

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 5 December 2011.

PRESENT: Mr P B Carter (Chairman), Mr A J King, MBE, Mr G K Gibbens, Mr R W Gough, Mr K G Lynes, Mr J D Simmonds, Mr B J Sweetland, Mr M J Whiting and Mrs J Whittle

IN ATTENDANCE: Mr M Austerberry (Corporate Director, Environment and Enterprise), Mr D Cockburn (Corporate Director of Business and Support), Ms A Honey (Corporate Director, Customer and Communities), Mr A Ireland (Corporate Director, Families and Social Care), Ms M Peachey (Kent Director Of Public Health), Mr G Wild (Director of Governance and Law), Mr A Wood (Corporate Director of Finance and Procurement) Mrs L O'Reily (representing the Corporate Director, Education, Learning and Skills) and Mr G Mills (Democratic Services)

UNRESTRICTED ITEMS

Before the commencement of business Mr Carter welcomed to the meeting Mr Andrew Ireland, the Council's newly appointed Corporate Director for Families and Social Care. Mr Carter also welcomed Mr Matt Burrows the Council's newly appointed Director of Communications and Engagement

75. Minutes of the Meeting held on 17 October 2011 *(Item 3)*

Resolved that the minutes of the meeting held on 17 October 2011 be agreed, and signed by the Chairman as a true record.

76. Revenue & Capital Budgets, Key Activity and Risk Monitoring 2011-12 *(Item 4— Report by Mr J Simmonds, Cabinet Member for Finance & Business Support; Mr A Wood, Corporate Director of Finance & Procurement; and Corporate Directors)*

(1) Mr Simmonds outlined the key elements of this report and highlighted the main pressures. He said that the County Council had so far received back some £11.8m from Icelandic Banks and following the successful court case he was hopeful that most if not all of the Council's money would now be recovered, possibly with some interest. Mr Simmonds also reported on adjustments made to the Capital Budget since the last meeting. Mr Carter placed on record his thanks and that of the Cabinet for the part officers had played in delivering a balanced budget which may yet show a slight under spend.

(2) Following further discussion Cabinet Resolved to:

- (a) note the latest monitoring position on the revenue and capital budgets
- (b) note that residual pressures which were currently forecast within the Specialist Children Services and Communities, Customer Services and Improvement portfolios and the management action which was forecast to be delivered within the Business Strategy, Performance and Health Reform portfolio
- (c) note the final split of Early Years' budgets between "standards and quality assurance in early years settings" (Education, Learning and Skills portfolio) and "provision of early years and childcare" (Specialist Children Services portfolio)
- (d) agree the £1.2m transfer of a one-off under spend on Early Years & Childcare Quality & Outcomes Team within the ELS portfolio to the earmarked reserve to support next year's budget and that the use of this reserve would be built into the draft 2012-15 Medium Term Financial Plan.
- (e) agree that the £16.226m NHS Support for Social Care funding, details of which were included in item 9 of the 19 September 2011 Cabinet agenda, be transferred to a new specific earmarked reserve and drawn down as expenditure incurred in line with detailed plans to be jointly agreed with health.
- (f) agree that £0.950m costs for the development of the Enterprise Resource Planning (ERP) project be met from a temporary drawdown from the IT Asset Maintenance reserve in the current year, with the repayment of this funding back to the IT Asset Maintenance Reserve in 2012-13, which would be drafted into the 2012-15 MTFP.
- (g) agree the transfer of £1.599m Minimum Revenue Provision saving, resulting from the re-phasing of the capital programme in 2010-11, to reserves to fund the potential future impact.
- (h) note and agree the changes to the capital programme.
- (i) agree that re-phasing on the capital programme be moved from 2011-12 capital cash limits to future years.
- (j) agree the £4.118m transfer of funding from Building Schools for the Future Unit Cost to cover the shortfall of grant against the Academy Projects.
- (k) agree the £1.4m prudential borrowing for the Enterprise Resource Programme.
- (l) note the latest financial health indicators and prudential indicators.

- (m) note the directorate staffing levels as at the end of September 2011.

77. Autumn Budget Statement

(Item 5– Report by Mr P Carter, Leader of the Council; Mr J Simmonds, Cabinet Member for Finance & Business Support; Katherine Kerswell, Managing Director; and Mr A Wood, Corporate Director for Finance & Procurement) (Mr D Shipton was present for this item)

(1) Mr Simmonds highlighted the critical issues the Council faced and said the impact of a predicted net loss in funding of £11m coupled with an estimated £93m of additional spending demands meant KCC would have to make savings in 2012/13 totalling some £104m in order to balance the budget. This represented a substantial challenge and a savings target of a similar magnitude to the £95m the County Council faced in 2011/12. Mr Simmonds also said the Council would be setting itself an ambitious Capital Programme and as part of that it would be looking at ways to stimulate the Kent economy and employment.

(2) Cabinet resolved to note:

(a) The National Context:

- (i) Lower economic growth than previous forecasts and slower recovery from the recession
- (ii) Inflation higher than the government's target
- (iii) Rising unemployment
- (iv) Public expenditure reductions
- (v) Eurozone debt crisis

(b) The National Resources Position:

- (i) the difference in resource allocation between London/Metropolitan and shire areas
- (ii) Potential changes to the funding for local authorities and schools
- (iii) Potential increases in employee's pension contributions
- (iv) Funding from health authorities to support social care
- (v) Council Tax freeze and local referendum on excessive increases in future
- (vi) the disparity in grant allocations to south east authorities since 2006/07 compared to the rest of England and impact on Council tax

(c) Kent – Local Resource Allocation

- (i) Take-up of proposed freeze on Council Tax for a second successive year
- (ii) Launch draft budget and medium term financial plan before Christmas
- (iii) County Council to agree budget on 9 February
- (iv) Further enhancements to transparency of budget
- (v) Financial outlook based on reduced resources and increased spending demands necessitating significant year on year savings
- (vi) Proposed financial strategy and establishment of a Budget Programme Board
- (vii) Financial risks

(viii) Levels of general reserves

78. Vision for Kent 2012-2022

(Item 6– Report by Mr A King, Deputy Leader)(Mr G Brown was present for this item)

(1) The Vision for Kent is Kent's Sustainable Community Strategy (SCS) and it is a statutory requirement for local authorities to prepare and from time to time modify the Strategy their area. The Vision for Kent also forms part of KCC's Policy Framework and details the steps that will be taken to promote and improve the economic, social and environmental well-being of Kent and contribute to the achievement of sustainable development in the United Kingdom.

(2) Mr King said the Vision for Kent 2012-2022 was written around the three countywide ambitions to grow the Kent economy, to tackle disadvantage and to put citizens in control, and if ever there was a time to focus on these three ambitions it was now. The draft Vision for Kent document would now be submitted to the County Council at its meeting on 15 December and to the Kent Forum in the new year. Mr Brown outlined the wide consultation which had been undertaken in the preparation of what he said was now a much more focused document than had previously been the case.

(3) Following discussion Cabinet resolved to:

(a) endorse the draft Vision for Kent

(b) recommend that the County Council approve the Vision for Kent at its meeting on 15 December 2011 as required in the Policy Framework; and

(c) recommend that the Vision for Kent be endorsed by the Kent Forum at its meeting in February 2012.

79. Quarterly Performance Report, Quarter 2, 2011/12

(Item 7– Report by Mr R Gough – Cabinet Member Business Strategy, Performance & Health Reform and Ms K Kerswell – Managing Director) (Mr R Fitzgerald was present for this item)

(1) Mr Gough said the Quarterly Performance Report contained more information than in the past and now included such matters as staff data and comparisons with peer authorities. And with the move to a new committee system it was anticipated the report would in future also contain more real time information, such as Directorate dashboards, being made available to the relevant Cabinet committee.

(2) During the course of discussion Mr Sweetland highlighted the reduction of some 48% in the number of highway related complaints made over the past 12 months and Cabinet placed on record its thanks to staff in the Highways Unit on this service improvement. Ms Honey said the level of calls to the Contact Centre had reached an unprecedented level and additional resources had been allocated to meet this rise in demand. A review looking at the whole spectrum of improving customer experience was being undertaken as part of the Customer Services

Strategy. Mrs Whittle also reported on the continuing improvement in the recruitment of social workers and the improvement in the balance between the number of experienced social workers to those newly qualified. Mr Carter said he welcomed the report and the improvements which had been made in terms of both its content and presentation. He did however ask for future reports to include more qualitative information and feedback on customer experience.

(3) Cabinet resolved to note the report.

80. Kent's Multi-Agency Looked After Children Strategy

(Item 8 - Report by Mrs J Whittle, Cabinet Member for Specialist Children's Services; and Mr A Ireland, Corporate Director, Families and Social Care)(Ms L Totman, Head of Corporate Parenting, Mr P Brightwell, Performance and Quality Assurance Manager and Mr A Duncan were present for this item)

(1) Kent County Council's improvement notice includes a requirement to put in place a detailed Looked After Children Strategy that sets out how the authority and its partner agencies would promote better outcomes for its looked after children and care leavers.

(2) Mrs Whittle said the Council had and was continuing to work closely with partner agencies to develop better strategies and to improve the outcomes for Looked after Children. The aims of the strategy included reducing the number of children in care, developing better placement strategies, including trying to place children with Foster Parents in the same area as they live, and improving levels of education attainment.

(3) Ms Totman and Mr Brightwell said the strategy had been influenced by feedback and contributions from all key agencies and services - schools and further education colleges, health services, Connexions, Catch 22, Young Lives Foundation and had been endorsed by the Kent's Corporate Parenting Group, Kent's Safeguarding Children's Board and The Corporate Parenting Panel. The strategy also included contributions by children and young people through Kent's Children in Care Council. These are outlined in the strategy. Mr Carter said that he wished to see the report sent to all members of the County Council.

(4) Following further discussion Cabinet resolved to endorse the document 'Kent's Multi-Agency Looked After Children Strategy.'

81. Annual Unannounced Inspection of Contact, Referral and Assessment Arrangements in Children's Services

(Item 9- Report by Mrs J Whittle, Cabinet Member for Specialist Children's Services; and Mr A Ireland, Corporate Director, Families and Social Care)

(1) Mrs Whittle said that the outcome from this inspection showed the Council was maintaining significant progress and had in place a robust assurance and performance management regime. The report did highlight some areas where further development was needed and these issues would be rigorously addressed. Overall the Council was now providing a significantly better service than 12 months ago and Mrs Whittle placed on record her thanks to all members of staff for their hard work and commitment in achieving this improvement. A further unannounced inspection

was expected during the spring of 2012. He also spoke of the work that would be needed to implement a new IT system that would be introduced in the autumn of 2012. Having now had the opportunity to meet with KCC staff working in the field of children's social care he also spoke of their commitment and focus. Mr Ireland said the excellent progress being was part of a journey of continuous improvement and it was his view that the Council would be the subject of a full Inspection before the next unannounced inspection took place.

(2) During the course of discussion Mr Carter spoke of the need to undertake bench marking and cross-auditing with other authorities in the south-east. This was agreed.

(3) Cabinet resolved to place on record it's thanks to the staff working in this field and noted the findings of the Ofsted Inspection and the ongoing work and actions being taken by the Council.

82. Blue Badge Reform

(Item 10– Report by Mr G Gibbens, Cabinet Member for Adult Social Care and Public Health; and Mr A Ireland, Corporate Director, Families and Social Care)

See record of decision on page 9.

83. Children's Services Management Structure (To follow)

(Item 11)

The Chairman said because a number of restructurings were taking place across the council and following the usual consultation processes, a key decision on this matter would now be taken by the Cabinet Member for Specialist Children's Services in the new year. Therefore this report would not now be discussed at this meeting.

84. Children's Services Improvement Plan - Quarterly Update

(Item 12– Report by Mrs J Whittle, Cabinet Member for Specialist Children's Services; and Mr A Ireland, Corporate Director, Families and Social Care)

(1) In introducing this report Mrs Whittle said much work was being undertaken to reduce the number of child protection cases where that was safe to do so. This included working closely with other agencies such as the justice system and judiciary. The County Council continued to make significant progress in meeting the requirements of the Children's services Plan as had been evidenced by the recent unannounced Ofsted Inspection as had been reported elsewhere on the Cabinet agenda for this meeting.

(2) Cabinet resolved to note the very significant progress that had been made since the last quarterly report and noted the content of the letter from the Independent Chair of the of the Improvement Board.

85. Select Committee: Dementia - A New Stage in Life

(Item 13 - Mrs T Dean was present for this item as Chairman of the Select Committee together with Mr J Kirby and Mr L Christie)

(1) Mrs Dean placed on record the thanks of the Select Committee to Mrs S Frampton for the assistance she had given to the Committee during the course of its work. Mrs Dean highlighted a number of key areas to the report, including the need for early diagnosis, better training for staff from both the public and private sector who provide treatment and care for dementia patients. There also needed to be improved access to professional help, including legal and financial advice when seeking for example power of attorney. There was a need for sufferers and their carers to be more involved in the planning of their treatment and for there to be more awareness to the fact that increasingly dementia was being diagnosed more in younger people. Mrs Dean also spoke of 'memory cafes' and the value that they can have in helping sufferers of dementia.

(2) Mr Kirby also spoke of the need for there to be better and earlier diagnosis and about the important part memory cafes can play in the treatment and support given to dementia sufferers. Mr Kirby said steps needed to be taken to address the stigma which can be attached to dementia and spoke of the importance of all agencies, including the police receiving adequate training. He also spoke of the importance of dementia being treated on a multi-agency basis and the importance therefore of those bodies developing strong links and joint strategies. Mr Christie echoed the views of Mrs Dean and Mr Kirby. He also spoke of the need for dementia patients to have continuity of treatment and the believed the role and importance of memory cafes was such there ought to be one in each district.

(3) During the course of discussion Mr Gibbens said he thanked the Select Committee for its wide ranging and comprehensive report which would be debated more fully at the County Council meeting on 15 December. In the meantime he said he welcomed the proposal to establish a cross party group of members to work through the detail of the recommendations. He said it was important to move beyond dementia being seen only as solely a mental health issue and the care and treatment of sufferers needed to have the involvement of a range of partners in both the public and voluntary sectors. Other views were that more work needed to be done with GPs in order to improve the chances of early diagnosis, the number of cases of dementia was rising and therefore there needed to be more thought and planning as to what future resources would be needed to meet that rise. The Gateways across the county could be used to provide better information for both patients and carers and could possibly be a location for a memory café.

(4) Following this discussion Cabinet placed on record its thanks to the Select Committee for its report which would be debated at the County Council meeting on 15 December 2012.

86. The Procurement of Accommodation Service for Looked After Children and Care Leavers

(Item 14)– Report by Mrs J Whittle, Cabinet Member for Specialist Children's Services; and Mr A Ireland, Corporate Director, Families and Social Care)

See record of decision on page 11.

87. The Duke of York's Royal Military School

(Item 15 - Report by Mr M Whiting, Cabinet Member for Education, Learning & Skills; Mr R Gough, Cabinet Member for Business Strategy, Performance & Health Reform; Mr P Leeson, Corporate Director, Education, Learning & Skills; and Mr D Cockburn, Corporate Director of Business, Strategy & Support)

See record of decision on page 13.

88. Decision Record Sheets

Kent County Council	
Decision taken Cabinet 5 December 2011	DECISION NO. 11/01769
Unrestricted	
Blue Badge Reform <i>(Item 10 – Report by Mr G Gibbens, Cabinet Member for Adult Social Care and Public Health; and Mr A Ireland, Corporate Director, Families and Social Care)(Ms J Grant, Senior Policy Officer was present for this item)</i>	
<p>(1) This report provided an update on the implementation of the revised Blue Badge Service and advised on the work currently in progress to identify efficiencies which may be achieved by improvements to the new service. The report set out the costs associated with the service and the potential financial impacts when the Department for Transport removes funding in 2013/14.</p>	
<p>(2) The Blue Badge Scheme has been in place since the early 1970s and is based on the requirements of Section 21 of the Chronically Sick and Disabled Persons Act, 1970.</p> <p>A review in 2007 highlighted several areas where improvements needed to be made to the administration of the scheme, the eligibility criteria and to prevent abuse. After further consultation, the Government published a reform strategy in October 2008 that included a number of commitments to ensure that the Blue Badge Scheme remained relevant.</p>	
<p>(3) The county council has been in contact with a number of neighbouring authorities, all of whom are planning to increase the charge for Blue Badges to £10 although the implementation date varies between January and March 2012. Consultation methodology amongst neighbouring authorities also varied, some were consulting widely on the changes, some only with people who phone for renewal of Blue Badge and others are not consulting.</p>	
<p>(4) The current £2 charge is for the administration of the present Blue Badge service including production of the badge, this charge is levied for all applicants whether they</p>	

are successful or not. An increase to a £10 fee could only be levied if the applicant was successful and £4.60 of this would then be paid to the contractor for the production of the badge.

The remaining part of the fee would cover the assessment and administration costs and any shortfall for these services will fall onto Kent County Council.

(5) The change in the legislation enables local authorities to raise the charge for Blue Badges from £2 to £10 from 1 January 2012. This increase in charge would come at the same time as the first phase of increases in charges to those disabled people who contribute to the cost of their non-residential care services. The Blue Badge service is not subject to means testing and it does not fall within the meaning of community care services.

(6) Cabinet considered the 3 options set out in the report and agreed the Council should proceed on the basis of levying a charge of £10 from 1 January 2011. The £10 fee is for a badge that would be valid for a period of 3 years.

(7) Resolved that

(a) the changes to the Blue Badge service as described in the Cabinet report be noted

(b) the charge for the provision of Blue Badge be increased from £2 to £10 with effect from 1 January 2012; and

(c) approval be given to the Communication Plan

Any Interest Declared when the Decision was Taken:

None

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

As set above and in the Cabinet report

Background Documents: none

KENT COUNTY COUNCIL

DECISION TAKEN BY Cabinet 5 December 2011	DECISION NO. 11/01684
<i>This is an unrestricted Record of Decision of a matter which contained some information which was declared exempt under Section 100A of the Local Government Act 1972</i>	
The Procurement of Accommodation Services for Looked after Children and Care Leavers <i>(Item 14 – Report by Mrs J Whittle, Cabinet Member for Specialist Children’s Services; and Mr A Ireland, Corporate Director, Families and Social Care)</i>	
<p>(1) The majority of the 496 UASC Care leavers 18+ (total as at 7.10.11) are accommodated independently in the community. Accommodation is arranged by Housing Officers within KCC Services for Unaccompanied Asylum Seeking Children (SUASC), working with a number of Housing Providers approved following a tendering process in May 2006. In addition to achieving the required savings, a thorough review of the statement of requirements on service providers and terms & conditions of the housing contract was necessary and overdue. The objective of undertaking a competitive procurement process was to identify a small number of service providers who could deliver a high quality, efficient service at an agreed volume and within the agreed price limitations.</p> <p>(2) The Accommodation Services to be commissioned through this procurement process are:</p> <ul style="list-style-type: none">(a) The provision of units of accommodation in the required locations.(b) Transportation and Move-in Services for all service users accommodated.(c) Accommodation Maintenance Services (planned, emergency and reactive). <p>(3) In line with Spending the Council’s Money, a fair and transparent non EU competitive procurement process was carried out. Organisations were invited to tender under two categories, block contract or a multiple supplier framework agreement. Following a detailed analysis of the tenders the exempt part of this report proposed a list of 5 companies who with the exception of one were already providing accommodation services for Looked after Children and Care Leavers.</p> <p>(4) Cabinet Resolved</p> <ul style="list-style-type: none">(a) to approve block contracts and inclusion on the provision Framework to following organisations<ul style="list-style-type: none">(i) Ready Homes - Block contract and Framework	

- (ii) Social and Community Care – Block Contract and Framework
- (iii) Accommodation Plus – Framework
- (iv) H Ibrahim – Framework
- (v) West Kent YMCA

(b) subject to him being satisfied as to the detailed terms and conditions, the Corporate Director for Families and Social Care, in consultation with the Cabinet Member for Specialist Children’s Services be delegated authority to enter into on behalf of the County Council all necessary contracts in order to deliver these services.

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 above and also in the Cabinet Report.

Background Documents:

None

KENT COUNTY COUNCIL

DECISION TAKEN BY

Cabinet 5 December 2011

DECISION NO.

10/01481

This is an unrestricted Record of Decision of a matter which contained some information which was declared exempt under Section 100A of the Local Government Act 1972

The Duke of York's Royal Military School

(Item 15 – Report by Mr M Whiting, Cabinet Member for Education, Learning

& Skills ; Mr R Gough, Cabinet Member for Business Strategy, Performance & Health Reform; Mr P Leeson, Corporate Director, Education, Learning & Skills; and Mr D Cockburn, Corporate Director of Business, Strategy & Support) (Mrs R Spore the Director of Property and Infrastructure was present for this item)

(1) The Duke of York's Royal Military School, Dover, transferred to Academy status on 1st September 2010. Before this it was an independent school which was run and funded by the MOD. The sponsor of the Academy is the Secretary of State for Defence. The School is co-educational and the sponsor's overall vision is for a high quality, exclusively full-boarding Academy which will have military ethos, character and traditions and would be primarily focussed on providing continuity of education for the children of those serving in the Armed Forces. KCC is not a sponsor of the Academy and does not place students at the school, so KCC is only acting as a procuring agent for Partnerships for Schools (PfS).

(2) The BSF and Academies team, with Gleeds as technical advisors and Cube as Architects, have been working with the Academy to develop initial options for redeveloping the site. Initial options have been costed to demonstrate which would be affordable, and new build rate used to cost the options is based on a rate advised by the DFE. The rate for refurbishment is based on the conditions survey. It is unlikely that this rate would be able to achieve the same standard as was achieved under the Building Schools for the Future programme.

(3) The first stage of the procurement is to invite all of the 11 panel members of the PfS Contractors Framework (Southern Region) to take part in the local competition by submission of a response to the PITT. This is then evaluated and 2 panel members are shortlisted from this response to proceed to the next stage. The 2 panel members will then have 8 weeks to engage in 6 – 8 design workshops with the Academy to develop a scheme for their bid

submission. These bids will be evaluated by the KCC BSF and Academies team, with our technical advisors and the Academy, to shortlist the bidder that will become the Selected Panel Member. There will be an opportunity for a Member to be involved in the evaluation process should they choose to do so.

(4) There could be some risks to the County Council acting in the role of procurement agent but these will be mitigated against by entering into a and indemnity with the MOD.

(5) Cabinet Resolved;

(a) to authorise the submission of the Feasibility study for The Duke of York's Royal Military School to PfS and DFE.

(b) authorise the commencement of the procurement from the PfS Contractors Framework to select a Contractor to deliver the Academy works and then to progress through the next stage of the process to develop detailed designs, progress the planning application and finalise contracts, and

(c) to note that the BSF, PFI and Academies Board will be updated on progress and final approval to enter into contracts will be sought from Cabinet.

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 above and also in the Cabinet Report.

Background Documents:

None