of the County Council's resources or assets should ensure they are fully conversant with the requirements of these Financial Regulations. All staff should notify their line manager immediately of any suspected fraud, theft, irregularity or improper use of or misappropriation of the authority's property or resources. Concerns may also be raised via the Whistleblowing Procedure. **LINK**

FINANCIAL REGULATION A – FINANCIAL PLANNING

Introduction

- A.1 The full Council is responsible for agreeing the Budget, which will be proposed by the Leader. In terms of financial planning, the key elements are:
- i. the Medium Term Financial Plan
 - ii. Vision for Kent
 - iii. Public Service Agreement
 - iv. Annual Performance Plans
 - v. the Revenue Strategy and Budget
 - vi. the Capital Strategy and Programme
 - vii. the Treasury Strategy
 - viii. the Risk Management Strategy

Medium term budget and financial strategy

- A.2 The Group Managing Director, Director of Finance, Managing Directors and Executive Directors are responsible for ensuring that Revenue, Capital and Treasury strategies on a three year basis are prepared for consideration by the Cabinet and for ensuring that such strategies are consistent with other plans and strategies.
- A.3 The Leader will publish to all Council Members each year a review of the issues relating to the Medium Term Financial Plan.

Performance Planning

- A.4 The Director of Finance is responsible for:
- i. advising and assisting Directorates in producing the financial information that needs to be included in performance plans in accordance with statutory requirements and agreed timetables;
 - ii. the production of corporate guidance on the development of unit cost indicators (such as required for the National Indicator Set) and cost effectiveness measures;
 - iii. contributing, in collaboration with the Group Managing Director, Managing Directors and Executive Directors, to the development of corporate and service targets and objectives and performance information;
 - iv. assisting in building priorities identified within performance plans into corporate and directorate budgets to enable delivery.
- A.5 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. contributing to the development of performance plans in line with the Council's requirements;
 - ii. contributing to the development of corporate and service targets and objectives and performance information;
 - iii. ensuring that Directorate service plans are clearly aligned with budgets, to enable the delivery of service priorities;
 - iv. ensuring that targets identified within performance plans are built into local work programmes and targets for management and service delivery staff.

Pension Fund

- A.6 The Director of Finance is responsible, having taken appropriate professional advice, for preparing and submitting to the Superannuation Fund Committee the Statement of Investment Principles, the Funding Strategy Statement, regular reviews of investment strategy, monitoring of investment managers and reporting on the pensions administration service delivered.

Revenue budgeting

Budget format

- A.7 The general format of the Budget will be proposed to the Leader by Director of Finance. The draft Budget should include allocations to different services and projects, proposed sources of funding, proposed taxation levels and contingency funds.
- A.8 Guidelines on budget preparation are issued to Cabinet Members, Managing Directors and Executive Directors by the Leader on the recommendation of the Director of Finance. The guidelines will take account of:
- i. legal requirements
 - ii. the Medium Term Financial Plan
 - iii. Vision for Kent
 - iv. Public Service Agreement
 - v. available resources
 - vi. spending pressures
 - vii. relevant Government guidelines
 - viii. other internal policy documents
 - ix. cross cutting issues (where relevant).

Budget preparation

- A.9 The Leader is responsible for developing and proposing to the County Council the general content of the revenue budget in consultation with the Director of Finance.
- A.10 Budgets will be produced in a format compatible with the portfolios allocated by the Leader to individual Cabinet Members.
- A.11 The Group Managing Director and the Director of Finance are responsible for ensuring that a revenue budget is prepared on an annual basis for consideration by the Leader and Cabinet before submission to the full Council, in accordance with the Budget Procedure Rules, as set out in the Constitution.
- A.12 The Director of Finance is responsible for:
- i. ensuring that a process is in place to identify potential pressures on the budget;
 - ii. reporting to the full Council, when the budget and Council Tax is considered, on the robustness of the estimates and the adequacy of reserves provided for.
- A.13 The Group Managing Director, Managing Directors and Executive Directors are responsible for ensuring that budget estimates reflect agreed service plans, are submitted to the relevant Cabinet Member and the Leader and that these estimates are realistic and prepared in line with guidance issued by the Leader.

Resource allocation

A.14 The Leader in consultation with the Director of Finance is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Council's Policy Framework.

Budget Amendment

A.15 Approved revenue budgets may be amended during a financial year in accordance with the virement regulations in B6-B9.

A.16 The Group Managing Director, Managing Directors and Executive Directors may make changes to revenue budgets resulting from additional grant or other external income receivable during a financial year. Such changes must be notified to the Director of Finance.

A.17 The Group Managing Director, Managing Directors and Executive Directors may make technical adjustments to revenue budgets during a financial year resulting from changes to grant rules or realignment of resources to approved business plans. Such changes must be notified to the Director of Finance.

Capital Programme and capital budgeting

A.18 The Leader is responsible for developing and proposing the capital programme to the County Council in consultation with the Director of Finance.

A.19 The Group Managing Director and Director of Finance are responsible for ensuring that a medium term capital programme and financing plan is prepared on an annual basis for consideration by the Leader before submission to the full Council in accordance with the budget procedure rules as set out in the Constitution.

A.20 The Director of Finance is responsible for advising on prudential indicators required to be set in accordance with the CIPFA Prudential Code for Capital Finance in Local Authorities and for ensuring that all matters required to be taken into account in setting prudential indicators are reported to the Leader and the Council.

A.21 The Director of Finance is responsible for:

- i. setting up procedures under which capital expenditure proposals are evaluated and appraised to ensure that value for money is being achieved, are consistent with service and asset management objectives and are achievable;
- ii. setting up procedures for corporate monitoring of external sources of capital funding;
- iii. ensuring that expenditure treated as capital expenditure by the County Council is in accordance with best accounting practice.

A.22 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. ensuring that capital proposals reflect agreed service plans, are prepared in line with guidance issued, are realistic, that necessary business case development and option appraisals have been carried out and any risks identified. Any impact of capital expenditure proposals on service running costs must be identified and included in revenue budget estimates or forecasts; **LINK**

- ii. consulting with the Director of Finance the relevant Cabinet Member and the Cabinet Member for Finance where it is proposed to bid for funding from external sources to support capital expenditure;
- iii. ensuring that the Capital Process & Procedures are followed. This includes ensuring that projects only proceed when they have received the necessary Project Advisory Group (PAG) approval and confirmation that any external funding is secured. **LINK**. For schemes and headings where the total cost is estimated to be £1m or more this consent must be obtained from the Leader following procedures issued by the Director of Finance. The Leader may take the decision himself/herself or specifically delegate the decision to Cabinet or the relevant Cabinet Member. For schemes where the total cost is estimated to be less than £1m consent must be obtained from the relevant Cabinet Member;
- iv. ensuring that any new capital expenditure proposals which would require an increment to the total three year capital programme in order to proceed, regardless of funding, are agreed with the Director of Finance and are submitted to the Leader for consideration via the PAG process;
- v. ensuring that, in addition to the PAG process, appropriate approval is sought where relevant from the Leader, the Cabinet or an authorised Cabinet Member in accordance with the Constitution.

(By way of clarification, PAG is just a process for keeping track of current spending and cash flows. PAG does not replace the process for obtaining formal authority for a project and this is still needed.

*So before a project can proceed, formal authority needs to have been obtained either through an explicitly approved budget in the Budget Book or business plan or through an explicit approval obtained by following the decision making procedures set out in the Council's Constitution and the Code of Practice for Contracts and Tenders (as detailed in Spending the Council's Money). **LINK** This applies even if PAG has already approved the proposed spending on the project.*

- vi. carrying out post completion evaluation of projects as required, in order to review performance in implementation of the project against budget and project plans and to evaluate performance of the project in the delivery of expected outcomes. **LINK**

Maintenance of reserves & provisions

A.23 The Director of Finance is responsible for:

- i. advising the Leader and the Council on prudent levels of reserves for the Authority when the annual budget is being considered having regard to assessment of the financial risks facing the Authority;
- ii. ensuring that reserves are not only adequate but also necessary;
- iii. ensuring that there are clear protocols for the establishment and use of each earmarked reserve. Reserves should not be held without a clear purpose or without a planned profile of spend and contributions;
- iv. ensuring that all renewals reserves are supported by a plan of budgeted contributions, based on an asset renewal plan that links to the fixed asset register;

- v. ensuring that no money is transferred into reserves after 31st December each financial year without prior agreement.

A.24 The Director of Finance is responsible for ensuring that provisions are set up for any liabilities of uncertain timing or amount that have been incurred and are required to be recognised when:

- i. the Council has a present obligation (legal or constructive) as a result of a past event
- ii. it is probable that a transfer of economic benefits will be required to settle the obligation, and
- iii. a reliable estimate can be made of the amount of the obligation.
- iv. If the Council does not yet have an obligation / or expects to have a future obligation as a result of something that has not yet happened, then a reserve should be set up and the regulations in A.23 above apply.

Key decisions

A.25 Cabinet Members are responsible, within their allocated responsibility area and approved budget, for taking decisions as agreed by the Leader of the County Council.

A.26 All decisions must be processed in accordance with the decision making and reporting framework set out in the Constitution and in taking decisions Cabinet Members must comply with the County Council's Financial Regulations.

FINANCIAL REGULATION B - FINANCIAL MANAGEMENT

Introduction

- B.1 The Director of Finance is responsible for:
- i. ensuring that a prudential financial framework is in place and effective systems of financial administration are operating within the Council;
 - ii. maintaining and updating financial regulations and the management of a process for monitoring compliance with them;
 - iii. ensuring proper professional practices are adhered to and acting as head of profession in relation to the standards, performance and development of finance staff throughout the Council;
 - iv. advising on the key strategic controls necessary to secure sound financial management;
 - v. ensuring that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators;
 - vi. ensuring that Internal Audit carry out the necessary probity and system checks required to verify that proper Financial Management Standards are maintained.

Revenue Budget Monitoring and Control

- B.2 The Director of Finance is responsible for:
- i. providing appropriate financial information to enable budgets to be monitored effectively;
 - ii. monitoring and controlling overall expenditure against budget allocations and publishing a report to the Cabinet on the overall position on a regular basis, drawing attention to overspends, shortfalls in income and underspends including reference to proposed action to deal with any problems.
- B.3 It is the responsibility of the Group Managing Director, Managing Directors and Executive Directors to:
- i. control income and expenditure within their area and to monitor performance, taking account of financial information and activity data relating to the services they provide;
 - ii. have a robust system in place for monitoring activity levels which drive major budget headings (over £10m);
 - iii. report to the Director of Finance and to the relevant Cabinet Member on variances within their own areas;
 - iv. ensure that spending remains within the service's overall cash limit, by monitoring the budget headings and taking appropriate corrective action where variations from the approved budget are forecast, alerting the Director of Finance and Cabinet Member to any problems;
 - v. ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the Managing Director or Executive Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure;
 - vi. ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and is operating effectively;
 - vii. ensure prior approval by the Leader and the relevant Cabinet Member and notification to the Cabinet Scrutiny Committee of new proposals, which fulfil one or more of the following criteria:

- a. create financial commitments in future years in excess of existing budgets
 - b. change existing policies, initiate new policies or cease existing policies
 - c. materially extend or reduce the Council's services
 - d. exceed the limit defined by the Council as a key financial decision
 - e. exceed any limit set by the Leader as requiring reference to him or a Cabinet Member
 - f. any such proposals under this regulation shall not have approval to proceed until necessary financial provision is available within approved budgets
- viii. ensure compliance with the scheme of virement as set out in paragraph B6 below.

Financial Implications of Reports

- B.4 The Director of Finance is responsible for:
- i. monitoring the quality of the financial implications information included in reports by the Group Managing Director, Managing Directors and Executive Directors;
 - ii. providing financial implications where there are corporate implications and especially when corporate resources (revenue or capital) are required.
- B.5 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. ensuring that financial implications in either the current or future years are identified within directorates for all relevant reports and that such financial implications are agreed by or on behalf of the nominated responsible professional finance officer and approved by the Group Managing Director, Managing Director or Executive Director;
 - ii. ensuring that where reports impact on other directorates or have implications for corporate resources, financial implications are requested from other directorates and a copy of the report is submitted to the Director of Finance or nominated representative for clearance;
 - iii. ensuring in all relevant circumstances, that financial implications referred to in reports are reflected in current budgetary provisions or the medium term financial plan.

Virement

- B.6 Transfers between revenue budget headings can take place as follows provided that they do not involve new policy or policy change and do not involve an increasing commitment in future years that cannot be contained within existing approved budget allocations. If these transfers do not change the purpose for which the funding was approved then these will be considered technical adjustments and not virements. If a change to the purpose of the funding is required so that funding will be used for a purpose different to that for which it was approved, then a virement is required. Once again this must not involve an increasing commitment in future years that cannot be contained within existing approved budgets. Virements must be approved as follows:

- a. Virement within a portfolio:

Less than £200,000	the Group Managing Director or relevant Managing Director or
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	Executive Director in agreement with the appropriate Cabinet Member and the Director of Finance.
From £200,000 up to (but not including) £1m	the relevant Cabinet Member in agreement with the Cabinet Member for Finance, Managing or Executive Director and Director of Finance.
£1m and above	The Leader or Cabinet

b. Virement between portfolios:

Less than £200,000	the Group Managing Director or relevant Managing Directors or Executive Directors in agreement with the appropriate Cabinet Members and the Director of Finance.
From £200,000 up to (but not including) £1m	the relevant Cabinet Members in agreement with the Cabinet Member for Finance, Managing or Executive Director and Director of Finance.
£1m and above	The Leader or Cabinet

- B.7 Transfers involving a new policy or a change in an existing policy require prior approval by the Leader and Cabinet Member and notification to the Cabinet Scrutiny Committee in accordance with regulation B3(vi) above.
- B.8 For the purpose of the amounts referred to in regulation B6, where transfers are a single transaction they must be effected as such and must not be effected as two or more smaller transactions.
- B.9 Virement limits are cumulative, therefore when transferring budget from a heading, all previous virements from this heading must be taken into account when deciding the level of approval required, ensuring the highest level of approval has been/ will be sought.
- B.10 Where an approved budget is a lump sum budget or a contingency intended for allocation during the year, its allocation will not be treated as virement, provided that the amount has been used in accordance with the purposes for which it was established and the Director of Finance has agreed the basis and the terms, including financial limits, on which it will be allocated.
- B.11 The Director of Finance is responsible for monitoring and recording virements agreed and reporting to the Cabinet on the impact on revenue budgets.

Treatment of year-end balances

- B.12 Cabinet is responsible for agreeing the detail of any annual roll forward of under and overspending on budgets.

Capital Budget Monitoring

- B.13 The Director of Finance is responsible for preparing and submitting reports on the Council's projected capital expenditure and resources compared with the budget on a regular basis.
- B.14 The Director of Finance is responsible for establishing procedures to monitor and report on performance compared to the prudential indicators set by the Council.

B.15 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. preparing regular reports reviewing the capital programme provisions for their services;
- ii. preparing regular returns of estimated final costs of schemes in the approved capital programme for submission to the Director of Finance for inclusion in the report to Cabinet on the overall Capital programme position;
- iii. reporting to the Director of Finance circumstances when it is considered that additional County Council capital resources will be required to implement a project that has previously been given approval to spend, where such additional resources cannot be identified from within the Portfolio programme concerned;
- iv. reporting to the Director of Finance on any proposed variations to the Capital Programme during a financial year;
- v. reporting to the Director of Finance on any proposed additions to the Capital Programme resulting from the receipt of additional grant or other external funding. If this relates to an entirely new scheme then it must be considered by PAG and approved by the relevant Cabinet Member.
- vi. Reporting the completion dates on major projects, over £1m.

B.16 Resources may be vired from one capital project or heading as follows provided that such transfers do not result in an overall increased commitment of capital resources and do not involve new policy or policy changes:-

Less than £50,000	- the Group Managing Director or relevant Managing Director or Executive Director
From £50,000 up to (but not including) £200,000	- the relevant Managing Director or Executive Director in agreement with the relevant Cabinet Member and the Director of Finance
£200,000 up to (but not including) £1m	- the relevant Cabinet Member in agreement with the Cabinet Member for Finance, Managing or Executive Director and Director of Finance
£1m and above	- the Leader or Cabinet

For the purpose of the amounts above, where transfers are a single transaction they must be effected as such and not effected as two or more smaller transactions.

Accounting policies

B.17 The Director of Finance is responsible for selecting and notifying to the Group Managing Director, Managing Directors and Executive Directors accounting policies which comply with the current Accounting Code(s) of Practice, ensuring that such policies are applied consistently, and for ensuring that effective systems of internal control are in place that ensure that financial transactions are lawful.

B.18 The Group Managing Director, Managing Directors and Executive Directors are responsible for adhering to the accounting policies notified by the Director of Finance.

Accounting records and returns

B.19 The Director of Finance is responsible for:

- i. determining the accounting records for the Authority, its form of accounts and supporting accounting records;
- ii. ensuring that accounting records are maintained in accordance with proper practices and legislative requirements;
- iii. establishing arrangements for the compilation of all accounts and accounting records whether within the Finance Group or within other Directorates.

B.20 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. consulting with the Director of Finance on the accounting procedures and records to be utilised within their Directorate;
- ii. ensuring the proper retention of accounting records in accordance with the requirements established by the Director of Finance, including the retention of prime financial documents i.e. invoices, delivery notes and purchase orders for the year they relate to plus a further 6 years. Invoices paid for by EU Grants must be identified and kept for 12 years; **LINK**
- iii. ensuring that all claims for funds including grants are made by the due date, are recorded in the central register, and in line with the 'corporate grant procedure'; **LINK**
- iv. maintaining adequate records to provide a management trail leading from the source of income/expenditure through to the accounting statements;
- v. providing information required for, or to ensure completion of, all statutory and other financial returns by the due dates;
- vi. complying with any compliance testing which the Director of Finance requires in relation to the Directorate accounts;
- vii. operating control accounts as agreed by the Director of Finance, ensuring that these are regularly reconciled, and cleared as part of the regular monitoring procedures.

The annual statement of accounts

B.21 The Governance and Audit Committee is responsible for approving the annual statement of accounts on behalf of the Council.

B.22 The Director of Finance is responsible for:

- i. ensuring that the annual statement of accounts is prepared by the required statutory date in accordance with the Code of Practice on Local Council Accounting in the United Kingdom: Based on International Financial Reporting Standards for the relevant year and that the accounts present a true and fair view of the financial position of the Council and its expenditure and income;
- ii. liaising with External Audit on the completion of the Statement of Accounts and the arrangements for the audit of these;
- iii. ensuring that adequate documentation is available to support the Statement of Accounts. This will include copies of grant claims, reconciliations with financial ledgers and other records, and other working papers to demonstrate the derivation of data used.

B.23 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. complying with accounting guidance agreed with the Director of Finance;
- ii. supplying the Director of Finance with information required to complete the Statement of Accounts;

- iii. producing the documentation required to support the Statement of Accounts;
- iv. ensuring that the final accounts information pack for the Directorate is completed in accordance with the annual timetable agreed with the Director of Finance.

Contingent Liabilities

B.24 The Director of Finance is responsible for:

- i. reviewing at least annually in consultation with Managing Directors and Executive Directors the existing contingent liabilities for inclusion as a note in the statement of accounts, to ensure they are still contingent and to ensure that adequate reserves exist to cover the potential liability if necessary;
- ii. taking steps wherever possible, in consultation with the Group Managing Director, Managing Directors and Executive Directors, to minimise the risk of contingent liabilities.

B.25 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. setting up procedures and processes to minimise the risk of creating contingent liabilities;
- ii. reviewing at least annually their service areas for contingent liabilities;
- iii. informing the Director of Finance of any new contingent liabilities and of any changes in the circumstances of existing contingent liabilities.

FINANCIAL REGULATION C – RISK MANAGEMENT AND CONTROL OF RESOURCES

Introduction

- C.1 It is essential that robust systems are developed and maintained for identifying and evaluating all significant strategic, operational and financial risks to the Authority on an integrated basis. This should include the proactive participation of all those associated with planning and delivering services.

Risk management and insurance

- C.2 The Cabinet and the Governance and Audit Committee are jointly responsible for approving the Council's Risk Management Strategy, Policy and guidance and for reviewing the effectiveness of risk management.
- C.3 The Director of Finance is responsible for:
- i. preparing the Authority's Risk Management Strategy and Policy, for promoting it throughout the Council and for advising the Leader, Cabinet Member for Finance and Cabinet on proper insurance cover where appropriate;
 - ii. effecting, in consultation with the Cabinet Member for Finance, corporate insurance cover, through external insurance and internal funding;
 - iii. establishing arrangements for the handling of all insurance claims, in consultation with other officers where necessary;
 - iv. undertaking a review of requirements to support the annual renewal of insurance contracts;
 - v. ensuring that internal insurance provisions are adequate to meet anticipated claims.
- C.4 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. the identification and management of risk within their Directorate and for having in place monitoring processes for reviewing regularly the effectiveness of risk management arrangements. Further guidance can be found in the Risk Management Strategy and supporting Toolkit; **LINK**
 - ii. complying with procedures agreed regarding the instigation, renewal, maintenance and amendment of the Council's insurance arrangements.

Internal control

- C.5 The Director of Finance is responsible for:
- i. advising on effective systems of internal control. Internal control refers to the systems of control devised by management to help ensure the Council's objectives are achieved in a manner which promotes economical, efficient and effective use of resources and that the Council's assets and interests are safeguarded. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use;
 - ii. reviewing systems of internal control at least annually and providing an opinion on internal control within the Council in order to advise the Group Managing

Director on an Annual Governance Statement to be included in the Statement of Accounts.

- C.6 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. establishing sound arrangements for planning, appraising, authorising, monitoring and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets;
 - ii. promoting compliance with Council Policy, Standing Orders, Financial Regulations, Codes of Conduct and any statutory requirements;
 - iii. promoting an overall effective internal control system. Managerial Control Systems, including appropriate organisation structures, personnel arrangements and supervision, as well as Financial and Operational Control Systems and procedures, including physical safeguards of assets, segregation of duties, authorisation and approval procedures and information systems, should be documented and regularly reviewed;
 - iv. providing assurances for the annual governance statement, that financial and operational control processes are in place to enable directorates to achieve their objectives and manage significant risks.

Audit requirements

- C.7 The Accounts and Audit Regulations 2003 (as amended) require every local authority to maintain an adequate and effective internal audit of its accounting records and its system of internal control.
- C.8 The Audit Commission is responsible for appointing external auditors to each local authority. The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.
- C.9 The Council may, from time to time, be subject to inspection or investigation by external bodies such as H.M. Revenue and Customs who have statutory rights of access.
- C.10 The Director of Finance is responsible for:
- i. ensuring an effective internal audit function, through adequate resourcing and coverage properly planned and determined through assessment of risk and consultation with management;
 - ii. ensuring that effective procedures are in place to investigate promptly any fraud or irregularity;
 - iii. ensuring that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for the purposes of their work;
 - iv. ensuring there is effective liaison between external and internal audit.
- C.11 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. notifying the Head of Audit and Risk immediately of any suspected fraud, theft, irregularity or improper use of or misappropriation of the Council's property or resources. Pending investigation and reporting, all necessary steps should be

- taken to prevent further loss and to secure records and documentation against removal or alteration;
- ii. ensuring that internal and external audit are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work;
- iii. ensuring that all records and systems are up to date and available for inspection.

Preventing fraud and corruption

C.12 The Director of Finance is responsible for developing, reviewing and maintaining an anti-fraud and anti-corruption policy and for advising on effective systems of internal control to prevent fraud and corruption. **LINK**

C.13 The Group Managing Director, Managing Directors and Executive Directors are responsible for ensuring compliance with the Anti-fraud and Anti-corruption Policy and with systems of internal control to prevent fraud and corruption.

Assets

Security of Assets

C.14 The Director of Finance is responsible for ensuring that processes are in place for maintaining asset registers in accordance with good practice for fixed assets. The function of the Asset Register is to provide the Council with information about fixed assets so that they are safeguarded, used efficiently and effectively and adequately maintained, as well as for accounting purposes.

C.15 The Group Managing Director, Managing Directors and Executive Directors should ensure that assets, and records relating to these, are properly maintained. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Inventories

C.16 The Group Managing Director, Managing Directors and Executive Directors are responsible for maintaining and reviewing annually inventories of equipment, plant and machinery which has a value of over £200 or is portable and attractive.

Asset Disposal

C.17 The Director of Finance in conjunction with the Group Managing Director is responsible for issuing guidelines representing best practice for the disposal of equipment, plant and machinery.

C.18 Managing Directors and Executive Directors are responsible for complying with issued guidelines in respect of all asset disposals. **LINK**

Stocks of goods and materials

C.19 Managing Directors and Executive Directors are responsible for:

- i. ensuring that stocks of goods and materials are held at a level appropriate to the business needs of the Council;
- ii. ensuring that adequate arrangements are in place for their care and custody;
- iii. writing off the value of obsolete stock in their Directorates of up to £10,000 in consultation with the Director of Finance. All sums above £10,000 should be reported by the relevant Managing Director or Executive Director to the Director of Finance and Cabinet Member for Finance and then to the relevant Policy Overview and Scrutiny Committee for write off action.

Intellectual Property

C.20 The Group Managing Director is responsible in conjunction with the Director of Law and Governance for developing and disseminating best practice regarding the treatment of intellectual property.

C.21 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. ensuring that controls are in place to ensure that staff do not carry out private work in council time and that staff are aware that anything they create during the course of their employment, whether written or otherwise, belongs to the Council;
- ii. complying with copyright, designs and patent legislation and, in particular, to ensure that:
 - a. only software legally acquired and installed by the Council is used on its computers,
 - b. staff are aware of legislative provisions, and
 - c. in developing systems, due regard is given to the issue of intellectual property rights.

Treasury management

C.22 The Director of Finance is responsible for:

- i. reporting to the Cabinet Member for Finance, in accordance with the CIPFA Treasury Management in the Public Services Code of Practice and accordingly will create and maintain, as the cornerstones for effective treasury management:
 - a. a treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities; and
 - b. suitable treasury management practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities;

The content of the policy statement and TMPs will follow the recommendations contained in sections 6 and 7 of the Code, subject only to amendment where necessary to reflect the particular circumstances of this organisation. Such amendments will not result in the organisation materially deviating from the Code's key principles.

- ii. reporting to the Council on its treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs;

- iii. establishing procedures to monitor and report on performance in relation to Prudential Indicators set by the Council;
- iv. ensuring that all borrowing and all investments of money are made in the name of the Council or in the name of an approved nominee.

C.23 This organisation delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to Cabinet, and for the execution and administration of treasury management decisions to the Director of Finance, who will act in accordance with the organisation's policy statement and TMPs and, if he/she is a CIPFA member, CIPFA's standard of professional practice on treasury management.

C.24 This organisation nominates the Treasury Advisory Group and Governance & Audit Committee to be responsible for ensuing effective scrutiny of the treasury management strategy and policies.

Loans to third parties and acquisition of third party interests

C.25 The Director of Finance is responsible for ensuring, jointly with the Group Managing Director, Managing Directors and Executive Directors, that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the full Council, the Leader, Cabinet or the Cabinet Member for Finance. **LINK**

Trust Funds and funds held for third parties

C.26 Managing Directors and Executive Directors are responsible for arranging for all Trust Funds to be held, wherever possible, in the name of the Council and ensuring that Trust Funds are operated within any relevant legislation and the specific requirements for each Trust.

Banking

C.27 The Director of Finance is responsible for:

- i. the control of all money in the hands of the Council;
- ii. operating central bank accounts as are considered necessary to the efficient operation of the Council's activities, within the terms agreed with the Council's bankers and reconciled weekly or monthly as required;
- iii. approving the opening or closing of any bank account operated by the County Council.

C.28 The Group Managing Director, Managing Directors and Executive Directors are responsible for operating bank accounts opened with the approval of the Director of Finance in accordance with issued guidelines.

Imprest Accounts

C.29 The Director of Finance is responsible for providing, in agreed circumstances and where such need is proven to be essential, cash or bank imprest accounts to meet minor or other agreed expenditure and for prescribing procedures for operating these accounts. **LINK**

C.30 The Group Managing Director, Managing Directors and Executive Directors are responsible for the operation of approved cash and bank imprest accounts in accordance with procedures issued by the Director of Finance. **LINK**

Credit Cards and Purchase Cards

C.31 The Director of Finance is responsible for

- i. providing credit cards and purchase cards to be used for agreed purposes and to be allocated to nominated members of staff;
- ii. prescribing procedures for the use of credit cards and purchase cards and the accounting arrangements required to record and monitor expenditure incurred with such cards.

C.32 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. Operating the use of credit cards and purchase cards in accordance with the procedures issued by the Director of Finance. **LINK**

Staffing Costs

C.33 The Group Managing Director is responsible for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.

C.34 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. the management of total staff numbers by:
 - a. advising the Leader and the relevant Cabinet Member on the budget necessary in any given year to cover estimated staffing levels
 - b. adjusting the staffing numbers to that which can be funded within approved budget provision;
- ii. the proper use of appointment procedures;
- iii. monitoring staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff;
- iv. ensuring that the staffing budget is not exceeded unless the necessary additional ongoing funding is available and the agreement of the relevant Cabinet Member or the Leader or Cabinet is obtained as required.

Further guidance regarding authorisations to appoint members of staff is available in the relevant directorate's Scheme of Financial Delegation. **LINK**

FINANCIAL REGULATION D – SYSTEMS AND PROCEDURES

Introduction

D.1 Sound systems and procedures are essential to an effective framework of accountability and control.

General

D.2 The Director of Finance is responsible for:

- i. determining the Council's accounting control systems, the form of accounts and the supporting financial records and for ensuring that systems determined by him/her are observed;
- ii. approving any changes proposed by the Group Managing Director, Managing Directors or Executive Directors to the existing financial systems or procedures or the establishment of new systems or procedures;
- iii. compiling, in consultation with the Group Managing Director, Managing Directors and Executive Directors, a Business Continuity Plan to provide for as normal a continuation of financial services as possible in the event of any incident affecting systems used to deliver those services.

D.3 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. the proper operation of financial procedures and financial processes in their own Directorates in accordance with the systems and procedures set out by the Director of Finance;
- ii. obtaining the approval of the Director of Finance for any developments of new systems and changes to existing systems, by Managing Directors or Executive Directors that involve a financial operation or produce output that may influence the allocation of resources;
- iii. ensuring that their staff receive relevant financial training;
- iv. ensuring that, where appropriate, computer and other systems are registered in accordance with Data Protection legislation. The Group Managing Director, Managing Directors and Executive Directors must ensure that staff are aware of their responsibilities under the Data Protection and Freedom of Information legislation;
- v. ensuring, jointly with the Director of Finance that there is a documented and tested Business Continuity Plan to allow information system processing to resume quickly in the event of an interruption;
- vi. ensuring that Oracle Financials is utilised except where otherwise agreed by the Director of Finance;
- vii. ensuring that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements agreed with the Director of Finance. **LINK**

Income

D4 The Governance and Audit Committee is responsible for approving procedures for writing off debts as part of the overall framework of accountability and control.

D.5 The Director of Finance is responsible for:

- i. setting the debt management policy for the County Council in order to maximise the income due to the Council and its collection;
- ii. approving the procedures, systems and documentation for the collection of income;
- iii. examining and actioning requests for write offs submitted by Managing Directors and Executive Directors;
- iv. maintaining a record of all sums written off and adhering to the requirements of the Accounts and Audit Regulations;
- v. ensuring that appropriate accounting adjustments are made following write off action;
- vi. ensuring, in consultation with the Group Managing Director, Managing Directors or Executive Directors, that adequate provision is made for potential bad debts arising from uncollected income. **LINK**

D.6 The Director of Finance is authorised to write-off the following types of debt where:

- i. the debtor has gone into liquidation or is deceased and there are no funds nor estate on which to claim for recovery of the debt
- ii. the evidence against a debtor is inconclusive, and the Director of Law and Governance recommends write-off
- iii. the debtor has absconded and all enquiries have failed
- iv. the debtor is in prison and has no means to pay

D.7 Other than covered in D6, all debt write offs over £10,000 should be put forward by the relevant Managing Director or Executive Director to the Director of Finance and Cabinet Member for Finance for agreement and then approved by the relevant Policy Overview and Scrutiny Committee.

D.8 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. compliance with the agreed debt management policy of the Council; **LINK**
- ii. the write-off of irrecoverable debts in their Directorates of up to £10,000 in consultation with the Director of Finance;
- iii. ensuring that there is an annual review of fees and charges and that proposals for the level of fees and charges are approved by the Leader or relevant Cabinet Members;
- iv. ensuring that the agreed charging policy is implemented and consistently applied in respect of each relevant activity and service;
- v. separating, as far as is practicable, the responsibility for identifying amounts due and the responsibility for collection;
- vi. ensuring official receipts are issued and to maintain any other documentation for income collection purposes;
- vii. holding securely receipts, tickets and other records of income;
- viii. ensuring the security of cash handling.

Ordering and Paying for Works, Goods and Services

D.9 The Director of Finance is responsible for:

- i. ensuring that all the Council's financial systems and procedures for ordering and paying for works, goods and services are sound and properly administered;
- ii. agreeing, in consultation with the Group Managing Director, Managing Directors or Executive Directors where appropriate, any changes to existing financial systems and to approve any new systems before they are introduced;

- iii. agreeing the form of official orders and associated terms and conditions;
- iv. making payments from the Authority's funds on the Group Managing Director, Managing Director's or Executive Director's authorisation that the expenditure has been duly incurred in accordance with Financial Regulations;
- v. defining the requirements for the checking and certification of invoices prior to payment to confirm that the goods have been ordered and received, the invoice is in order and is certified for payment by the nominated budget manager. The Director of Finance will set and review a value for invoices, currently £100, below which payment will be made on certification that goods or services have been received and that the invoice is in order but will not require the additional certification of the budget manager;
- vi. making payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a Court Order;
- vii. making payments to contractors on the certificate of the Group Managing Director or appropriate Managing Director or Executive Director, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.

D.10 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. ensuring that the Council's corporate financial systems are used for payment for work, goods and services except where specialist systems are used in agreement with the Director of Finance. Staff should not use personal credit cards to pay for work, goods or services on behalf of the Council;
- ii. ensuring that verbal orders for works, goods or services are only placed exceptionally and are confirmed with an official written order;
- iii. ensuring that orders are only used for goods and services provided to their Directorates. Individuals must not use official orders to obtain goods or services for their private use;
- iv. ensuring that only those staff authorised by the Group Managing Director or Managing Director or Executive Director sign orders and to maintain an up-to-date list of such authorised staff, including specimen signatures identifying in each case the limits of their authority;
- v. ensuring that goods and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different person from the person who authorised the order;
- vi. ensuring that payment is not made unless a proper VAT invoice has been received, checked, coded and certified for payment;
- vii. ensuring that payments are not made in advance of goods being supplied, work done or services rendered to the Council except with the approval of the Director of Finance;
- viii. ensuring that invoices are approved for payment by staff authorised by the Group Managing Director, Managing or Executive Director and that details of such authorised staff, including specimen signatures and limits of authority, are provided to Exchequer Services;
- ix. ensuring that all undisputed invoices are settled within 20 days from receipt of the invoice;

- x. ensuring that the department obtains best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality, which are in line with best value principles as contained in the Council's Procurement Strategy. The financial values at which competitive processes become mandatory are contained within 'Spending the Council's Money'; **LINK**
- xi. utilising the purchasing procedures outlined in the Council's Code of Practice for Tenders and Contracts, contained within 'Spending the Council's Money'. **LINK**
- xii. Compliance with spend mandates (e.g. all print works via Commercial Services, Kent Top Temps for agency staff etc.)

D.11 All transactions must fall within the powers delegated to officers or have been approved by a decision (in accordance with the Council's Constitution) of the Cabinet, the Leader, an authorised Cabinet Member, the Council or one of its committees or sub-committees.

D.12 No contract, agreement or other document shall be signed or sealed unless it gives effect to:

- i. a decision or resolution (in accordance with the Council's Constitution) of the Leader, the Cabinet, an authorised Cabinet Member or one of its committees or sub committees or
- ii. a decision by an officer exercising delegated powers

D.13 Budgetary provision must exist before any contract can be entered into. This provision should be explicit in a budget approved by resolution of the Council. Where budgetary approval exists for a specific item further Member approval is not generally required.

D.14 Where there is no specific budget line, the officer with delegated authority may approve expenditure up to £100,000 provided the expenditure can be met within budget. Above £100,000 a formal decision by the Leader, the Cabinet or an authorised Cabinet Member is required in accordance with the Council's Constitution.

Contract Management

D.15 Staff should refer to Spending the Council's Money for advice and guidance regarding contract management **LINK** [<http://knet2/policies-and-procedures/finance-and-procurement/procurement/spending-the-councils-money>].

Ex Gratia Payments

D.16 The Group Managing Director, Managing Directors and Executive Directors are responsible for approving reasonable ex gratia payments of £6,000 or less and for ensuring that a record of such payments is maintained.

D.17 For ex gratia payments in excess of £6,000 the Group Managing Director, Managing Directors and Executive Directors are responsible for obtaining the approval of the relevant Cabinet Member, the Cabinet Member for Finance and the Director of Finance.

Payments to employees and Members

D.18 The Director of Finance is responsible for:

- i. arranging and controlling secure and reliable payment of pensions making arrangements for recording and for the accurate and timely payment of PAYE, Income Tax, National Insurance, pension and all other statutory and non-statutory payroll deductions;
- ii. ensuring that there are adequate arrangements for administering pension matters on a day-to-day basis;
- iii. ensuring the accurate and timely production of statutory returns to the Inland Revenue, particularly in respect of the financial year-end and the declaration of employee taxable benefits.

D.19 The Director of Personnel and Development is responsible for arranging and controlling secure and reliable payment, on the due date, of salaries, compensation payments or other emoluments, staff expenses and Members' expenses and allowances in accordance with procedures prescribed by him or her.

D.20 The Group Managing Director, Managing Directors and Executive Directors are responsible for:

- i. ensuring that all appointments are made in accordance with the Council's regulations and approved establishments, grades and scales of pay.
- ii. ensuring that adequate budget provision exists for:
 - (a) all employee appointments
 - (b) all permanent and temporary variations relating to employee appointments
 - (c) all engagements of self-employed persons.

Taxation

D.21 The Director of Finance is responsible for:

- i. maintaining the Council's tax records, making tax payments, receiving tax credits and submitting tax returns by their due date as appropriate;
- ii. advising Managing Directors and Executive Directors on all taxation issues that affect the Council in the light of relevant legislation as it applies and guidance issued by appropriate bodies.

D.22 Where the Group Managing Director, Managing Directors and Executive Directors are owners of financial systems they are responsible for maintaining the appropriate records, making tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

D.23 The Group Managing Director, Managing Directors and Executive Directors are responsible for consulting with, and seeking advice from, the Director of Finance on the potential tax implications of any new initiatives for the delivery of Council activity and Services, including those that could impact on our partial exemption.

Trading accounts

D.24 The Director of Finance is responsible for advising on the establishment and operation of trading accounts.

- D.25 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. observing all statutory requirements in relation to trading activity, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including overhead costs, is charged in accordance with the CIPFA Best Value Accounting Code of Practice;
 - ii. ensuring that the same accounting principles are applied in relation to trading accounts as for other services or business units;
 - iii. ensuring that each business unit prepares an annual business plan. **LINK**

Internal Recharges

- D.26 The Director of Finance is responsible for:
- i. maintaining a system of delegating budgets to directorates for support services;
 - ii. establishing a framework for the carrying out of internal recharges in accordance with laid down timetables;
 - iii. arbitrating on disputed recharges where these cannot be satisfactorily resolved between directorates;
 - iv. recharges for support services in accordance with the CIPFA Best Value Accounting Code of Practice for both budget and final accounts purposes.
- D.27 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. ensuring that budgets for the purchase and provision of internal services are agreed between purchaser and provider and properly reflected in annual budgets and business plans and budget monitoring statements;
 - ii. raising and/or processing recharges in accordance with the timescales laid down;
 - iii. notifying and/or responding to disputed recharges in accordance with the timescales laid down;
 - iv. monitoring the processing of recharges in accordance with the timetable agreed with the Director of Finance.

FINANCIAL REGULATION E – EXTERNAL ARRANGEMENTS

Partnerships

- E.1 The Director of Finance is responsible for:
- i. promoting the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council
 - ii. advising on the financial implications resulting from entering into partnership agreements including tax treatment, limitation of liability, valuation of transferred assets or the grant of a right to use existing assets and any other long term issues;
 - iii. advising on the terms of any payment and performance mechanism relating to partnerships entered into by the Council.
- E.2 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. ensuring that, when entering into partnerships, the Council's financial and operational interests are protected;
 - ii. ensuring that appropriate financial and legal advice is taken before entering into partnership agreements;
 - iii. ensuring that, before entering into partnership agreements with external bodies, a risk management appraisal is carried out and an exit strategy is in place where appropriate;
 - iv. ensuring that necessary approvals are obtained before negotiations are concluded in relation to partnership agreements;
 - v. ensuring that the accounting and financial arrangements for partnerships satisfy the requirements of the Council and allow for any required audit of the partnerships affairs.

More detailed guidance can be found in 'Risk Management of Key Partnerships – A guide to good practice' and the Companies' Protocol. **LINK**

External funding

- E.3 The Director of Finance is responsible for:
- i. ensuring that procedures are in place so that all the financial implications, including long term issues, resulting from entering into external funding agreements are identified;
 - ii. ensuring that all external funding agreed with external bodies is received and is properly recorded in the Council's accounts;
 - iii. maintaining a record of expected grants in liaison with the Group Managing Director, Managing Directors and Executive Directors;
 - iv. investigating ways of maximising grant income;
 - v. building in any agreed financial implications (e.g. matched funding) into the budget strategy;
 - vi. accounting for non-specific Government Grants received and receivable and submitting any required returns in respect of these.
- E.4 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. ensuring that external funding which is sought supports the Councils service priorities;

- ii. ensuring that any matched funding requirements relating to external funding agreements are identified and provided for in the budget prior to any external funding agreement being concluded;
- iii. ensuring that necessary approvals are obtained before external funding agreements are concluded;
- iv. ensuring that the conditions of external funding agreements and any statutory requirements are complied with;
- v. ensuring that expenditure met from external funding is properly incurred and recorded, that income is received at the appropriate time, returns are made by the specified dates, and that audit requirements of the funding body can be met;
- vi. maintaining a record of external funding agreements in place;
- vii. ensuring that any other expenditure associated with the grant (e.g. matching funding) is contained within the agreed Directorate budget;
- viii. accounting for specific Government Grants received and receivable in respect of services for which they are responsible and submitting any required returns in respect of these;
- ix. ensuring that all grants received are recorded in the central register, and in line with the 'corporate grant procedure' **LINK**

Work for third parties

- E.5 The Director of Finance is responsible for issuing any required guidance on the financial aspects of contracts with third parties and external bodies.
- E.6 The Group Managing Director, Managing Directors and Executive Directors are responsible for:
- i. ensuring that work for third parties does not impact adversely on the services of the Council and that before entering into agreements a risk management appraisal has been carried out;
 - ii. ensuring that guidance issued by the Director of Finance is complied with and that all agreements and arrangements are properly documented.
- E.7 The Leader or relevant Cabinet Member is responsible for approving the contractual arrangements for any work for third parties or external bodies where the contract value exceeds £200,000.

Companies

- E.8 The Director of Finance is responsible for advising on the financial implications resulting from the creation of a company including tax treatment and accounting arrangements.
- E.9 The Group Managing Director, Managing Directors and Executive Directors are responsible for ensuring that no company is formed without first seeking financial and legal advice.

LINK

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By: Alex King, Deputy Leader
Head of Democratic Services and Local Leadership

To: County Council – Thursday, 22 July 2010

Subject: Proposed changes to the Property Management Protocol

Classification: Unrestricted

FOR DECISION

1. Proposed amendments to the Property Management Protocol are enclosed at **Appendix 1**.

2. These changes clarify the reporting lines for Kings Hill where it is proposed that the decisions relating to the acquisition, management and disposal of land in the sole ownership of KCC should rest with the Cabinet Portfolio Holder for Corporate Support Services and Performance Management. Any decisions relating to the joint venture partnership under the Kings Hill development agreement would be dealt with by the Cabinet Member for Regeneration and Economic Development in consultation with the Cabinet Member for Environment, Highways and Waste with the advice of the Executive Director for Regeneration and Economic Development.

3. In addition, reference is now made in the Protocol to the Financial Regulations. The amended titles of both Cabinet Members and Officers are also included for accuracy.

4. Selection and Member Services considered the proposed amendments to the protocol at its meeting on 2 July 2010. It agreed to recommend them to the County Council for adoption.

Recommendation:

5. The County Council is asked agree the proposed amendments to the Property Management Protocol.

Peter Sass: Head of Democratic Services and Local Leadership

Officer Contact: Andrew Tait
Democratic Services Officer
(01622) 694342

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Property Management Protocol

Introduction

1. This Protocol provides a framework of principles, minimum requirements, levels of authority and delegations to ensure that KCC property is managed effectively to achieve maximum value for money.

Overarching principles

2. A set of overarching principles govern the operation of this Protocol. These are:
- (1) All property owned or leased by KCC is held corporately (including KCC-owned schools, but not including Voluntary Aided, Foundation, Trust and Academy Schools).
 - (2) The Director of Property (in consultation with the Cabinet Member for Corporate Support Services and Performance Management) is responsible for ensuring that the occupation of all KCC property by Directorates is in accordance with best management practice and in the interests of the Council as a whole, with the authority to direct the use, disposal or acquisition of any land or property within the Council's budgetary framework and decision-making process.
 - (3) Directorates have discretion to manage the property they occupy in order to promote effective service delivery. However, this discretion operates subject to the corporate responsibilities of the Director of Property, who (in consultation with the Cabinet Member for Corporate Support Services and Performance Management) has the authority to intervene in property matters to protect KCC's overall interests.
 - (4) Resolution of disputes on property matters is through the Cabinet Member for Corporate Support Services and Performance Management and then, if necessary, the Leader.
 - (5) All property transactions should be referred to the Director of Property who will consult with the Cabinet Member for Corporate Support Services and Performance Management and seek the comments of all interested parties, including other relevant Cabinet Members, Directorates and Local Members, before the decision is taken to proceed. All decisions must be taken in accordance with the delegations set out in this Protocol and the decision making procedures set out in the County Council's Constitution.
 - (6) This Protocol is organised in sections to reflect the lifecycle of property (acquisition – management in use – disposal) with additional requirements to support specific initiatives and exceptional circumstances.

ACQUISITIONS

3. Objective: To ensure that land and property requirements are appropriately identified and appraised; and that all acquisitions have the necessary authority and

funding, including an assessment of the impact on revenue of funding from borrowing.

4. All acquisitions (freehold and leasehold) must be authorised by the Director of Property (following consultation with the Cabinet Member for Corporate Support Services and Performance Management, the Director of Finance, other relevant Cabinet Members, Directorates and Local Members) either in accordance with the delegations set out in paragraph 32, below, or the decision making procedures set out in the Council's Constitution.

Non-Highways Acquisitions

5. For all non-highways acquisitions, the relevant Directorate will provide the Director of Property with:

- (1) A definition of the service requirement giving rise to the proposed acquisition
- (2) A full financial appraisal of options for meeting service delivery requirements (developed as appropriate with support from the Property Group and in accordance with the Project Appraisal Handbook)
- (3) An evaluation of the potential (if any) for joint use

6. The Cabinet Member for Corporate Support Services and Performance Management will be consulted on all proposed acquisitions and kept informed of their progress and will determine if s/he or an officer will give approval for the acquisition. The Cabinet Member for Corporate Support Services and Performance Management may at any stage direct that a decision be referred to him/her.

7. Where the Cabinet Member for Corporate Support Services and Performance Management has determined that s/he will take the decision on a proposed acquisition, the matter will be dealt with in accordance with the appropriate provisions of this Protocol and decision making procedures set out in the Council's Constitution. Local Members and the Cabinet Scrutiny Committee will be sent a copy of the officer report at the same time as the Cabinet Member for Corporate Support Services and Performance Management, so that they may comment to the Cabinet Member for Corporate Support Services and Performance Management if they so wish.

8. Subject to paragraph 12 below, the use of compulsory powers for acquisitions must be agreed by both the Cabinet Member for Corporate Support Services and Performance Management and any other relevant Cabinet Member(s).

Highways Acquisitions

9. The Executive Director for Environment Highways & Waste will, in the case of all highway acquisitions, seek Local Member views as part of the consultation process for highways and traffic schemes.

10. Highways scheme design and cost (including land acquisition) shall be approved by the Cabinet Member of Environment, Highways & Waste and the

Executive Director for Environment Highways & Waste (or officer authorised by him/her), in accordance with the Financial Procedure and processes.

11. Highways acquisitions may be made by the Director of Property in consultation with the Cabinet Member for Corporate Support Services and Performance Management provided the scheme is in an approved programme or falls within blight policies.

12. All other highways acquisitions (i.e. land not incorporated in the highway) will be referred by the Director of Property to the Cabinet Member for Corporate Support Services and Performance Management, who will determine if s/he or an officer will give approval for the acquisition. Once the principle of acquisition of land is agreed, any decision whether or not to use compulsory powers will be decided by the Cabinet Member for Environment, Highways & Waste in accordance with the terms of this Protocol and the decision making procedures set out in the Constitution.

MANAGEMENT & USE

13. Objective: To ensure that property is used efficiently, effectively and economically with due regard to legislative requirements; and that when it is no longer required for operational purposes it is formally declared surplus, at which point its management reverts to the Director of Property, and the budgetary implications of this are identified and reported to the Cabinet Member for Corporate Support Services and Performance Management.

14. The occupation and use of property by a Directorate is subject to the authority of the Director of Property (in consultation with the Cabinet Member for Corporate Support Services and Performance Management) to approve all material changes to property, including change of use, appropriations, granting/taking of interests, reversion to operational use, alterations or additions. Such changes must be reported to the Director of Finance for correct accounting treatment and apportionment of charges.

Premises Management

15. The Director of Property has the authority to undertake reviews of the property portfolio, or parts of it, to determine if it is optimised in terms of its utilisation, cost and value and within this to challenge the retention or use of existing properties occupied by Directorates.

Building works

16. Major capital works for properties should be subject to a formal project appraisal and should be consistent with existing financial approval and procurement processes.

Health & Safety

17. Staff are required to ensure that in respect of all property matters all obligations under health and safety legislation and KCC health and safety policies are followed.

DISPOSALS

18. Objective: To ensure that land and property surplus to operational need is either reallocated to meet alternative needs or sold in line with statutory requirements and/or KCC policy.

19. Directorates will notify the Director of Property of:

- (1) Any property (or part) that is:
 - (a) Vacant
 - (b) Held against a future operational need
 - (c) Not used for the principal purpose for which it is held
 - (d) Likely to be surplus to requirements (with estimated time-scale)
- (2) Any operational issues associated with such property (e.g. longer term requirements)
- (3) Any statutory/process issues relevant to its disposal (e.g. established consultation processes, reference to the Secretary of State, etc)
- (4) The recipient of the capital receipt and its intended use, as agreed with the Cabinet Member for Corporate Support Services and Performance Management and the Director of Finance
- (5) Any other issues which need to be considered prior to disposal

20. The Director of Property may identify any property (or part) that s/he considers is, or could be made, surplus to operational requirements.

21. The Director of Property will consult with the Cabinet Member for Corporate Support Services and Performance Management on all disposals and inform him/her of the comments of Local Members. The Cabinet Member for Corporate Support Services and Performance Management will determine whether s/he or an officer will give approval for disposal in accordance with this Protocol and the decision making procedures set out in the Council's Constitution.

Treatment of Capital Receipts (Rules and Processes)

22 Capital receipts from disposals are deemed to be 'Earmarked Capital Receipts' or 'General Receipts'.

- (1) Earmarked Capital Receipts – are proceeds from the sale of an identified (named) site (or number of sites) to be used for the funding of a specific scheme (or number of schemes); where the schemes are intrinsically linked
- (2) General Receipts are where receipts are not intrinsically linked (generally non-operational and surplus land and property), and they are applied to the overall capital programme, including reducing the impact of revenue and reinvestment.

- (3) Treatment of all receipts needs to conform to the Financial Regulations and the Capital Procedures and Process.
- (4) The decision as to whether receipts are earmarked or general shall be taken by the Cabinet Member for Finance.

SPECIAL PROVISIONS

Kings Hill

23. All decisions relating to the acquisition, management and disposal of land or property in the sole ownership of KCC or occupied by KCC at Kings Hill shall be dealt with in accordance with this Protocol and the decision making procedures set out in the Council's Constitution by the Cabinet Member for Corporate Support Services and Performance Management with the advice of the Director of Property in consultation with the Cabinet Member for Regeneration and Economic Development.

24. All decisions and duties, including attending the Partnership Board and other such meetings, relating to the joint venture partnership under the Kings Hill development agreement (and subsequent variations) shall be dealt with by the Cabinet Member for Regeneration and Economic Development in consultation with Cabinet Member for Environment, Highways and Waste with the advice of the Executive Director for Regeneration and Economic Development.

Enterprise Fund

25. All transactions (acquisitions and disposals) undertaken through the Property Group 'Enterprise Fund' will be supported by a business case containing as a minimum:

- (1) Details of the proposal
- (2) The rationale for making the investment (against the agreed investment criteria for the Enterprise Fund, which may be varied from time to time)
- (3) Specific objectives to be met
- (4) The cost or income to KCC (revenue and capital)
- (5) The opportunities to be gained
- (6) Any return on investment

26. All transactions coming within the Enterprise Fund balancing limit of £10m may be authorised jointly by the Director of Property and Director of Finance in consultation with the Cabinet Member for Corporate Support Services and Performance Management, the Chief Executive and the Leader (subject to the delegations contained in paragraph 32).

27. All transactions which cause the Enterprise Fund to exceed its balancing limit of £10m will, following consultation with the Group Managing Director and the Leader,

be recommended by the Director of Property and Director of Finance for decision by the Cabinet Member for Corporate Support Services and Performance Management.

Urgent Decisions

28. In exceptional circumstances, where an urgent decision is required on property matters, this will be taken by the Director of Property in accordance with the provisions of this Protocol and only after consultation with the Cabinet Member for Corporate Support Services and Performance Management, the Director of Finance and the Director of Law & Governance. If the matter is outside the delegations set out in paragraph 36, below, then the matter can only be authorised by the Cabinet Member for Corporate Support Services and Performance Management in accordance with the procedures for the taking of urgent decisions set out in the Council's Constitution.

29. Any decisions made under the 'Urgent Decision' arrangements will be reported to the relevant Managing Director, Cabinet Members and Local Members.

Financial Regulations

30. All of the protocols set out in Financial Regulations and Schemes of Delegation must be adhered to, except where this Property Management Protocol specifically provides for alternative levels of authorisation. No transaction should be approved unless specific budgetary provision is identified, except where the purchase is approved under the authority given in Paragraph 27 above.

Reporting

31. The Director of Property will prepare each month a schedule of acquisitions and disposals dealt with by the Cabinet Member for Corporate Support Services and Performance Management or by him/herself, and send this to Democratic Services for publication.

Delegation to Officers

32. Subject to the consultation provisions set out in this Protocol, the Director of Property is authorised to:

- (a) Determine and settle the acquisition or disposal of any land or property, or an interest in land or property where the consideration (including any associated works) does not exceed **£1,000,000** in any single transaction.
- (b) Determine and settle the terms of a lease (taken or granted) for any land or property, not exceeding a period of 20 years or where the consideration does not exceed **£100,000** per annum in any single transaction.
- (c) As provided by arrangements made under Appendix 2 Part 4 of the Constitution for the Leader to discharge executive functions, the Group Managing Director may exercise any power delegated under this protocol to the Director of Property; and the Director of Property may delegate his/her powers in writing to more junior officers.

Supporting Mechanisms

33 Whilst having no Constitutional or decision-making status, the management of property will be exercised through a variety of mechanisms which amplify and support this protocol. The key mechanisms and their purpose are summarised below:

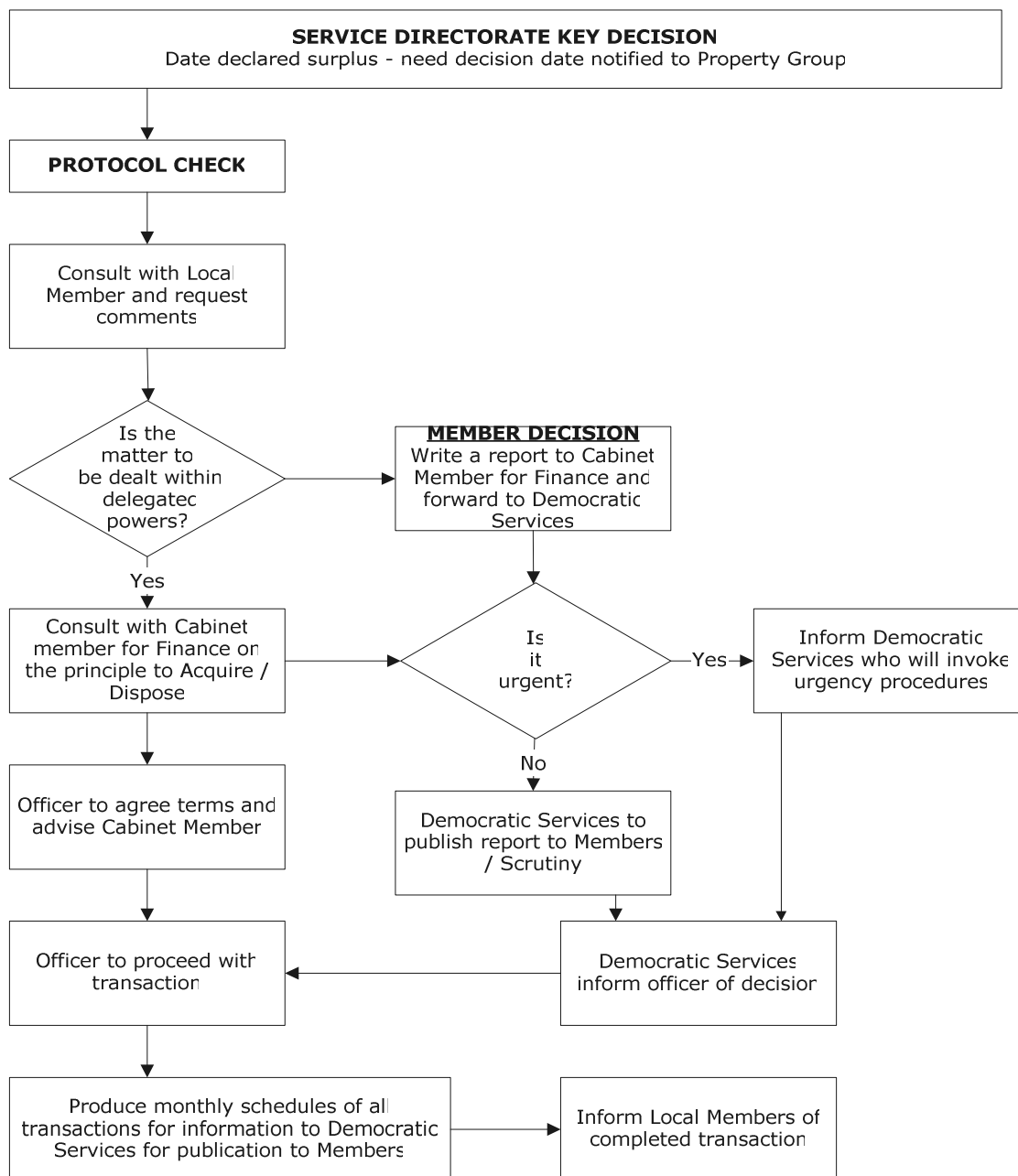
- (a) **Property Board** chaired by the Group Managing Director provides a forum to discuss and agree the strategic direction for property management and key property related initiatives. It provides a mechanism to assess whether this protocol is working in practice and to identify and resolve issues with regard to corporate and service responsibilities.
- (b) **Project Advisory Group (PAG)** considers capital projects and significant changes to capital projects and ensures that proper planning and processes have been followed and risk assessments undertaken in line with the Council's Constitution, the project appraisal handbook and associated financial procedures. It makes recommendations to the Leader for schemes to be included in KCC's capital programme.
- (c) **Property Group Business Plan** prepared in accordance with KCC's planning guidelines identifies the main priorities of the Property Group and includes as an annex a schedule of properties for disposal. This provides delegated authority to proceed with disposals in line with the provisions of this protocol.
- (d) **Medium Term Financial Plan** sets out KCCs spending priorities and/or financial allocations over the medium term. All capital schemes are subject to the appraisal and decision making processes around the Capital Programme and the Medium Term Financial Plan.

Information to the Council and Scrutiny

34. The Director of Property will prepare each month a schedule of property transactions dealt with by the Cabinet Member for Corporate Support Services and Performance Management or him/herself, and send this to Head of Democratic Services for publication.

35. Transactions proposed to be authorised by the Cabinet Member for Corporate Support Services and Performance Management are subject to the normal processes of publication and scrutiny for Cabinet Member decisions.

Revised June 2010



By: Chairman of Governance and Audit Committee
Head of Democratic Services and Local Leadership

To: County Council – 22 July 2010

Subject: Proposed changes to the Terms of Reference of the Governance and Audit Committee

Classification Unrestricted

FOR DECISION

Introduction and background

1. The original Terms of Reference for the Governance and Audit Committee were approved by County Council in May 2005, and last updated in June 2009. The Committee has agreed that it should take a more pro-active view of its role.

2. In December 2009, the Committee decided that the existing Terms of Reference were in need of review to reflect the development in thinking on the role of Audit Committees since 2005. The Committee invited the new Head of Audit and Risk to complete this review, giving him the remit to assess any gaps in coverage, and to describe the Committee's role in terms of responsibility rather than process.

Proposed terms of reference

3. The proposed revised Terms of Reference for the committee are attached at **Appendix 1**. They do not significantly change the role of the Committee. It is considered that they do better document the outcomes to be achieved and the responsibilities that the Committee has in order to deliver these outcomes. It is intended that they will provide the Committee with the basis from which it can become more proactive, with less focus on process. The existing Terms of Reference are included at **Appendix 2**.

4. The Governance and Audit Committee has also agreed a detailed description of its methodology in terms of overarching purpose, desired outcomes, responsibilities in relation to these outcomes and administrative arrangements. This description is not included in this report but will come into operation if these draft Terms of Reference are agreed. A copy of the report to the Committee meeting on 30 June 2010 can be obtained from the Head of Democratic Services and Local Leadership.

5. It is proposed that three responsibilities should not be carried forward into the revised terms of reference. These relate to advising the Council on the Annual Plan, overseeing the operation of the Council's complaints procedures and approving the writing-off of debts.

6. It is considered that the write-off of council debt is an executive function, which should not be included in the responsibilities of a Committee seeking to provide assurance on processes. There is no longer a statutory requirement to produce an Annual Plan that is audited by the Audit Commission and it is therefore proposed that this responsibility should be deleted. The remaining responsibility in relation to

complaints would be covered by the general responsibility of the Committee to review regular and ad-hoc assurance reports from officers in order to assess the effectiveness of control activity.

Conclusion

7. The revised Terms of Reference are intended to provide the basis through which the Governance and Audit Committee can effectively deliver its overall purpose.

8. The Governance and Audit Committee resolved at its meeting on 30 June 2010 to recommend to the County Council that approval should be given to the revised Terms of Reference set out at **Appendix 1**, together with the consequential changes to the Constitution.

9. The draft terms of reference were also considered by Selection and Member Services Committee on 2 July 2010. The Committee agreed to note the report as recommended.

RECOMMENDATIONS:

10. The County Council is recommended to agree the revised Terms of Reference for the Governance and Audit Committee set out at Appendix 1, together with consequential changes to the Constitution.

Peter Sass: Head of Democratic Services and Local Leadership

Officer Contact: Andrew Tait
Democratic Services Officer
(01622) 694342

1. Governance and Audit Committee

13 Members

Conservative: 12; Liberal Democrat: 1.

The purpose of this Committee is to:

1. ensure the Council's financial affairs are properly and efficiently conducted, and
2. review assurance as to the adequacy of the risk management and governance framework and the associated control environment.

On behalf of the Council this Committee will ensure the following outcomes:

- (a) Risk Management and Internal Control systems are in place that are adequate for purpose and effectively and efficiently operated.
- (b) The Council's Corporate Governance framework meets recommended practice (currently set out in the CIPFA/SOLACE Good Governance Framework), is embedded across the whole Council and is operating throughout the year with no significant lapses.
- (c) The Council's Internal Audit function is independent of the activities it audits, is effective, has sufficient experience and expertise and the scope of the work to be carried out is appropriate.
- (d) The appointment and remuneration of External Auditors is approved in accordance with relevant legislation and guidance, and the function is independent and objective.
- (e) The External Audit process is effective, taking into account relevant professional and regulatory requirements, and is undertaken in liaison with Internal Audit.
- (f) The Council's financial statements (including the Pension Fund Accounts) comply with relevant legislation and guidance and the associated financial reporting processes are effective.
- (g) Any public statements in relation to the Council's financial performance are accurate and the financial judgements contained within those statements are sound.
- (h) Accounting policies are appropriately applied across the Council.
- (i) The Council has a robust counter-fraud culture backed by well designed and implemented controls and procedures which define the roles of management and Internal Audit.

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Current Terms of Reference of the Governance and Audit Committee

This Committee has responsibility for:

- (a). monitoring the Council's compliance with its own published standards and controls and with other standards, and considering any proposals for changes to Financial Regulations and the Code of Practice on Tenders and Contracts;
- (b). liaising with the Audit Commission over the appointment of the Council's external auditor;
- (c). discussing with the external auditor and Cabinet the basis of the annual audit, including the overall level and composition of the fee and the content of performance work;
- (d). receiving all reports by the external auditor including all performance reports and the Annual Management Letter;
- (e). overseeing the Internal Audit activity of the Council;
- (f). advising the Council on the Annual Plan proposed by the Leader in relation to statutory requirements and guidance; and considering and responding to reports from the external auditor and Best Value Inspectorate;
- (g). monitoring the response of the Cabinet and Council Committees to audit reviews and investigations and the implementation of agreed recommendations;
- (h). overseeing the operation of the Council's complaints procedures, including the response of the Cabinet or a Council Committee to any report by the local Government Ombudsman;
- (i). approving the annual accounts on behalf of the Council;
- (j). approving the writing-off of debts from the Council's accounts (except those agreed by the Strategic Director (Resources) as provided for in Financial Regulations;
- (k). monitoring the operation of borrowing and investment policies and Treasury Management activity;
- (l). agreeing the risk management policy with the Cabinet and reviewing the effectiveness of risk management and monitoring insurance arrangements;
- (m). keeping under review the Council's arrangements for corporate governance and agreeing from time to time necessary actions to ensure compliance with best practice.

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By: Mr Paul Carter - Leader of the Council
To: County Council – 22 July 2010
Subject: QUARTERLY REPORT ON URGENT KEY DECISIONS
Classification: Unrestricted
Summary: To report one urgent Key Decision taken in the last quarter.

1. The Constitution requires me to provide a quarterly report to the County Council of any Key Decisions which were taken as urgent matters during the previous three months.

2. One urgent Key Decision has been taken in the last quarter as set out below.

(a) Response to the Government's Savings Announcements; impact on Revenue and Capital Budgets 2010/11 (10/01505)

A decision was taken on 18 June 2010 by Mr Paul Carter, Leader of the Council to agree revisions to the revenue and capital budgets for the current year (2010/11) as a result of the reduction in Government funding announced on 10 June 2010, a summary of which was reported to the Cabinet meeting on 14 June 2010. The reason for the urgency was because there was a need to amend the Council's in-year budgets to ensure the necessary actions could be taken to deliver the required savings. It was also necessary to provide clarity as to the scope of these changes as urgently as possible in order to avoid unnecessary concern from clients, the public, staff and partners.

The detail of the decision was referred to and discussed at a meeting of the Cabinet Scrutiny Committee held on Wednesday 23 June 2010.

Recommendation:

3. The County Council is requested to note this report.

P B Carter
Leader of the Council

*Enquiries: Peter Sass
Head of Democratic Services and Local Leadership
Ext: 4002*

Background documents: Records of Decision 10/01505

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KENT COUNTY COUNCIL

GOVERNANCE AND AUDIT COMMITTEE

MINUTES of a meeting of the Governance and Audit Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Friday, 30 April 2010.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr B R Cope, Mr K A Ferrin, MBE, Mr C Hibberd, Mr D A Hirst, Mr J F London, Mr R J Parry, Mr T Prater, Mrs P A V Stockell (Substitute for Mr P W A Lake) and Mr R Tolputt

ALSO PRESENT: Miss S J Carey and Mr J D Simmonds

OFFICERS: Ms L McMullan (Director of Finance), Mr N Vickers (Head of Financial Services), Mr A Wood (Head of Financial Management), Mr G Wild (Director of Law and Governance), Mr D Tonks (Head of Audit & Risk), Mrs J Armstrong (Senior Audit Manager), Mr R Hardy (Director of Improvement and Engagement) and Mr G Mills (Democratic Services Manager (Executive))

ALSO IN ATTENDANCE: Mr D Wells and Mr G Brown from the Audit Commission.

UNRESTRICTED ITEMS

1. Declarations of Interest

(Item)

A declaration by Mr D A Hirst in relation to Item 17 and a point of clarification made by Mr M V Snelling were noted as appropriate.

2. Minutes

(Item 3)

RESOLVED that:-

- (a) the Minutes of the Committee meeting held on 1 December 2009 are correctly recorded and that they be signed by the Chairman;
- (b) the Minutes of the Trading Activities Sub-Group held on 1 December 2009 be noted; and
- (c) approval be given to the Company Dividend Policy set out in the Appendix to the Trading Activities Sub-Group Minutes.

3. Debt Recovery

(Item 4)

(1) This report provided an update on the overall debt position. The report also proposed that in future the reporting of debt recovery issues should be to the Budget Informal Member Group rather than to this Committee.

(2) During the course of discussion, Officers were asked to take up with the Adult Social Services and the Children, Families and Education Directorates the issues identified in the report around the levels of debt recovery currently running within those Directorates.

(3) The Committee also discussed whether, in future, reports on debt recovery should be referred to the Budget IMG but concluded that this was a matter that should continue to be reported to this Committee.

(4) RESOLVED that:-

(a) the contents of the report be noted; and

(b) future items on debt recovery continue to be submitted to the Governance and Audit Committee.

4. Treasury Management

(Item 5)

(1) As part of the new control regime for treasury management, the Committee would in future receive quarterly reports on these issues. This report specifically addressed the requirements of the CIPFA Treasury Management Code of Practice and gave the opportunity to give assurance that the Council had in place an appropriate management regime.

(2) During the course of discussion, Members raised a number of points of detail relating to the monitoring of treasury management to which Officers responded accordingly.

(3) RESOLVED that the quarterly report be noted.

5. Committee Terms of Reference

(Item 6)

(1) Following recent discussions at meetings of the Committee, this report put forward for its consideration revised Terms of Reference with the purpose of more closely describing the Committee's role in terms of responsibility rather than process.

(2) During the course of discussion, some Members expressed concerns that the proposed changes would alter the nature of the Committee's work and take away the opportunity for it to comment on some areas which it was said remained relevant to its current work. It was also said that if part of the intention was to reduce the length of agendas then consideration ought to be given to adding in an additional meeting and also to start meetings at 10.00 am.

(3) Following further discussion, the Committee concluded that the general principles of the proposed changes to the Committee's terms of Reference should be agreed but that some minor textual amendments should be made. On this basis, the Committee agreed that the final revised terms of Reference should be submitted to the next meeting by the Head of Audit and Risk for final endorsement and onward submission to the County Council for approval.

- (4) RESOLVED that the final revised terms of Reference be submitted to the next meeting of the Committee by the Head of Audit and Risk for final endorsement and onward submission to the County Council for approval.

6. Work Programme and Member Development Programme

(Item 7)

(1) This report proposed a forward work programme, supported by appropriate Member training to ensure that the responsibilities of the Committee were met and that sufficient time was allocated for Members to cover those areas they collectively wished to examine in more detail.

(2) During the course of discussion it was agreed that a Group of Members comprising Mr A R Chell, Mr B R Cope, Mr K A Ferrin and Mr C Hibberd should be established to look in more detail at training issues including the method of delivery, and to report back to a future meeting.

(3) RESOLVED that:-

- (a) the forward work programme for 2010 be approved;
- (b) a Group of Members be established by the Head of Audit and Risk as set out in paragraph (2) above to look in more detail at training issues and to report back to a future meeting of the Committee; and
- (c) the need for Member training linked to the content of the forward work programme be agreed.

7. Private Finance Initiative

(Item 8)

(1) This report quantified the County Council's existing exposure to PFI and discussed how a number of risks were being managed. The report also compared the cost of two of the Council's existing PFI contracts against what the cost might have been under a traditional procurement route.

(2) During the course of discussion, Members raised a number of points on processes and detail to which officers responded accordingly.

(3) RESOLVED that:-

- (a) the report be noted; and
- (b) the risks outlined in the report be included in the Strategic Risk Register.

8. Impact of the Authority's budget on the Risk Register

(Item 9)

(1) In response to a request made at the last meeting, this report demonstrated the links and processes between setting the Council's annual budget and the consideration of the risks associated with the proposed budgets, and the consequential impact on the Risk Registers.

(2) RESOLVED that: -

- (a) the contents of the report be noted as part of the Committee's assurance that the Risk Registers are owned and up to date; and
- (b) a further report on this subject be submitted to the Committee by the Head of Audit and Risk following the next Spending Review.

9. Strategic and Directorate Risk Registers

(Item 10)

(1) The Strategic and Directorate Risk registers recorded the key risks facing the County Council and represented the primary output of the Council's Risk Management Framework.

(2) RESOLVED to:-

- (a) note the content of the Strategic Risk Register; and
- (b) agree to the assurances provided on the effectiveness and sufficiency of the systems established by senior officers to identify, assess, control and monitor financial and non-financial risks.

10. Updated Financial Regulations

(Item 11)

(1) This report presented for Members' consideration the updated financial regulations prior to their submission for approval to the County Council.

(2) RESOLVED that the updated draft of the Financial Regulations set out in the Appendix to the report be recommended to the County Council for approval.

11. Audit Commission Audit Opinion Plan

(Item 12)

(1) This report detailed the work plan to be followed by the Audit Commission in order for it to give an opinion on the Council's 2009/10 financial statements.

(2) As part of the discussion of this item, Mr Wells from the Audit Commission said that ethical standards required auditors to be alert for and evaluate any threats or perceived threats to their independence and objectivity. Ethical standards were broad in their coverage and covered not just the auditor but also close members of their families. Mr Wells said he had recently been made aware of a potential

perceived threat to the independence of Mrs Liz Robinson, Support Audit Manager engaged on the external audit of Kent County Council.

(3) Mrs Robinson's husband had been a close friend of Mr Tonks (Chief Internal Auditor) since childhood. They socialised on a regular basis, shared common interests and holidayed together. On occasion, costs associated with their common interests and holidays were not always split equally between them. Mrs Robinson herself did not socialise with Mr Tonks. Mr Wells said he had considered the nature of the relationship between Mrs Robinson's husband and Mr Tonks in respect of a risk to Mrs Robinson's independence and objectivity whilst carrying out the audit of the County and had concluded that the risks were manageable with the application of the following safeguards:-

- alerting Members of the Governance and Audit Committee to the nature of the relationship and his assessment of the risk; and
- ensuring that Mrs Robinson was not directly involved in making an assessment of Internal Audit or in reviewing individual pieces of its work upon which External Audit might seek to rely.

(4) During the course of discussion, Members raised a number of questions around the process and cost of the work to be undertaken to which Mr Wells from the Audit Commission and Officers responded accordingly. The Committee acknowledged the assessment and conclusion of Mr Wells in respect of the risk referred to in paragraphs (2) and (3) above and did not disagree with his response.

(5) RESOLVED that:-

- (a) the outcomes of the Audit Commission's updated risk assessment be noted, together with the review of the assumptions supporting the fee and the oral statement made by Mr Wells; and
- (b) approval be given for the Chairman to provide the required response to the District Auditor based on the draft set out in Annex 1 to the report.

12. Audit Commission Kent Superannuation Fund Audit Opinion Plan

(Item 13)

(1) This report provided the Committee with a plan setting out the proposed work of the Audit Commission to enable it to give an opinion on the Council's 2009/10 financial statements.

(2) RESOLVED that:-

- (a) the outcome of the Audit Commission's updated risk assessment be noted, together with the review of the assumptions supporting the fee; and

- (b) approval be given for the Chairman jointly with the Chairman of the Superannuation Fund Committee to provide the required response to the District Auditor based on the draft set out in Annex 1 to the report.

13. 2010/11 Internal Audit Strategy and Annual Plan

(Item 14)

- (1) This report set out the Internal Audit Strategy and proposed the supporting annual work programme for 2010/11 and the breakdown of available days.
- (2) During the course of discussions, Members raised a number of points of detail, arising out of which it was agreed that the Director of Personnel and Development be asked to submit a report on CRB requirements and practices to the next meeting. Officers also confirmed that at the end of the two year pilot period there would be a report on the operation of the Members' Highway Fund.
- (3) RESOLVED that:-
 - (a) approval be given to the proposed Internal Audit Strategy and Annual Plan for 2010/11 as set out in the Appendix to the report; and
 - (b) it be noted that there will be further reports to the Committee on the matters referred to in paragraph (2) above.

14. Audit Commission Progress Report

(Item 15)

- (1) This report provided a summary of progress to April 2010 against the 2009/10 External Audit Plan.
- (2) RESOLVED that the progress against the Audit Commission's 2009/10 Audit Plan be noted.

15. Audit Commission Feedback on Partnership with the Voluntary Sector

(Item 16)

- (1) As part of the Audit Commission's work programme for 2008/09 it undertook a "snapshot analysis" report on aspects of partnership working in Kent. This was neither an audit nor an inspection but an attempt by the Commission to update its knowledge of the position in Kent following the comment in June 2008 that "KCC's capacity to deliver its ambitions would be stronger if it adopted a more inclusive listening approach, particularly with local partners."
- (2) RESOLVED that in noting the flaws in the Audit Commission's document "Partnership Working – Snapshot Survey", it nonetheless be accepted as a contribution to the wider view of partnership working currently underway within KCC and its partners.

16. International Financial Reporting Standards
(Item 17)

(1) This report was linked to Item 18 (Minute paragraph 17) and asked the Committee to note the changes that International Financial Reporting Standards were going to have on the Council's Statements of Accounts and the process and resources required to achieve that. The resource plan had previously been circulated as an Appendix to the report.

(2) During the course of discussion it was agreed that the content of paragraph 2.4 of the report (Employment Benefits) should be brought to the attention of the Chairman of the Personnel Committee by the Director of Personnel and Development with a request for him to consider including this issue at a future meeting of the Personnel Committee.

(3) RESOLVED to:-

- (a) note the content of the report in conjunction with the Audit Commission report on International Financial reporting Standards (*see Minute 17*) together with the resource plan.
- (b) note the changes that the new International Financial Reporting Standards (IFRS) will have on the Statement of Accounts as outlined in the report; and
- (c) agree that the IFRS project is a corporate priority and that adequate resources should be provided to ensure that an unqualified set of accounts can be produced for 2010/11.

17. Audit Commission report on International Financial Reporting Standards
(Item 18)

(1) This report was linked to Item 17 (Minute 16) above and provided the Committee with a progress report from the Audit Commission on the County Council's progress towards implementing the International Financial Reporting Standards.

(2) RESOLVED that:-

- (a) the contents of the Audit Commission's report "International Financial Reporting Standards" be noted; and
- (b) the County Council's response to the Audit Commission's four recommendations (set out in Appendix 1 to its document) be endorsed.

18. Audit Commission Certification of Claims and Returns Annual Report

(Item 19)

(1) This report provided a summary of the work completed in relation to the certification of claims reviewed by the Audit Commission, totalling some £143m.

(2) During the course of discussion, Members raised a number of points of detail, leading to it being agreed that there should be a further report in relation to the performance of Capita to a future meeting of the Committee.

(3) RESOLVED that:-

(a) the Audit Commission's report "Certification of Claims and Returns – Annual Report" be noted; and

(b) a further report on the issues highlighted in the report be submitted by the Head of Audit and Risk to a future meeting of the Committee.

19. Internal Audit Progress Report

(Item 20)

(1) This report summarised the progress against the 2009/10 internal audit programme and provided the results and achievements from reviews that had been completed in the period since the last report to the Committee.

(2) RESOLVED that the progress to date against the 2009/10 audit programme be noted, together with the changes to the audit programme.

GOVERNANCE AND AUDIT COMMITTEE

MINUTES of a meeting of the Governance and Audit Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 30 June 2010.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr K A Ferrin, MBE, Mr C Hibberd, Mr D A Hirst, Mr P W A Lake, Mr T Prater, Mr R Tolputt and Mr C T Wells

ALSO PRESENT: Miss S J Carey, Mr R W Gough, Mr J D Simmonds, Mr J Jacobs and Mr D Wells

OFFICERS: Ms L McMullan (Director of Finance), Mr N Vickers (Head of Financial Services), Mr A Wood (Head of Financial Management), Mrs C Head (Chief Accountant), Mr I Clark (Group Leader), Mrs A Beer (Director of Personnel & Development), Mr C Bainbridge (Director of Community Safety & Regulatory Services), Tunnicliff (Assistant Head of Procurement) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr D Wells and Mr J Jacobs from the Audit Commission.

UNRESTRICTED ITEMS

20. Minutes *(Item 3)*

RESOLVED that:-

- (a) the Minutes of the meeting held on 30 April 2010 are correctly recorded and that they be signed by the Chairman: and
- (b) the draft Minutes of the Trading Activities Sub-Group meeting held on 17 May 2010 be noted.

21. Committee Terms of Reference *(Item 4)*

- (1) Revised Terms of Reference had been considered at the previous meeting of the Committee. This report incorporated the minor amendments that had been put forward at that meeting.
- (2) RESOLVED that the draft revised Terms of Reference be recommended to the County Council together with any consequential changes to the Constitution.

22. Work Programme *(Item 5)*

(1) A forward work programme was presented, which aimed to ensure that the responsibilities of the Committee were met, with sufficient time being allocated for Members of the Committee to cover areas they collectively wished to examine in more detail.

(2) During discussion of this item, Members raised the question of whether it was always essential to provide hard copies of all annual reports, external reports and plans. It was suggested that on occasions an executive summary would suffice and that the detailed document could be electronically published with a hard copy placed in the Members' Lounge. The Director of Finance suggested that this would be a matter that the Training Group could discuss and make recommendations upon.

(3) RESOLVED that the forward work programme for 2010 be agreed.

23. Treasury Management Update
(Item 6)

(1) This report presented a quarterly treasury management update, including a summary of developments and a statement of deposits as at 11 June 2010.

(2) The Committee noted that the Treasury Advisory Group consisted of Mr J D Simmonds (Chairman), Mrs S J Carey, Mr L Christie, Mr E E C Hotson, Mr A J King, Mr T Prater and Mr J E Scholes.

(3) RESOLVED that the report be noted.

24. Treasury Management Annual Review 2009/10
(Item 7)

(1) This report presented the Treasury Management Annual Review for recommendation to the County Council.

(2) RESOLVED that the report be agreed and submitted to County Council for approval.

25. Superannuation Fund External Audit
(Item 8)

(1) This report provided a statement of assurance on the management of the Superannuation Fund so that the Committee could agree the Fund accounts.

(2) During discussion of this item, Members suggested that there might be a case for building scrutiny into the Superannuation Fund process. It was also suggested that the Superannuation Fund Committee Minutes could be reported to County Council. The Director of Finance agreed to inform the next meeting of the Committee of the outcome of deliberations on these two questions that were currently taking place.

(3) RESOLVED that the report be noted.

26. Internal Audit Annual Report
(Item 9)

- (1) This report contained the Head of Audit and Risk's Annual Report and gave an opinion of substantial assurance.
- (2) The Committee asked for an update report at its next meeting on the work of Emergency Planning, particularly in respect of Kent County Council's properties.
- (3) RESOLVED that the Internal Audit Annual Report 2009/10 be noted.

27. Audit Commission Annual Governance Report (TO FOLLOW)
(Item 10)

- (1) The Audit Commission's Annual Governance Report had previously been circulated to all Members of the Committee.
- (2) Mr D Wells from the Audit Commission introduced the report, drawing particular attention to the subject of related party declarations in respect of the Superannuation Fund Committee.
- (3) RESOLVED that :-
 - (a) the financial contained in pages 7 to 13 of the report be approved;
 - (b) the letter of representation on behalf of the County Council be approved (as set out in Appendix 3 to the report) prior to the Audit Commission issuing its opinion and conclusion; and
 - (c) the recommendation to be discussed with Officers set out in Appendix 5 of the report be noted.

28. Draft Statement of Accounts 2009/10 and Annual Governance Statement
(Item 11)

- (1) This report asked the Committee to consider and approve the draft Statement of Accounts and Annual Governance Statement for 2009/10.
- (2) The Committee noted with thanks that the County Council was the only County Authority in the UK to have produced an audited draft statement of accounts by 30 June 2010.
- (3) RESOLVED that:-
 - (a) approval be given to the Statement of Accounts for 2009/10 subject to the Chairman and Liberal Democrat group Spokesman being informed of any changes which may be made to the Accounts following completion of the external audit; and
 - (b) the recommendations made in the Annual Governance Report be noted.

29. Debt Recovery
(Item 12)

(1) The purpose of this report was to provide the Committee with a summary of the Council's debt recovery position. It concentrated mainly on debt that was over 6 months old.

(2) RESOLVED that the report be noted.

30. Kent County Council Audit Fee 2010/11
(Item 13)

(1) This report set out the audit work that the Audit Commission proposed to undertake in 2010/11, including the amount of fee to be charged.

(2) The Committee unanimously agreed not to agree the sum of £98,900 for the "Use of Resources/VFM Conclusion including data quality" audit area.

(3) The Committee agreed by 5 votes to 2 with 1 abstention not to accept the proposed audit fee and asked the Director of Finance to seek to negotiate a greater reduction.

(4) RESOLVED that the proposed audit fee be not accepted and that the Director of Finance seek to negotiate a greater fee reduction with the Audit Commission.

31. Kent Superannuation Fund Audit Plan and Fee 2010/11
(Item 14)

(1) This report set out the audit work that the Audit Commission proposed to undertake in 2010/11 on the Superannuation Fund including the amount of fee to be charged.

(2) RESOLVED that approval be given to the fee proposed.

32. Criminal Records Bureau checks
(Item 15)

(1) This report provided information on the current requirements for undertaking Criminal Records Bureau checks on employees and volunteers working for Kent County Council and its maintained schools.

(2) RESOLVED that the report be noted.

33. CIPFA Statement on the role of the Head of Internal Audit in public service organisations
(Item 16)

(1) In May 2010 the Chartered Institute of Public Finance and Accountancy (CIPFA) began consultation on its "Statement on the Role of the Head of Internal Audit in Public Service Organisations." This report summarised the key points of

the Statement, provided an initial view as to compliance, and set out the method for responding to the consultation.

(2) RESOLVED that:-

- (a) the draft CIPFA "Statement on the Role of the Head of Internal Audit in Public Service Organisations" be noted; and
- (b) the approach to responding to consultation be agreed as set out in paragraphs 10 and 11 of the report.

34. Annual RIPA Report on "Surveillance" and other activities carried out by Kent County Council in 2009
(Item 17)

(1) This report outlined the work undertaken in 2009 by KCC officers on surveillance and other activities governed by the Regulation of Investigatory Powers Act 2000 (RIPA).

(2) RESOLVED that the report be noted.

35. Spending the Council's Money
(Item 18)

(1) This report proposed updates to "Spending the Council's Money", a document detailing the Council's procurement policies and procedures.

(2) RESOLVED that the proposed amendments to "Spending the Council's Money" be agreed as set out in Appendix 1 to the report.

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KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 13 April 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R A Pascoe, Mr M Robertson, Mr C P Smith, Mr K Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr P Hopkins (Principal Planning Officer), Mr J Moat (Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

20. Minutes - 16 March 2010

(Item 4)

RESOLVED that the Minutes of the meeting held on 16 March 2010 are correctly recorded and that they be signed by the Chairman.

21. Site Meetings and Other Meetings

(Item A4)

The Committee noted that the site visit to Straw Mill Lane, Tovil would be held that afternoon following the meeting and that there would be no site visit or training session following the May Committee meeting.

22. Applications TM/09/3231-3236 - Variation of Condition 1 of Permission TM/08/3353 to allow waste to be sourced from the following local authority areas (in addition to Kent and Medway) at New Earth Composting Plant, Blaise Farm Quarry, Kings Hill, West Malling; New Earth Solutions Group Ltd.

(Item C1)

(1) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 2 with 1 abstention.

(2) RESOLVED that:-

- (a) permission be granted to Applications TM/09/3232 (to allow waste to be sourced from Kent, Medway and Surrey) and TM/09/3233 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex and Brighton and Hove) subject to the prior completion of a modified Section 106 Agreement (Unilateral Undertaking) repeating the existing obligations contained in the latest legal agreement relating to a liaison group, HGV routing and restoration; and to the conditions imposed on Permission

TM/08/3353 (dated 25 August 2009) as amended by Permission TM/09/2661 (dated 11 January 2010) being repeated;

- (b) permission be partially granted to Application TM/09/3231 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, Brighton & Hove, all London Boroughs, Thurrock, Essex and Southend) subject to the prior completion of a modified Section 106 Agreement (Unilateral Undertaking) repeating the existing obligations contained in the latest legal agreement relating to a liaison group, HGV routing and restoration and:-
 - (i) the waste catchment area being limited to:-
 - Kent, Medway, Surrey, East Sussex, West Sussex, Brighton & Hove for the life of the facility;
 - LB Bromley and LB Bexley for a temporary period until 31 December 2015; and
 - Essex for a temporary period until 31 March 2014 and additionally limited to no more than 10,000tpa; and
 - (ii) the other conditions imposed on Permission TM/08/3353 (dated 25 August 2009) as amended by Permission TM/09/2661 (dated 11 January 2010) being repeated; and
- (c) permission be refused in respect of Applications TM/09/3234 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, LB Bromley, LB Bexley, Thurrock and Essex), TM/09/3235 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, West Sussex, Brighton and Hove, LB Bromley, LB Bexley and Thurrock) and TM/09/3236 (to allow waste to be sourced from Kent, Medway, Surrey, East Sussex, LB Bromley, LB Bexley and Thurrock) because the importation of waste from outside the South East region would be contrary to South East Plan Policies W3 and W4 as it would fail one or more of the "tests" set out in these policies and in the Plan's supporting text and could also prejudice the ability of the South East region to meet the targets for diversion from landfill and recycling and composting set out in Policies W5 and W6 of the Plan or discourage the provision of new facilities in London and the East of England. There are no material planning considerations of sufficient strength to overcome these grounds for refusal.

23. Application TW/10/33 - Temporary drilling site with temporary road access. Drilling of well bores to establish hydrocarbon potential. Conduct of a well test to establish performance. Return to agricultural use upon termination at Bidborough Well Site, Judd Wood Farm, Gate Farm Road, Bidborough; Midmar Energy UK Ltd
(Item C2)

- (1) The Head of Planning Applications Group reported the comments of the local Member, Mr J A Davies raising no objection to the application.

(2) Mr G A Horne moved, seconded by Mr C P Smith that consideration of this Application be deferred pending consultation with Tonbridge and Malling Borough Council (particularly with regard to access to the site).

Carried by 8 votes to 4

(3) RESOLVED that consideration of this Application be deferred pending consultation with Tonbridge and Malling Borough Council (particularly with regard to access to the site).

24. Proposal AS/10/20 - Cable stay footbridge over the M20 Motorway to the east of Junction 9 between Eureka Leisure Park and Warren Retail Park, Ashford; KCC Highways Services

(Item D1)

(1) The Head of Planning Applications Group reported the response from Ashford Borough Council raising no objection to the Proposal subject to various conditions.

(2) RESOLVED that:-

- (a) permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit: the development being carried out in accordance with the permitted details; details of all materials, finishes, signage and lighting; submission for approval of details, implementation and subsequent maintenance of landscaping proposals; no works commencing until a construction method is submitted and approved, with the construction thereafter being carried out in accordance with the approved method statement; no works commencing (other than site clearance) until structural and earthworks technical approvals and approvals for all relevant departures from the standards within the Design Manual for Roads and Bridges have been given; no works commencing (other than site clearance) until a method statement for maintenance of the works has been submitted and approved; no works commencing (other than site clearance) until the applicant has demonstrated that safe and satisfactory access can be provided for the purposes of maintaining the development in accordance with the method statement for maintenance of the works; submission for approval of a method for piling foundations; submission for approval of a scheme for compensatory flood storage; drainage; ground contamination; a water vole survey, protection and mitigation plan; other outstanding protected species surveys, mitigation, monitoring and management, as appropriate; biodiversity enhancement, monitoring and management, as appropriate; submission for approval of specifications and implementation of a programme of archaeological work; measures being implemented to control dust and to prevent mud and debris being taken onto the public highway; details of the site compound and temporary accommodation for contractors; and details of parking for contractors' vehicles; and

- (b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice relating to the diversion of Bockhanger Dyke; and of the need for licences in respect of protected species and fish, and fuel, oil and chemical storage.

25. Proposal TM/09/3102 - Extension of the existing car park at Woodlands Infant School, Higham School Lane, Tonbridge; Governors of Woodlands Infant School and KCC Property Group

(Item D2)

RESOLVED that permission be granted to the proposal subject to Conditions including conditions requiring ecological inspection prior to removal of any trees at the site; installation of tree protection measures prior to works commencing for those trees that are to be retained at the site; and replacement planting and maintenance being carried out.

26. Proposal DO/09/1189 - Movement of existing gates to entrance of campsite by approximately 6 metres into premises and painted green at Kearsney Campsite, Kearsney Avenue, Dover; KCC Youth Services

(Item D3)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; materials being fitted to the gates' hinges, leading edges, locking and closing to reduce the noise of the gates opening and closing; and the gates being painted in a green colour to be agreed

27. County matters dealt with under delegated powers

(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 11 May 2010.

PRESENT: Mr R E King (Chairman), Mr R Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr C P Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

28. Minutes - 13 April 2010

(Item A3)

RESOLVED that the Minutes of the meeting held on 16 April 2010 are correctly recorded and that they be signed by the Chairman.

29. Site Meetings and Other Meetings

(Item A4)

The Committee noted that there would be a training session following its meeting on 15 June 2010 and that there would be site visits to two East Kent education establishments on 27 July 2010. A tour of permitted development sites was provisionally scheduled to take place in October 2010.

30. Application SW/09/894 - Small scale biomass power plant within an existing and extended building for the generation of renewable energy from low grade waste wood at Ridham Dock Road, Iwade, Sittingbourne; Countrystyle Recycling Ltd

(Item C1)

(1) The Head of Planning Applications Group reported the views of Swale Borough Council raising no objection subject to conditions and also from the local Member, Mr M J Whiting supporting the recommendations but expressing concern over the monitoring of the site. Mr Whiting also drew attention to the reference made in the report to him being the adjoining Member as opposed to the joint member for the Swale Central Division with Mr Willicombe and asked that this be corrected for the record.

(2) The Committee agreed to the inclusion of an Informative to the Environment Agency to advise of its view that the control of pollution mechanisms to be employed should be examined against the Best Available techniques.

(3) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering annual waste throughput; vehicle numbers; construction methods and timings; noise levels; a noise monitoring scheme; methodology for the classification of bottom ash; habitat enhancement including a water vole protection plan; the submission of a strategy for the recovery of waste heat; and a program of archaeological works; and
- (b) the Environment Agency be advised by Informative of the Committee's view that the control of pollution mechanisms should be measured against the standards of the Best Practical Environmental Option.

31. Application TW/10/33 - Temporary drilling site with temporary road access. Drilling of well bores to evaluate hydrocarbon potential. Conduct of a well test to establish performance. Return to agricultural use at Bidborough Well Site, Judd Wood Farm, Gate Farm Road, Bidborough; Midmar Energy UK Ltd
(Item C2)

(1) The Head of Planning Applications Group reported the views of the local Member, Mr J A Davies in support of the application.

(2) Mrs D Park and Mr D Cure (the local Tonbridge and Malling Borough Councillor) addressed the Committee in opposition to the application. Mr P Silk from Midmar Energy spoke in reply.

(3) Mr W A Hayton moved, seconded by Mr R A Pascoe that the recommendations of the Head of Planning Applications Group be agreed.

(4) The Head of Planning Applications Group advised the Committee that it could not agree the application subject to an alternative route. The application under consideration had to be either permitted or refused.

(5) Mr J D Kirby moved, seconded by Mr R A Pascoe that the question be put.
Carried by 8 votes to 6.

(6) On being put to the vote, the motion set out in (3) above was carried by 12 votes to 3.

(7) RESOLVED that permission be granted to the application subject to the prior completion of a Section 106 Agreement to secure HGV routing / management arrangements and to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; prior notification of the start date being given for each phase of operations; a baseline soil analysis being used as the soil quality target for restoration; the hours of working being restricted to those applied for; ecological mitigation; seeding of earth bunds; noise limits; an archaeological watching brief;

measures to prevent mud and debris being tracked onto the public highway; the submission of detailed site access arrangements (and implementation as approved); the floodlighting being switched off when not required for the safe operation of the site; the submission of a detailed site restoration scheme (including planting between the site and the Public Right Of Way); site restoration within 12 months of commencement of the construction phase, unless otherwise agreed in writing by the County Planning Authority; and the submission of a 5 year aftercare scheme.

32. Proposal TM/10/185 - Artificial grass sports pitch with perimeter ball-stop fencing, floodlights, pedestrian spectators area and pathway at Hayesbrook School, Brook Street, Tonbridge; Governors of Hayesbrook School

(Item D1)

(1) Mr R J Lees informed the Committee that he was a Governor of a School which was entering into a partnership with Hayesbrook School. He took no part in the decision making process for this item.

(2) Mr D Wharrier and Ms L Thompson (local residents) addressed the Committee in opposition to the proposal. Mr N Blackburn, Head Teacher of Hayesbrook School spoke in reply.

(3) Mr C P Smith moved, seconded by Mr W A Hayton that the recommendations of the Head of Planning Applications be agreed.

(4) Mr G A Horne moved, seconded by Mr R A Pascoe as an amendment that community use of the site cease at 1pm on Sundays and Bank Holidays.

(5) On being informed that the consequence of passing the amendment would be that the development would not take place, the amendment was withdrawn with the agreement of the Committee.

(6) On being put to the vote, the motion set out in (3) above was carried with no opposition.

(7) RESOLVED that:-

- (a) permission be granted to the proposal as amended subject to conditions, including conditions covering the standard 3 year time limit for implementation; the submission of a landscaping scheme, including around the perimeter fencing; the submission of a Community Use Scheme, to include details of pricing policy, hours of use, access by non-School users, management responsibilities and a review mechanism; the installation of the floodlights being in accordance with the submitted specifications, with inspection by a qualified lighting engineer being completed prior to use in order to ensure compliance with the submitted and approved specifications, and the incorporation of automatic time controls; the use of the artificial turf pitch being restricted to the hours of 0800 to 2130 on Mondays to Fridays and 0900 to 1700 on Saturdays, Sundays and Bank Holidays, with the site being vacated within 30 minutes beyond these times; the floodlights being extinguished by 2130 hours Monday to Friday and by 1700 hours on Saturdays, Sundays and Bank Holidays; the floodlights only being activated when the artificial

pitch is in use; the use of the vehicle parking areas being managed to avoid use of the overflow playground parking area (unless the main parking areas are fully occupied); the use of the artificial sports pitch being restricted solely to the uses applied for; and development being carried out in accordance with the permitted details; and

- (b) the applicants be advised of the comments of the Environment Agency that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency will be required for the construction of the headwall for the proposed drainage scheme, in addition to planning permission.

33. Proposal TM/10/127 - Removal of existing modular building and replacement with a new modular building at St Stephen's Primary School, Royal Rise, Tonbridge; Governors of St Stephen's School and KCC Property Group

(Item D2)

(1) Mr M Daynes, a local resident addressed the Committee in opposition to aspects of the application.

(2) RESOLVED that permission be granted to the proposal subject to conditions including the standard time condition; the development being carried out in accordance with the permitted plans; the building being removed and the site reinstated within a 5 year period; a restriction of site hours to between 0800 hours and 1800 hours Monday to Friday and a requirement for access for activities carried out outside of normal school term time to be via the main school site entrance via Royal Rise.

34. Proposal DO/09/477 - Outline application for a 40 bed extra care sheltered development for the elderly including 20 1-bed apartments, 20 2-bed apartments, residents' communal areas and staff facilities at Cornfields Residential Care Centre, Cranleigh Drive, Whitfield, Dover; Kent Adult Social Services

(Item D3)

(1) The Head of Planning Applications Group reported the views of the local Member, Mr B R Cope.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the standard outline planning conditions relating to the reserved matters of scale appearance and landscaping details; the protection of trees and vegetation during construction; controls over hours and days of construction activity; the inclusion of a footpath leading to the front entrance in the detailed design; and the development being carried out in accordance with the permitted details.

35. Proposal SH/10/141 - Replacement of a wooden fence with a 1.8 metre high metal fence at Lyminge CEP School, Church Road, Lyminge, Folkestone; Governors of Lyminge CEP School and KCC Children, Families and Education
(Item D4)

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; and the development being carried out in accordance with the submitted details, plans and specifications.

36. Proposal SW/09/1215 - One form of entry. primary school to be developed in one phase with all external facilities including playgrounds, sports field and parking at open ground situated to the north of the B2231, Leysdown Road, close to the junction with Warden Bay Road, Leysdown on Sea, Sheerness; KCC Children, Families and Education.
(Item D5)

(1) Correspondence from Leysdown Parish Council and Mr and Mrs Wigglesworth (local residents) was tabled.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; external materials to be agreed in writing by the County Planning Authority; specification and colour treatment of all fencing to be agreed in writing by the County Planning Authority; submission of a landscaping scheme and implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway; parking being made available on site for construction operatives and construction vehicles during construction works; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of school; vehicular and pedestrian site entrance and exits being provided in accordance with approved details (including required visibility splays) prior to first occupation of the school; the provision of off-site highway works prior to first occupation of the school; the submission of a Travel Plan (including an implementation programme) prior to first occupation of the school; any clearance of vegetation taking place outside the bird breeding season (mid March to August inclusive) unless an ecologist is present; the implementation of biodiversity enhancement measures; hours of construction being limited to between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturday with no operations taking place on Sundays, Bank and Public Holidays; no external lighting being installed on the Multi Use Games Area without the prior written planning permission of the County Planning Authority; and an archaeological watching brief.

37. Proposal SW/10/333 - Three mobile classrooms at The Westlands School, Westlands Avenue, Sittingbourne; KCC Children, Families and Education
(Item D6)

- (1) The Head of Planning Applications Group reported correspondence from Swale Borough Council raising no objection to the proposal subject to the building being orientated in the direction proposed.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions requiring the mobile classrooms to be removed from the site no later than 5 years from the date of this permission; a restriction on the teaching usage of the mobile classrooms to subjects which do not involve amplified music; and requiring the orientation of the buildings to accord with the plans submitted, with no rear windows facing the boundary on Westlands Avenue.

38. County matters dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 15 June 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs P T Cole (Substitute) (Substitute for Mr C Hibberd), Mrs V J Dagger, Mr T Gates, Mr G A Horne MBE, Mr J D Kirby, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr C P Smith, Mr K Smith and Mr A Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr R Mansfield (Jacobs).

UNRESTRICTED ITEMS

39. Membership

(Item 2)

The Committee noted the appointment of Mr J A Davies in place of Mr W A Hayton.

40. Minutes - 11 May 2010

(Item A4)

RESOLVED that the Minutes of the meeting held on 11 May 2010 are correctly recorded and that they be signed by the Chairman.

41. Site Meetings and Other Meetings

(Item A5)

The Committee agreed to visit the site of the proposed Kemsley Sustainable Energy Plant on Wednesday, 7 July 2010 and also noted the possibility (still to be confirmed) of two site visits following the July meeting of the Committee.

42. Status of the South East Plan

(Item)

(1) The Chairman declared this item to be Urgent as the information would have an immediate and direct bearing on the Committee's decision-making processes.

(2) The Head of Planning Applications Group informed the Committee that the Secretary of State for Communities and Local Government had written to all Planning Authorities to inform them of the Government's intention to abolish the Regional Spatial Strategy (in this instance, the South East Regional Plan).

(3) The implications of this decision were that until such time as the Plan was actually abolished, it would remain the Development Plan for the purposes of determining planning proposals. Consequently, it would continue to be a material planning consideration – as would the intention to abolish it.

(4) During discussion of the report, the Committee agreed to recommend to the Cabinet Portfolio Holder for Environment, Highways and Waste that he should write to the Secretary of State concerning the need for urgent and full clarification of the transitional arrangements pending abolition of the South East Regional Plan.

(5) RESOLVED that:-

- (a) the report be noted; and
- (b) the Cabinet Portfolio Holder for Environment, Highways and Waste be recommended to write to the Secretary of State for Communities and Local Government seeking urgent and full clarification of the transitional arrangements for determining planning proposals pending the intended abolition of the Regional Spatial Strategy.

43. Applications AS/10/295, AS/10/46 and AS/10/294:-
(Item C1)

RESOLVED that:-;

- (a) subject to the satisfactory completion of a legal agreement to secure the terms set out in Appendix 1 of the report, permission be granted to Application AS/10/295 to extend the time scale for the implementation of Permission AS/06/5 until 8 May 2014;
- (b) permission be granted to Application AS/10/46 for a variation to Condition (4) of Permission AS/06/5 to allow no more than a combined total of up to 15 lorry movements to enter or leave the site between the hours of 0800 to 0900 Mondays to Fridays and no more than a combined total of up to 15 lorry movements to enter or leave the site between the hours of 1700 to 1800 Mondays to Fridays; and
- (c) permission be granted to Application AS/10/294 for a variation of Permission AS/02/645 to extend the period for the retention and operation of the existing Rail Aggregate Depot until 8 May 2014.

44. Application DA/10/394 - Change of use from an area of land used for chalk extraction and agricultural use to a skip storage area at the former quarry site west of Pinden Quarry, Green Street Green, Dartford; Pinden Ltd
(Item C2)

RESOLVED that permission be granted to the Application subject to conditions including conditions covering the restriction of lorry movements in and out of the site to 6 movements per day and use of a 'banksman' at all times; the restriction of operational hours to between 09.30 and 16.00 hours Monday to Friday and 09.30

and 13.00 hours on Saturdays (with no Sunday or Bank Holiday working); the reinstatement of pot holes within the bell mouth of the access within 1 month of the granting of this permission and maintenance of the access thereafter; measures to prevent mud or other materials being tracked onto the public highway; details of a restoration scheme (including details of the reinstatement of the area of land between the skip storage site and quarry site) being submitted to and approved in writing by the County Planning Authority; reinstatement, maintenance and protection of the hedgerow around the perimeter of the site; no lighting or illumination of the site without the prior approval of the County Planning Authority; no waste being taken onto the site (only empty skips); no buildings, structures, fixed plant or machinery being installed without the prior approval of the County Planning Authority; and the life time of the use hereby approved being limited to a temporary period and linked to the life time of the existing operational quarry site (i.e. 21 February 2042).

45. Application CA/09/1903 - Alteration and extension of existing Householders' Waste recycling Centre at Westbrook Lane, Herne Bay; Kent Waste Management
(Item C3)

RESOLVED that permission be granted to the application for the proposed alteration and extension of the Studd Hill Householders' Recycling Facility subject to conditions including conditions limiting noise emissions; noise monitoring to ensure compliance; a Grampian condition regarding the redesign of the service access to discourage right turns out of the access onto the Old Thanet Way; limits to hours of use and operation; limited times of use of the HGV service access; details of parking arrangements; details of parking and loading arrangements; dust mitigation measures; controls to prevent dirt and debris on the highway; site drainage controls; conditioning of landscaping and nature conservation measures; and other operational and standard conditions.

46. Proposal TM/10/846 - 1.8m high fencing, finished in dark green, with vehicular and pedestrian access gates at The Malling School, Beech Road, East Malling; Governors of The Malling School
(Item D1)

The Head of Planning Applications group informed the Committee that this application had been withdrawn.

47. County matters dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;

- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 May 2010.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman) Mr D L Brazier (Substitute for Mr A H T Bowles), Mr R Brookbank, Mr C J Capon, Mr H J Craske, Mr J Cubitt, Mr T Gates, Mr S J G Koowaree, Mr R J Lees, Mr S Manion, Mr R F Manning, Mr J Ozog, Mrs P A V Stockell (Substitute for Mr W A Hayton), Mr J Wedgbury and Mr M Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer Enforcement), Mr C Wade (PROW Team Manager (definition)), Miss M McNeir (Public Rights Of Way Officer (Definition Team)), Mr G Rusling (Public Rights of Way Service Delivery Manager) and Mr G Mills (Democratic Services Manager (Executive))

UNRESTRICTED ITEMS

9. Minutes

(Item 3)

Resolved that the Minutes of the Committee meeting held on 26 January 2010 and of the Member Panel meetings held on 29 January 2010, 19 February 2010, 19 March 2010 and 27 April 2010 are correctly recorded and that they be signed by the Chairman.

10. Amendment to Member Panel Procedures

(Item 4)

RESOLVED that the Member Panel procedures be amended to enable speakers to address the Panel for “a reasonable amount of time at the Chairman’s discretion” with consequential textual amendments being made.

11. Update from the Commons Registration Team

(Item 5)

RESOLVED that the report be received.

12. Town and Country Planning Act 1990 - Public Rights of Way Diversion and Extinguishment Orders: Service Level Agreement with Ashford Borough Council
(Item 6)

RESOLVED to enter into a Service Level Agreement with Ashford Borough Council in order to undertake (on its behalf) the making of all Orders under the Town and Country Planning Act 1990.

13. Update on the Definitive Map Team Casework Schedules. Clarification of the Committee terms of Reference and the County Council's approach to Orders made by the Secretary of State
(Item 7)

RESOLVED that:-

- (a) progress in reducing the backlog of outstanding definition cases be noted together with the likelihood that the backlogs will grow in future years;
- (b) the County Council be recommended to amend the Committee's terms of reference to reflect that its powers are also exercisable in terms of Restricted Byways;
- (c) the precise interpretation to be given to the interpretation of the words "reclassification" and "substantive" in the Committee's terms of reference be agreed as set out in paragraph 3.2 of the report; and
- (d) a neutral stance be taken in respect of Orders it is directed to make by the Secretary of State unless delegated powers are specifically sought and secured by the relevant officer.

14. Update on Planning Enforcement Issues
(Item 8)

RESOLVED that:-

- (a) the actions taken or contemplated on the respective cases set out in paragraphs 8 to 44 of the report be endorsed, together with those contained within Schedules 1 and 2 of Appendices 1 and 2;
- (b) in respect of land at Tutsham Farm, Hunt Street, West Farleigh, a letter be sent to the Environment Agency thanking it for its actions in respect of this matter and expressing the County Council's wish to see this land restored as quickly as possible; and
- (c) in respect of Unit 10, Detling Airfield, the taking of formal enforcement action be suspended unless there is more importation of waste material.

EXEMPT ITEMS
(Open Access to Minutes)

(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act)

15. Update on Planning Enforcement issues at Deal Field Shaw, Charing
(Item 11)

(1) The Head of Planning Applications Group reported the latest enforcement position concerning the Deal Field Shaw (Shaw Grange) former landfill site in Charing.

(2) RESOLVED that the report be received and that the advice from Kent Waste Management set out in paragraph 3 be noted.

16. Update on Planning Enforcement issues at Four Gun Field, Upchurch
(Item 12)

(1) The Head of Planning Applications Group reported on the enforcement strategy concerning the Four Gun Field site, Otterham Quay Lane, Upchurch.

(2) RESOLVED that the enforcement strategy outlined in paragraphs 3 to 7 of the report be noted.

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SUPERANNUATION FUND COMMITTEE

MINUTES of a meeting of the Superannuation Fund Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Friday, 18 June 2010.

PRESENT: Mr J E Scholes (Chairman), Mr P Clokie, Ms A Dickensen, Mr M J Jarvis, Mr J F London, Mr R A Marsh, Mr R J Parry, Mr S Richards, Mr M V Snelling, Mr R Tolputt (Substitute) (Substitute for Mr J A Davies) and Mrs M Wiggins.

ALSO PRESENT: Miss S Carey and Mr J Simmonds

IN ATTENDANCE: Ms L McMullan (Director of Finance), Ms A Mings (Treasury & Investments Manager), Mr N Vickers (Head of Financial Services) and Mr G Rudd (Assistant Democratic Services Manager).

UNRESTRICTED ITEMS

A. COMMITTEE BUSINESS

15. Minutes - 5 March 2010

(Item A3)

- (1) RESOLVED that the Minutes of the meeting held on 5 March 2010 are correctly recorded and that they be signed by the Chairman.
- (2) RESOLVED that paragraph 14 of the Minutes of the meeting held on 18 June 2004 be amended to read that the admission of APCOA Parking UK Ltd be "agreed" and not "noted" as originally stated.

16. External Audit

(Item D1 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

(Mr G Brown of the Audit Commission was in attendance for this item)

RESOLVED that the report be agreed.

17. Pensions Administration

(Item D2 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

(Mr P Luscombe, Pensions Manager, was in attendance for this item)

RESOLVED that the report be noted.

18. Treasury Management

(Item D3 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that the Treasury Management Strategy proposed in the report be approved.

19. Fund Position Statement

(Item D4 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED:

- (a) that the performance for the quarter and the year be noted;
- (b) not to rebalance asset classes;
- (c) that the self-assessment be noted; and
- (d) that Mr D Boyd of Hymans Robertson be asked to attend the next meeting on 20 August 2010.

20. Superannuation Fund Business Plan 2010-11

(Item D5 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that the business plan be agreed.

21. Training Plan

(Item D6 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that the training plan be agreed.

22. Future Meetings

- (1) Mr N Vickers confirmed that the next meeting of the Committee would be held on 20 August 2010 and that there would be two additional meetings next year.
- (2) RESOLVED that Mr G Rudd email the Members with next year's dates.

EXEMPT ITEMS

(Open Access to Minutes)

23. Minutes - 5 March 2010

(Item C1)

RESOLVED that the exempt Minutes of the meeting held on 5 March 2010 are correctly recorded and that they be signed by the Chairman.

24. Alliance Bernstein

(Item C2)

- (1) Mr A Brown and Mr A Pickering of Alliance Bernstein attended the meeting to give a presentation on Alliance Bernstein's performance and to answer Members' questions.
- (2) RESOLVED that the report from Alliance Bernstein be noted.

25. DTZ

(Item C5)

- (1) Mr P O’Gorman, Mr C Sim and Mr M Callow of DTZ attended the meeting to give a presentation of DTZ’s performance and to answer Members’ questions.
- (2) RESOLVED that the report from DTZ be noted.

SUMMARY OF EXEMPT ITEMS

(Where Access to Minutes Remains Restricted)

26. Fund Structure

(Item C3 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

The Committee agreed a number of issues relating to the structure and management of the Fund.

27. Admission to the Fund

(Item C4 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

The Committee agreed issues relating to Admission to the Fund.

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