

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 16 December 2010.

PRESENT:

Mr W A Hayton (Chairman)
Mrs P A V Stockell (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, 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 A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J M Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr J A Davies, 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 P J Homewood, 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, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J M Ozog, Mr R J Parry, Mr T Prater, Mr K H Pugh, Mr L B Ridings, Mr M B 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 M V Snelling, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J N Wedgbury, Mr C T Wells, Mr M J Whiting, Mrs J Whittle, Mr M A Wickham and Mr A T Willicombe

IN ATTENDANCE: Katherine Kerswell, Group Managing Director, Geoff Wild, Director of Law & Governance and Peter Sass, Head of Democratic Services & Local Leadership

UNRESTRICTED ITEMS

1. Introduction/Webcasting

The Chairman stated that the meeting was being webcast live to the Internet and that if any member of the public did not wish to be filmed, they should let one of the officers know immediately.

The Chairman also stated that, for anyone speaking on any of the agenda items, it was important to use the microphones so that the viewers on the webcast and others in the Chamber could hear the debate.

The Chairman asked anyone with a mobile device such as a blackberry to turn it off as it could affect the audio systems in the Chamber. Finally, he advised everyone present where the nearest fire exit was in the event of a fire alarm.

2. Apologies for Absence

The Group Managing Director reported apologies from the following Members:

Mr Bayford
Mr Bullock
Mr Collor
Mrs Law

3. Declarations of Interest

(1) Mrs Whittle declared a personal interest in item 9 (Bold Steps for Kent), as her husband, who worked in the Corporate Policy team, was one of the main authors of the report. Mrs Whittle also declared a personal interest in item 10 (Change to keep succeeding) as her husband was an employee of the Council, although not directly impacted by the proposals.

(2) Mr Sweetland declared a personal interest in a number of items on the agenda because of his position as a non-executive Director of NHS West Kent (Primary Care Trust).

4. Minutes of the meeting held on 14 October 2010 and, if in order, to be approved as a correct record.

(1) Resolved: that the minutes of the meeting held on Thursday, 14 October 2010, be approved as a correct record and signed by the Chairman.

5. Chairman's Announcements

(i) Death of Mr Frayne, Mr Richardson and Mr Horne and Mr Button

The Chairman stated that it was his very sad duty to formally advise the County Council of the passing of three serving and one former Members of Kent County Council.

Mr Roger Frayne – Dover Town Electoral Division

Mr Frayne died on 31 October following a long illness. He was elected to the County Council in June 2009 and served on CFE – Vulnerable Children & Partnerships POSC and the Corporate POSC.

Mr Godfrey Horne MBE – Tonbridge Electoral Division

Mr Horne was first elected to the County Council in 2005 and died very suddenly on 13 November 2010. A retired teacher, he was the Chairman of the Health Overview and Scrutiny Committee and also served on Cabinet Scrutiny Committee, Planning Applications Committee, CFE Vulnerable Children & Partnerships POSC, Scrutiny Board, School Organisation Advisory Board and the Standing Advisory Council for Religious Education.

Mr W L Richardson – Romney Marsh Electoral Division

Mr Richardson died on 7 November 2010 following a brave battle with cancer. He was elected to the County Council in June 2009 and served on the CFE Learning & Development POSC and the Environment, Highways & Waste POSC.

Mr Cyril Button

Mr Button was elected to the County Council in 1985 to represent the Medway Rural Electoral Division. He served on the Development, Planning and Transportation Committee and the Property, Supplies and Services Group. He left in 1998 when Medway became a Unitary Council.

After tributes from a number of Members, all present stood in silence in memory Mr Frayne, Mr Horne, Mr Richardson and Mr Button and the County Council passed a resolution in the following terms:

Resolved unanimously: that this Council desires to record the sense of loss it feels on the sad passing of Mr Frayne, Mr Horne, Mr Richardson and Mr Button and extends to their family and friends our heartfelt sympathy to them in their sad bereavements.

(ii) Length of speeches limited to 3 minutes

The Chairman stated that there was a large amount of formal business on today's agenda and asked for Members' agreement to limit Members' speeches to 3 minutes, with the exception of the speeches under item 7 (the Leader's oral report) and the Local Member and Cabinet Member speeches under item 15 (Petition debates).

Resolved: that the length of speeches at this meeting be limited as indicated above.

(iii) Engineering and Building Award for St Johns RC School

The Chairman stated that he was pleased to advise Members that the development of St John's Catholic Comprehensive School, Gravesend, had won the Public Sector Project of the Year category in the 2010 National Builder & Engineer Awards.

The award was given in recognition of the quality of the build and the overall design, its focus on reducing the school's environmental impact and its positive role in raising community aspirations.

On behalf of all Members, the Chairman offered his congratulations to all concerned.

(iv) Malaysia Medal for Mr Angell

The Chairman stated that he was delighted to advise the County Council that Mr Mike Angell had been awarded a medal from the Government of Malaysia. An excerpt from the citation reads as follows:

"In appreciation of the meritorious acts made by the security forces from Britain, the Federation of Malaysia wishes to award medals to all those who distinguished themselves in chivalry, gallantry and loyalty while performing their services during the confrontation period from 1962 to 1966".

The Chairman offered his sincere congratulations to Mr Angell, on behalf of all Members.

(v) Petitions

The Chairman stated that he had received two petitions that morning, neither of which had met the trigger for a County Council debate in accordance with the Petition Scheme, but he asked the relevant Cabinet Member to ensure that the concerns of the petitioners were properly addressed and responded to.

(a) 'Re-think' East Kent Floating Support Service

The first petition had been received from Pauline Featherstone, the service lead for the 'Re-think' East Kent Floating Support Service for people with mental health difficulties. The group had written on behalf of service users, carers and volunteers, who had been campaigning against the closure of the service in March 2011 because of the feared loss of essential funding.

The Chairman invited Mr Mike Hill, Cabinet Member for Community Services, to come to the dais to formally accept the petition and asked him to ensure that the concerns of the petitioners are addressed and responded to.

(b) Highways matter in Upper Street and Harmony Street, Rusthall, Tunbridge Wells

The second petition was received via Mr John Davies on behalf of residents in Upper Street and Harmony Street, Rusthall, Tunbridge Wells, objecting to the proposal to prohibit waiting on those two streets under Regulation 9 of the Road Traffic Regulation Act 1984.

The Chairman invited Mr Nick Chard, Cabinet Member for Environment, Highways and Waste, to come to the dais to formally accept the petition and asked him to ensure that the concerns of the petitioners are addressed and responded to.

6. Questions

(1) Under Procedure Rule 1.18 (4), 7 questions were asked and replies given.

7. Report by Leader of the Council (Oral)

(1) The Leader updated the County Council on various matters since the last meeting in October 2010. Specifically, he mentioned the huge challenge that KCC would be facing following the Local Government Finance Settlement and the impact that this would have on the budget setting process for 2011/12 and 2012/13. For 2011/12, the Leader stated that KCC would need to find efficiencies of approximately £100m (due to grant reductions and unavoidable pressures), which equated to almost 10% of the County Council's non-schools revenue budget. He also spoke about the shock, anger and disappointment he felt following the Ofsted report on safeguarding and Looked After Children and expressed his absolute determination to lead a strong and urgent recovery in this vital area. He explained the various measures that had been put in place to respond to the Ofsted recommendations, including the appointment of three senior interim managers, a positive meeting earlier that week with the Minister and the development of a draft improvement plan. He also mentioned a special Members' Seminar, which was being planned for the end of January 2011.

(2) At the conclusion of the Leader's oral report and the two Opposition Leaders' speeches, the Chairman stated that he intended to allow the Leader a maximum of five minutes to reply, in accordance with the recommendation of the Selection and Member Services Committee to alter this particular part of the Constitution (item 13 on the agenda for that day's meeting). Mr Christie challenged this ruling. Accordingly, Mr A J King moved and Mrs J Rook seconded that the Leader's reply be extended from two to five minutes and a formal vote was taken as follows:

For (63)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr G Cooke, Mr B Cope, Mr H Craske, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mr J London, Mr R Long, Mr K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr A Wickham, Mr M Whiting, Mrs J Whittle, Mr A Willicombe

Against (6)

Mr I Chittenden, Mr L Christie, Mrs E Green, Mr R Lees, Mr T Prater, Mr M Robertson

Abstain (4)

Mr D Daley, Mrs T Dean, Mr G Koowaree, Mr M Vye

Carried

(3) Accordingly, the Leader gave his formal reply for five minutes.

(In accordance with Council Procedure Rule 1.11, the Chairman proposed to vary the order of the agenda in order to take items 9 and 10 at this point. This was agreed)

8. Bold Steps for Kent: The Medium Term Plan to 2014/15

(1) Mr P Carter moved, Mr A King seconded that the County Council approve Bold Steps for Kent: the Medium Term Plan to 2014/15.

(2) After a detailed debate covering many aspects of the report, the Chairman put the recommendation to the vote, as follows:

For (70)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mr I Chittenden, Mrs P Cole, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D

Hirst, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mr R Lees, Mr J London, Mr R Long, Mr K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr T Prater, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Scholes, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mr M Vye, Mr J Wedgbury, Mr C Wells, Mr A Wickham, Mr M Whiting, Mrs J Whittle, Mr A Willicombe

Against (3)

Mr L Christie, Mr G Koowaree, Mr M Robertson

Abstain (0)

Carried

Resolved: that Bold Steps for Kent: the Medium Term Plan to 2014/15 be approved.

9. Change to keep succeeding

(1) The Chairman stated that he had agreed to consider this item as an urgent item because the formal consultation period only ended on 3 December 2010 and the implementation of the proposed management restructure outlined in this report and the new operating framework that would result was key to drive forward the implementation of the new Medium Term Plan, which the County Council had just approved.

(2) Mr P Carter moved, Mr R Gough seconded the recommendations on page 1 of the supplementary report on Change to Keep Succeeding.

(3) (2) After a detailed debate covering many aspects of the report, the Chairman put the recommendation to the vote, as follows:

For (63)

Mrs A Allen, Mr M Angell, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Jarvis, Mr A King, Mr R King, Mr J Kite, Mr P Lake, Mr R Lees, Mr J London, Mr R Long, Mr K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Scholes, Mr J Simmonds, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr A Wickham, Mr M Whiting, Mrs J Whittle, Mr A Willicombe

Against (8)

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

Carried

Resolved: that (1) the proposed operating framework, pay structure, grading structure and the performance management framework, as described in the report, be approved;

(2) the values, behaviours and competencies outlined in the proposals be endorsed and;

(3) the actions and timescale that will result from these decisions as outlined in the report be noted.

(At this stage in the proceedings, the Chairman adjourned the meeting, in order to convene the second meeting of the County Council in relation to Honorary Aldermen)

10. Petition Scheme Debates

(In accordance with Council Procedure Rule 1.11, the Chairman proposed to vary the order of the agenda in order to take 15 (Petition Scheme debates) at this point. This was agreed)

(1) The Chairman advised that the County Council had received four petitions that met the criteria for a debate at the County Council meeting, in accordance with the Petition Scheme adopted in July 2010. He explained that three of the petitions related to the proposed closure of The Limes, Blackburn Lodge and Bowles Lodge care homes for older persons and that there would be a combined debate on those three petitions. The fourth petition related to a highways matter in the Maidstone Borough area, which would be dealt with as a separate debate.

Proposed closure of The Limes, Blackburn Lodge and Bowles Lodge care homes for older people

(2) The following individuals addressed the County Council on the various petitions:

1. Ms Karen Baldwin from the Limes Focus Group and Mr David Lloyd from Unison – in relation to The Limes Petition
2. Ms Penny Cole – the local Member for The Limes petition
3. Ms Joan Tuck from Unison in relation to the Blackburn Lodge petition
4. Mr Ken Pugh – the local Member for the Blackburn Lodge petition
5. Mr David Lloyd from Unison – in relation to the Bowles Lodge petition
6. Mr Roger Manning – the local Member for the Bowles Lodge petition

(3) The Chairman then opened up the debate to the floor and a number of other Members spoke on the petitions.

(4) Mr Christie moved, Mr Koowaree seconded that the Cabinet Member for Adult Social Services gives full weight to the results of the consultation exercise when coming to his decision.

(5) The Chairman then invited the Cabinet Member for Adult Social Services to respond to the debate and describe how he intended to take the petitioners' concerns

forward. Mr Gibbens began by thanking all of the petitioners and speakers for attending the meeting and giving their views. He said that he was also grateful to Unison for co-ordinating the responses to the various consultations. He stressed that the various proposals were not about money and that, even if all 11 decisions proceeded as proposed, the savings that would accrue to Kent County Council would only amount to approximately £2m out of a total budget for Adult Social Services of approximately £450m. The reason for the consultation exercise was that KCC needed to respond to the needs of older people now and into the future. Mr Gibbens stated that people were living longer: in 20-30 years' time, the number of people aged 85 years or more would have doubled and the number of people suffering from dementia would also increase significantly, so the proposals were designed to protect and enhance services now and into the future. He also stressed that no changes would be made at any of the sites until alternative provision was in place. Mr Gibbens acknowledged how difficult and stressful the consultation process had been on residents, their families and friends, and on the staff concerned. With regard to the Limes, Mr Gibbens stated that respite care was very important and that the focus of working with the voluntary sector would continue. He also acknowledged that he would take into account the closure of A&E services at Queen Mary's Sidcup should the proposals for The Limes proceed. With regard to Blackburn Lodge, he stressed that this facility was not proposed for closure, but to transfer under a partnership arrangement and provide modernised services. With regard to Bowles Lodge, Mr Gibbens stressed again that no changes would be made until alternative provision was in place and that he also hoped over the longer term to ensure that there was much more day care provision in place so that residents didn't have to travel long distances for day care. He undertook to examine all of the consultation responses received and take notice of everything said today as he moved forward to take decisions. Finally, he stated that the Officers' reports would be published on KCC's website on 30 December; that the reports would be considered by Cabinet on 10 January; by the Adult Social Services Policy Overview and Scrutiny Committee on 12 January and he also expected his decisions to be considered at the meeting of the Cabinet Scrutiny Committee on 19 January.

(6) The Chairman then put Mr Christie's motion to the vote

Resolved: that the Cabinet Member for Adult Social Services gives full weight to the results of the consultation exercise when coming to his decision.

Mobile Advertising Boards ("A" Frames) in Maidstone

(7) The following individuals addressed the County Council on the above petition.

1. Mr N Butteriss – the lead petitioner for the "A" Frames Petition
2. Mr I Chittenden – the local Member

(8) Mr Chittenden moved, Mr Daley seconded that the Cabinet Member for Environment, Highways and Waste gives an undertaking to commence an immediate review of the policy, including full and effective external consultation with all relevant external bodies.

(9) The Chairman then opened up the debate to the floor and a number of other Members spoke on the petition.

(10) The Chairman then invited the Cabinet Member for Environment, Highways and Waste to respond to the debate and describe how he intended to take the petitioner's concerns forward. Mr Chard began by saying that the policy had been under consideration for some 18 months and that he had first-hand experience of how difficult the problem was for parents pushing a pushchair down the High Street in Sevenoaks. He accepted that there had been a proliferation of "A" Boards on pavements and that the pavements were often not wide enough to accommodate both "A" Boards and give proper access for pedestrians. He echoed the comments of Mr Butteriss and the elected Members who spoke about the effect on people with sight impairments and physical disabilities. Mr Chard stated that he had consulted the Department of Transport, the Federation of Small Businesses and the Kent Reference Panel on "A" Boards. He stated that the Federation recognised that they had become a problem in some town centres and that there was a need to restrict both their size and location. Mr Chard stated that he was trying to find the right balance for pedestrians but also for businesses who wanted to advertise their products and services. Finally, he undertook to address the concerns of the lead petitioner and re-visit the policy and that he would provide a written response to Mr Butteriss.

(11) The Chairman then put Mr Chittenden's motion to the vote:

Resolved: that the Cabinet Member for Environment, Highways and Waste gives an undertaking to commence an immediate review of the policy, including full and effective external consultation with all relevant external bodies.

11. Select Committee on Renewable Energy in Kent

(1) Mr Chard moved, Mr Ferrin seconded the recommendations on page 10 of the County Council agenda, with the exception of recommendation 22 on page 18 of the report (limiting the speed of all KCC vehicles except those attending emergencies, to a maximum speed of 56mph (90kph) in order to achieve greater fuel efficiency, in line with best commercial practice), because he wanted to look at the more efficient use of vehicles in its widest sense, rather than purely the speed that the vehicles drove.

(2) After a debate covering many aspects of the report, the Chairman invited the County Council to vote on the recommendations.

Resolved: that (1) the Select Committee report and recommendations 1-21 only be endorsed;

(2) the Select Committee be thanked for an excellent report on a challenging topic; and

(3) the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee be thanked also.

12. Select Committee on Extended Services

(1) Mrs Hohler moved, Mr Hill seconded the recommendations on page 40 of the County Council agenda.

(2) After a debate covering many aspects of the report, the Chairman invited the County Council to vote on the recommendations.

Resolved: that (1) the Select Committee report be endorsed by the County Council and in view of the current budgetary and restructuring proposals, its recommendations be noted for further consideration;

(2) the Select Committee be thanked for an excellent report on a complex and challenging issue; and

(3) the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee be thanked also.

13. Extension of Meeting

(1) In accordance with Council Procedure Rule 1.12 (2), the Chairman moved, the Vice Chairman seconded and it was:

Resolved: that the meeting be extended to 4.45 pm

14. Petition Scheme Review

(1) Mr A King moved, Mr Bowles seconded the recommendations on page 55 and 56 of the County Council agenda.

(2) With the approval of both the mover and seconder, recommendation 2 (b) was amended to make it clear that, in future, Locality Boards would be the most appropriate forum for dealing with petitions relating to single District/Borough Council areas.

Resolved: that the following recommendations from the Selection and Member Services Committee be approved:

(a) no change be made to the threshold levels to trigger a debate at County Council but that this matter be kept under review by the Selection and Member Services Committee;

(b) County Council should remain as the most appropriate forum for petition debates for the time being, but that in future, Locality Boards would be the most appropriate forum for dealing with petitions relating to single District/Borough Council areas and that the matter be kept under review by the Selection and Member Services Committee;

(c) the definition to be used as to what constituted a "petition on the same subject" is: "a petition on the same decision/issue as one debated by the County Council within the previous six months"

(d) petitions for a County Council debate should be submitted to the Head of Democratic Services and Local Leadership fourteen days before the meeting but that the Chairman of the County Council should have discretion to accept petitions about urgent matters following consultation with the Group Leaders;

- (e) the deadline for the receipt of the written statement should be brought forward to 5.00pm on the Monday of the week before the County Council meeting and there be a requirement for the Directorate to submit a brief position statement/briefing note to meet the same deadline, so that both pieces of information are available when the County Council agenda is despatched;
- (f) the maximum time for a petition debate at County Council should remain at 45 minutes, which is regarded as being inclusive of the Lead Petitioner, Local Member and the relevant Cabinet Member (in the event of the petition relating to an executive matter) all having a maximum of 5 minutes each, with all other speakers having a maximum of 3 minutes each.
- (g) no limit should be placed on the number of petition debates held at a single meeting of the County Council but that this matter be kept under review by the Selection and Member Services Committee;
- (h) the Chairman of the County Council should have discretion to hold a combined debate on more than one petition if the subject matters are similar;
- (i) petition debates should be placed on the agenda for the County Council immediately after the lunch break and that, if necessary, the Chairman of the County Council should re-order the remaining agenda items to accommodate this;
- (j) the deadline for the receipt of petitions that call an officer to give evidence to a POSC, and the supporting statement, should be the same as for a County Council debate; and
- (k) to include the requirement that the lead petitioner is given a copy of the recommendation(s) arising from a debate at the County Council or a Policy Overview and Scrutiny Committee

15. Proposed Changes to the Constitution

(1) Mr A King moved, Mrs Rook seconded the recommendations contained on page 79 of the County Council agenda.

(2) After discussion, it was:

Resolved: that the following amendments be made to the Constitution:

(a) Paragraph 1.20 (5) of the Rules applying to Council meetings (page 63 of the Constitution) be amended so that the length of the Leader's reply to the opposition Leaders' speeches on his oral report be extended to 5 minutes;

(b) Article 2 (2.3)(2)(m) (page 5 of the Constitution) be amended, so that there is clarity about the reallocation of constituency work in the absence of a Member, as follows:

"...represent and support individual constituents in their dealings with the Council. In the absence of a Member for reasons of ill-health or otherwise, the Member concerned (or, if they are unwilling or unable to do that, the relevant

Group Leader) should nominate another Member to act on behalf of the absent Member in relation to representing their constituents.”

(c) the proposed amendment to sub paragraph (g) of the Terms of Reference of the Personnel Committee (page 26 of the Constitution) and the proposed addition to the Personnel Management Rules (page 50 of the Constitution) in order to clarify the role of the Personnel Committee in hearing assimilation appeals from senior managers, as follows:

Sub paragraph (g) of the Personnel Committee Terms of Reference:

“through ad-hoc Sub Committees of Members (Panels), hearing and dealing with the final stage of unresolved grievances from Chief and Senior Officers and appeals by such officers against dismissal (including dismissal as a result of redundancy), assimilation ('slotting-in'), transfer or downgrading”.

Proposed addition to the Personnel Management Rules:

“Appeals against dismissal arising from redundancy, assimilation, transfer and downgrading

1. *Any appeal against a decision not to 'slot' a senior manager to a post graded M or above, a redundancy, transfer or downgrading must be lodged with the Director for Personnel and Development within ten working days of written confirmation to the officer of the decision and must include a written statement of the grounds on which the appeal is made.*

2. *Appeals will be heard by the Personnel Committee, or a sub committee of that Committee. As far as is practical such hearings will be arranged within ten working days of an appeal being lodged. If the Appeal is heard by a Panel of members then the quorum of such meeting shall include a Cabinet Member.*

16. Travel Scheme for Officers

(1) The Chairman advised that this report was not available for consideration at this meeting of the County Council and that the matter would be submitted to the next meeting in February.

17. Report on Urgent Key Decisions in the previous quarter

(1) Mr Carter moved, Mr A King seconded the recommendation on page 101 of the County Council agenda.

Resolved: that the reason for the urgent key decision being required in relation to the proposed new primary school on the Goat Lees Estate, Ashford, be noted.

18. Treasury Management Six Month Review 2010-2011

(1) Mr Simmonds moved, Miss Carey seconded the recommendation on page 108 of the County Council agenda be approved.

Resolved: that the Treasury Management Six Month Review 2010/11 be noted.

19. Minutes for Approval - Governance and Audit Committee

(1) Mr Long moved, Mr Wedgbury seconded that the Council notes the minutes of the Governance and Audit Committee meetings held on 15 September and 30 November 2010.

Resolved: that the minutes of the meetings of the Governance and Audit Committee held on 15 September and 30 November 2010, be noted.

20. Minutes for Information

(1) Pursuant to Procedure Rule 1.10 and 1.23(1), the Minutes of the Planning Applications Committee (27 July, 7 September, 12 October and 2 November 2010); the Regulation Committee (9 September 2010); and the Superannuation Fund Committee (20 August and 19 November 2010) were noted.