



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Tuesday, 2 December 2008

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, 11 December 2008 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

1. Declarations of Interest
2. Minutes of the meeting held on 16 October 2008 and if in order, to be approved as a correct record. (Pages 1 - 6)
3. Chairman's Announcements
4. Questions
5. Report by Leader of the Council
6. Select Committee Report - Accessing Democracy (Pages 7 - 14)
7. Member Development Policy (Pages 15 - 22)
8. IMG Report on Member Information (Pages 23 - 32)
9. Update on Localism (Pages 33 - 36)
10. Preparing the County Council for Future Challenges (Pages 37 - 54)
11. Proposed Amendments to the Constitution (Pages 55 - 82)
 - (a) Corporate Governance Audit Report – Responsibilities of Statutory Chief Officers
 - (b) Executive Leadership – Local Government and Public Involvement in Health Act 2007
 - (c) CFE Policy Overview Committee – New Sub-Committee and revised Terms of Reference for Children's Champions Board
 - (d) Publicising and Launching Select Committee Topic Review Reports
 - (e) Overview and Scrutiny
12. Urgent Decision Item - Quarterly Report (Pages 83 - 84)

13. Motion for Time Limited Debate - Dr M Eddy will move, Mr M Fittock will second:

That this Council, following the recommendation of the NSPCC, requires its Children, Families & Education Directorate to:

- (a) carry out an urgent review of Kent's Child Protection framework and procedures; and
- (b) carry out a specific review of its child protection plans, identifying those children at risk of the most serious harm examining especially closely those cases where decisions not to take legal proceedings have followed significant recorded dissent between professionals and/or managers, where children are on interim care orders and are still at home and where children are subject of an unfinished police investigation into maltreatment.

This Council also requires the results of these reviews to be compiled and circulated in a written report to all Members by the end of January 2009, with any personal data anonymised as necessary.

14. Motion for Time Limited Debate - Mr I Chittenden will move, Mr D Daley will second:

That this Council reviews the PIPKIN system of assessing road investment programmes

- (a) to prioritise safety over other issues; and
- (b) in the spirit of localism to include an opportunity for local Members as representatives of their local Divisions and areas to support prioritisation of schemes in those areas as part of the assessment.

15. Minutes for Information

Planning Applications Committee – 7 October and 4 November 2008.

(Pages 85 - 94)



Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

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 October 2008.

PRESENT:

Mr P W A Lake (Chairman)
Mr J A Davies (Vice-Chairman)

Mrs A D Allen, Mrs C Angell, Mr M J Angell, Mr A R Bassam, Mr T J Birkett, Mr R H C Bliss, Mr A H T Bowles, Mr D L Brazier, Mr R B Burgess, Mr C J Capon, Ms S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mr B R Cope, Mr G Cowan, Ms C J Cribbon, Mr A D Crowther, Mr J Curwood, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Dr M R Eddy, Mr K A Ferrin, MBE, Mr C G Findlay, Mr M J Fittock, Mr G K Gibbens, Mr R W Gough, Ms A Harrison, Mr M J Harrison, Mr C Hart, Mr W A Hayton, Mr C Hibberd, Mrs S V Hohler, Mr G A Horne MBE, Mr I T N Jones, DL, Mr R E King, Mr A J King, MBE, Mr S J G Koowaree, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr T A Maddison, Mr R F Manning, Mr R A Marsh, Mr J I Muckle, Mrs M Newell, Mr W V Newman, DL, Mr M J Northey, Mr R J E Parker, Mr R J Parry, Mr A R Poole, Mr L B Ridings, Dr T R Robinson, Mrs E D Rowbotham, Mr G Rowe, Mr J E Scholes, Mr J D Simmonds, Ms B J Simpson, Mr D Smyth, Mr M V Snelling, Mrs P A V Stockell, Mr R Tolputt, Mr R Truelove, Mrs E M Tweed, Mr M J Vye, Mr C T Wells, Mr B P Wood and Mr F Wood-Brignall.

IN ATTENDANCE: Mr P Gilroy (Chief Executive).

UNRESTRICTED ITEMS

1. Declarations of Interest

There were none.

2. Minutes

RESOLVED that the Minutes of the meeting held on 4 September 2008 are correctly recorded and that they be signed by the Chairman.

3. Chairman's Announcements

County Councillors

The Chairman formally reported the election of Mrs J Law as County Councillor for Herne Bay who filled the vacancy occasioned by the death of Mr J Law.

Olympics/Paralympics

The Council RESOLVED to place on record its congratulations to members of both the Olympic and Paralympic Teams for their great success at the Olympic Games in Beijing.

Mr Graham Badman, Managing Director, Children Families and Education

- (1) The Chairman informed the Council that this was the last meeting Mr Badman would be attending prior to leaving the County Council. Various Members paid tribute in respect of Mr Badman's services.
- (2) RESOLVED that the County Council places on record its appreciation and thanks for the loyal, inspirational and efficient service rendered to the County Council by Mr Badman.

4. Questions

Under Procedure Rule 1.18, 10 questions were asked and replies were given. One question remained unanswered at the end of thirty minutes and a written answer was given.

5. Treasury Management

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

RESOLVED that:-

- (a) the report be noted; and
- (b) the Economic Management Group, chaired by the Leader, comprising senior Cabinet Members, the Chief Executive and the Director of Finance, also include Members of the IMG on Budget.

6. Report by Leader of the Council

The Leader updated the Council on the signing of the construction contract for the Turner Centre which had come in below budget; the first wave of Building Schools for the Future project which could provide up to 400 apprenticeships; the launch of "Kent Healthwatch" on 10 October 2008; the imminent launch of the Public Health Strategy, the South East Plan and progress being made on the transformation of the Highways Department.

7. Towards 2010 Annual Report

- (1) Mr P Carter moved, Mr K Lynes seconded that the second Towards 2010 Annual Report be approved.
- (2) Dr M Eddy moved, Mr D Smyth seconded as an amendment that the report be "noted".
- (3) Mr P Carter with the consent of his seconder and the Council agreed to this amendment.
- (4) RESOLVED that the second Towards 2010 Annual Report be noted.

8. Kent Children & Young People's Plan

RESOLVED that:-

- (a) the Kent Children and Young People's Plan 2008-2011 be approved; and
- (b) any further changes required to the Plan be shared and agreed with the three Group Leaders prior to its distribution to members and to all partners/stakeholders.

9. Item for time limited debate

- (1) Mrs T Dean moved, Mr M Vye seconded:-

"That this Council opposes the development of a power station at Kingsnorth without the associated means of carbon capture as set out by the Environment Agency".

- (2) Mr K Ferrin moved, Mr K Lynes seconded as an amendment that all words after Council be deleted and the following substituted therefor:

"supports a mixed economy of energy generation and as part of that mixed economy, supports the development of Fossil Fuelled power stations provided they embrace the most advanced technology to reduce emissions.

- (3) Mr Ferrin with the consent of his seconder and the Council agreed to a request by Dr M Eddy to change the word "supports" after "economy" to "accepts".

- (4) The Chairman put to the vote the amendment set out in paragraph (2) as amended by paragraph (3) when the voting was as follows:-

For - 57

Mrs A D Allen, Mrs C Angell, Mr A R Bassam, Mr T Birkett, Mr R Bliss, Mr A H T Bowles, Mr D L Brazier, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr B R Cope, Mr G Cowan, Ms C J Cribbon, Mr A D Crowther, Mrs V J Dagger, Mr M C Dance, Dr M Eddy, Mr K A Ferrin, Mr C G Findlay, Mr M Fittock, Mr G K Gibbens, Mr R Gough, Ms A Harrison, Mr M J Harrison, Mr C Hart, Mr W A Hayton, Mr C Hibberd, Mrs S V Hohler, Mr I T N Jones, Mr R E King, Mrs J Law, Mr J F London, Mr R L H Long, Mr K G Lynes, Mr R Manning, Mr R A Marsh, Mr J I Muckle, Mrs M Newell, Mr W V Newman, Mr M Northey, Mr R Parker, Mr A R Poole, Mr L B Ridings, Dr T R Robinson, Mrs E Rowbotham, Mr J E Scholes, Mr J D Simmonds, Ms B Simpson, Mr D Smyth, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mr R Truelove, Mrs E Tweed and Mr F Wood-Brignall.

Against - 6

Mr I Chittenden, Mr D S Daley, Mrs T Dean, Mr S J G Koowaree, Mr G Rowe, and Mr M J Vye.

This was carried and became the substantive motion

- (5) The Chairman then put to the vote the substantive motion when the voting was as follows:-

For - 57

Mrs A D Allen, Mrs C Angell, Mr A R Bassam, Mr T Birkett, Mr R Bliss, Mr A H T Bowles, Mr D L Brazier, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr B R Cope, Mr G Cowan, Ms C J Cribbon, Mr A D Crowther, Mrs V J Dagger, Mr M C Dance, Dr M Eddy, Mr K A Ferrin, Mr C G Findlay, Mr M Fittock, Mr G K Gibbens, Mr R Gough, Ms A Harrison, Mr M J Harrison, Mr C Hart, Mr W A Hayton, Mr C Hibberd, Mrs S V Hohler, Mr I T N Jones, Mr R E King, Mrs J Law, Mr J F London, Mr R L H Long, Mr K G Lynes, Mr R Manning, Mr R A Marsh, Mr J I Muckle, Mrs M Newell, Mr W V Newman, Mr M Northey, Mr R Parker, Mr A R Poole, Mr L B Ridings, Dr T R Robinson, Mrs E Rowbotham, Mr J E Scholes, Mr J D Simmonds, Ms B Simpson, Mr D Smyth, Mr M Snelling, Mrs P Stockell, Mr R Tolputt, Mr R Truelove, Mrs E Tweed and Mr F Wood-Brignall.

Against – 6

Mr I Chittenden, Mr D S Daley, Mrs T Dean, Mr S J G Koowaree, Mr G Rowe, and Mr M J Vye.

Carried

- (6) RESOLVED that this Council supports a mixed economy of energy generation and as part of that mixed economy, accepts the development of Fossil Fuelled power stations provided they embrace the most advanced technology to reduce emissions.

10. Item for time limited debate

- (1) Mr P Carter moved, Mr N Chard seconded:

“That this County Council agrees to lobby Central Government for a response on how Kent is expected to cope with an additional 6,971 homes being built in the County every year until 2026 as proposed in the Government’s revised housing figures in the South East Plan, a total of 139,420 or a 21 per cent increase in homes, without diminishing the quality of life for Kent residents.”

- (2) The Chairman put to the vote the motion set out in (1) above when the voting was as follows:-

For - 42

Mrs A D Allen, Mr R Bliss, Mr A H T Bowles, Mr R B Burgess, Mr D L Brazier, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr I Chittenden, Mr B R Cope, Mr A D Crowther, Mr D S Daley, Mrs V J Dagger, Mr M C Dance, Mrs T Dean, Mr K A Ferrin, Mr C G Findlay, Mr G K Gibbens, Mr M J Harrison, Mr W A Hayton, Mr C Hibberd, Mrs S V Hohler, Mr R E King, Mr S J G Koowaree, Mrs J Law, Mr J F London, Mr R L H Long, Mr K G Lynes, Mr R Manning, Mr R A Marsh, Mr M Northey, Mr L B Ridings, Dr T R Robinson, Mr G Rowe, Mr J D Simmonds, Ms B Simpson, Mr J E Scholes, Mr M V Snelling, Mrs P Stockell, Mrs E Tweed, Mr M J Vye and Mr F Wood-Brignall.

Against - 17

Mrs C Angell, Mr T Birkett, Mr L Christie, Mr G Cowan, Dr M R Eddy, Mr M J Fittock, Ms A Harrison, Mr C Hart, Mr I T N Jones, Mr J I Muckle, Mrs M Newell, Mr W V Newman, Mr R J E Parker, Mr A R Poole, Mrs E Rowbotham, Mr D Smyth and Mr R Truelove.

Carried

- (3) RESOLVED that the County Council agrees to lobby Central Government for a response on how Kent is expected to cope with an additional 6,971 homes being built in the County every year until 2026 as proposed in the Government's revised housing figures in the South East Plan, a total of 139,420 or a 21 per cent increase in homes, without diminishing the quality of life for Kent residents.”

11. Minutes for Approval - Governance and Audit Committee

RESOLVED that pursuant to Procedure Rule 1.23 (3) these Minutes be noted.

12. Minutes for Information

Pursuant to Procedure Rules 1.10 and 1.19A the Minutes of the Planning Applications Committee and Regulation Committee were noted.

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By: Mr P Carter, Leader of the Council
To: County Council – 11 December 2008
Subject: SELECT COMMITTEE: ACCESSING DEMOCRACY

Summary: To comment on and endorse the report of the Select Committee on Accessing Democracy.

Introduction

1. The Corporate Policy Overview Committee proposed the establishment of a Select Committee to look at the some of the issues around Accessing Democracy. This was agreed by the Policy Overview Co-ordinating Committee at its meeting on 7 June 2007.

Select Committee Process

Membership

2. The Select Committee commenced its work in February 2008. The Chairman of the Select Committee was Mrs Christine Angell, other members being Mrs Ann Allen, Mr David Brazier, Mr Bill Hayton, Mr George Koowaree, Mr Mike Snelling, Mrs Eileen Rowbotham and Mr Roland Tolputt.

Terms of Reference

3. The Terms of Reference for this Select Committee Topic Review were to:-
- To understand why many people do not participate in and influence decision making in Kent
 - To discover what would/could encourage more people to participate in and influence decision making in Kent
 - To discover what KCC can do to increase participation

Evidence

4. The Committee used a number of evidence sources to inform their investigations including oral and written evidence from a wide range of stakeholders.

Timescale

5. The Select Committee met with Mr A J King, Deputy Leader, Corporate Support and External Affairs; Mr R Hardy, Director for Improvement and Engagement and Mr P Sass Head of Democratic Services and Local Leadership, on 3 September 2008 to receive comments on the Select Committee report. A copy of the Executive Summary and recommendations **is attached as Appendix 1**. The full report is available on the website and on request to the Democratic Services and Local Leadership Unit.

Conclusion

6. (1) I would like to congratulate the Select Committee on completing this very challenging piece of work. I would also like to thank all those witnesses who gave evidence to the Select Committee.

(2) The attached report was presented to the Cabinet on 15 September 2008 by Mrs C Angell, Chairman of the Select Committee, Mr D Brazier and Mr G Koowaree. The Leader thanked the Select Committee for its work and said that this had to be seen as part of a wider picture which included the work being currently undertaken through the Informal Member Groups on Member Development and Member Information. All these streams of work needed to be brought together and discussed collectively so that Members of the Council could have the opportunity to consider the total picture and how these matters should be taken forward.

4. Recommendations

I recommend that:-

- (a) the Select Committee report and its recommendations r be endorsed by the County Council;
- (b) the Select Committee be thanked for an excellent report on a complex, challenging and emotive issue;
- (c) the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee be thanked;

Mr P Carter
Leader of the Council and Cabinet Member for Policy and Performance

Background Information: *None*

Please contact Angela Evans on 01622 221876 or email angela.evans@kent.gov.uk if you require a full copy of the report.

ACCESSING DEMOCRACY

YOU CAN DO IT. REAL POLITICS FOR REAL PEOPLE

Executive Summary
August 2008



Foreword

People are accused of becoming bored and disenchanted with politics. When there is an issue which affects people, or their neighbourhood they will make their views and opinions felt, the so called 'single issue' debate. We need to build on that keen interest in community.

This Select Committee will not solve the issues of accessing democracy at a stroke. What it does is act as a pointer to enabling elected members to become involved in a variety of ways in their community. We already have many councillors who engage and work very hard for their constituents, however, with the increasing pressures on people's time, combined with the growth of technology people are keen to have a choice how to engage.

If people take time to engage they need to be listened to and their comments made, when asked, need to be seen to be acknowledged and be seen to make a difference. If not we end up with even more cynical members of the public, believing consultation to be merely a 'tick-box' exercise.

Decisions and choices which affect people need to be explained clearly and communicated in a way that engages all. Sometimes difficult decisions need to be made, and the choices need to be explained clearly to those affected. People are not foolish and we, as a Select Committee heard that when difficult decisions and choices need to be made, the people made their choice in a rational and appropriate way in order to benefit the most number of people in the community. We need conversations and dialogue rather than choices alone!

Decisions are often complex, there will always be conflicting objectives, conflicting stakeholders views, and with properly planned participation there will always be more than one thing that will be achieved. However, engaging and accessing Citizen Kent in those decisions which affect the community need to use many methods and approaches as 'one size does not fit all'. The public after all are not a homogenous group communities are actually made up of different people.

We, as a county council, have ever growing numbers of partners 'delivering' services to the community. As elected members we are ideally placed as representatives of our community. In our day to day activities we seek out to reach as many members of our community as possible. By engaging people at the point of delivery, we can enable citizens to shape their community and in turn community cohesion will build and grow making Kent an even better place to live, work and play.

Christine Angell
Chair, Accessing Democracy Select Committee

Executive Summary and Recommendations

1. In January 2008 an eight Member Select Committee was established to carry out a review on Accessing Democracy with the following terms of reference:

- To understand why many people do not participate in and influence decision making in Kent
- To discover what would/could encourage more people to participate in and influence decision making in Kent
- To discover what Kent County Council can do to increase participation

1.1 The Members of the Accessing Democracy Select Committee were:



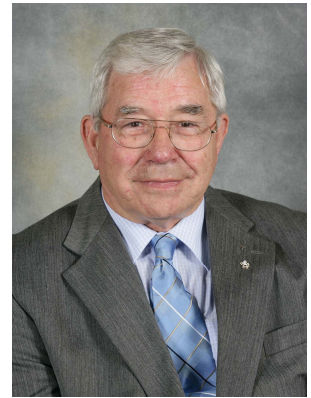
Mrs Christine Angell
(Chair)
Labour



Mrs Ann Allen
Conservative



Mr David Brazier
Conservative



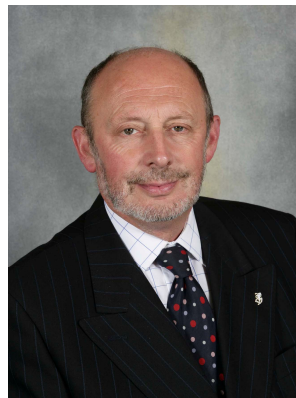
Mr Bill Hayton
Conservative



Mr George Koowaree
Liberal Democrat



Mrs Eileen
Rowbotham
Labour



Mr Mike Snelling
Conservative



Mr Roland Tolputt
Conservative

1.2 This report considers the steps needed to revive involvement in local decision making. It looks at the use of new technology and participation methods to facilitate two way communications with the public on local service policies and priorities, the localism agenda and structures and the role of elected members within a mix of representative and participative democracy. The review focuses on the themes of how to get people interested, how to encourage people to participate and improving knowledge and understanding of the opportunities to participate. The Select Committee used a number of evidence sources to inform the investigation, including hearings, discussion groups, insight gathering with local residents, written evidence, key documents and national research. This is written in the context of Kent County

Council (KCC) and KCC elected members, with recognition that as a two- tier authority in Kent there is similar debate with District partners.

1.3 Our report contains a number of recommendations, which if agreed by Cabinet and the County Council will hopefully reinvigorate local democracy in Kent and result in people becoming more involved and influencing decision making, in both the short and longer term.

1.4 Key points are

- Empowering elected members to be as accessible and responsive as possible is key and needs the imaginative use of both traditional methods and new technology.
- Two-way communication is a key component if we are to successfully engage with local people in local democracy.
- Elected member roles are fundamental to the development of effective local involvement.
- There needs to be greater opportunity for the further development of the role of frontline elected members, empowering them to make locally evidenced based decisions.
- There needs to be an enabling of Local Forums to become increasingly targeted on local priorities and outcomes, through dialogue, action planning, joint commitment and the ability to respond.
- Need to use new technology and opportunities presented by e-democracy to broaden input into local decision making processes, making it easier for some and develop dialogue with local people, and support the development of a range of tools. These won't necessarily engage uninterested people and an outreach approach may still be needed – a combination of tools is essential.
- Need positive, adaptable and flexible approach.
- Whilst there are diverging views amongst members, it is clear that one key factor is that however challenging, representative and participative processes are both key components of a healthy local democracy.
- Also need to consider how local people would like to take this agenda forward - One size does not fit all – within the framework Kent County Council and elected members should use innovation and flexibility to achieve best outcomes.

Recommendations

R1: Raise profile of elected members and use other strategies to change public perception.

R2: A 'menu of options' of how local people can get involved in local democracy in Kent should be promoted.

- a) 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).
- b) 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.

R3: 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.

R4: 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.

R5: 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.

R6: Citizenship pack should include information on how to register to vote, the role of local elected members and how to contact local member at District, County and National level.

R7: 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.

R8: KCC should provide subtitles and British Sign Language option on all DVDs produced.

R9: Elected members should have a hard copy summary of all the planned KCC consultations.

- a) **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.**
- b) **Information on consultations should include note on method of engagement to be used.**

R10: Facilities for video conferencing should be utilized, maximizing opportunities in Kent with KCC and partners.

- a) Elected members should be supported in using this service through current resources, training and support mechanisms.

R11: Need effective promotion of E-consultation and decision making to raise profile and encourage local people to have their say and voices heard.

- a) All engagement activities and weblinks should be brought under easily recognisable umbrella and portal e.g. 'Ask Kent', to ensure two way interactive communication.

- b) Facilities for blogs, emails, online surgeries, plus training and support should be available for elected members.

R12: 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.

R13: 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.

R14: 'Top tips' and contact details on making contact with seldom heard/ perceived hard to reach communities should be included in all new ward packs.

R15:

- a) The introduction of role descriptions for all elected members needs to be supported.
- b) The IDEA Councillors guide should be actively promoted and need to ensure all elected members have a copy.
- c) Training for elected members in ways of local government and ongoing training to help elected members carry out their role effectively should be actively supported.

R16: To effectively strengthen local structures for community engagement and encourage involvement in local decision making need

- a) Localism to be more outcome focussed.
- b) mechanism for prompt feedback to the public on specific issues.
- c) to explore further with District, Town and Parish Councils and other local partners what they believe would improve community engagement.
- d) to devolve power and resources to support local priorities and action, from discretionary funds being delegated to local forums for decision making.
- 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.

R17: 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.

By: Leader of the Council
Leader of the Labour Group
Leader of the Liberal Democrat Group

To: County Council – 11 December 2008

Subject: Member Development Policy

Introduction

1. Following the County Council meeting on 6 September 2007 we signed a commitment to the South East Employers Member Development Charter. It is hoped that the Charter will be achieved by April 2009 in time for the new County Council which will be elected in May 2009.

Informal Member Group: Member Development

2. (1) To take forward the preparation for the Member Development Charter the Selection Committee agreed to the establishment of an Informal Member Group. The Informal Member Group, Mrs P A V Stockell (Chairman), Mr R J A Parry, Ms A Harrison and Mrs T Dean, is overseeing the work being led by Ms C Ingleton, Learning and Development Manager and Mr P D Wickenden, Overview, Scrutiny and Localism Manager.

(2) An initial self assessment against the criteria for the Charter and the evidence the County Council already can draw on of the evidence identified has been considered by the Informal Member Group: Member Development. This self assessment is in effect the strategy to achieve accreditation for the Charter. The Informal Member Group: Member Development are Member Champions and have the role of keeping Members of their political group involved, engaged and committed to the process. The role of the 'Frontline Councillor' is key to the success of the County Council. As an initial step the Informal Member Group have prepared a Member Development Policy which has been considered by the Selection and Member Services Committee

(3) A copy of the draft Member Development Policy is attached as an appendix to this report. The County Council are invited to approve the Policy for incorporation in the County Council's Constitution.

Recommendation

3. The County Council are asked to approve the Member Development Policy for incorporation in the County Council's Constitution.

Paul Wickenden
Overview, Scrutiny and Localism Manager
Tel: 694486
Email: paul.wickenden@kent.gov.uk

Amanda Beer
Director of Personnel & Development
Tel: 694136
Email: amanda.beer@kent.gov.uk

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DRAFT

**KENT COUNTY COUNCIL
ELECTED MEMBER DEVELOPMENT
POLICY STATEMENT**

DRAFT

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INTRODUCTION

This Policy Statement is a key part of our commitment to providing development opportunities for Elected Members to enable them to effectively fulfil their role/s, now and in the future.

To demonstrate this commitment we have signed up to the South East Charter for Elected Member Development with the intention of attaining the Charter by April 2009.

This document has been developed by the cross-party Informal Member Group on Member Development as part of our action plan to achieve the Charter.

PRINCIPLES/STANDARDS

The Council is committed to:

- Developing elected Members to assist them fulfil their responsibilities to the local community, provide clear leadership and contribute to the achievement of the Council's aims and objectives.
- Equality of opportunity and access to training and development for all Members.
- Performance assessment for Members through an annual review of activity and ongoing development needs analysis.
- Ensuring adequate resources are available to meet Members' knowledge, training and development requirements.
- Working in partnership with other local authorities in the development and delivery of training for Members where appropriate.
- Using varied and innovative methods of delivering training and development that make the best use of technology and meet the personal needs of Members.
- Defining general and specific mandatory training and development requirements relating to the role/s of Members.
- Evaluating the impact and added value of training and development activity at an individual and organisational level.

PURPOSE OF ELECTED MEMBER DEVELOPMENT

The purpose of elected Member Development is to ensure Members have the knowledge, skills and behaviours they need to effectively undertake their role.

We will achieve this through a programme that:

- Develops Members' knowledge and awareness of local and national issues and legislation

- Develops Members' skills and behaviours across a range of areas including personal development; leadership, political and communication skills and ICT
- Provides opportunities to network with each other, other local authorities and partners
- Provides internal and external mentoring support.

INDUCTION

A comprehensive induction will be provided for all Members following County Councils elections and bi-elections. The programme will be developed in conjunction with the Informal Member Group on Member Development and include:

- Knowledge based learning
- Skill based learning
- Community issues including leadership, planning and public engagement
- Regulatory functions
- Scrutiny

Mentors will be provided to support all County Councillors who have been elected for the first time.

MANAGEMENT

Each party will nominate a Member to be the 'Member development' champion for the group and a Member of the Informal Member Group on Member Development. The Council will nominate officers as members of the IMG.

Reporting to the Selection and Member Services Committee the Informal Member Group on Member Development will have responsibility for approving the annual development programme and providing a steer for future requirements (see Appendix 1 for full Terms of Reference).

EVALUATION

All training and development events for members will be evaluated through individual feedback, achievement of planned outcomes and the overall contribution to the achievement of the council's aims and objectives.

Regular reports will be presented to the Informal Member Group on Member Development to enable the information to inform future planning of programmes and events. An annual report will be presented to County Council.

Members Training and Development Group

Terms of Reference

1. To champion and promote the development of Members
2. To regularly review the Member Training and Development Strategy to ensure its relevance.
3. To agree the Members training and development plan annually including induction programmes in appropriate years.
4. To monitor and evaluate the development programme for Members on an annual basis.
5. To support and encourage Members in working towards and maintaining the Charter for Member Development and Investors in People.
6. To report to the Council annually on progress of Member development.

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By: Mr P B Carter, Leader of the Council,
Dr M R Eddy, Leader of the Labour Group
Mrs T Dean, Leader of the Liberal Democrat Group

To: County Council – 11 December 2008

Subject: Informal Member Group report on Member Information

Summary: This report provides for the County Council a summary of the work of the Informal Member Group on Members Information and the views of the Selection and Member Services Committee consideration of the report on 26 November 2008.

Introduction

1. (1) An Informal Member Group (IMG) on Member Information was established by the Selection and Member Services Committee at its meeting on 10 October 2007. The IMG was chaired by Mrs T Dean who was joined by Mr J Davies, Vice Chairman of the County Council and Mr R Parker, representing the Labour Group.

(2) The purpose of the IMG was to respond to the County Council Policy decision of 23 March 2006 that the Information Point should co-ordinate a Member Information service across the County Council. The IMG also wished to assess the issue of Member satisfaction with the quality and quantity of information they receive, particularly in respect of individual electoral divisions. These issues were raised in survey to Members conducted by the three political group whips last year.

Terms of Reference

2. (1) The Terms of Reference for the IMG were:-

- To explore what facilities Members require in terms of information processes and product, to enable each Member to discharge their role as a County Councillor;
- To explore best practice elsewhere in the United Kingdom in Information Management i.e. delivering the right information to the right person at the right time; and
- To recommend to the Selection and Member Services Committee how County Council policy can best be implemented, to ensure the Information Point is the focal point for Member Information.

(2) Soon after the work of the IMG commenced it became apparent that consultants had been appointed to undertake a similar piece of work. The consultants, RSe, reported their outcome to the project sponsors for the consultancy piece of work, the Chief Officers Group at the beginning of July 2008 and the IMG's preliminary conclusions were shared with RSe Consultancy.

(3) In conducting their review, the IMG:-

- visited other authorities;
- viewed alternative systems;
- interviewed Officers within KCC's Information Systems Group;
- initiated a Member survey of information sources and preferred ways of receiving information; and
- held a Member Workshop to identify information needs on a future Members Portal.

(4) This resulted in the IMG reaching a number of conclusions which cover broadly two distinct but related areas of information:-

- (a) external, Government and partner related body information; and
- (b) local authority information held by the County Council and Borough and District Councils.

(5) The summary of the recommendations arising from the deliberations of the IMG is attached as Appendix 1 to this report. Any Member requiring a copy of the full report can obtain this from margaret.wickens@kent.gov.uk. A number of copies of the full report have been placed in the Members Lounge.

(6) The IMG noted that of the 31 options for improvement identified in the RSE Consultancy report, seven were given greater priority, with the following recommendations made in order of desirability based on cost, functionality and strategic fit:-

- (a) employ a single Corporate Information Champion;
- (b) create a Council-wide map of all information elements;
- (c) set information gathering approval and storage processes;
- (d) match information gathering and analysis resources to priorities mood;
- (e) promote information provision services;
- (f) improve KNet; and
- (g) enhance Information Management training.

(7) It should be noted that the report of the IMG Member Information is one of a package of work streams featured on the County Council agenda today, including some of the recommendations of the Select Committee Accessing Democracy and the ongoing work of the IMG: Member Development.

Selection and Member Services Committee

3. (1) The Selection and Member Services Committee considered the full report of the IMG at its meeting on 26 November 2008. A summary of the Selection and Member Services Committee debate is attached as Appendix 2.

(2) If the recommendations are approved by the County Council then the Selection and Member Services Committee has asked to receive regular reports in the new year on progress made in implementing the recommendations. Before this and on the assumption that the County Council approve the report the Selection and Member Services Committee asked for the recommendations to be costed for further discussion with the three Group Leaders and the Chief Officers Group.

Recommendation

4. We commend the recommendations of the IMG as set out in Appendix 1 to this report to the County Council for approval.

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**RECOMMENDATIONS OF THE INFORMAL MEMBER GROUP:
MEMBER INFORMATION**

R1. A Head of Information Management be appointed reporting to the Chief Executive.

R2. It is recommended that to address the complex nature of Member Information, a collaborative management board for the Information Point be set up.

R3. An urgent audit of staff engaged in Information Management across the authority be carried out, and duplication of processes and output be eliminated.

R4 Time released by eliminating duplication is invested in increased analysis, archiving and proactive reporting of information to assist members.

R5. Members' induction should encompass the rights of members to information, and the services available at the Information Point in depth, and interviews with each member arranged to determine their needs, with the option for Members to review their needs at least every six months.

R6. A Local Member Notification Protocol be developed, and electronic alerts introduced to systems, indicating when members need to be consulted and informed and by whom, with current contact details.

R7. A Members' Focus Group be set up to produce a list of information members require continuously 'on tap' on their Members' database. (See Appendix D for suggested content). An Information Protocol is prepared which sets out contact details for named individuals within the Directorates who are responsible for providing and updating this information, and sets out how their work fits in with the work of the Information Point

R8. An electronic Members' 'portal' or dashboard be developed to give easy access to the information requested in R7. The portal should be trialled by the Members' Focus Group to ensure it meet Members' needs.

R12. Member training should include research skills, and the use of electronic tools to enhance their effectiveness and information exchange with residents.

R13. All member training sessions be recorded, put on the portal, and marketed.

R14. KNet be improved, with easier navigation, an improved search engine, and regular updating of information.

R15. The Kent Partnership Board be encouraged as a matter of urgency to progress work on sharing of information and use of compatible systems to facilitate this.

R16. This IMG or a successor body be charged with driving through the actions agreed from this report, and that quarterly reports are submitted to the Selection and Member Services Committee on progress.

**SUMMARY OF THE SELECTION AND MEMBER SERVICES COMMITTEE'S
DISCUSSION OF THE REPORT BY THE INFORMAL MEMBER GROUP ON MEMBER
INFORMATION**

(1) The Selection and Member Services Committee met on Wednesday, 26 November 2008. It was attended by Mrs P A V Stockell (Chairman), Mr P B Carter, Mr J A Davies, Dr M R Eddy, Ms A Harrison, Mr A J King, Mr K G Lynes and Mr M J Vye.

(2) Mrs Dean presented the report from the Informal Member Group (IMG), whose Members had been Mrs Dean, Mr Davies and Mr Parker.

(3) Mrs Dean outlined the report and then explained that the IMG had made 16 recommendations of which the first two were considered the most important. These were:

Recommendation 1: A Head of Information Management is appointed reporting to the Chief Executive. Prime duties of this post holder would be to ensure that information is managed as a corporate resource, that officers work as a coordinated network and that IP staff and members receive in a timely and user friendly manner the information to which they are entitled in law and which they require to carry out their jobs.

Recommendation 2: In order to address the complex nature of Member Information, a collaborative management board for the Information Point be set up – comprising a Member from each political party, a library manager and the Head of Democratic Services. Staff within the Information Point should ideally be dedicated posts, and the unit be positioned as a corporate resource. Staff should be seconded into Democratic Services Unit from Library and Information Services – to ensure the continuity of training and professional support links currently available from the Libraries Unit are maintained. Line Management should sit with the Head of Democratic Services, disputes being referred to the Director of Legal Services who is also the Monitoring Officer responsible for ensuring Members' legal rights to information are enforced.

A Service Level Agreement should therefore be put in place between the Chief Executive and the Libraries Service to ensure that:

The public library catalogue can still be used to record all materials held at the Information Point and thus facilitate continued access to the catalogue from any pc with the Internet.

All library databases and subscriptions, currently used, can be accessed by the Information Point staff.

(1) In support of the recommendations, Mrs Dean said that the Chief Executive of West Sussex County Council had informed the IMG that his Authority had developed a "Local Member Notification Protocol" which ensured that all Officers involved in the Information area worked together as a team. The result had been that no complaints had been made about the lack of information available to Local Members for a very long time.

(2) The IMG recommended that KCC's information technology should become more available and accessible for Local Members. This included abandonment of the "googling" system in favour of "filed down" information. The Information Point (TIP) staff had the skills to achieve this but did not have the time resources to do so.

(3) Mrs Dean referred to the RSe Consultancy report, which had been prepared for the Chief Officer Group (COG) meeting in June 2008. The IMG report had agreed with each of its recommendations. She expressed disappointment that COG had not supported their Recommendation 1. She believed that it was crucial for this to happen, as this was the most effective way to enable the rest of the recommendations to be put into practice.

(4) Mr King congratulated all the Members of the IMG on their excellent analysis. He agreed that most of the recommendations needed to be given serious consideration. It was essential that Local Members of all parties were in a position to respond rapidly to local concerns. The fundamental question posed by this report was where within the County Council TIP should sit. This was not a question that the Selection and Member Services Committee should answer.

(5) Mr Davies said that he had a disagreement with Recommendation 2 in that he would prefer to see an advisory as opposed to a management board. He was particularly committed to the development of a Members' portal (Recommendation 8) and had been impressed with the successful system operated by Westminster Council.

(6) Mrs Dean stressed that the recommendations should be acted upon at the earliest opportunity, rather than waiting until the new Council in June.

(7) Ms Harrison suggested that the SDU and Public Access Unit could be given responsibility for organising Members' access to information. She agreed with the webcasting of training (Recommendation 13) as experience had shown that Members were often far too busy to attend training sessions (even if they were duplicated).

(8) Mr Vye commented that what interested Members was raw facts and the direction of travel. A very good format would be to present this information at both a constituency and wider district level.

(9) Mr Carter said that he welcomed the recommendations set out in the report. The next step should be to establish what information should be generic to every Member. They would need to be empowered to identify their needs. Care would also need to be taken to manage Members' expectations to ensure that the cost of implementation did not spiral out of control.

(10) Mr King saw the process as one of the agreement of the County Council to the principles of the report. A system should then be developed which enabled Officers and Members to provide and be provided with the information to which they would be reasonably and realistically entitled.

(11) Mr Wild, the Director of Law and Governance said that the key task was to speedily develop a cost-effective mechanism in consultation with ISG, Public Access and Members.

(12) Dr Eddy agreed with Mrs Dean and Mr Davies that duplication needed to be eliminated and that a Head of Information Management needed to be appointed. He said that it was essential that one person within the organisation took overall responsibility.

(13) Mrs Stockell suggested that much of the development work could be undertaken by the Member Development IMG monitoring of progress. This would negate the need for a separate Focus Group duplication.

(14) Mr King said that the question of whether to set up a Focus Group and/or Management Board would need further consideration once the views of the County Council were known. This matter should be further discussed in the interim report to Selection Committee on 23 January.

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By: Leader of the Council

To: County Council – 11 December 2008

Subject: Localism – A Strategy for Success – Update

Introduction

1. (1) I informed the County Council on 19 June that I would report to the Council before the end of the year on the discussions I had asked Cabinet Members, the Vice Chairman of the County Council and the Chairmen of the Local Boards where they exist to lead on with all of you on your aspirations for the model(s) of localism you will personally support and wish to see within the area you represent. You will recall that I informed the County Council on 19 June 2008 that “one size does not fit all” , and it is important that together with partner organisations you have the opportunity to say what is your preferred option

(2) I set out below the aspirations and progress which has been made on these discussions to date for the County Council’s information.

Summary of Discussions

Ashford

2. (1) Members who represent an Ashford electoral division will be meeting again on the afternoon of the County Council. There is general agreement that Neighbourhood Forums should be established (although one Member favours maintaining the Ashford Local Board).

(2) The composition of each Neighbourhood Forum would include all three tiers of local government in the Ashford area (or in the case of Ashford Central – the appropriate Urban Forum in replacement of a Parish Council). The Forums will work to the needs of the local community as a group and it is suggested that representatives of young people, the voluntary sector, other community leaders from the business sector, faith groups and/or Partnerships and PACTS may be invited to join the Forum as elected representatives think appropriate. The proposed roles and responsibility of the Forums are to:-

- (a) to disseminate information to local community leaders about relevant issues so that they are better informed to communicate these issues to residents;
- (b) to collate information from the local area (about community aspirations, satisfaction with Council services, issues of concern) and communicate this back to the Neighbourhood Forum Members;
- (c) to promote active participation of the local community leaders in representing their views and informing decision making at a local and countywide level;
- (d) to create an identifiable set of actions from each meeting as appropriate and to follow these through with the relevant decision making body;
- (e) to liaise with other Neighbourhood Forums in the Ashford area and consider joint working on shared goals and priorities; and

- (f) to produce an annual report with the actions and news from the Forum to be presented at the annual public meeting.

(3) These aspirations/proposals have not been formally presented to or considered by the appropriate Committee at Ashford Borough Council.

Canterbury

(4) Discussions have only recently taken place on the way forward with Members who represent a Canterbury electoral division and no firm conclusion have been reached. The Leader and Chief Executive of Canterbury City Council are very interested in achieving a merged Kent County Council/City Council arrangement by the beginning of the next municipal year.

Dartford

(5) Members who represent a Dartford electoral division are keen to see the work of the Dartford Local Board continue but with its membership extended to represent all three tiers of local authorities.

Dover

(6) Members will be aware that the Dover Neighbourhood Forums pilot was extended earlier on in the year. This model was recognised by the Comprehensive Performance Assessment Inspection Team as a good model.

Gravesham

(7) The County Council and Gravesham Borough Council have agreed to three pilot Neighbourhood Forums; Gravesham West, Gravesham East and Gravesham Rural. The first round of these Neighbourhood Forum meetings is taking place in December/January.

Maidstone

(8) Discussions with Members who represent a Maidstone electoral division have proceeded well with colleagues from Maidstone Borough Council and a representative of the Kent Association of Local Councils. Agreement has been reached in piloting three area Neighbourhood Forums across the Borough and work is in hand for these to be established early in the New Year. These will include the area County Members, nominated Borough and Parish Councillors and others from residents groups, Health, Police, Fire and voluntary services etc.

Sevenoaks

(9) Discussions have taken place with colleagues from Sevenoaks District Council and Members who represent Sevenoaks Electoral Divisions. The discussions with colleagues from Sevenoaks District Council did not agree a way forward on the basis of local fora, and a more imaginative structure, building on the best features of the local board is currently being devised for consideration.

Shepway

(10) A range of views have come forward from Members who represent Shepway Electoral Divisions, ranging from those who would like to see the existing Shepway Board maintained and others who would prefer to have a neighbourhood Forum for their own electoral division.

Swale

(11) Productive discussions have taken place between Swale Borough Council, the Kent Association of Local Councils, Members from the Voluntary Sector and all Members who represent a Swale Electoral division. By the time the County Council meets, there should be a formal agreement between the two Councils to establish a stronger link to the Swale Local Strategic Partnership which will create three Local Engagement Forums which will be piloted across the Borough. The Local Engagement Forums will be the Isle of Sheppey, Sittingbourne and Faversham. The existing Borough Council Area Forums and the Local Board for Swale will be suspended. Swale Local Engagement Forums will be semi-autonomous with Members who represent a Swale Electoral Division, Borough Ward Members, representatives from the Parish/Town councils, Local Strategic Partnership representatives and local organisations. It is planned that the first round of meetings of these new forums will take place in January 2009.

Thanet

(12) Discussions with the Members who represent a Thanet Electoral Division and colleagues from Thanet District Council have resulted in a conclusion that the Thanet Local Board works well but further discussions should take place to increase its membership from interested partner organisations.

Tonbridge & Malling

(13) There has been a useful dialogue with the Leader and Chief Executive of Tonbridge & Malling Borough Council to consider how the two Councils work in partnership to meet the emerging agenda of Community Engagement.

(14) The proposal is that the Joint Local Board should be abandoned and instead both authorities should continue to explore how to build on the good building blocks already established by Tonbridge & Malling Borough Council through the Tonbridge Forum and the Parish Partnership Panel. There is consensus that the two Forums (Tonbridge Forum and the Parish Partnership Panel) should be chaired by Tonbridge & Malling Borough Council with a Vice Chairman being drawn from the County Council Members who represent Tonbridge & Malling Electoral Divisions. Members who represent a Tonbridge & Malling Electoral Division will be entitled to suggest items for inclusion on the agendas for the two Forums, which will be agreed to by the partner bodies involved in each Forum. This will happen through an agenda setting process involving officers from both Councils.

(15) Consideration will be given to at least one of the Parish Partnership Panel meetings in the municipal year taking place in a venue other than the Council Chamber at Tonbridge & Malling offices at Kings Hill. It is suggested that the Parish Partnership Panel should be invited to consider this proposal.

(16) As with some other districts, some Tonbridge & Malling County Members would like to have a specific forum for their own electoral division and to include other representative groups e.g. resident groups, local borough members, the Police, etc.

Tunbridge Wells

(17) Members who represent County Council Electoral Divisions for Tunbridge Wells have recently met and agreed that the existing Tunbridge Wells Local Board should continue and a further discussion around the model which might be appropriate for Tunbridge Wells should take place after the County Council elections in the latter part of 2009.

Resources to support the New Pilot Models

3. (1) Two new Community Liaison Managers have recently been appointed to respond to this emerging Community Engagement agenda and the new pilots which are being established.

(2) The County Council will need to continue to monitor the pilot models of Local Community Engagement across the County and ensure that there are sufficient resources to respond to the emerging agenda.

Recommendation

4. The Council are asked to note the progress in responding to the emerging range of Community Engagement pilots being established across the County.

By: Paul Carter, Leader of the County Council
Peter Gilroy, Chief Executive

To: County Council – 11 December 2008

Subject: Preparing the County Council for Future Challenges

Classification: Unrestricted

Summary This report explains the circumstances that have added greater importance and urgency to the need for further transformational change in the County Council. The report sets out the detail of current key changes and maps out the areas of and future direction for further change.

FOR DECISION

Reasons for change

1. The County Council, like every resident and business in Kent, is currently facing an unprecedented set of circumstances that were largely unpredicted – indeed, unpredictable – until recently. It has been essential, as part of our continual vigilance, to reassess capacity and preparedness to adapt, in order to make sure the council maintains the core principles and values that underpin our ambitions for the people who live and work in Kent and also is prepared to meet future challenges.
2. KCC is but one part – albeit a hugely significant part – of the public realm in Kent. Our future is intertwined with that of other public sector partners and so it is essential to put our strategic leadership and capacity to work for the whole of the sector.
3. Therefore, to help prepare for the future, this report sets out to:
 - reaffirm the council’s core principles and values,
 - describe how we will continue to drive change,
 - establish a programme of work to deliver improved services within available resources,
 - secure agreement to initial changes to top-level management structures.
4. The appetite for excellence that the Council has developed in recent years stands us in good stead to proceed with confidence as we enter the era of the new Comprehensive Area Assessment performance regime. The Council has an enviable track-record for service improvement, for commitment to excellence, for innovation in systems and technology, for strong political and managerial leadership, for novel approaches to partnership working and for anticipating and preparing for change. These attributes have converged in the

Council's increasingly strong focus on public access and personalisation, which will need to remain the two essentials of our approach.

Building from strength

5. The Council starts from a position of real strength, starting with its sustainable community strategy, clearly articulated with partners and spelt out in the Vision for Kent. The Vision is further captured in the council's clear priorities for action set out in Towards 2010. Our strengths are further reflected in initiatives as diverse as the coherent set of projects that comprise the Supporting Independence Programme, on which we have worked with the Department for Work & Pensions and JobCentre Plus, and in how the Department of Health has embraced our TeleHealth programme as a national exemplar and Whole Systems Demonstrator project.
6. Whilst well aware of the unique challenges currently facing Kent, we have to make careful choices about investing for the County's future needs. These choices include seeing that resources are shifted over time towards vulnerable people and groups and more disadvantaged neighbourhoods. With about 80% of local government expenditure in the County, our expenditure decisions are crucially important but, notwithstanding the scale and reach of our activities, we are in close, even intimate, contact with residents in their local neighbourhoods and in their homes.
7. At the same time, our retail model of public access – our multi-agency Gateways – has seen exciting developments in the nature and quality of our public interactions. This forward-looking long-term approach is also demonstrated in our public health strategy, to tackle health inequalities and the determinants of poor health, in new ways of engaging people in service improvement through the Social Innovation Laboratory for Kent (SILK) and in our ambitious programme for tackling climate change.
8. KASS has remained consistently amongst the very best councils for its social care services since first achieving its top rating six years ago and the transformation in educational performance has this year been recognised in a resoundingly positive assessment in the JAR.
9. The competence, capacity and motivation of our staff are critical to our continued progress, as they are our most important asset. Kent Success (the Council's apprenticeship programme), the Strategy for Staff, the Leadership Programme (joint with our public sector partners) and the Kent Graduate Programme have all, in their various ways, contributed to an increasingly competent workforce, lower than average vacancy and turnover rates and an enviable level of continuity amongst the key frontline and professional staff.
10. Underpinning these strengths lies the Council's fundamentally sound financial management – eight consecutive years of balanced budgets; keeping our band D council tax the 12th lowest in England; and assessed as a top-rated 4 for 'use of resources' in our latest CPA.

The Council's principles

11. Throughout this change programme, our key principles will remain:-
- Personalisation – designing services around people and communities;
 - Quality – judging services by the quality of the customer experience;
 - Putting Kent first - standing up for Kent's people and businesses;
 - Local accountability – keeping decisions as close to the customer as possible;
 - Service excellence - a relentless commitment to service improvement;
 - Valuing staff – developing our best asset;
 - Pursuing innovation - exploiting new technology and taking acceptable risks;
 - Sound finances - operating within our financial means;
 - Value for Money – keeping corporate costs to a minimum;
 - Working in partnership – the total is greater than the sum of the parts.

The drivers for change

12. It is the Executive's view that the changing role of Local Government in the wider public realm (in brief, from one primarily of service delivery to one of service commissioning and place-shaping) has, in any event, necessitated the kinds of changes now proposed. However, in addition the step-changes in our focus on customers and the customer experience over the last 2-3 years, a number of events and trends over recent months have converged to oblige us to increase the speed of the change programme. These drivers are set out in the following paragraphs.
13. The personalisation agenda has rapidly moved to the mainstream and consumers of our services are increasingly seeking opportunities for their services to be designed around their life-styles. The emergence of new access channels, facilitated by new technologies, means there are no infrastructural obstacles to a radical step-change to single-point access, self-service and individualised service-design, the more so as individualised purchasing enables people to create their own packages. These drivers are now key to re-engineering our processes so that the expertise of professional staff is concentrated at the important "choice" points of the customer journey, not deployed primarily as gatekeepers.
14. At the same time, the citizen empowerment agenda raises people's expectations about increased opportunities for engagement in the decisions that impact on their daily lives and the neighbourhoods where they live. Hence, many areas of universal services, previously the presumed domain of technical and professional experts, are increasingly being opened up to a better-informed and less-deferential public.
15. We will have to respond in new ways to the housing growth and economic challenges the County faces over the coming months and years, paying particular attention to the necessity of carbon reduction and adapting to and mitigating the effects of climate change.

Shaping the future

16. Our strategic priorities will remain essentially unchanged. These include:
 - Increasing prosperity through business growth and job creation;
 - Continued transformation of secondary education and the skills agenda;
 - Reducing traffic congestion and improving public transport;
 - Sustainable quality homes in a well-managed environment;
 - Making Kent a safer place to live and work;
 - Continual improvement while containing costs.
17. To deliver these priorities will mean achieving a number of specific objectives. These include:
 - Achieving greater efficiency – by a systematic programme of redesign to free up funding through smarter commissioning, procurement and service management;
 - Getting a closer alignment of priorities and activities – by internal and peer review and via the annual MTP rounds;
 - Mainstreaming innovation – by freeing front-line managers wherever possible from burdensome national regulatory and performance regimes;
 - Better application of customer intelligence – through local area data analysis and better use of feedback arrangements;
 - Broadening joint working to simplify interactions for the public – through, for instance, Gateways, Kent Connects and the work of KIEP;
 - Automating routine tasks – by, for instance, extension of the purchase card application to a wider range of services across the public sector.
18. Despite having squeezed out a cumulative total of £92m of Gershon-type efficiencies since 2004/05 out of support and back-office activities, we intend now to take the opportunity of focussing on improving public access and making personalisation the norm as a way to redefine indirect and support costs and redirect even more resources into the front-line. Local Government's success in driving the efficiency agenda in the public sector has been reflected in the recent announcement that raises our annual target from 2% to 4% - a real challenge in these difficult times.

Changes to Organisational Structures

19. We have always tried to take a measured approach to restructuring, determined to ensure form follows function and that the result is rational and effective. Since the significant restructuring in 2006, structures within both the four service Directorates and the Chief Executive's department have evolved to meet the changing landscapes in which they operate and to ensure they are best able to meet the organisational priorities outlined above. The outcome of CPA and JAR inspections and the continued levels of excellence in service delivery testify that the structures put in place in 2006 have been effective and have provided the most outcome-focused and service-based approach.
20. It is now appropriate to undertake a broader review, both within Directorates and across the Authority, of the way services are delivered in order to ensure

KCC sustains excellence, continues to deliver high quality services, and retains the status the Authority has achieved as an innovative, continuously improving and forward-thinking organisation. It is critical that our organisational structures continue to provide us with an excellent basis to further minimise inefficiencies and maximise value for money. This review programme will be managed through the Chief Officer Group and reported to the County Council as appropriate.

Kent Adult Social Services

21. Kent Adult Social Services is currently consulting staff and stakeholders on proposals to introduce significant changes to the structure of the Directorate. The Directorate faces a major programme of modernisation in order to deliver adult social care in the future, against significant demographic pressures, along with the public's increasing expectation of the personalisation of their social care services.
22. Within this context, KASS has set out its vision for the total transformation of adult social care, to ensure people are empowered to identify, choose and control the support or care they want. The whole experience for people contacting KASS will be better - access will be easier, assessment will become proportionate, and individual need will be met earlier.
23. It is essential that a new structure is introduced to deliver the following key requirements:
 - KCC's commitment to ensuring that service users are placed at the heart of the transformation of services, and that Kent's excellent front-line services are maintained to these high quality standards;
 - a new configuration of front-line services, to ensure that Kent, for the benefit of its service users, remains at the forefront of the modernisation agenda;
 - the transformational agenda for social care, with the further development of strategic commissioning and self-directed support at its heart. In addition,
 - increasing the autonomy people will have in shaping and managing their own care and demanding that safeguarding responsibilities are built into every role undertaken by our staff;
 - the opportunity to create locality-based services which allow greater alignment with NHS PCT boundaries, further supporting our ongoing partnership arrangements; and
 - meeting the commitment to maximise opportunities for staff to take adopt flexible and mobile working practices.
24. The proposed structure for a realigned Senior Management Team (SMT) along with their direct reports is shown in the attached structure charts at **Appendix 1**. The existing posts of Director - Resources and Director - PPQA

will be deleted and the responsibilities currently held by these posts will be realigned across the remaining SMT membership, plus a new post of Director – Strategic Business Support.

25. In addition, a new post of Transforming Social Care Lead Officer will be created. The postholder will be responsible for overall management of the transformation agenda and will be a member of SMT throughout the time-limited period of 18 months from 1 April 2009. The current postholders of the Director of Resources and Director PPQA posts are accordingly both displaced.
26. It is proposed that the Director – Strategic Business Support post and the Transforming Social Care Lead Officer post are ringfenced to the displaced Director-level postholders. It is hoped to achieve the required changes through a preference exercise, but should this not prove possible a selection process will be applied. Appointments to these posts will be subject to Member approval.
27. Appointment to the Transforming Social Care Lead Officer will be on a time limited basis and, therefore, at the end of the period the postholder is likely to be in a redundancy situation, which would be managed in line with agreed procedures. Further details of the proposals can be found on KNet.

Children, Families and Education

28. Graham Badman has just left the council and two other Directors, Marilyn Hodges (Strategy, Policy and Performance) and Carol Parsons (Standards and Achievement) have decided to leave KCC at the end of December. This means that there will be a period of significant change in CFE's Senior Management Team. It is now appropriate, therefore, that the senior management structure in the Directorate is reviewed to ensure it is best placed to take the Directorate into the next phase of its development.
29. Interim arrangements have been put in place to ensure that there is continuity of leadership during this change period. Ian Craig, who assumes the Director of Children's Services designation, and Keith Abbott are joint interim Managing Directors whilst the post is being filled. The advertisement for the new Managing Director closes on 5 December and has been run in parallel with an Executive Search undertaken by Veredus. The rigorous selection process will be completed by the end of January 2009 at which time it is anticipated that an appointment will be made by Members. The person appointed will take up the post at a time dictated by the notice period they are required to give.
30. Cover arrangements for the two Directors and for Ian Craig, who leaves at the end of March next year, have been made by identifying officers, one from each of the three Divisions, who will join SMT and take on an interim lead role in addition to their current duties. They are Peggy Harris, who is already Head of the Advisory Service Kent, Marissa White, who is currently Head of Extended Schools, and David Adams, who is currently Area Children's Services Officer for Ashford and Shepway.

31. This will provide robust interim management arrangements and allow sufficient time for a measured review of the structure of CFE, at the same time as we will be recruiting the new Managing Director, who must have the opportunity to contribute to the changes in the Directorate. This review will take account of legislative requirements, financial realities and evolving service delivery models.
32. The Children Act 2004 requires the appointment of a Director of Children's Services (DCS) as well as a political "Lead Member" and the establishment of a Children's Trust. Legislation requires local authorities to have sound arrangements in place for the integrated planning, commissioning and delivery of children's services and such systems will need to be embedded within those structural arrangements.
33. Local Children's Services Partnerships, it is envisaged, will become the local delivery arms for the Kent Children's Trust and the County Council's own children's services. Services will be commissioned to deliver the outcomes identified in the Kent Children and Young People's Plan (CYPP), our primary strategic commissioning document, and in line with targets set in Kent Agreement 2.
34. The effectiveness of the KCT and successful delivery of the CYPP will be critical in the inspection judgment made of KCC in the new Comprehensive Area Assessment (CAA).
35. The aim of the review will be to create a streamlined strategic centre, enabling CFE to deliver its statutory functions through increasing local partnership working, with a commissioning framework at the centre that directs, quality-assures and performance-manages local service delivery – and intervenes if or when necessary.
36. The Children Act 2004 also established statutory Local Safeguarding Children Boards and provided a legislative basis for better sharing of information. Further proposals for changes in CFE will be brought before Council once the new Managing Director has been appointed.

Environment and Regeneration

37. Following Adam Wilkinson's departure the decision was taken to put in place interim arrangements to maintain service delivery in the Directorate and provide a period of stability.
38. Mike Austerberry has been appointed to the post of Interim Executive Director Environment, Highways and Waste. He is responsible for Kent Highways Services, Environment and Waste and the Resources Division which provides support services across the whole of the Environment and Regeneration Directorate. Caroline Bruce is reporting to Mike Austerberry as interim Director of Highways following Geoff Mee's secondment to develop a Transportation Strategy for Kent. Caroline Bruce will lead on the continuing transformation of Kent Highways Services which is now ready to move form

the stage of structural change to deliver service improvements, business process efficiencies and excellence in Customer Service.

39. David Cockburn, Executive Director, Strategy, Economic Development & ICT is now responsible for Economic Development strategy and commissioning, including Regeneration and also, in the interim, for the authority's statutory planning function and for project delivery. He retains responsibility for the Corporate Policy, Improvement and Engagement and ISG functions. Claudette Forbes will join David Cockburn's team as Interim Director of Economic Development in early December.
40. These arrangements have been put in place incrementally since 1 October, providing for a period of reflection on the most appropriate way to structure into the medium term the delivery of the critical but diverse group of services which have made up the Environment and Regeneration Directorate. So far, the feedback from the current arrangements has been positive with the Executive Directors being able to give leadership and support to a defined group of services, after a period of significant change. The Directorate Senior Team continues to meet as a whole to ensure ongoing continuity with shared priorities across the Directorate. It is intended to make proposals for the future shape of this Directorate in the first quarter of next year and if necessary these will be reported to Council.

Chief Executive's Department

41. Key corporate services will continue to report to the Chief Executive to ensure coherence and a proximity to Cabinet and the Chief Officers Group. Since the department was established in 2006, provision of these services has continued to evolve and improve.
42. One area of significant change and modernisation has been concerned with policy, performance management and partnerships. This has seen the appointments to the posts of Head of Strategic Policy, Debra Exall and Head of Engagement and Improvement, Robert Hardy. Both these posts report to David Cockburn, Executive Director, Strategy, Economic Development & ICT and this has enabled a significant rationalisation of the number of senior posts engaged in this activity and transformed the approach to corporate policy.
43. Economic Development strategy and commissioning has been moved into the Chief Executive's Department recognising it as a genuinely corporate activity, being a component, factor and influence on the activities and services of all parts of the Authority. There is a fundamental logic in establishing a genuine "strategic enabling" function for economic development, operating at County level, that connects and commissions delivery from a number of sources both within and outside the Council. A whole-organisation approach, achieved from the repositioning of this activity, will significantly improve coherence and overall effectiveness of this critical role for the Authority.
44. Similarly, the decision was taken that public access strategy and delivery, including taking a lead on enabling a more joined up approach across public agencies in the County, was a whole organisation activity. The Contact

Centre was transferred into the Chief Executive's Department to allow better co-ordination with the ongoing development of Gateways and is now led by Tanya Oliver, Director of Strategic Development and Public Access.

45. The Supporting Independence team, headed by Pauline Smith, is to transfer to the Communities Directorate. Whilst the Supporting Independence agenda, including the Kent Success Programme, impacts across all Directorates and is at the heart of the Authority's strategic agenda, delivery will be facilitated by this move. There are synergies with Adult Education and other community focussed services in Communities which will add depth to the delivery mechanisms for Supporting Independence and the aims of the programme fit well with Communities' vision for community participation."
46. With the appointment of Mike Austerberry to the Interim Executive Director of Environment, Highways and Waste, interim arrangements have been put in place in the property function. His responsibilities are being covered by Peter Binnie, Liz Walker and Paul Kennedy. Each retains full functional responsibility for their existing areas, and a collective responsibility for cross-cutting Property Group issues.
47. The overall structure of the organisation down to third tier level, reflecting the changes described above, is shown on the charts attached as Appendix 2.

Recommendations

Members of County Council are asked to:-

- i) NOTE the contents of this report;
- ii) ENDORSE the actions taken to date to commence senior management structure reviews in the KASS, CFE and E&R directorates and the CED;
- iii) ENDORSE the interim arrangements put in place to maintain continuity and capability pending the outcome of the reviews;
- iv) DELEGATE to the Chief Executive the authority to implement the findings of those reviews, referred to in paragraph 20, save those which the Constitution specifically reserves to the County Council;
- v) APPROVE changes to Appendix 8 of the Constitution with regard to the composition and overall senior management structure of the organisation.

Lynda McMullan
Director of Finance

David Cockburn
Executive Director
Strategy, Economic
Development & ICT

Amanda Beer
Director of Personnel
& Development

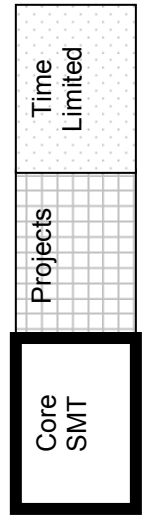
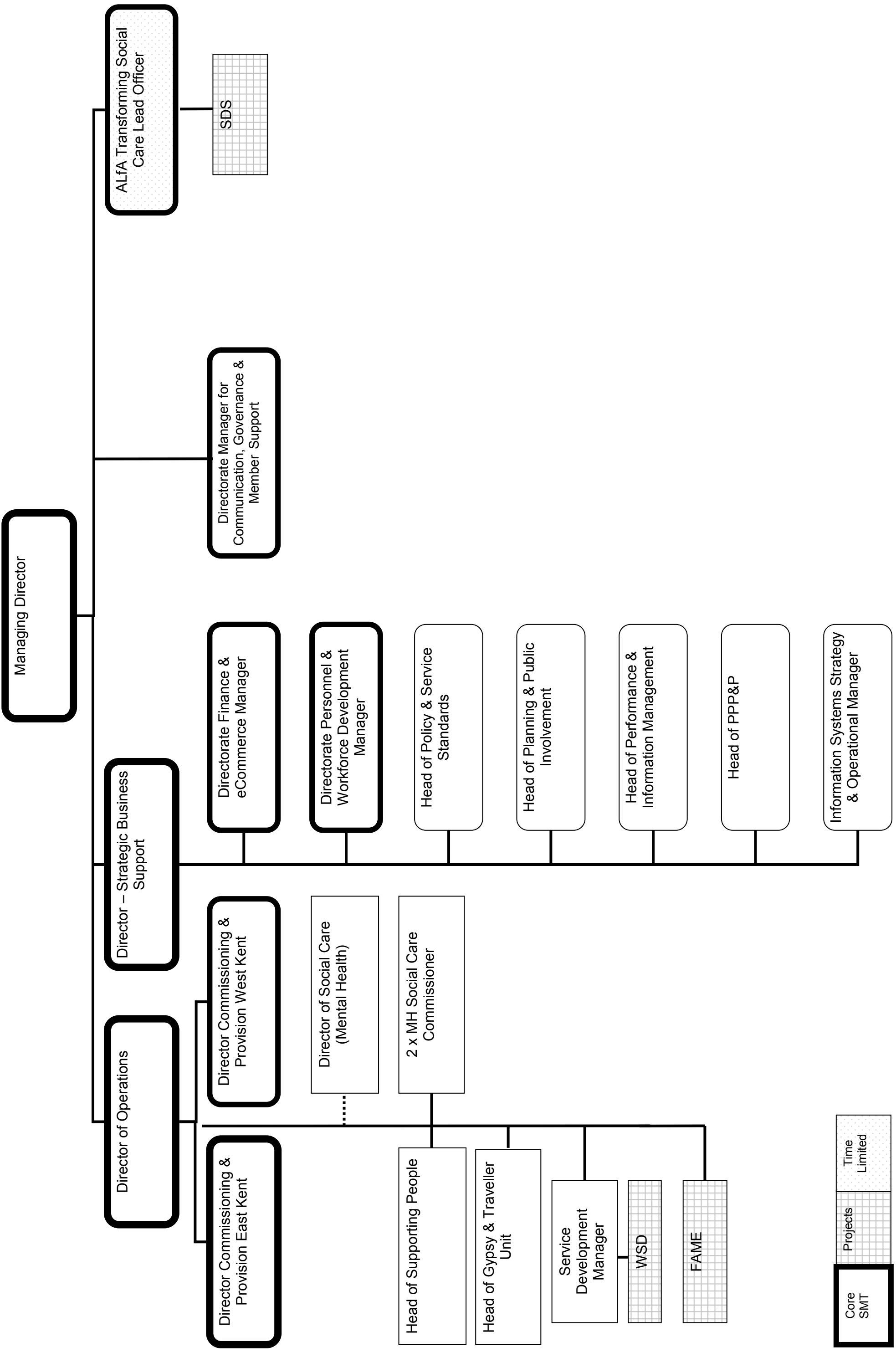
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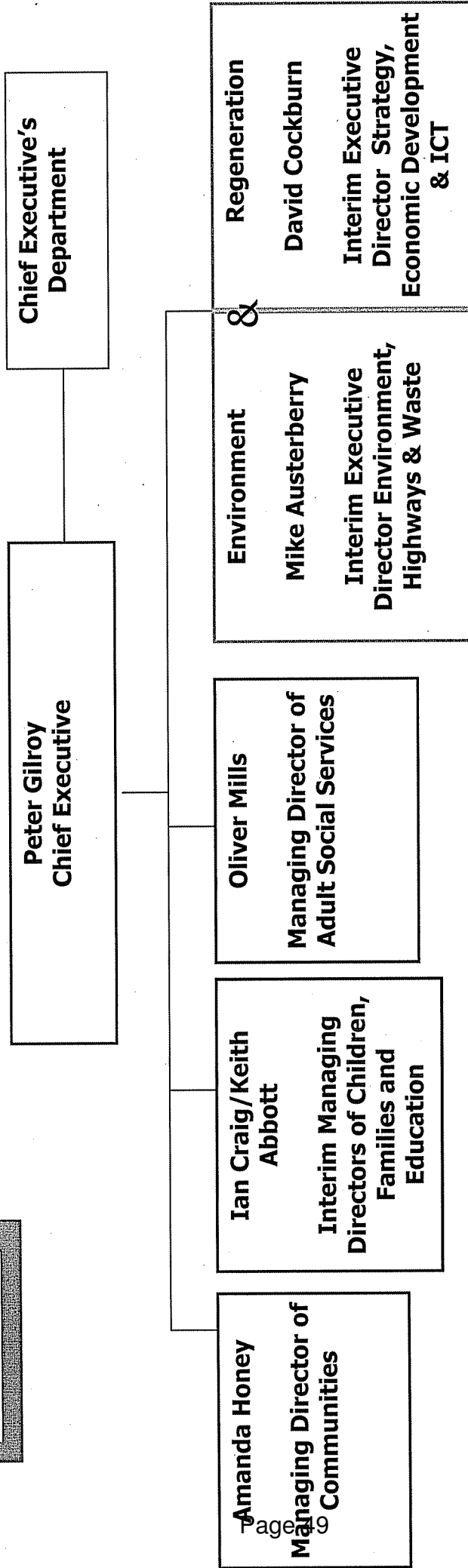
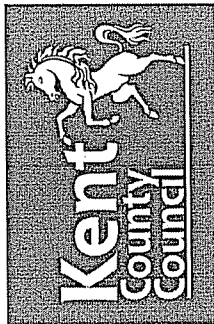
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PROPOSED KASS SMT STRUCTURE wef 1 April 2009 (including Direct Reports)



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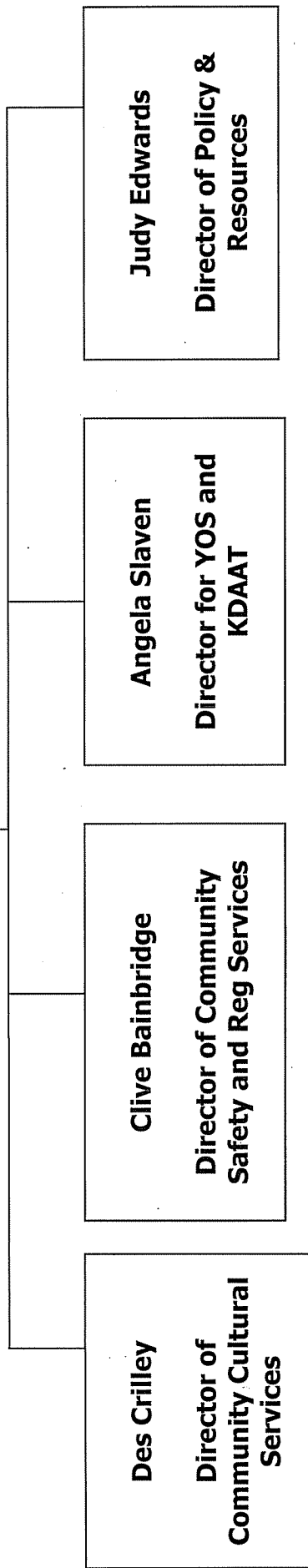


Communities Directorate

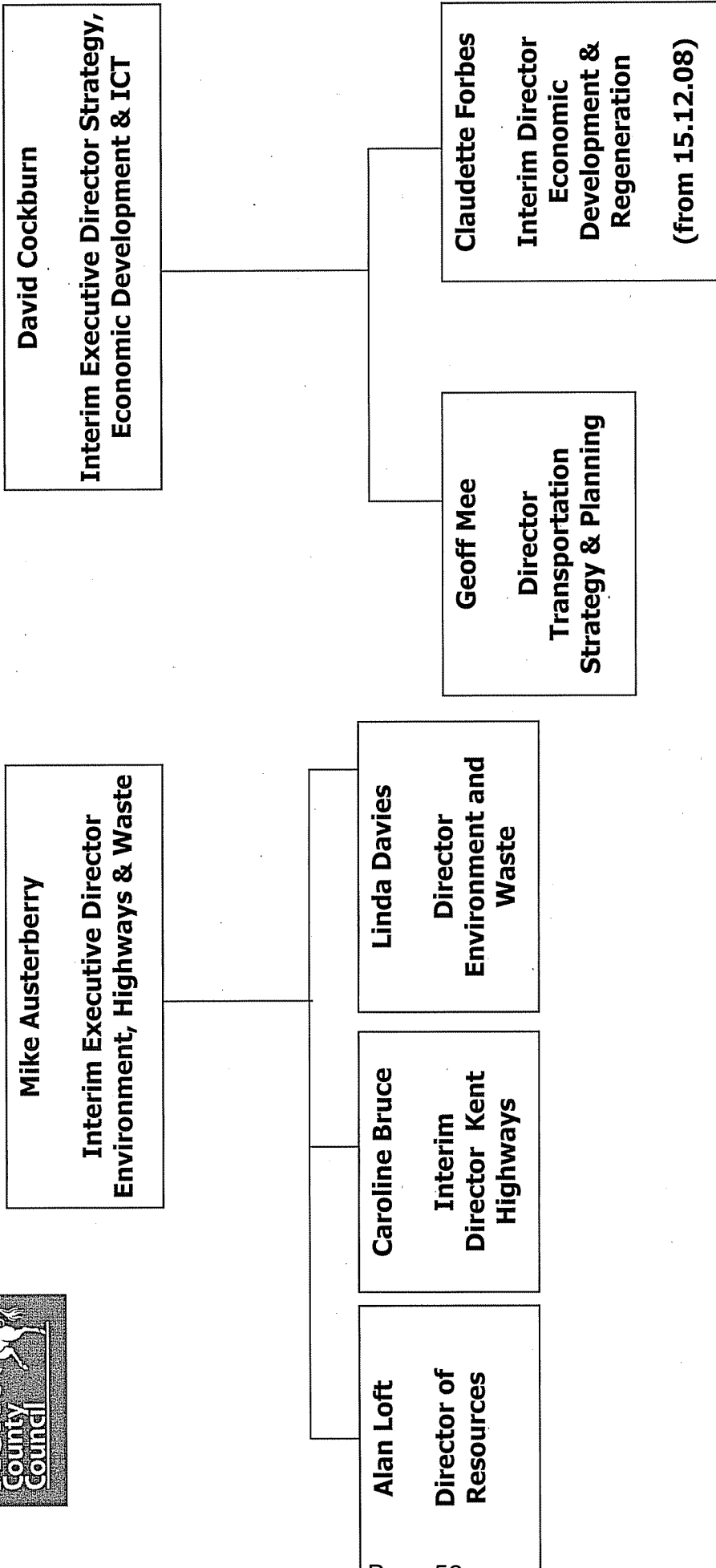


Amanda Honey
Managing Director

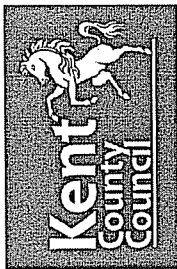
Victoria Pomeroy
Director of
Turner Contemporary



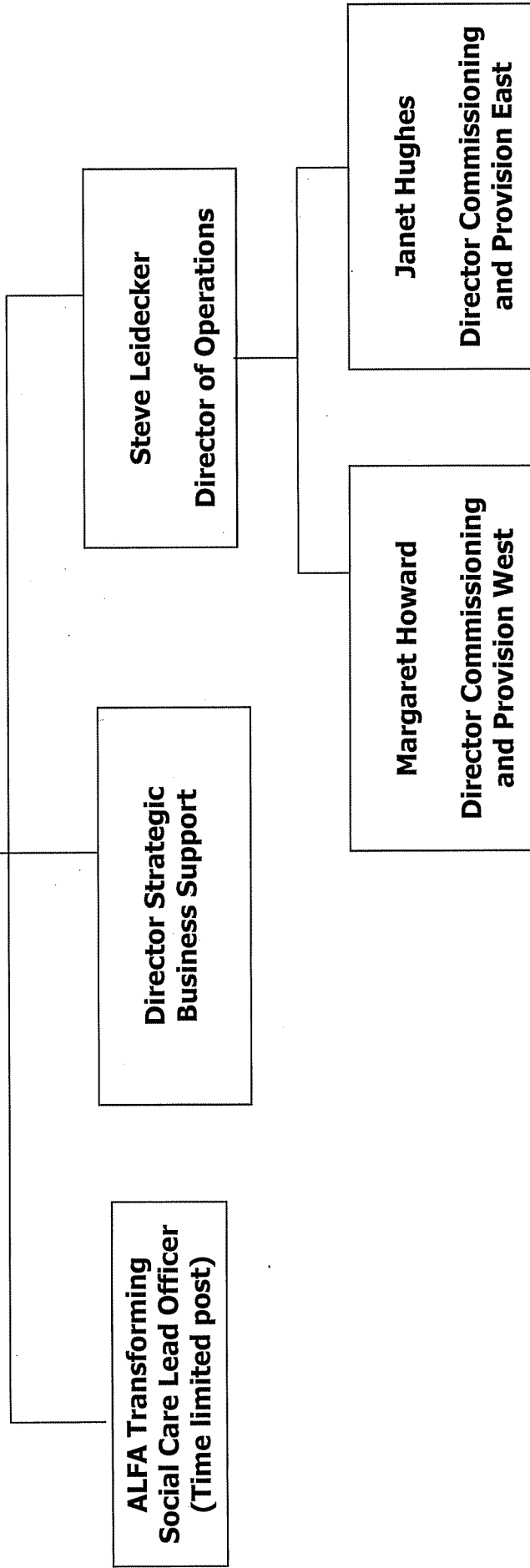
Environment & Regeneration



Adult Social Services — Proposed



Oliver Mills
Managing Director



**ALFA Transforming
Social Care Lead Officer
(Time limited post)**

**Director Strategic
Business Support**

Steve Leidecker
Director of Operations

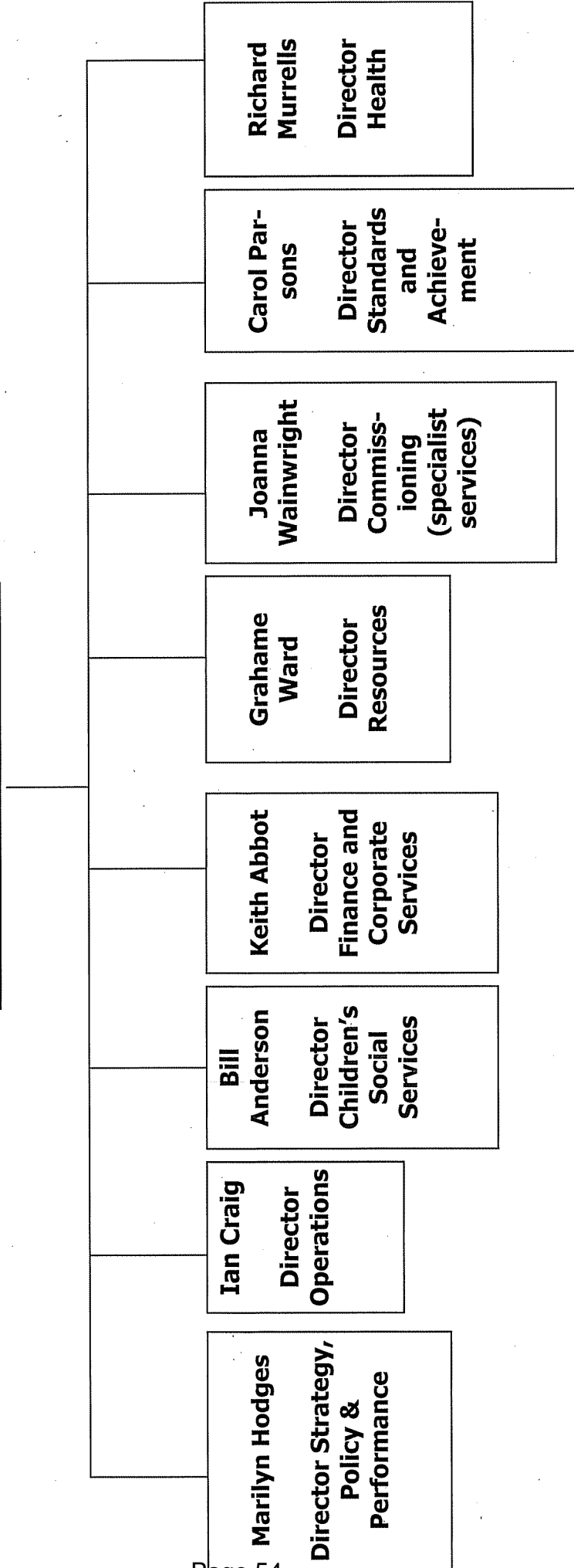
Margaret Howard
Director Commissioning
and Provision West

Janet Hughes
Director Commissioning
and Provision East

Children, Families and Education



Ian Craig/Keith Abbott
Interim Managing Directors of
Children, Families and Education



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

To: County Council – 11 December 2008

Subject: Corporate Governance Audit report – Responsibilities of Statutory Chief Officers

Summary: To agree that the Constitution should be amended to include the responsibilities of the Director of Adult Social Services and the Director of Children's Services as statutory chief officers.

Unrestricted

Background

1. Kent Audit has reviewed the Council-wide governance arrangements by comparing them with the six principles of the CIPFA SOLACE Governance Framework (Delivering Good Governance in Local Government, 2007). The Council's Governance arrangements have been found to be largely in accordance with both the core and supporting principles and based on the findings in this Audit, there is high assurance that risks, which could prevent achievement of business objectives pertaining to the audited system, are managed effectively. This is the highest level of control assurance and is only agreed as an overall outcome where there are "strong controls in place and complied with".
2. Three recommendations have been made by Kent Audit, one of which relates to the acknowledgment in the Constitution of the statutory roles of certain chief officers. In accordance with Article 15.2 of the Constitution, changes may only be made to the Articles by full Council after consideration of the proposal by this Committee and appropriate public consultation.

Proposal to amend Article 12 of the Constitution

3. Kent Audit has identified that the Director of Adult Social Services (known in Kent as the Managing Director of Kent Adult Social Services) and the Director of Children's Services (known in Kent as the Managing Director Children, Families and Education) are statutory chief officers, but are not acknowledged as such in the Constitution and their responsibilities are not included. The risk that has been identified by Kent Audit is that the significance and responsibilities of these roles may be underestimated. Accordingly, it is recommended that the Constitution should be updated to include the responsibilities of these statutory chief officers.
4. Article 12 of the Constitution explains the Council's Management Structure and also includes the key responsibilities and functions of the Head of the Paid Service, the Monitoring Officer and Chief Finance Officer. It is recommended that the key roles and responsibilities of the Director of Adult Social Services (Managing Director of Kent Adult Social Services) and the Director of Children's Services (Managing Director of Children, Families and Education), be added to Article 12, as follows:

Director of Adult Social Services

The Director of Adult Social Services (known in Kent as the Managing Director of Kent Adult Social Services) is a statutory post with strategic responsibility for the planning, commissioning and delivery of social services for all adult client groups and with a leading role in delivering the wider vision for social care.

The key roles of the Director of Adult Social Service include:

- Providing accountability for assessing local needs and ensuring availability and delivery of a full range of quality adult social services
- Providing professional leadership, including workforce planning
- Championing the rights of adults with social care needs in the wider community, including proactive and person-centred services
- Leading the implementation of standards to drive up the quality of care
- Promoting local access and ownership and driving partnership working to delivering a responsive whole system approach to social care
- Delivering an integrated whole systems approach to supporting communities, in particular by working closely with the Director of Children's Services to support individuals with care needs through the different stages of their lives
- Promoting social inclusion and well-being to deliver a proactive approach to meeting the care needs of adults in culturally sensitive ways

Director of Children's Services

The Director of Children's Services (known in Kent as the Managing Director Children, Families and Education) is a statutory post with strategic responsibility for building and leading arrangements under the Children Act 2004 (the Act) for improving outcomes for and well-being of children and young people, either directly or with other agencies. The Director is a member of the Children's Services Authority's (CSA) corporate team and is accountable to the authority's executive.

The Director of Children's Services is appointed for the purposes of the Children's Services Authority's functions in four key areas:

- (a) Education Services: the authority's functions in its capacity as a local education authority, except those excluded under section 18(3) of the Act (namely certain functions relating to further education, higher education and adult education).
- (b) Social Services: the authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children, and the local authority's functions for children and young people leaving care.
- (c) Health Services: any health related functions exercised on behalf of an NHS body under section 31 of the Health Act 1999, insofar as they relate to children.
- (d) Inter-agency co-operation: the new functions of the CSA set out in the Act, in particular building and leading the arrangements for inter agency co-operation in relation to the well-being and safeguarding of children,

maintaining a database of basic information of all children in the area and preparing and publishing a Children and Young People's Plan.

Consideration by the Selection and Member Services Committee

5. This proposal to amend the Constitution was considered by the Selection and Member Services Committee on 26 November. The Committee agreed to support the proposed alteration to the Constitution, subject to any views received from NHS bodies and other relevant private, public and voluntary organisations. Accordingly, contact was made with all of the Primary Care and acute NHS Trusts in Kent, together with other relevant organisations, inviting comments on the proposals. Any comments received will be reported directly to the County Council.

Recommendation:

That the Constitution be amended to include the responsibilities of the Director of Adult Social Services (known in Kent as the Managing Director of Adult Social Services) and the Director of Children's Services (known in Kent as the Managing Director of Children, Families and Education) as statutory chief officers, as described in this report.

Peter Sass
November 2008

Background Papers:

Report issued by Kent Audit on Corporate Governance – 29 May 2008

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

To: County Council – 11 December 2008

Subject: The Local Government and Public Involvement in Health Act 2007 – confirmation of executive arrangements

Summary: To consider passing a formal resolution of the Council to confirm and reaffirm the “Leader and Cabinet Executive” model of decision-making, in accordance with the Local Government and Public Involvement in Health Act 2007 and to approve the necessary amendments to the Constitution.

Unrestricted

Background

1. The Local Government Act 2000 radically altered the decision making structures of local government in England. Central to these reforms was the clear separation between executive Members and the majority of other Members. The Act required local authorities to adopt a new governance structure, moving away from decisions being taken by cross party committees and introducing an executive with a wide-ranging leadership role and separate overview and scrutiny functions. The Act offered a choice of three specific executive models for local authorities:

- (a) Mayor and Cabinet
- (b) Leader and Cabinet
- (c) Mayor and Council Manager

2. The Local Government and Public Involvement in Health Act 2007 takes things a stage further, requiring larger authorities to have a leader who has been elected for the full term of the Council (rather than being elected annually, as under the 2000 Act), whether that is directly by the electorate (i.e. a Mayor) or by the Council Members (a Leader). In addition, the requirement in the 2000 Act for a referendum to take place before a shift to an elected mayor form of leadership takes place has been dropped, although councils may still choose to hold a referendum.

Revised Executive arrangements

3. The 2007 Act required the Council to formally resolve to discontinue its current executive arrangements and consider which of the two models available it wishes to adopt going forward. These are either:

- (a) A directly elected Mayor and Cabinet; or
- (b) A new style Leader and Cabinet.

4. KCC’s constitution already reflects an executive in a form specified in the 2007 Act, i.e. a leader and cabinet executive model, with the Leader being elected by the

full Council for a term expiring until the next election of all Members of the Council. The requirements in the 2007 Act for a Leader and Cabinet Executive model are:

- (a) The executive arrangements must include provision which enables the executive leader to determine the number of councillors who may be appointed to the executive
- (b) The executive arrangements must include provision which requires the executive leader to appoint one of the members of the executive to be his deputy
- (c) Subject to point (d) below, the deputy executive leader, unless he resigns as deputy executive leader or ceases to be a member of the authority, is to hold office until the end of the term of office of the executive leader
- (d) The executive leader may, if he thinks fit, remove the deputy executive leader from office
- (e) Where a vacancy occurs in the office of deputy executive leader, the executive leader must appoint another person in his place
- (f) If for any reason the executive leader is unable to act or the office of executive leader is vacant, the deputy executive leader must act in his place
- (g) If for any reason:
 - 1. the executive leader is unable to act or the office of executive leader is vacant, and
 - 2. the deputy executive leader is unable to act or the office of deputy executive leader is vacantthe executive must act in the executive leader's place or must arrange for a member of the executive to act in his place.

5. Subject to a formal resolution of the Council confirming and reaffirming the adoption of the Leader and Cabinet Executive model, points 4 (b) to (g) above will need to be included in Article 8 and Appendix 2 of Part 4 of the Constitution, so that KCC is fully compliant with the requirements of the 2007 Act. This report was considered by the Selection and Member Services Committee on 26 November 2008 and the recommendation approved, subject to consideration by the County Council

Recommendation:

6. The Council is invited to formally confirm and reaffirm the adoption of the Leader and Cabinet Executive model in accordance with the provisions of the Local Government and Public Involvement in Health Act 2007 and approve the appropriate alterations to the Constitution outlined in paragraphs 4 and 5 above.

Mr Alex King – Deputy Leader

Peter Sass – Head of Democratic Services and Local Leadership

November 2008

By: Alex King – Deputy Leader
Paulina Stockell – Chairman, Selection and Member Services
Committee

To: County Council – 11 December 2008

Subject: Local Children’s Services Partnership (LCSP) Sub-Committee and
Children’s Champion Board

FOR DECISION

Summary: This report proposes the establishment of a Local Children’s Services Partnership (LCSP) Sub-Committee and also seeks approval for revised terms of reference for the Children’s Champions Board.

Introduction

1. At its meeting on 26 November 2008 the Selection and Member Services Committee considered the request of the Children, Families and Education Policy Overview Committee to establish a Local Children’s Services Partnership (LCSP) Sub-Committee on a time limited basis. The Selection and Member Services Committee also noted the discussion on the proposal which had taken place with the three group Leaders on 11 November 2008.

Local Children’s Services Partnership (LCSP) Sub-Committees

2. (1) The LCSP Sub-Committee will have an overview of the LCSPs and will report to the Children, Families and Education Policy Overview Committee on a regular basis.

(2) The proposed terms of reference, work programme, size and meeting arrangements are attached as Appendix 1 to this report.

(3) At its meeting on 13 November 2008 the Children, Families and Education Policy Overview Committee were updated on the progress in establishing the Sub-Committee. The Committee noted that further consideration would be given at today’s meeting as to whether to expand the membership to include a Church and Teacher Advisory representative.

(4) The three Leaders at their meeting on 11 November 2008 were of the view that there would need to be a permanent mechanism and therefore the proposal that the Local Children’s Services Partnership (LCSP) Sub-Committee should be time limited should be abandoned.

Conclusions of Selection and Member Services Committee

(5) The Selection and Member Services Committee recommend to the County Council that the LCSP Sub-Committee should not be time limited and that its membership should include a Church and Teacher Advisory representative.

Children's Champion Board

Background

3. (1) The Children's Champion Board was set up in response to the Victoria Climbié inquiry to address elected Members important Corporate Parent role. The Board is advisory to the C, F & E POC and has played a significant role in developing and deepening Members understanding of the issues around Corporate Parenting and Looked after Children, and their role in addressing these issues.

(2) There are two reasons for bringing this to the attention of this Council. The first is to regularise the appointment of the Board which, when it was first established, was dealt with by the Policy Overview Co-ordinating Committee because, at that time, its activities spanned two Policy Overview Committees. Second, with the enhanced Corporate Parenting responsibility as well as the new National Indicators, the terms of reference for the Board have been reviewed.

Reasons for reviewing the terms of reference

(3) The Board wished to review its Terms of Reference to reflect the changed and enhanced responsibilities of Board Members as Corporate Parents. Although all elected County Council Members have Corporate Parenting responsibilities, Members of the Children's Champions Board have, in addition, 'Level 2 (Targeted)' responsibilities, and the Chairman also shares 'Level 3 (Specialist)' responsibilities with the Cabinet Member for Children, Families and Educational Achievement and key senior officers.

The Process So far

(4) To address the need for more detailed wording, the officer team drafted some additions to the existing Terms of Reference. These were considered by the Board on 8 July, at which Members agreed a new version. The revised wording takes account of all the enhanced Corporate Parenting responsibilities set out above, as well as the new National Indicator Set, which was coming into use while the review was underway. The revised draft Terms of Reference are set out in **Appendix 2**.

(5) The revised draft Terms of Reference were presented by the Board Chairman, Mrs Allen, with the support of the Cabinet Member for Children, Families and Educational Achievement, Mr Ridings, to Cabinet Members on 8 September 2008. At this meeting, the document received the support of Cabinet Members.

(6) At its meeting on 24 September 2008 the Children's Champions Board agreed the revised terms of reference for submission to this Committee and the County Council, for formal adoption.

Meeting of the three Leaders – 11 November 2008

4. (1) The three Leaders were keen to see reflected in the work of the County Council a definition on the role of the elected Member as a corporate parent.

(2) Corporate Parenting is a term which recognises public agencies accountability for discharging parental responsibilities and that good results depend on children/young people receiving a range of inputs so as to help them fulfil their potential throughout life. Effective corporate parenting requires co-operative working across agency boundaries.

(3) A distinction can be made between the terms 'Corporate Parent' and 'Corporate Parenting'.

(4) The 'Corporate Parent' is represented by the Director of Children's Services and elected Members of the local authority.

(5) 'Corporate Parenting' describes the functions required of a local authority to promote the welfare and safety of children looked after by them, which are undertaken by officers of the local authority with the support of partner agencies/professionals.

(6) The National Children's Bureau has distinguished three kinds of corporate parenting:-

- Universal responsibility – all elected Members and officers;
- Targeted responsibility – Corporate Parenting Groups/staff working with Looked After Children; and
- Specialist responsibility – Lead Member for Children/Director of Children's Services.

(7) The three Leaders also suggested an additional term of reference for the Children's Champions Board:-

“(g) to report in a timely manner to the relevant local Member(s) as and when such may be required.”

(8) In addition the Leaders suggested that the Children's Champions Board should submit an annual report to the County Council on the work of the Board. Within the report it would be helpful to include information on the number of Looked After Children placed by other authorities in Kent.

(9) The view was also expressed by the three Leaders that it would be helpful if each Member had made available to them information on the number of Looked After Children placed within their electoral division, including information on the educational achievement and attainment of those children.

Selection and Member Services Committee

5. The Selection and Member Services Committee on 26 November 2008 endorsed all the views expressed by the three group Leaders.

Recommendations

6. The County Council be recommended to:-

- (a) agree to the Children, Families and Education Policy Overview Committee request to establish a Local Children's Services Partnership (LCSP) Sub-Committee on a permanent basis and include in its membership a representative of the Church and Teacher Advisory with terms of reference as set out in Appendix 1 to the report;
- (b) the appointment of the Children's Champions Board be regularised by agreement to its appointment by the Council with the revised terms of reference as set out in Appendix 2 to this report; and
- (c) ask the Children's Champions Board to reflect on the discussion of the three Leaders on 11 November 2008 on:-
 - (i) the definition of the role of the elected Member as a corporate parent;
 - (ii) the three Leaders request that the Children's Champions Board be asked to submit an annual report to the County Council on the work of the Board. Within this annual report it would be helpful to include information on the number of Looked After Children placed by other authorities in Kent and information on the number of Looked After Children placed within each Members' electoral division including information on educational achievement and attainment of these children.

Peter Sass
Head of Democratic Services and Local Leadership
01622 694002
peter.sass@kent.gov.uk

By: Head of Democratic Services and Local Leadership
To: Children, Families and Education Policy Overview Committee
Subject: Local Children's Services Partnerships (LCSPs) – Proposal to establish a Sub-Committee

Summary: This reports sets out a proposal to establish a Sub-Committee of Children, Families and Education Policy Overview Committee to have an overview of the Local Children's Services Partnerships (LCSPs)

Introduction

1. (1) At the last meeting of the Policy Overview Committee (POC) on 3 June 2008 Members received a report on the LCSPs, an updated version is set out below.

(2) The Kent Children's Trust (KCT) has agreed to introduce 23 Local Children's Services Partnerships Trusts across Kent from September 2008. The local partnerships will be the local "delivery arm" of the KCT, their key purpose is to strengthen integrated working to improve outcomes for local children, young people (CYP) and families. The LCSPs will be based on the geography of the existing school clusters and increasingly draw together all public and voluntary services for CYP and families in that locality including schools, early years settings, health and youth services.

(3) Key elements of LCSP Working - being introduced from September 2008

(i) Local Children and Young People's Plan (LCYPP)

Each LCSP will agree and deliver a LCYPP based on the Kent CYPP and focussed on the particular issues that local C&YP face. All localities have prepared a first working edition of their LCYPP in readiness for September 2008. A range of multi agency data has been provided to support this planning. Local multi agency data sets can be viewed on:
http://www.kenttrustweb.org.uk/Children/kct_localdata.cfm

(ii) Local Children's Services Partnership Board

The local Board will lead the development of integrated planning and delivery and work with existing partnership groups, for example Crime Disorder Reduction Partnerships. The Board will report to the Kent Children's Trust and be accountable for delivering the LCYPP. A local Partnership Agreement has been developed to support the effective operation of the LCSP Board.

(iii) Local Children's Services Partnership Manager and Teams

Each local partnership will be managed by a LCSP Manager who will lead the development of integrated working, support the Partnership Board and ensure outcomes are improved. Appointments have been made to 20 of the 23 posts and cover arrangements are in place for the 3 vacancies.

Staff currently part of the cluster teams have transferred to the new LCSP and further staff will be deployed as the LCSPs develop. There will also be much stronger links with professionals across partner agencies particularly as the integrated processes for CAF, lead professional and Contact-Point are implemented.

Improving outcomes across the ECM framework is acknowledged to be a long term agenda. The introduction LCSPs in September is a significant milestone in Kent and forms part of a long term change programme to embed highly effective children's trust arrangements.

LCSP Sub-Committee

2. (1) It is suggested that a Sub-Committee of this POC be established to oversee the operation of LCSPs with a particular focus on the LCYPP which will make recommendations to the POC on best practise and suggestion for improvements.

Terms of Reference:-

(2) To oversee the operation of the Local Children's Services Partnerships (LCSPs) and make recommendations to the Children, Families and Education Policy Overview Committee

Work Programme

(3) Meeting would provide an opportunity to review 3 - 4 LCSPs at a time making recommendations at the next meeting of the POC. There would be 2/3 study days a year spread around the country, which would consist of visiting localities in the morning and a meeting of the Sub-Committee in the afternoon.

Size of Sub-Committee

(4) It is suggested that the Membership of the Committee be based on the proportion 4:2:1 – which is the same size as Select Committees – with the Membership drawn from across the county.

Time limited

(5) This Sub-Committee will be time limited and it would review its operation after 1 year to give Members the opportunity to recommend improvements.

Meetings

(6) It is recommended that the Sub-Committee meets 6 – 8 times a year. The meetings would be programmed so that there is timely reporting of the outcomes to the five meetings of POC in the year.

Recommendation

3. That, subject to approval by the County Council at its meeting on 11 December 2008, a time limited Sub-Committee of the Children, Families and Education Policy Overview Committee be established to have an overview of the Local Children's Services Partnerships (LCSPs) on the terms set out in the report.

Peter Sass,
Head of Democratic Services and Local Leadership
01622 694002
peter.sass@kent.gov.uk

Background Documents: None

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CHILDREN'S CHAMPIONS BOARD

REVISED DRAFT OF TERMS OF REFERENCE, July 2008

1. To develop expertise that enables Members to act as Champions for Kent children who are looked after, or are in need, with a particular focus on those in need of protection;
2. To consider statistical information that includes staffing levels, relevant indicators from the National Indicator Set (NIS) and national Looked After Children returns.
3. To consider reports from the Kent Safeguarding Children Board (KSCB), Kent Children's Trust Board, and in relation to Looked After Children, and any changes to relevant legislation and guidance;
4. To develop a framework for gaining feedback from staff involved in Child Protection or Safeguarding work and Looked after Children work, Foster Carers and users of services;
5. To lead on ensuring that the targeted Corporate Parenting roles and responsibilities of the Local Authority are being met, including:-
 - a) To be aware of national expectations regarding the service to Looked After Children and Care Leavers, including those contained in Every Child Matters, the Healthy Care Initiative and the Care Matters agenda;
 - b) To have access to qualitative as well as quantitative information on the service, and to ensure that Children's Champions Board Members have enough background knowledge to understand and evaluate this information;
 - c) To consider ways in which the Children's Champions Board will hear and respond to the views of Looked After Children, their parents and carers;
 - d) To have an understanding of the arrangements that need to be in place in order to be an effective Corporate Parent;
 - e) To undertake an in-depth analysis of the needs of the County Council's care population and all aspects of the service required to meet those needs, so there is clear evidence to inform future action.
 - f) To take action continually, in conjunction with officers and partner agencies, to improve the service and ensure it responds to changing needs.

Additional Terms of Reference suggested by the Three Political Group Leaders

- g) To report in a timely manner to the relevant local Member(s) as and when such may be required.

6. To support the Chairman of the Children's Champions Board in undertaking their specialist Level 3 Corporate Parenting responsibilities.

By: Alex King – Deputy Leader
Paulina Stockell – Chairman, Selection and Member Services
Committee

To: County Council – 11 December 2008

Subject: Publicising and Launching Select Committee Reports

Summary: This reports sets out the recommendations of the Policy Overview Co-ordinating Committee (POCC) to establish a Public Relations Protocol for Select Committee and how the launching of the Select Review reports could be improved.

Introduction

1. At its meeting on 10 September 2008 the Policy Overview Co-ordinating Committee received the recommendations of an Informal Member Group it had established on how the County Council could improve the publicising and launching of Select Committee reports. This report was deferred by the Selection and Member Services Committee at its meeting on 8 October 2008 to allow further consideration to be given to the contents of the report by the three Leaders. The meeting of the three Leaders took place on 11 November 2008.

Publicising of Select Committee Reviews

2. (1) It has become clear from the views expressed by Members that there is often a difficulty in publicising the work of Select Committees via the local media. Looking at the Centre for Public Scrutiny Website and from contact with colleagues in other local authorities, this is a common challenge for Overview and Scrutiny.

(2) Some of this arises from the local media's lack of understanding of the work of Select Committees as opposed to the much clearer Committee system. There is also the issue of the media being decision-focused and therefore reporting on the work of Cabinet and Planning Application Committees, rather than Overview and Scrutiny Committees.

(3) The POCC acknowledged that this was a challenging area and agreed that the attached Protocol (**Appendix 1**) should be submitted to the Selection and Member Services Committee for approval and submission to County Council for incorporation into the Constitution.

(4) The Head of Communications and Media Centre was present at the POCC meeting and gave her support to the proposed Protocol.

Launching of Select Committee Reviews

3. (1) The POCC at its meeting on 10 September 2008 also considered the issue of establishing a process for the launching of Select Committee reports. It was

acknowledged that Members of Select Committees put a lot of work into producing their reports and this was recognised when the report is considered by Cabinet and the County Council. However, it is also important, especially for those witnesses who had contributed to the report and partners who may have been involved in the review, that the report is launched as widely as possible so that it has the potential to achieve the maximum impact both internally and externally for the benefit of the residents of Kent.

(2) The POCC agreed that the most effective time to launch a Select Committee report was at a formal meeting of the County Council when the majority of County Councillors were present. They recommended that the launch of a Select Committee report should be a very early item on the County Council Agenda after the report by the Leader of the County Council.

(3) Select Committee items at County Council should be allowed sufficient time for a constructive debate. The amount of time needed would be dependent on the specific report. It was anticipated that this would be approximately two hours – but could be longer or shorter as appropriate.

(4) It would be helpful if the Chairman of the Select Committee and other cross-party Members from the Select Committee had an input into that part of the County Council agenda to determine who should be invited to speak and to assist with the discussion and the length of time this item should take.

(5) The POCC was of the view that the debate on a Select Committee report should be led by the Select Committee Chairman and Members of the Select Committee, rather than the Cabinet Members. It was acknowledged that this proposal would need to be discussed with the Chairman of the County Council and the Cabinet.

(6) The Committee also stressed the importance of encouraging Kent TV to assist in launching and publishing Select Committee report.

Views Expressed by the Three Leaders

4. (1) The three Leaders would welcome the Policy Overview Co-Ordinating Committee exploring how the Select Committee Work Programme can be developed to ensure that the majority of the County Council meetings have a Select Committee report for debate. The three Leaders suggested that it might be more appropriate to have the debate on Select Committee reports in the afternoon of County Council meetings.

(2) The three Leaders recognised that the proposals of the Policy Overview Co-ordinating Committee will require discussion with the Chairman of the Council and also Cabinet Members.

Selection and Member Services Committee

5. The Selection and Member Services Committee agreed at its meeting on 26 November 2008 that the Public Relations Protocol for Select Committee Reviews and Reports and the process for launching these reviews did not need to be incorporated

or embedded into the Constitution but that they should instead be referenced within it.

Recommendations

6. That the County Council be recommended to:-
 - (a) approve the Public Relations Protocol for Select Committee Reviews and Reports as set out in **Appendix 1** to this report; and
 - (b) recommend further discussions between the Policy Overview Co-ordinating Committee, the Chairman of the County Council and Members of the Cabinet on the process for launching Select Committee reviews and reports be endorsed.

Peter Sass,
Head of Democratic Services and Local Leadership
01622 694002
peter.sass@kent.gov.uk

Background Information: *None*

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Kent County Council

PUBLIC RELATIONS PROTOCOL FOR SELECT COMMITTEE REVIEWS AND REPORTS

This protocol has been written as a basis for all communications between Select Committee Members and the media. It will ensure that the corporate communications team is able to maximise opportunities for scrutiny to publicise its work and promote the transparency of the Council's decision-making process.

- All actions should be in accordance with the letter and spirit of the DCLG Code of recommended practice on local authority publicity.
- Media activity should be co-ordinated through the corporate communications team who will make arrangements and ensure that the appropriate Members are put forward, rather than Select Committee Members approaching the media direct to discuss the topic review.
- The Select Committee Chairman should be the official spokesperson for the review report, unless another more suitable spokesperson has been identified by the Chairman.
- Chairmen of Select Committees will be expected to attend or have attended media training.
- There is potential, on rare occasions, for conflict between scrutiny and cabinet on issues. Maintaining the professional reputation of the council in the eyes of the public is paramount and conflicting statements may make the council appear inept or divided. Care should be taken, on all sides, to avoid this situation from arising. But in such circumstances Corporate Communications would present factual information to the media fairly representing both the Scrutiny and Cabinet viewpoints.
- The corporate communications team should be advised of any media enquiries received by Select Committee Members to offer guidance and help if required and to monitor responses.
- Press releases for Select Committees will be drafted by a member of the corporate communications team, in consultation with the Research Officer for the review and approved by Select Committee Chairman, in consultation with the Overview, Scrutiny and Localism Manager.
- Press releases will be fair and representative of the views of the Select Committee. They may include the views expressed in minority reports if those views differ from the main report.
- The media are invited to attend all formal meetings of Select Committee unless matters of an exempt nature are to be discussed.

- When the report of the Select Committee is ready to go into the public domain a member of the corporate communications team, in consultation with the Research Officer to the Select Committee drafts a press release. Where possible the press release should include input from a third party who has been involved with the review. The Press release should be approved by the Select Committee Chairman (with the nominated official spokesman, where appropriate) in consultation with the Overview, Scrutiny and Localism Manager. An embargoed copy of the press release should be sent out with an electronic copy of the report, to the media a day before the public domain with an embargo on it. There may or may not be a press conference but the Chairman, relevant members make sure they are available for interviews.
- Corporate Communications officers are permitted to refuse to prepare press releases, deal with media enquiries or arrange media interviews in the following cases:
 - (i) If the press release or enquiry is political in any way.
 - (ii) If the information in the press release is deemed libellous or malicious
- Corporate Communications officers will not organise interviews between media and individual members of the Select Committee unless there is explicit agreement by the Select Committee Chairman.
- Press releases will not be issued as a matter of course after Select Committee meetings simply to record the proceedings. Post-meeting publicity will, however, be given where there is good reasons for doing so e.g. to promote opportunities for public consultation.

By: Alex King – Deputy Leader
Paulina Stockell – Chairman, Selection and Member Services
Committee

To: County Council – 11 December 2008

Subject: Amendments to the Constitution – Overview and Scrutiny

Summary: To recommend to the County Council amendments to the Constitution
in relation to Overview and Scrutiny

Introduction

1. The Selection and Member Services Committee at its meeting on 8 October 2008 agreed to defer consideration of this report to enable it to be discussed by the Leaders of the three political groups. The Leaders met on 11 November and agreed a number of recommendations for consideration by the Selection and Member Services Committee on 26 November 2008. The Selection and Member Services Committee recommend to the County Council a range of amendments to the Constitution in relation to Overview and Scrutiny.

Background

2. (1) The Constitution currently reflects how in 2001 it was envisaged that the Overview and Scrutiny process in KCC would operate. Over time the Overview and Scrutiny process in KCC has developed through practical experience. It continues to evolve and respond to the changing framework in which it operates.

(2) This report reflects these changes and makes a number of suggested amendments/additions to the sections of the Constitution relating to Overview and Scrutiny so that it matches the operation and procedures in practice.

(3) In order to assist Members with their consideration of the suggested amendments, brief details of the reasons for each proposed amendment are set out below (with the relevant page number from the Constitution). Also attached as an **Appendix** is a table setting out the current parts of the Constitution together with the proposed amendments.

Proposed Amendments

Appointment of Select Committees

3. (1) Currently, the Constitution states that Policy Overview Committees (POCs) can “appoint Select Committees (with the legal status of Sub-Committees) to conduct reviews with the same powers as the main Committee.” However, in recognition of the role of the Policy Overview Co-ordinating Committee (POCC) in setting the Select Committee Programme, what has happened in practice is that the POCs recommend the establishment of Select Committee to the POCC and the POCC balances competing priorities and deploys the resources available to the Committee when setting the work programme.

(2) It is therefore suggested that the Constitution is amended to read: “recommend to the Policy Overview Co-ordinating Committee the appointment of Select Committees ...” etc (Page 9).

Performance Reviews

(3) As the Council no longer conducts Performance Reviews, reference to this should be deleted from the functions of POCC (Page 25).

Select Committee – terms of reference

(4) In relation to Select Committees, the Constitution currently states that their terms of reference “are determined by the Policy Overview Co-ordinating Committee.” The practise that has developed is that the POCC agrees the general scope of the topic review. The specific terms of reference for the review are agreed by the Select Committee and endorsed by the parent POC. As part of the process for developing the terms of reference, informal cross party discussions are held with input from relevant directorates prior to the Select Committee discussing and agreeing them. This gives Select Committees the opportunity to shape the pieces of work that they have been tasked with carrying out (Page 25/26)

(5) The Policy Overview Co-ordinating Committee at its meeting on 23 May 2008 agreed the practise of setting the terms of reference of any new Select Committee topic review by a cross party Member Group (one Member from each group i.e. Members of the Select Committee), prior to consideration and approval by the Select Committee (Page 25/26 and Page 75).

Lead Members

(6) The Constitution currently prohibits Lead Members from serving on the Cabinet Scrutiny Committee or Select Committees dealing with issues within their areas of responsibility, but is silent about them serving on POCs or the Health Overview and Scrutiny Committee (HOSC). In practise, the appointment of Lead Members to POCs and HOSC has been discouraged as not giving a clear division and transparency between the Executive and Overview and Scrutiny functions. The proposed amendment seeks to formalise this (Page 71).

Cabinet Scrutiny Committee

(7) With the agreement and approval of the three Group Leaders there has recently been appointed a Research Officer to the Cabinet Scrutiny Committee. As the role of the Research Officer develops it may necessitate some changes to Appendix 4 – Part 4 of the Constitution “Additional Rules applying to Cabinet Scrutiny Committee” (pages 73/74). A report will be submitted to a future meeting of the Selection and Member Services Committee if this becomes necessary.

Financial implications of Select Committee recommendations

(8) On 5 June 2008, the Leader wrote to all POC Chairmen asking them to ensure that the implications of Select Committee reports were embedded into KCC’s priority setting, business planning and in particular the Budget and Medium Term

Plan. Proposed amendments to take account of this are set out in the table and will amend pages 75 and 92 of the Constitution.

Rules applying to Select Committees (Appendix 4 Part 5 - Pages 75/76)

(9) A number of suggested amendments to these rules to reflect the practise that has developed are set out in the Appendix:

- 5.1 – the Topic Review programme was originally established to coincide with the publication of the Best Value Performance Review Plan. It is proposed that this paragraph now be amended to reflect that the BVPRP is no longer produced and also to refer to a two year rolling programme, which is more appropriate when reviews last approximately 6 months.
- 5.2 – it is not always possible for a POC meeting to approve the Select Committee review plan prior to it commencing work, due to the fixed POC timetable. It is therefore proposed that the POC Chairman and spokesmen should be able to approve the plan and the POC receive it for subsequent endorsement.
- 5.2 (4) - the rules state that Select Committees normally run for 4 months. However, as they have evolved, the average period Select Committee tends to be 6 months.
- 5.12 – The Policy Overview Committee do not actually publish the Select Committees final report. It is therefore suggested that reference to this is deleted.

Conclusions

3. This report and its appendix reflects the views expressed by the three group Leaders when they met to consider the potential proposed amendments on 11 November 2008 and of the Selection and Member Services Committee on 26 November 2008.

Recommendation

4. The County Council be recommended to approve the proposed amendments to the Constitution in relation to Overview and Scrutiny as set out in the appendix to this report.

Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

Background documents - nil

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List of Proposed Amendments

Page no*	Current Constitutional Provision	Proposed Constitutional Amendment
9	7.2(7) appoint Select Committees (with the legal status of Sub-Committees) to conduct reviews with the same powers as the main Committee	7.2(7) recommend to the Policy Overview Co-ordinating Committee the appointment of Select Committees with the legal status of Sub-Committees) to conduct reviews with the same powers as the main Committee
25	1.7(c) the allocation of topic and performance reviews to Policy Overview Committees and co-ordination of the composition and Chairing of Select Committees to conduct the reviews	1.7(c) the allocation of Select Committee Reviews to the Policy Overview Committees and co-ordination of the composition and Chairing of Select Committees to conduct the reviews
25/26 Page 81	1.9 Their terms of reference are determined by the Policy Overview Co-ordinating Committee.	1.9 The general scope of each Select Committee Review is agreed by the Policy Overview Co-ordinating Committee when it is included in the work programme. The detailed terms of reference of each Select Committee Review are developed by a cross party Member group (one from each group), for approval by the Select Committee and endorsement by the parent Policy Overview Committee.
71	3.1(3) Lead Members appointed by Cabinet Members may not serve on the Cabinet Scrutiny Committee or on Select Committees dealing with issues that are within their own areas of responsibility.	3.1(3) Lead Members appointed by Cabinet Members may not serve on the Cabinet Scrutiny Committee, Policy Overview Committees, Health Overview and Scrutiny Committee or on Select Committees dealing with issues that are within their own areas of responsibility.
75	5.1 The Topic Review Programme will normally be set out for the year in March to coincide with the publication of the Best Value Performance Plan. This will be determined by Policy Overview Co-Ordinating Committee and reported to the County Council. In setting out the programme, the Policy Overview Co-Ordinating Committee will be mindful of the resources and officer and Member time required to implement it.	5.1 A rolling two year Select Committee Work Programme will be set as soon as possible after the Annual Council meeting following County Council elections and will be kept under review and added to on a rolling programme basis by the Policy Overview Co-Ordinating Committee. In setting out the programme, the Policy Overview Co-Ordinating Committee will be mindful of the resources and officer and Member time required to implement it.

Page no*	Current Constitutional Provision	Proposed Constitutional Amendment
75/76 Page 82	5.2 Topic Reviews will not commence before approval by the Relevant Policy Overview Committee of a detailed Review Plan covering:	5.2 Select Committee Reviews will not commence before approval by the relevant Policy Overview Committee, or by the Chairman and Spokesmen of the relevant Policy Overview Committee, of a detailed Review Plan covering:
	5.2(1) the terms of reference of the review, including the general nature of the expected outcomes.	5.2(1) the terms of reference of the review, including the general nature of the expected outcomes, which should be developed by a cross party Member group (one from each political group), for approval by the Select Committee and endorsement by the parent Policy Overview Committee.
	5.2(4) an approximate timetable of meetings and final reporting date (normally within 4 months of the review commencing)	5.2(4) an approximate timetable of meetings and final reporting date (normally within 6 months of the review commencing).
		5.10(2)When producing their reports, Select Committees should make explicit the likely resource implications of their proposals and in making those proposals also have due regard to their likely affordability and deliverability taking account of the whole resources likely to be available to the Council.
82	5.12 Once the draft report is prepared with its conclusions and recommendations, the Select Committee must ensure that relevant Cabinet Members and Directors have the opportunity to comment on the draft report before it is published <i>by the relevant Policy Overview Committee</i> .	5.12 Once the draft report is prepared with its conclusions and recommendations, the Select Committee must ensure that relevant Cabinet Members and Directors have the opportunity to comment on the draft report before it is published.
92		<p><i>Process for Developing the Budget</i></p> <p>As part of each Policy Overview Committee’s consideration of the draft Budget, it should assess whether adequate resources have been allocated to take account of the endorsed recommendations of its own Select Committees. If it does not believe that these recommendations have been correctly taken into account then it should recommend appropriate changes to the draft Budget to the Leader, Cabinet and Council.</p>

*Page numbers refer to the Constitution as most recently amended on 19 June 2008.

By: Leader of the Council
To: County Council – 11 December 2008
Subject: Quarterly Report on Urgent Key Decisions

Classification: Unrestricted

Summary: To report that an urgent Key Decision was taken in the last quarter.

1. The Constitution requires me to provide a quarterly report to the 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:-

Arts Council (ACE) and South East England Development Agency (SEEDA) Funding Agreements for Turner Contemporary

This decision was taken by Mr N Chard, Cabinet Member for Finance. The reason for the urgency was that although ACE resolved to award the funding at its National Council meeting on 1 July 2008 we did not receive the first draft of the conditions of funding until 1 August and did not receive the full funding document until 5 August. Both the draft and the full document included a condition of £1m contingency per annum for 10 years. We had been discussing the contingency clauses with ACE but a condition of £1m per year was completely unexpected. We contacted the ACE immediately that such a condition would be unacceptable and a meeting was arranged with ACE and SEEDA on 13 August to resolve the matter.

Following the meeting on 13 August ACE agreed to send a revised funding agreement for KCC to annotate comments. This was received on 18 August and KCC replied with our proposed changes, including a contingency of £1m over 10 years rather than £1m per year for 10 years. We did not receive ACE response until 15 September 2008.

SEEDA approved the funding allocation at its Major Projects Board meeting on 22 July 2008. We did not receive their first draft of conditions of funding until 22 September 2008, although we were aware these would be similar to ACE conditions. The SEEDA conditions confirm contingency of £1m over first 10 years.

These timescales meant it was impossible to include a decision in the September Forward Plan as the deadline for submissions was 3 September and at that stage we did not know the outcome of negotiations on the contingency clause with ACE and SEEDA. We needed to sign and return funding agreements within 30 days i.e. 15 October for ACE and 22 October for SEEDA. In order to sign the agreements we needed a key decision to earmark the £1m contingency from reserves. The publication of the October Forward plan would not allow for a decision within these timescales.

3. In accordance with the Constitution the Chairman and Spokesmen of the Cabinet Scrutiny Committee agreed to the taking of this decision as a matter of urgency.

4. The County Council is requested to note this report.

Mr P B Carter
Leader of the Council

*Enquiries: Peter Sass
Head of Democratic Services and Local Leadership
Ext: 4002*

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 7 October 2008.

PRESENT: Mr R E King (Chairman), Mrs V J Dagger, Mr T Gates, Mrs E Green, Mr W A Hayton, Mrs S V Hohler, Mr G A Horne MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, DL, Mr A R Poole, Dr T R Robinson (Substitute for Mr A R Bassam), Mrs P A V Stockell and Mr F Wood-Brignall.

ALSO PRESENT: Mr I T N Jones, DL.

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer).

UNRESTRICTED ITEMS

73. Minutes - 9 September 2008
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 September 2008 are correctly recorded and that they be signed by the Chairman.

74. Site Meetings and Other Meetings
(Item A4)

The Committee agreed to visit the site of the Special School application at Wrotham School on Tuesday, 4 November 2008. The Committee Members would be directed to take a route to the site which would enable them to observe the condition of the roads outside the local quarries.

75. Application TM/07/2545 - Northern extension to Wrotham Quarry (Addington Sandpit), Trottiscliffe Road, Addington, West Malling; Hanson Quarry Products Europe Ltd.

(Item C1 – Report by Head of Planning Applications Group)

- (1) Mrs S V Hohler reported the further views of Addington and Trottiscliffe Parish Councils.
- (2) The Head of Planning Applications Group agreed to inform Trottiscliffe Parish Council of the willingness of the applicants to undertake amelioration work in partnership with them along similar lines to that which was already taking place with Addington Parish Council.
- (3) RESOLVED that permission be granted to the application subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms set out in Appendix 3 of the report and to conditions covering

amongst other matters the duration of the permission; a revised working scheme; hours of working; depth of extraction; slope stability; no importation of materials for restoration purposes; HGV movement restrictions; HGVs only using the Ford Lane access; retention of the height barrier at the old access on Trottiscliffe Road; measures to prevent mud and debris on the highway; HGV sheeting; diversion of public footpaths and creation of a new footpath; dust mitigation; maximum noise levels; adherence to the Code of Operating Practice and a revised protocol dealing with environmental monitoring and risk management; measures to safeguard the water environment; diversion of the watercourse in a new man made channel (incorporating detailed design and an appropriate factor of safety); archaeological and historic landscape recording; a new pond for Great Crested Newts (to ensure no fish); a management plan (including a mitigation and monitoring programme and other arrangements for ecology/biodiversity interests); a revised landscaping scheme (to include proposals for tree planting adjacent to the plant site); hedgerow translocation methodology and implementation; soil handling and storage; restoration levels; a revised restoration scheme; and an aftercare scheme (for a 10 year period).

76. Application TH/08/921 - Motor Control Centre Kiosk, vent stack and extension of parking bay at Glebe Court, Pett's Crescent, Minster, Ramsgate; Southern Water Ltd.

(Item C2 – Report by Head of Planning Applications Group)

(1) In agreeing to the recommendations of the Head of Planning Applications Group, the Committee included a Condition requiring the maintenance and periodic replacement of the vent stack.

(2) RESOLVED that permission be granted to the application subject to appropriate conditions including the standard time condition; noise controls; construction hours; details of parking loading arrangements; measures to prevent mud or debris on the highway; and the maintenance and periodic replacement of the vent stack.

77. Proposal DA/08/982 - Two f.e amalgamated primary school on the site of the existing Sweyne Junior School, Swanscombe, including a new vehicular access off Swanscombe Street and areas of new hard play and car parking to replace the existing at the Manor Community Primary School, Keary Road, Swanscombe; KCC Property Group.

(Item D1 – Report by Head of Planning Applications Group)

(1) Mr I T N Jones was present for this item pursuant to Committee Procedure Rule 2.24. He declared a personal interest as an LEA-appointed Governor of Swanscombe School and spoke.

(2) The Head of Planning Applications Group reported the views of the County Archaeologist raising no objection subject to Conditions. These were agreed.

(3) The Committee recorded its congratulations to the applicants on their aim of achieving a “very good” BREEAM rating in terms of its design proposals.

- (4) RESOLVED that permission be granted to the Proposal subject to conditions, including covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; details of all external lighting; a scheme of landscaping, its implementation and maintenance; measures to protect those trees to be retained; details of fencing, gates and means of enclosure, including colour finishes; a contaminated land assessment; details of surface water drainage; the development according with the recommendations made in the submitted Ecological Scoping Survey; revision of the School Travel Plan; the provision of car parking and access prior to occupation; the provision of overflow parking out of school hours, should it be required; details of community use, including hours of use; hours of working during construction; prevention of the deposition of mud on the local highway network; and a programme of archaeological works being undertaken with a subsequent submission of details of design and layout being approved by the County Planning Authority prior to work commencing on site.

78. Proposal DO/08/767 - Two 2-bay mobile units at Kingsdown and Ringwold CE Primary School, Glen Road, Kingsdown, Deal; KCC Children, Families and Education.

(Item D2 – Report by Head of Planning Applications Group)

(1) In agreeing the recommendations of the Head of Planning Applications Group, the Committee reduced the period of temporary permission from five years to three.

(2) RESOLVED that: -

- (a) permission be granted to the proposal subject to the imposition of a condition requiring the building to be removed and the site restored within 3 years of this permission; and
- (b) the applicant be advised by informative that this Permission is granted for a further temporary period to enable the preparation of a scheme to provide more suitable permanent accommodation at the school.

79. Proposal TM/08/1896 - Multi-use games area and erection of pergolas for sitting and shade at St Mark's CE Primary School, Eccles Row, Eccles, Aylesford; Governors of St Mark's CE Primary School.

(Item D3 – Report by Head of Planning Applications Group)

(1) The Head of Planning Applications Group reported the views of Mr G Rowe, the local Member in support of the Proposal.

(2) 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; no trees, shrubs and hedges being removed, and trees in close proximity being afforded protection during construction works in accordance with British Standard 5837:2005 – Trees in Relation to Construction; hours of use being

limited to those applied for; i.e. Monday to Friday (term time only): 09.00 – 16.00 with no use on Saturdays, Sundays, or Bank Holidays; and no external lighting being installed on or around the MUGA without the prior written permission of the County Planning Authority.

80. County matter applications dealt with under delegated powers
(Items E1-E5 – Reports by Head of Planning Applications Group)

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments (None);
- (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, 4 November 2008.

PRESENT: Mr A R Bassam (Vice-Chairman, in the Chair), Mrs V J Dagger, Mr J A Davies, Mr T Gates, Ms A Harrison (Substitute for Mrs E Green), Mr W A Hayton, Mrs S V Hohler, Mr S J G Koowaree, Mrs J Law (Substitute for Mr R E King), Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, DL, Mr A R Poole, Mrs P A V Stockell and Mr F Wood-Brignall.

ALSO PRESENT: Mr R W Gough.

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer).

UNRESTRICTED ITEMS

81. Minutes - 7 October 2008
(Item A3)

RESOLVED that the Minutes of the meeting held on 7 October 2008 are correctly recorded and that they be signed by the Chairman.

82. Site Meetings and Other Meetings
(Item A4)

The Committee agreed to postpone the training session scheduled for 19 November 2008 and also to visit Cornwallis School, Boughton Monchelsea, Maidstone on Tuesday, 9 December 2008.

83. Proposal SE/08/1896 - Extension of existing hard paved car park with alteration to the line of the existing western boundary fence and widening of the entrance drive at Lullingstone County Park, Kingfisher Bridge, Castle Road, Eynsford, Dartford; KCC Environment and Regeneration.
(Item D1- Report by Head of Planning Applications Group)

(1) Mr R W Gough was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) The Head of Planning Applications Group reported the receipt of additional representations from Eynsford Parish Council, The Eynsford Village Society and from Dr C J Harris in opposition to the Proposal.

(3) The following people addressed the Committee in opposition to the Proposal: Dr C J Harris as a representative of Eynsford Parish Council and also in a personal capacity; Mr W Croydon on behalf of Shoreham Parish Council; and Mr

R Inniss as a representative of the Shoreham Society. Mr G Dear, Head of the KCC Country Parks Team spoke in reply.

- (4) RESOLVED that the application be referred to the Secretary of State for Communities and Local Government, and that subject to her decision 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; no development taking place until the applicant has submitted further details of the proposed specification and colour treatment of the proposed car park surface treatment; no external lighting being installed at the site; vehicle and pedestrian entrance gates being powder - coated black; no development taking place until the applicant has submitted further details of a proposed landscaping scheme and a programme of maintenance for a period of not less than 5 years; landscape planting being implemented within the first available planting season following completion of the development; all trees to be retained on site being afforded protection during construction operations in accordance with the current British Standard; no development taking place until the applicant has submitted a method statement for the translocation of slow worms within the site; no development taking place until the applicant has secured the implementation of a programme of archaeological works; and adequate measures being taken to ensure that vehicles leaving the site whilst engaged in the construction works do not deposit mud or debris on the public highway.

84. Proposal TH/08/788 - Multi-use games area with floodlighting and access path at Birchington CE Primary School, Park Lane, Birchington; Governors of Birchington CE Primary School and KCC Children, Families and Education.
(Item D2- Report by Head of Planning Applications Group)

(1) Mr M Gray addressed the Committee in opposition to the Proposal. Mr T Freeman from Trevor May Contractors spoke in reply.

(2) Mr T A Maddison moved, seconded by Mr S J G Koowaree that the recommendations of the Head of Planning Applications Group be agreed subject to no use of the multi-use games area being permitted on Sundays after 1400 hours.

(3) Mr J A Davies moved, seconded by Mrs J Law as an amendment that no use of the multi-use games area be permitted on Sundays or Bank Holidays.
Amendment Lost by 3 votes to 11.

(4) On being put to the vote, the substantive motion was carried by 10 votes to 4.

(5) 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; hours of use for the multi-use games area (MUGA) being restricted to between the hours of 0800 and 2100 Monday to Friday, 1000 and 1700 on Saturdays and Bank Holidays, and 1000 and 1400 on Sundays; erection of a 2m acoustic fence to the rear of properties in Sewell Close; details of the

design and materials of the 2m acoustic fence; floodlighting only being used outside of daylight hours and between the hours of 1500 and 2100 Monday to Friday, and 1500 and 17:00 on Saturdays and Bank Holidays; and the floodlighting being completely extinguished when the MUGA is not in use.

85. Proposal MA/08/1700 - Demolition of existing school buildings, erection of new academy, including a new 6 court sports hall, vocational centre (indicative footprint only), re-provision of outdoor playing pitches, new 6 court multi-use games area, 153 car parking spaces, 150 bicycle spaces, strategic landscaping works and associated circulatory access roads at the New Line Learning Academy, Boughton Lane, Loose, Maidstone; KCC Children, Families and Education.

(Item D3- Report by Head of Planning Applications Group)

(1) The Head of Planning Applications Group reported additional correspondence from the Landscape Officer and from the KCC Ecological Team.

(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; the submission of details of all materials to be used externally; the submission of details of door and window reveals; details of all external lighting; a scheme of landscaping, including hard surfacing, its implementation and maintenance; measures to protect those trees to be retained; an Arboricultural Method Statement; a bat survey being undertaken prior to demolition of the existing school buildings; a habitat/biodiversity enhancement strategy, including monitoring and management; protection of badgers from construction activities; no tree removal during the bird breeding season; the development according with the recommendations of the ecological survey; contractor site briefing; details of fencing, gates and means of enclosure, including colour finishes; archaeological works; "Secured by Design" principles being adopted; a BREEAM rating of 'Very Good' being achieved; the playing field being provided and marked out as shown on the site plan; a community use agreement relating to use of the indoor and outdoor facilities, including hours of use; implementation of offsite highway improvements and measures before September 2009, including provision of traffic signals at the Boughton Lane/Loose Road junction; the preparation, submission for approval, implementation and ongoing review of a revised School Travel Plan; details of foul and surface water drainage; control of discharge of foul/contaminated drainage; no flood lighting being erected on the multi-use games area, or elsewhere on the site, without the written permission of the County Planning Authority; hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; a construction management plan, including access, parking and circulation within the site for contractor's and other vehicles related to construction and

demolition operations; a road condition survey; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicants be advised of the following by Informative:-
- (i) it is recommended that Sport England be consulted by the applicant to ensure that the proposed sporting facilities are designed to satisfactory technical standards. Attention is also drawn to the relevant Sport England Guidance Notes providing technical advice on the appropriate standards for the sports facilities.
 - (ii) account should be taken of the comments made by the Environment Agency relating to drainage, contamination, and storage of fuel, oil & chemicals;
 - (iii) account should be taken of the comments made by Maidstone Borough Council relating to construction activities; and
 - (iv) the applicant should ensure that further consents regarding works to TPO trees and/or protected species are not required from other Authorities.

86. Proposal SW/07/1184 - Single storey modular building for use as a Children's Centre including a canopied entrance, external storage units, fencing, landscaping, hard surfacing and car parking at Land to the corner of Rushenden Road and First Avenue, Queensborough; KCC Children, Families and Education.

(Item D4- Report by Head of Planning Applications Group)

(1) Ms A Harrison addressed the Committee in her capacity of local Member. She took no part in the decision making.

(2) The Head of Planning Applications Group tabled an extract from Annex D of Planning Policy Statement 25 (PPS 25), setting out the Flood Zones and Flood Risk Vulnerability Classification in relation to the "Sequential" and "Exception" Tests.

(3) Mrs S V Hohler moved, seconded by Mr J F London that the approach set out in paragraph (4) below be adopted.

Carried Unanimously

(4) RESOLVED that the Head of Planning Applications Group be requested to facilitate negotiations between the applicants and the Environment Agency with the aim of resolving the latter's objections, and that if the objection is withdrawn, she be given delegated powers to approve the Proposal or (if the objection is not withdrawn) to refer the proposal to the Secretary of State for Communities and Local Government for her determination in accordance with the provisions set out in PPS 25.

87. County matter applications dealt with under delegated powers
(Items E1- E5- Reports by Head of Planning Applications Group)

RESOLVED TO note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments (None);
- (c) County Council developments;
- (d) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

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