

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 4 April 2011.

PRESENT: Mr A J King, MBE(in the Chair), Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mrs S V Hohler, Mr K G Lynes, Mr J D Simmonds, Mr B J Sweetland Mrs J Whittle

IN ATTENDANCE: Ms K Kerswell (Managing Director), Mr M Austerberry (Executive Director, Environment, Highways and Waste), Mr D Cockburn (Corporate Director of Business and Support), Mr A Roberts (Interim Corporate Director Education Learning and Skills), Mr M Newsam (Interim Corporate Director of Families and Social Care), Ms M Peachey (Kent Director Of Public Health), Mr A Wood (Acting Director of Finance) Mr D Crilley (Director of Customer Services)

UNRESTRICTED ITEMS

17. Minutes of the Meeting held on 2 February 2011 *(Item 3)*

Resolved that the Minutes of the meeting held on 2 February 2011 be agreed and signed by the Chairman as a true record.

18. Revenue & Capital Budgets, Key Activity and Risk Monitoring *(Item 4– report by Mr John Simmonds – cabinet member for Finance and Mr Andy Wood, Acting Corporate Director, Finance and Procurement)*

(1) This report was the third full monitoring report to Cabinet for 2010/11. Mr Simmonds highlighted the main areas of pressure within individual portfolios and reported on the current position with the Capital budget and the re phasing of some projects. Mr Simmonds also reported that the Icelandic Courts had now agreed in their judgement that the County Council was a preferential creditor under Icelandic law. This was a positive judgement but there remained the possibility of an appeal by the bondholders.

(2) Following discussion Cabinet **Resolved that:**

- (i) the latest monitoring position on the revenue and capital budgets be noted,
- (ii) the changes to revenue cash limits within the CFE portfolio to reflect the directorate restructure, as approved by the County Council in June 2009, and which took effect from 1 October 2010, be agreed
- (iii) agreement be given to the changes related to the capital programme,

- (iv) agreement be given to the re-phasing of £24.919m on the capital programme being moved from 2010-11 capital cash limits to future years
- (v) agreement be given to £0.953m under spend resulting from delays on Regeneration projects due to uncertainty around the future of regional development agencies and other partners, and the new arrangements for local enterprise partnerships, be transferred to the Regeneration Fund to be used to fund the projects in future years, subject to approval by the Regeneration Board.
- (vi) a virement of £0.250m be agreed from the under spending on the debt charges budget within the Finance portfolio to the Libraries budget within the Communities portfolio to fund a stand-by facility for an increase in the cost of the Beaney project within the Communities capital programme, by way of revenue contribution to capital, should alternative external funding not be realised. That funding would not be required until 2011-12, so that under spend would be rolled forward in order to make the revenue contribution to capital next financial year, if necessary. If alternative external funding was secured and this stand-by facility was not required, then the £250k revenue funding would be returned to general reserves.

19. Annual Business Plans 2011/12

(Item 5)

See record of Decision on page 5.

20. Core Monitoring Report

(Item 6 - report by Mr Roger Gough, cabinet member for Business Strategy, Performance and Health Reform and Ms Katherine Kerswell, Managing Director) (Mr R Fitzgerald, Performance Manager was present for this item)

(1) This was the third quarterly Core Monitoring Report for 2010/11 and informed Cabinet of the key areas of performance and activity across the authority. Relevant sections of the Monitoring report would be presented to the relevant Policy Overview and Scrutiny Committees and a final closedown report would be presented to Cabinet at its meeting on 20 June 2011.

Cabinet **Resolved** to note the report

21. A Community Emergency Plan

(Item 7- report by Mr Michael Hill, cabinet member for Customer and Communities and Ms Amanda Honey, Corporate Director, Customer and Communities) (Mr David Cloake, Head of Emergency Planning was present for this item)

(1) This report briefed members on the introduction of a community emergency plan template (and associated guidance) designed to assist Parish Councils and community groups in dealing with a range of emergencies and crises.

(2) During the course of discussion members spoke about the importance of this guidance and its relevance for all Kent communities both rural and urban. It was also said and agreed that the Council should seek to have this work recognised by applying for a “Kent Prepared” Charter mark

(3) Cabinet **Resolved** to support this initiative and that all members of the Council should be asked to promote the Plan within their constituencies. Also Officers be requested to apply for this work to receive a charter mark.

22. Proposed co-ordinated schemes for Primary and Secondary schools in Kent and admission arrangements for Primary and Secondary Community and Voluntary Controlled schools 2012/13

*(Item 8 - report by Mrs Sarah Hohler, cabinet member for Children, Families and Education and Mr Andy Roberts Interim Director for Education Learning and Skills)
(Mr Scott Bagshaw, Head of Admissions and Transport)*

See Record of Decision on page 7.

23. Governance Arrangements for Children's Social Care Improvement

(Item 9 - report by Mrs Jenny Whittle, cabinet member for Specialist Children's Services)

(1) A supplementary report had been previously circulated which the Chairman declared should be taken as urgent on the grounds that it contained additional information which members needed to take into account together with the recommendations set out in paragraph 3 of the supplementary report.

(2) The supplementary report set out the proposed governance arrangements for Children's Social Care Improvement in Kent. These governance arrangements were being established on a number of levels and were a direct and positive response to the targets set out in the Kent Improvement Notice issued by the Secretary of State in January 2011. The arrangements would see the establishment of an independently chaired Kent Children's Services Improvement Board. A cross party Children's Services Improvement Panel would also be established with the role of receiving detailed progress reports on the Improvement Plan and management and performance data. The Panel would be supported in its work by a Corporate Parenting Panel and a Staff Advisory Group. Cabinet emphasised its total commitment, together with that of the Corporate Management Team to ensuring this work received the highest priority in order to ensure that all the targets set out in the Improvement Notice were fully met.

(3) Following discussion Cabinet **Resolved** to note and endorse the recommendations set out in paragraph 3 of the Supplementary report which would be reported for approval to the County Council at its meeting on 6 April 2011

24. Rail Action Plan for Kent

(Item 10 - report by Mr Bryan Sweetland, cabinet member for Environment, Highways and Waste and Mr Mike Austerberry, Corporate Director, Enterprise and Environment) (Mr Paul Crick, Director of Planning and Environment and Mr Stephen Gasche Public Transport Team Leader were present for this item)

See record of Decision on page 9.

25. A Local Transport Plan for Kent 2011-16

(Item 11 – report by Mr Bryan Sweetland, cabinet member for Environment, Highways and Waste and Mr Mike Austerberry, Corporate Director, Enterprise and Environment) (Mr Paul Crick, Director of Planning and Environment was present for this item)

(1) Kent County Council has a statutory duty to have a third Local Transport Plan (LTP3) in place by 1 April 2011. Local authorities now have greater flexibility to decide what to include in their LTP3 and the requirements to meet nationally prescribed transport performance indicators have now been removed. The intention is to make local authorities more accountable to local communities on the quality and delivery of local transport during the plan period.

(2) During the course of discussion members spoke of the importance of the Plan in shaping the future transport strategy for the County and its relevance to the County Council's recently launched 20 year transport delivery plan – *Growth without Gridlock*. The report concluded that the proposed Local Transport Plan was a sensible and reasonable response to the current financial situation and provided a clear and coherent framework to guide decision making during the period of Kent's third Local Transport Plan.

(3) Cabinet **Resolved** that the third Local Transport Plan for Kent 2011-16 be endorsed and recommended for approval to the County Council at its meeting on 6 April 2011.

26. Follow up Items and Decisions from Cabinet Scrutiny Committee - 9 February 2011

(Item 12 – report Alex King – Deputy Leader and Mr Peter Sass - Head of Democratic Services) (Mr Peter Sass and Mr Adam Webb were present for this item)

(1) Mrs Whittle referred to pages 410 and 411 of the report and gave Cabinet a position statement with regard to progress on the development of the Improvement Plan. The draft Plan was to be discussed at a meeting of the Kent Improvement Board taking place the same day as the Cabinet meeting. For that reason it had not been possible for the Plan to be also reported to Cabinet at this time as it needed to be discussed by the Board first. However the draft Plan would be reported to the next meetings of both Cabinet and the Cabinet Scrutiny Committee. In the meantime some of the issues already raised by the Cabinet Scrutiny Committee had been addressed by the governance proposals set out in item 9 of the agenda.

Resolved that the comments and actions detailed in the report be noted.

27. Records of Decisions

KENT COUNTY COUNCIL

DECISION TAKEN BY Cabinet 4 April 2011	DECISION NO. 10/01555
Unrestricted	
Subject: Annual Business Plans – 2011/12	
Summary: 1.1 Kent County Council's overall strategic direction is set out in Bold Steps for Kent, The County Council's Medium-Term Plan. The Annual Business Plans specify how each unit would contribute towards delivering Bold Steps for Kent, and in particular how the Council would transform services, innovate, and increase efficiency in order to meet the needs of Kent communities, businesses and individuals during the very tough times ahead. 2.1 Because the Annual Business Plans were developed during the <i>Change to Keep Succeeding</i> restructuring, which is still underway, there are no Directorate-level plans as yet for the new Directorates. Directorate-level plans reflecting the new structure are therefore being prepared and would be reported for approval to the meeting of Cabinet in July 2011. 2.2 The Annual Business Plans are based on units in the old structure, most of which would transfer in their entirety within the new structure although some would be divided between new directorates. Therefore a light-touch approach to the development of these plans has been taken because further work is needed during 2011-12. Indeed, a fresh approach to business planning in the new organisation is being undertaken making it fit for purpose in the light of the design principles, and reflecting the reduced capacity the organisation has in its 'back office'.	
Decision : Cabinet resolved to approve the Annual Business Plans as listed in the attached Appendix 1 and noted that the Directorate-level plans reflecting the new structure would be submitted for approval by Cabinet at its meeting in July 2011.	
Any Interest Declared when the Decision was Taken Mrs Jenny Whittle made a declaration of personal interest and took no part in the discussion and vote on this matter	
Reason(s) for decision, including alternatives considered and any additional information As set above and in the Cabinet report	
Background Documents: Medium Term Financial Plan 2011 -13 and County Council Budget Book 2011-12	

Appendix 1

Children, Families and Education Directorate		Kent Adult Social Services Directorate
1. Learning Group		1 Business Support
2. Specialist Children's Services Group		2 Gypsy and Traveller unit
3. Commissioning and Partnership Group		3 Sensory
4. Resources and Planning Group		4 Community Equipment
5. Capital programme and Infrastructure Group		5 Mental health
		6 Learning Disability
Communities Directorate		7. Kent Supported Employment Unit
1 Sport, Leisure & Olympics Service		8. Older People/physical disability
2 Arts Development Unit		Environment, Highways and Waste Directorate
3 Libraries & Archives		1. Country Parks
4 Community Learning and Skills		2. Countryside Access
5 Community Safety Unit		2 Kent Highways Service
6 Emergency Planning		3 Planning and Environment
7 Registration Service		4. Waste management
8 Coroners Service		Chief Executive's Directorate
9 Trading Standards		1 Commercial Services
10 Kent Scientific Services		2 Communications & Media Centre
11 Youth Service		3 Corporate Finance
12 Youth Offending Service		4 Governance and Law
13 Kent Drug & Alcohol Action Team		7 Personnel & Development
14 Supporting People		8 Property Group
15 Supporting Independence		9 Public Health
		8 Strategic Development Unit
		9 International Affairs Group
		10 ISG
		11 Kent Forum Unit
		12 Corporate Policy and Performance
		13 Regeneration and Economy
		14 Strategy and Research

KENT COUNTY COUNCIL

DECISION TAKEN BY

Cabinet
4 April 2011

DECISION NO.

11/01683

Unrestricted

Subject: COORDINATED SCHEMES FOR PRIMARY AND SECONDARY SCHOOLS IN KENT AND ADMISSION ARRANGEMENTS FOR PRIMARY AND SECONDARY COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS 2012/13

1. Summary

(1) This report provided Cabinet with information on the outcome of the consultation on the proposed admission arrangements for transfer to Primary and Secondary schools in September 2012 and the scheme for In Year Casual Admissions.

(2) All Admissions Authorities within Kent agreed to the proposed Co-ordinated Primary Admissions Scheme for 2012. The scheme was set out in a similar way to last year following broadly similar scheme dates. The details of the Scheme were set out in Appendix A to the Cabinet report.

(3) The Secondary Coordinated Scheme was also agreed by all Kent Admissions Authorities and the details of that scheme were set out in Appendix B to the Cabinet report

(4) The report also provided details of the Oversubscription Criteria for Community and Voluntary Controlled Infant Junior and Primary schools in Kent, the Oversubscription Criteria for community and Voluntary Controlled Secondary schools in Kent Community and the Oversubscription Policy for Voluntary Controlled Secondary schools in Kent. The Cabinet report also provided members with Information on the Published Admission Numbers and the Relevant Statutory Consultation Area.

2. Decision

Cabinet Resolved to AGREE:

(i) The Coordinated Primary Admissions Scheme 2012 incorporating the In Year admissions process, as detailed in Appendix A of the Cabinet report.

(ii) The Coordinated Secondary Admissions Scheme 2012 incorporating the In Year admissions process, as detailed in Appendix B of the Cabinet report

(iii) The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary schools in Kent as detailed in Appendix C (1)

(iv) The oversubscription criteria relating to Community and Voluntary controlled Secondary schools in Kent as detailed in Appendix C (2) of the

Cabinet Report

(v) The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools as set out in Appendix C (3) of the Cabinet Report

(vi) The Published Admissions Number for Community and Voluntary Controlled Secondary Schools as set out in Appendix C (4) of the Cabinet Report

(vii) The relevant statutory consultation areas for Kent primary schools as detailed in Appendix C (5) and the relevant statutory consultation areas for Kent Secondary Schools as set out in Appendix C (6) of the Cabinet report.

Any Interest Declared when the Decision was Taken

None

Reason(s) for decision, including alternatives considered and any additional information

The reasons for this decision are set out in this notice and also in the Cabinet Report.

Background Documents:

None

KENT COUNTY COUNCIL

DECISION TAKEN BY

Cabinet

4 April 2011

DECISION NO.

11/01682

Unrestricted

Subject: Rail Action Plan for Kent

Summary:

(1) The Rail Action Plan for Kent sets out the principal objectives of KCC to ensure that the new rail franchise for Kent - which is due to commence in April 2014 - delivers a rail service that meets the needs of the county's residents, commuters and visitors. It is not concerned with changing the existing franchise operated by Southeastern Railway, although KCC would continue to press for improvements in its current operation.

(2) The Plan listed in detail the rail routes which needed addressing in today's network, and recommended improvements to be incorporated in the new franchise specification. It also recognised the need for the level of rail fares charged in Kent to offer better value for money so as to encourage economic growth throughout the county, and the need for the rail system to operate with greater resilience in adverse weather conditions.

(3) During the course of discussion Cabinet members spoke of the importance the Plan's purpose and objectives in providing the county of Kent with modern and efficient rails services. It was said the Council needed to robustly push the Department of Transport on the issue of the County Council having a much more involved role in the franchising process by being a signatory to the franchise document and having an ongoing role in its monitoring. There should also be greater opportunity for Kent residents to become more involved and one way of doing that could be to set up have a dedicated web website.

Decision :

Cabinet Resolved

(1) To approve the Rail Action Plan for Kent as the basis for KCC's participation in the Department of Transport's (DfT) consultation process for the new Integrated Kent Franchise;

(2) To present the approved version of Rail Action Plan for Kent to the third KCC Rail Summit in April 2011;

(3) To present the approved Rail Action Plan for Kent to the DfT as the basis of KCC's contribution to the consultation process for the new Integrated Kent Franchise;

(4) To recommend that the DfT changes both the present franchise service specification and the new Integrated Kent Franchise specification to require the franchisee to report all performance indicators separately for High Speed and Mainline services;

(5) To recommend that the DfT, with effect from January 2012, changes the current regulated fares policy which permits the franchisee to raise fares above the base level by a further 5%, so that the maximum increase in Kent equals that elsewhere in England at RPI +3%;

(6) To ensure that KCC's interests are fully represented in the final franchise service level specification for the new Integrated Kent Franchise;

(7) To continue to consult widely with MPs, KCC Members, district councils, town and parish councils, neighbouring authorities, Rail User Groups and interested individuals so as to ensure as wide a range as possible of stakeholder engagement within Kent;

(8) To engage with the chosen operator of the Integrated Kent Franchise well before commencement of the new franchise on 1 April 2014.

Any Interest Declared when the Decision was Taken

Reason(s) for decision, including alternatives considered and any additional information

As set above and in the Cabinet report and appendices

Background Documents:

(1) Integrated Kent Franchise – Stakeholder Briefing Document (Strategic Rail Authority, London, January 2005);

(2) Memorandum of Understanding regarding the setting up of a European Network of High Speed Regions (Kent County Council, Region Nord-Pas de Calais, Gemeente Breda, BrabantStad - Brussels, February 2009);

(3) Connecting Local Communities – Network Rail CP4 Delivery Plan: Route Plans 2009 – Route 1: Kent (Network Rail, London, March 2009);

(4) The Modern Railway – A Special Modern Railways Publication (Ian Allan Publishing Ltd, Hersham, Surrey, 2009);

(5) Unlocking Kent's Potential: Opportunities and Challenges (Kent County Council, Maidstone, 2009);

(6) Kent Route Utilisation Strategy (RUS) (Network Rail, London, January 2010);

(7) 21st Century Kent – A Blueprint for the County's Future (Sir Terry Farrell, London, January 2010); and

(8)Ashford to Ramsgate journey time enhancements – GRIP 1 stage (Network Rail, London, May 2010)