



Summons to and  
Agenda for a  
Meeting on  
**Thursday 20th October  
2011**  
At **10.00 am**





DEMOCRATIC SERVICES  
SESSIONS HOUSE  
MAIDSTONE

Tuesday, 11 October 2011

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, 20 October 2011 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

### **Webcasting Notice**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

By entering the meeting room you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured then you should make the Clerk of the meeting aware.

### **A G E N D A**

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of the meeting held on 21 July 2011 and if in order, to be approved as a correct record **(Pages 1 - 12)**
4. Chairman's Announcements
5. Questions
6. Report by Leader of the Council (Oral)
7. Children's Services Improvement Plan - update (to follow)
8. Proposed Amendments to the Constitution (Appointment of governors to Academies and Terms of Reference of the Joint Police Appointments Committee) **(Pages 13 - 14)**
9. Terms of Appointment of the Independent Members of the Standards Committee and Member Remuneration Panel **(Pages 15 - 16)**
10. Proposed revisions to the governance arrangements at Kent County Council **(Pages 17 - 24)**
11. Select Committee Topic Review Update - May 2005-June 2010 **(Pages 25 - 68)**
12. Treasury Management Annual Review - 2010/11 **(Pages 69 - 84)**

13. Superannuation Fund Committee Annual Report **(Pages 85 - 88)**
14. Quarterly Report on Urgent Key Decisions **(Pages 89 - 92)**  
Sandwich Sea Defence Scheme; and  
Repton Park Primary School, Ashford – Creation of new 1 Form Entry  
(FE) Primary School with Capability to Expand to 2 FE
15. Motions for Time Limited Debate
- (i) Mr I Chittenden will move and Mr T Prater will second:-
- “This Council notes that it has not closed libraries despite recent financial settlements and commits to keeping at least the current number of Kent libraries in future except where local communities themselves agree on a specific closure to meet their needs.”
- (ii) Mr G Cowan will move and Mrs E Green will second:-
- “That this Council shares the disappointment of the people of Kent at KCC plans to slash the youth services budget and this Council’s shameful and short sighted proposals to close down 50% of all youth centres in all parts of the county. In common with the vast majority of enlightened people we believe the provision of youth centres in our towns and rural villages to be vital in providing worth while and healthy activities for young people especially at a time when society is seeking ways of steering our youngsters to respect their communities and act responsibly. Council notes that David Cameron chose to make his key note speech following the English riots from a youth club in his constituency and said that one way of providing guidance and moral leadership for youngsters was via our network of youth centres. We agree with the prime minister. This motion notes that the Conservative led Dover District Council has expressed its formal opposition to KCC's plans to close two of its youth centres at Linwood and Aylesham and calls on this administration to take note of the thousands of people across the county who have signed petitions and registered their objections to KCC plans and require them to abandon any downgrading of the county’s youth centres.”
16. Minutes for Approval **(Pages 93 - 98)**  
Governance and Audit Committee – 14 September 2011
17. Minutes for Information **(Pages 99 - 118)**  
Planning Applications Committee – 26 July and 6 September 2011  
Regulation Committee – 7 September 2011  
Superannuation Fund Committee – 1 July and 2 September 2011



Peter Sass  
Head of Democratic Services  
01622 694002

## KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 21 July 2011.

**PRESENT:**

Mrs P A V Stockell (Chairman)

Mr R E King (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr R E Brookbank, Mr J R Bullock, MBE, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr G Cowan, Mr H J Craske, Mr A D Crowther, Mr J M Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr J A Davies, Mr K A Ferrin, MBE, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr W A Hayton, Mr C Hibberd, Mr P M Hill, OBE, Mr D A Hirst, Ms A Hohler, Mrs S V Hohler, Mr P J Homewood, Mr E E C Hotson, Mr A J King, MBE, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J P Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K H Pugh, Mr L B Ridings, MBE, Mr M B Robertson, Mrs J A Rook, Mr A Sandhu, MBE, Mr J D Simmonds, Mr C P Smith, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mrs C J Waters, Mr J N Wedgbury, Mrs J Whittle, Mr M A Wickham and Mr A T Willicombe

IN ATTENDANCE: Katherine Kerswell (Managing Director), Geoff Wild (Director of Governance and Law) and Peter Sass (Head of Democratic Services)

### UNRESTRICTED ITEMS

#### **38. Apologies for Absence**

The Chairman reported apologies from the following Members:

Mr Brazier  
Mr Burgess  
Mr Chell  
Mr Gates  
Mr Jarvis  
Mr Northey  
Mr K Smith  
Mr Snelling  
Mr Wells  
Mr Whiting

#### **39. Declarations of Interest**

(1) Mr Manion declared a personal and prejudicial interest in items 15 (Post-16 Transport Policy) and item 16 (Petition Scheme debate – Extend the Kent Freedom Pass to 16-20 year olds) as he had family Members in receipt of these services; a

personal and prejudicial interest in item 17 (The alignment of PCT public health staff to KCC and associated Memorandum of Understanding) as his wife ran a medical practice; and a personal interest in item 19 (Motion for Time Limited Debate) because he had a family Member who was eligible to receive this service.

(2) Mr Harrison referred to his Question to the Cabinet Member for Adult Social Care and Public Health under item 5 and declared a personal interest as his mother was resident in one of the older persons' homes in Kent.

(3) Mr Wedgbury declared a personal and prejudicial interest in item 19 (Motion for Time Limited Debate) as he had a family Member in receipt of these services.

(4) Mr Sweetland declared a personal interest in items 17 (The alignment of PCT public health staff to KCC and associated Memorandum of Understanding) and item 18 (Establishing a Shadow Health and Wellbeing Board) as he was a non-executive Director of Kent Community NHS Trust.

(5) Mrs Cole declared a personal interest in item 16 (Petition Scheme debate – Extend the Kent Freedom Pass to 16-20 year olds) and item 19 (Motion for Time Limited Debate), as members of her family were in receipt of these services.

(6) Mrs Whittle declared a personal interest in item 9 ('Bold Steps for Kent' Delivery Framework), as her husband, who was a KCC employee, had been responsible for drafting the main document.

(7) Mr Chard declared a personal interest in item 19 (Motion for Time Limited Debate), as had family members in receipt of these services.

(8) Mr Gough declared a personal interest in item 17 (The alignment of PCT public health staff to KCC and associated Memorandum of Understanding) and item 18 (Establishing a Shadow Health and Wellbeing Board) as he was a co-opted Member (unpaid) of the Kent and Medway NHS Trust Board.

(9) Mr Lynes declared a personal interest in item 16 (Petition Scheme debate – Extend the Kent Freedom Pass to 16-20 year olds) and item 19 (Motion for Time Limited Debate), as he had family members in receipt of these services.

**40. Minutes of the meeting held on 12 May 2011, if in order, to be approved as a correct record**

Resolved: that the minutes of the meeting held on 12 May 2011 be approved as a correct record and signed by the Chairman.

**41. Chairman's Announcements**

(a) Death of Mr Derek Dolding

The Chairman stated that it was with regret that she learnt of the death of Mr Derek Dolding on 8 June 2011. Mr Dolding, the former Conservative County Councillor for Margate West, served on the County Council between 1984 and 2005. He was also Chairman of the Kent and Medway Fire Authority from June 2000 to May 2005.

Mr Hayton, Mr Cope, Mrs Dean and Mr Christie gave tributes to Mr Dolding.

(b) Death of Mr Derek Hawes Richards

The Chairman stated that it was also her sad duty to inform Members of the death Mr Derek Hawes Richards on 23 May 2011. Mr Hawes Richards, the former Liberal Democrat County Councillor for Tunbridge Wells Rural West, served on the County Council between 1985 and 2001.

Mrs Dean gave a tribute to Mr Hawes Richards.

At the end of the tributes, all Members stood in silence in memory of Mr Dolding and Mr Hawes Richards.

After the silence, it was moved by the Chairman, seconded by the Vice Chairman and:

Resolved unanimously: that this Council desires to record the sense of loss it feels on the sad passing of Mr Dolding and Mr Hawes Richards and extends to their families and friends our heartfelt sympathy to them in their sad bereavement.

(c) Queen's Birthday Honours List

The Chairman stated that it was her great pleasure to inform the County Council of the following Awards in the Queen's Birthday Honours list:

**Order of the British Empire: Officers of the Order of the British Empire**

**Mr Rodney Chambers**, Leader, Medway Council – for services to Local Government

**Mr William Stephen Ferris**, Chief Executive, Chatham Historic Dockyard Trust – for services to Heritage

**Order of Companion of Honour**

**The Rt Hon Lord Howard of Lympne CH QC** – for public and political services

**Commander of the Royal Victorian Order – CVO**

**Allan Robert Willett**, CMG – Lord Lieutenant of Kent

In relation to the outgoing Lord Lieutenant, the Chairman moved, the Vice Chairman seconded and it was:

Resolved Unanimously: that this County Council records its sincere congratulations and gratitude for the way in which the Lord Lieutenant, Allan Willett, has carried out his duties and formally record the sense of pride the County Council has in his achievements as Lord Lieutenant

(d) Lord Lieutenant for Kent

The Chairman stated that she delighted to advise the County Council that Her Majesty The Queen had been pleased to appoint The Viscount De L'Isle as Her Majesty's Lord Lieutenant for the County of Kent, to succeed Mr Allan Willett when he retires on 24 August 2011. On behalf of all Members, the Chairman offered her sincere congratulations to Lord De L'Isle on his appointment.

(e) The Queen's Awards for Voluntary Service and Enterprise

The Chairman stated that she was pleased to advise the County Council that there were 3 winners of The Queen's Award for Voluntary Service and 5 winners of The Queen's Award for Enterprise based in Kent or Medway. They are:

Voluntary Service Winners:

**Brighter Futures for Older People – Maidstone**

**Health Action Charity Organisation (HACO) – Rochester**

**National Coastwatch Institution (NCI) Folkestone – Hawkinge**

Enterprise Winners

**AXA PPP International – Tunbridge Wells**

**Cares limited - Ashford**

**Lycored limited – Aylesford**

**Sleev-it fire systems ltd - Rainham**

**Checkmate lifting and safety LLP - Sheerness**

The Chairman stated that further details of each of these awards had been tabled for Members' Information. She added that, once all of these Awards had been formally presented by the Lord Lieutenant, she intended to invite all of the winners to a reception in County Hall to recognise their achievements.

(f) Employers' Forum on Age and Belief

The Chairman stated that she was delighted to advise the County Council that Kent County Council had won two awards at the recent Employers' Federation on Age (EFA) and Employers' Federation on Belief (EFB) Awards.

**KCC's Greenhouse staff group** won the "best public sector innovation award" for the work they do in supporting younger members of staff by helping to increase their confidence and skills and provide opportunities for development.

**KCC's Community Warden Service** won the "best public sector" category for the work they do in supporting and training front line staff on diversity issues, which had a positive impact on maintaining excellent working relationships with local communities.

The Chairman offered her sincere congratulations to the Members and Officers concerned.

(g) Length of speeches

Because of the volume of business on today's agenda, the Chairman proposed, the Vice Chairman seconded and it was agreed that, with the exception of the speeches on the Leader's oral report (item 6) and the Cabinet Member's response to the Petition debate (item 16), speeches on all remaining items be limited to 3 minutes, instead of the usual 5 minutes.

**42. Questions**

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

**43. Report by Leader of the Council (Oral)**

The Leader updated the County Council on events since the last meeting in May. In particular, he spoke about the huge ongoing challenge being faced in relation to the significant budget reductions across the County Council and he praised the loyalty and hard work of the staff, all of whom had had their pay frozen for a second year. The improvements in Children's Services were still the top priority and he praised the Cabinet Member and Interim Director for leading the excellent progress that had been made.

The Leader also mentioned the excellent progress that had been made in relation to the development of the Pfizer site and the Enterprise Zone in Sandwich.

The Leader stated that huge progress had been made in the achievement of the £95million revenue savings across the County Council in 2011/12 and that a further £90million revenue savings were going to be required for 2012/13 and that a new themed approach to savings was being planned.

The Leader spoke about the opportunities that existed through having a more localist approach to delivering public services and quoted the example of the budget for smoking cessation services and how this could be spent in a more effective and innovative way. Finally, he mentioned KCC's governance arrangements and how he had commissioned officers to suggest ways in which more Members could be involved in contributing to policy debates before decisions are made.

**44. Annual Report of the Standards Committee**

(1) The Chairman welcomed Mr Peter Gammon, an independent Member of the Standards Committee, to the meeting.

(2) The Chairman moved, the Vice Chairman seconded that the report be formally received.

(3) Mr Gammon stated the standard of conduct amongst Members was very high, which reflected well on the County Council.

(4) There was a discussion about the value of annual reports, which some Members saw as over-prescriptive, restrictive and unnecessary, particularly given the low number of hits that some Members' reports had received on the website; for the majority of Members, there had been no website hits at any time during a 6 month period. At the end of the debate, Mr Gammon stated that both the Standards Committee and the Independent Remuneration Panel thought there was value in some sort of regular reporting from elected Members but had no pre-conceived ideas as to how this should happen and were very receptive to ideas on how to improve the overall process.

Resolved: that the annual report of the Standards Committee be formally received.

#### **45. Progress on Locality Boards**

(1) Mr Hill moved, Mr Carter seconded that the report on the progress of establishing Locality Boards be noted.

Resolved: that the report be noted.

#### **46. 'Bold Steps for Kent' Delivery Framework**

(1) Mr Carter moved, Mr A King seconded the approval of the delivery framework for 'Bold Steps for Kent'.

Resolved: that the proposed delivery framework for 'Bold Steps for Kent' be approved.

#### **47. Proposed Changes to the Council's Constitution**

(1) Mr A King moved, Mr Homewood seconded the approval of various changes to the Constitution as outlined in the report.

Resolved: that (1) Procedure Rule 2.20 (4) be amended as recommended by the Director of Governance and Law (and set out in paragraphs 5 and 6 of the report) in relation to recorded votes at meetings of the Planning Applications Committee;

(2) the Adult Social Services and Public Health Policy Overview and Scrutiny Committee be re-named as the Adult Social Care and Public Health Policy Overview and Scrutiny Committee with immediate effect, for the reasons set out in the report;

(3) the designation of individual officers as statutory and proper officers of the Kent County Council be approved as set out in the attached table and that a new Article 11.10 be approved as set out in paragraph 13 of the report; and

(4) Article 13.3 of the Constitution (Finance, Contracts, Resource Management and Legal Matters) be amended as set out in paragraph 14 of the report.

#### **48. Honorary Freeman**

(1) Mr A King moved, Mr Homewood seconded a slightly different recommendation to the one on page 60 of the County Council agenda, as follows:

“to approve the principle of awarding the title of Honorary Freeman to persons of distinction as described in paragraph 4 of the report and to delegate authority to the Leader and Deputy Leader of the Council and the two Opposition Group Leaders to formulate the criteria for these awards, for determination by the Selection and Member Services Committee”

(2) Mr Christie moved, Mr Cowan seconded an amendment to the recommendations, to the effect that the recipients of this Honorary Award should be given the choice of whether to be called Honorary Freeman or Honorary Freewoman.

(3) The Chairman put the Amendment in (2) above to the vote, whereupon the number of votes cast were as follows:

For (8)

Mr L Christie, Mr G Cowan, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson, Mr M Vye

Against (59)

Mr R Bayford, Mr A Bowles, Mr R Brookbank, Mr R Bullock, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Long, Mr K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr R Parry, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Lost

Resolved: that the principle of awarding the title of Honorary Freeman to persons of distinction be approved as described in paragraph 4 of the report and authority be delegated to the Leader and Deputy Leader of the Council and the two Opposition Group Leaders to formulate the criteria for these awards, for determination by the Selection and Member Services Committee

#### **49. Acceptance by Kent County Council of Delegation of Fly-Tipping Enforcement Powers**

(1) Mr Sweetland moved, Mr Harrison seconded the recommendation on page 64 of the County Council agenda.

Resolved: that (1) Kent County Council affirms its acceptance of delegated executive powers to take enforcement action under the provisions of section 33 Environmental Protection Act 1990 and subsequent associated legislation and that Kent County Council will put these powers into effect either by reaffirming existing agreements or by entering into agreements with other local authorities pursuant to section 101 Local Government Act 1972, section 2 Local Government Act 2000 and the Local

Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000; and

(2) The Corporate Director of Enterprise and Environment be authorised to discharge the Council's functions under the regulations and to accept the delegation of executive functions in respect of fly-tipping enforcement

#### **50. Quarterly Report On Urgent Key Decisions**

(1) Mr Carter moved, Mr A King seconded that the Council notes this report.

Resolved: that the County Council notes that it was necessary to take one urgent key decision in the last quarter

#### **51. Senior Management Structure of the Education, Learning & Skills Directorate**

(1) Mrs S Hohler moved, Mr Cooke seconded a slightly amended recommendation to the one on page 73 of the County Council agenda, as follows:

“that the County Council notes the proposed structure for the senior management of the Education, Learning and Skills Directorate and delegates authority for the approval of the final structure to the Managing Director, in consultation with the Cabinet Member for Education, Learning and Skills and the Corporate Director for Education, Learning and Skills, amended as appropriate, following the conclusion of the consultation”

Resolved: that the County Council notes the proposed structure for the senior management of the Education, Learning and Skills Directorate and delegates authority for the approval of the final structure to the Managing Director, in consultation with the Cabinet Member for Education, Learning and Skills and the Corporate Director for Education, Learning and Skills, amended as appropriate, following the conclusion of the consultation.

#### **52. Post-16 Transport Policy**

(1) Mrs S Hohler moved, Mr Sweetland seconded the recommendation on page 78 of the County Council agenda.

(2) The Chairman invited Samuel Watkin and Alice Stretch, the Chairman and Vice Chairman of the Kent Youth County Council Transport Sub Committee to address the meeting.

(3) After discussion, it was:

Resolved: that the progress to date for the development of a subsidised Kent 16+ Travel Pass be noted and that further development of the Pass will be done in partnership with the Youth Council and other stakeholders.

#### **53. Petition Scheme Debate: Extend the Kent Freedom Pass to 16-20 year olds**

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

1. Mr Jamie Potten – the lead petitioner
2. Miss Melanie Sparkes - Petitioner

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

(3) The Chairman then invited the Cabinet Member for Environment, Highways and Waste to respond to the debate and describe how he intended to take the petitioner's concerns forward. Mr Sweetland stated that it was good to see young people participating in a debate in the Council Chamber and he offered his congratulations to the petitioners for being the first people to achieve the threshold of 12,000 signatures for a debate to take place on a County-wide petition. In relation to the subject of the petition, Mr Sweetland stated that there were currently more than 27,000 Freedom Pass holders and the projected cost of the scheme to the County Council was £10.7million in 2011/12, despite the annual fee having increased from £50 to £100 for passes valid from September 2011. He added that the cost of extending the scheme on an equal basis to academic years 12-13 was last estimated in June 2010 at an additional £3m to £4.5m, based on a take up rates of between 6,000 and 10,000 additional passes, which could be exceeded. Mr Sweetland accepted that, once young people reached the age of 16, they were charged an adult fare on buses, which meant a large leap in bus travel costs at that age, from £100 (if an existing Freedom Pass holder) to £490. He referred to the decision taken in June 2008 to extend the scheme beyond year 11 for young people in care and care leavers and also the decision taken in February 2011 to extend the scheme to young carers (who were up to the age of 18) and Kent's Looked After Children, but the cost of extending the scheme universally for 16-20 year olds could not be justified at the current time. Mr Sweetland stated that he imagined there was nothing more frustrating for the young people to be told what could not be done, but be referred to the excellent progress that his colleagues Mr Whiting and Mr Brazier had been made with officers on "the Pass", which the County Council had debated under the previous item and commended this way forward as an effective and sustainable way forward for post-16 travel.

(4) The Chairman advised the petitioners that their concerns had been noted and the issue of post-16 travel would be taken forward as indicated by the Cabinet Member for Environment, Highways and Waste, Mr Sweetland.

#### **54. The alignment of PCT public health staff to KCC and associated Memorandum of Understanding**

(1) The Chairman invited Meradin Peachey, Director of Public Health, to deliver her presentation on the transition of public health responsibilities.

(2) Mr Gibbens moved, Mr Gough seconded the recommendation on page 91 of the County Council agenda.

(3) After discussion, it was:

Resolved: that the alignment of the PCT staff and posts to KCC management structures under the terms of the Memorandum of Understanding, be approved as attached to the report.

## **55. Establishing a Shadow Health and Wellbeing Board for Kent**

(1) Mr Gough moved, Mr Gibbens seconded the recommendations on page 119 and 120 of the County Council agenda.

(2) In response to a question from Mr Christie, the Director of Governance and Law was asked to confirm the situation on the application of the rules on proportionality to the Health and Wellbeing Board.

Resolved: that (1) the Kent Health and Wellbeing Board be established as a Committee of Kent County Council and operate in shadow form until legislation is enacted;

(2) the KCC membership of the Health and Wellbeing Board and the Terms of Reference as set out in Appendix A be approved;

(3) the Board report annually to full Council on its activity and progress over the previous 12 months; and

(4) the Terms of Reference and Standing Orders in relation to the Health and Wellbeing Board be reviewed and amended as necessary; in light of the development of the Board over the next 18 months, its evaluation programme and the publication of relevant legislation and guidance, subject to County Council approval as required.

## **56. Motion for Time Limited Debate**

(1) Mr Prater moved, Mr Vye seconded that:

“This Council believes that the proposal to cut discretionary home-to-school transport to grammar and denominational schools from September 2012 is likely to limit the choice of school and seriously affect the wellbeing of over 5,500 children, young people and their families, and have unpredictable financial consequences to this Council. Council therefore resolves to withdraw these proposals”

(2) After a debate, the Chairman put the Motion to the vote, whereupon the number of votes cast was as follows:

For (8)

Mr I Chittenden, Mr G Cowan, Mr D Daley, Mrs T Dean, Mr G Koowaree, Mr T Prater, Mr R Robertson, Mr M Vye

Against (43)

Mr A Allen, Mr M Angell, Mr C Capon, Miss S Carey, Mr P Carter, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr K Ferrin, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr A King, Mr R King, Mr J Kirby, Mr J Kite,

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Mr P Lake, Mr R Long, Mr K Lynes, Mr S Manion, Mr R Manning, Mr R Parry, Mr K Pugh, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mrs J Whittle, Mr A Wickham

Abstain (1)

Mrs E Green

Lost

#### **57. Minutes for Approval**

Resolved: that the Minutes of the meeting of the Governance and Audit Committee held on 30 June 2011, be noted.

#### **58. Minutes for Information**

Pursuant to Procedure Rule 1.10 and 1.23(1), the minutes of the Planning Applications Committee meetings held on 10 May and 14 June 2011, the Regulation Committee meeting held on 17 May 2011 and the Superannuation Fund Committee meeting held on 20 May 2011, were noted.

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**COUNTY COUNCIL MEETING**

**Thursday 20 October 2011**

**Question by Mike Harrison to**

**John Simmonds, Cabinet Member for Finance & Business Support**

We have had the new electronic system of claiming for our mileage in place for some time and I am given to believe that this is now being used not only by members but all staff.

My question therefore to the Cabinet Member is, can he please give me and fellow members an update on just how many members and staff are in fact using this new system?

Has this now been declared as the only way to claim your travel and mileage etc. and just what does he estimate are the savings by using this and what is the return to KCC on VAT from petrol etc receipts?

As a long time user of the system I would appreciate the opportunity to ask for one or two minor adjustments to the way the details are filled in on the electronic pages.

**Answer**

The electronic system for claiming mileage (and other expenses) is indeed available to staff and Members as part of the overall Employee and Manager Self Service offering from the HR Division.

This system has now been made available to all staff who have a KCC network login, equating to 8,700 employees. Also 69 Members have been trained and have made some use of the system since it was introduced. Since January this year, 30 Members have submitted claims using the system and 25 of those use it regularly.

Due to the fact that there are members of staff without a network login, it has not been possible to make this method the sole route for claiming expenses. However, it is considered that if a user has access to self service, then they should use this method as the only one to make these claims. Reviews are performed to check that this is the case and users are reminded of this periodically if they are claiming through the older, paper-based method.

Amongst the benefits of the system are the reduction in paper generation and improved management information, which provide cross - Authority benefits. In addition, as just over 60% of expense claims each month are processed via self service, it has allowed the HR Business Centre to make a cumulative saving of above £400K since its introduction. VAT reclamation on all claims in 2010-11 was £192.7K and current projections indicate a similar value in 2011-12. If receipts were provided with all mileage claims there is potential to reclaim a further £100K VAT per annum.

We always welcome feedback from our customers and would be happy to arrange to meet Cllr Harrison to discuss his suggestions.

**COUNTY COUNCIL MEETING**

**Thursday 20 October 2011**

**Question by David Brazier to**

**Mike Hill, Cabinet Member for Customer & Communities**

What evidence is there that Turner Contemporary has been a public success and has contributed towards the regeneration of Margate?

**Answer**

Since opening on 16th April 2011 Turner Contemporary has received over 250,000 visitors, against an initial forecast of 156,000 for the full year. Of these visitors 32% are from Thanet, 38% are from the South East (including 16% from London), 28% are from the rest of the UK and 2% are from overseas. We are undertaking ongoing audience research and percentage figures are changing on a month by month basis.

We are successfully attracting visitors who are gallery goers and who visit galleries in London and other destinations, as well as reaching new audiences and attracting a non-traditional gallery audience. We are delighted that 5% of our visitors state that they have never been to an art gallery before.

Turner Contemporary is already having a positive economic impact on the surrounding area, with new businesses opening up in Margate and visitors who would not otherwise have visited the area adding to the local economy. A report in The Times on 5 October 2011 said "In the old town near the museum there's a detectable optimism evident in new cafes, art galleries and vintage stores".

Though it is still early days the evident success of the gallery is enormously encouraging and I am confident that the brave decision of the County Council to build Turner Contemporary will be fully justified.

**COUNTY COUNCIL MEETING****Thursday 20 October 2011****Question by Leslie Christie to****Graham Gibbens, Cabinet Member for Adult Social Care & Public Health**

Following your decision to increase charging for non-residential social care despite the views expressed in the consultation exercise, how many of those facing the increase from December 2011 will see their charges increased by:

- a) Less than 5%;
- b) Between 5% and 10%;
- c) Between 10% and 20%;
- d) Between 20% and 30%; and
- e) 30% and above.

**Answer**

The number of people receiving non-residential care services is not static, as people come in and out of the care system. The analysis of a snapshot of 3,692 service users who are assessed to pay a charge towards their services provides the following breakdown in response to your question:

a) Less than 5%;	0	
b) Between 5% and 10%;	0	
c) Between 10% and 20%;	43	(average increase £39.01)
d) Between 20% and 30%; and	2533	(average increase £12.56)
e) 30% and above	1116	(average increase £7.21)

This breakdown does not include an estimated 250 service users who do not currently pay a charge but who are likely to be assessed to pay in the region of £4.00 per week.

**COUNTY COUNCIL MEETING**

**Thursday 20 October 2011**

**Question by Martin Vye to**

**Mike Whiting, Cabinet Member for Education, Learning & Skills**

Will the Cabinet Member for Education, Learning & Skills inform the Council whether the numbers of children in each category of special educational need in any of Kent's districts exceed the capacity of the special schools assigned to that district; and how many children with special educational need currently have to travel more than 20 miles per day to attend a special school?

**Answer**

There are approximately 6500 children with statements of SEN in Kent, of which just over 3000 are in special schools. In addition, there are children with SEN without statements who are supported in mainstream schools.

Whilst a child requires a statement of SEN to be admitted to a special school, not all children with statements are educated in special schools, nor do they need special school provision, as education within a mainstream or unit setting is more appropriate to meet the needs of many children, and meet parents' preferences.

The Local Authority assesses the special educational needs of each child referred and decides which school to name in a statement of SEN. This decision is made in accordance with Schedule 27 Section 324 of the Education Act 1996. During the statutory assessment process, parents are asked to express their school preference and if the Local Authority were to name a different school, the parent can appeal to the SEN Tribunal.

Kent County Council has invested £150 million in the recent years in the provision of special school and unit places.

If Mr Vye wishes to see a detailed breakdown of the incidence of SEN across the County, by district, by need type and by school attended, I have a copy of the School Census data from January 2011 available for him.

Turning to Mr Vye's second question, 216 of the 6500 children with a statement of SEN travel over 20 miles to a special school on a daily basis.

**COUNTY COUNCIL MEETING**

**Thursday 20 October 2011**

**Question by Steve Manion to**

**Mike Hill, Cabinet Member for Customer & Communities**

I am given to understand that the KM group of newspapers have put in a bid for the various other local papers such as the Whitstable Times and others in the rest of East Kent and in particular the Dover and Thanet areas. They are the 'Kent Regional News and Media Group') if this in fact true my question to you is.

1. Have we (KCC) been asked to respond to the consultation? If so what did we say?
2. Will this become a mini Murdoch situation with only one major player in the local media as the KM has control of its own local radio?
3. Would we then be held to ransom as there would be only the one outlet for our statutory advertising apart from the KOS papers?

**Answer**

The KM Group proposed the acquisition of the KRNM titles. The KM Group had made it clear that if its proposed acquisition was referred to the Competition Commission by the Office of Fair Trading it would withdraw its bid.

This has since happened and the bid has been withdrawn. We will continue to work with Kent's various media agencies as we move forward.

**COUNTY COUNCIL MEETING**

**20 October 2011**

**Question by Tim Prater to**

**Trudy Dean, Chairman of Cabinet Scrutiny Committee**

Will the Chairman of the Cabinet Scrutiny Committee say what lessons have been learned on the operation of the Cabinet Scrutiny Committee since her last report in July 2010?

**Answer**

In our July 2010 report we called for the Forward Plan to be improved, and that more Scrutiny work should be carried out by the Policy and Overview Committees. We therefore welcome progress on both issues being made, and in particular welcome the proposal for Scrutiny Committees to examine impending decisions before they are approved by Cabinet.

But whatever structure the Council chooses for itself in the future, problems remain with the timeliness, adequacy and accuracy of key decision reports need to be overcome to ensure that members are able to carry out their work effectively.

1) During the year, we have called in issues which could and should have been considered by the relevant POSC had attention been paid to its meeting timetable. The report on the future of the Youth Service was presented for Cabinet on 18<sup>th</sup> July, only ten days after the Customer and Communities Committee met, to authorise consultation commencing at the beginning of August. The report on the Edenbridge Centre was called in, with the support of the Local Member, partly because it had not appeared on the agenda of any POSC for as far back as records could easily be searched

2) Approval has been requested for urgent decisions, sometimes in less than a working day, for decisions which were clearly either not urgent, or could have avoided urgency by proper planning including taking into account the timetable of Scrutiny Committees. The request for a loan facility of £100,000 to Kent Cultural Trading Company and the construction of Repton School were examples of the latter. Examination of these urgent decisions by Roger Manning has convinced us they have not been thoroughly thought through and we have warned that in future we will be less inclined to approve urgent requests.

3) We have continued to receive reports which do not contain sufficient information either to make it clear what decision was being authorised, or to answer the questions Cabinet Members would have had. The decision on Repton Primary School was an example of this.

4) One Committee meeting was held in the heart of the community affected by the decision under scrutiny. The Localism agenda should result in more such meetings. Our experience makes us suggest in future more care in choosing appropriate venues, ensuring good quality sound transmission, and appropriate advance local advertising for these meetings.

5) In general, we have been disappointed to receive very little support from the Communications Unit and ultimately produced our own press material. The Communications Unit should not be confined to supporting the work of Cabinet.

6) Over two years ago, the Committee asked permission to involve the public in its proceedings by taking electronic questions from them during the course of the meeting. No progress has yet been made.

7) We have had to request the Director of Legal Services to issue a reminder that Scrutiny Committees have the authority to require attendance of Cabinet Members and Senior Officers to answer questions, and that there is a duty in the constitution and in statute for them to attend. We do not consider it unreasonable for Scrutiny Meeting dates to be diaried by potential witnesses.

Against this background would like to commend Andy Wood, Dave Shipton and John Burr in particular for their positive approach to Scrutiny work, and commend the all party work done on charges within Adult Social Service and the Welfare Bill by Graham Gibbens which has resulted in our decision not to hold Scrutiny meetings in the last two cycles.

**COUNTY COUNCIL MEETING**

**Thursday 20 October 2011**

**Question by John London to**

**Mike Hill, Cabinet Member for Customer & Communities**

Would the Cabinet Member for Customer & Communities please give Members a full up date with situation on the New Build of the Archives Centre and associated works?

**Answer**

Work on the new centre has progressed apace since the ground-breaking ceremony on 26 February 2010.

The shell of the building was completed and the topping out ceremony held on 7 February 2011. The lighting, plant and associated mechanical and engineering works have now been completed and internal decoration has commenced.

The date for practical completion has yet to be approved formally, but the construction of the building is three months ahead of the original schedule. The handover date for the building will be confirmed once final dates for the connection of utilities have been agreed with the relevant companies, and we expect to take possession of the building in December or early January 2012.

Working groups have been preparing the archive collections and the stock at the two libraries for the move into the new centre. Springfield Library has already closed to the public and Centre for Kentish Studies and the East Kent Archives will close finally in November so that their contents can be packed up for the move. Maidstone Library will close in February 2012.

External works have also commenced which will make the area outside the centre more pedestrian friendly and link it more closely with the town through upgraded footpaths, cycle ways and road markings that will alert drivers that they are approaching the pelican crossings.

It is anticipated that the new building will be opening to the public in March 2012, with a formal opening to take place later in the year.

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

To: County Council – 20 October 2011

Subject: Proposed Amendments to the Constitution

Classification: Unrestricted

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Summary: To recommend two amendments to the Constitution: firstly, to enable the Governor Appointments Panel to appoint and remove Authority Governors to the new Academies; and secondly, to approve the Terms of Reference of the Kent and Medway Joint Appointments Committee – Kent Police Authority, for incorporation into the Constitution

FOR DECISION

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### **Governors for Academies**

1. (1) The Governor Appointments Panel currently makes appointments or removals of Authority Governors to school governing bodies and to Management Committees of Pupil Referral Units.

(2) In 2010, the Government brought in legislation permitting Authority schools to become autonomous bodies (Academies). Technically, therefore, Academies qualify as Outside Bodies for the purposes of appointing representatives from the County Council.

(3) Should the Authority wish (when invited to do so) to make an appointment, it would currently fall to the Selection and Member Services Committee (via the Governor Appointments Panel) to decide whether to make an appointment. The Governor Appointments Panel was set up to free the Selection and Member Services Committee from carrying out this function for educational establishments. It is recommended that this function should be broadened to include Academies.

(4) At its meeting on 13 July 2011, the Selection and Member Services Committee agreed to recommend an amendment to the Constitution permitting the Governor Appointments Panel to make appointments to the Governing Bodies of Academies (and remove Authority appointed Academy governors).

### **Kent and Medway Joint Appointments Committee – Kent Police Authority**

(5) At its meeting on 14 June 2011, the Kent and Medway Joint Appointments Committee – Kent Police Authority approved the following Terms of Reference to reflect the formal role of the Joint Committee, to be recommended to each Council for adoption and incorporation into the Constitution:

**“The Joint Appointments Committee is appointed jointly by Kent County Council and Medway Council under paragraph 2(2) of Schedule 2 to the Police Act 1996 and The Police Authority Regulations 2008 to appoint the nine councillor members of the Kent Police Authority from amongst members of the two appointing councils, having due regard to the requirements on the Committee under The Police Authority (Community Engagement and Membership) Regulations 2008”.**

(6) At its meeting on 12 September 2011, the Selection and Member Services Committee agreed to recommend this amendment to the Constitution to the County Council.

### **Recommendations**

2. The County Council is recommended to approve:
  - (i) that the Terms of Reference of the Selection and Member Services Committee should be amended to enable the Governors Appointments Panel to appoint and remove Authority Governors to and from the Governing Body of Academies; and
  - (ii) the adoption of the Terms of Reference for the Kent and Medway Joint Appointments Committee – Kent Police Authority for incorporation into the Constitution.

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By: Peter Homewood, Chairman of the Selection and Member Services Committee  
Peter Sass, Head of Democratic Services

To: County Council – 20 October 2011

Subject: Terms of Appointment of the independent Members of the Standards Committee and Member Remuneration Panel

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Summary: The existing four year terms of office for the independent members of the Standards Committee and Member Remuneration Panel expire at the end of October 2011. Members are eligible subject to re-appointment to serve for a maximum of eight years. The County Council is asked to agree to the extension of the Independent Members' appointments from 1 November 2011 to 31 October 2012 for the reasons set out in the report.

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## **Introduction**

1. The current terms of office for the Independent Members of both the Standards Committee (Roberta MacCrone, Peter Gammon and Nadra Ahmed) and the Member Remuneration Panel (Fiona Leathers, Linda Frampton and Elizabeth Tullberg) expire at the end of October 2011. At its meeting in November, 2007, when the existing independent members were appointed, the County Council agreed that Independent Members may serve no more than two consecutive four year terms before standing down. All of the current independent Members are eligible for re-appointment, having served only one term.

## **Proposed extension of the current terms of office**

2. At the end of the four year term the County Council would normally undertake a public recruitment process to appoint/re-appoint independent members to both the Standards Committee and Member Remuneration Panel.

3. However, the Deputy Leader has suggested that the independent members of the Standards Committee and the Member Remuneration Panel should be approached to establish whether or not they would be willing to continue their appointment for a further 12 months from 1 November 2011, without publicly advertising the positions at this time. This would ensure continuity and better enable the Council to respond to the new Standards Committee regime proposed in the Localism Bill and the ongoing review of the governance and structure of the democratic framework of the Council.

4. All of the Independent Members of both the Standards Committee and the Member Remuneration Panel have confirmed that they would be willing to continue with their current appointment until 31 October 2012.

5. At its meeting on 12 September 2011, this report was considered and agreed by the Selection and Member Services Committee for determination by the County Council.

### **Recommendation**

That the County Council approve the extension to the appointment of Mrs N Ahmed, OBE, DL, Mr P Gammon, MBE and Miss R MacCrone to the Standards Committee and Mrs L Frampton, Mrs F Leathers and Mrs E Tullberg to the Independent Remuneration Panel for a further 12 months from 1 November 2011 until 31 October 2012.

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By: Paul Carter, Leader of the Council  
Geoff Wild, Director of Governance & Law

To: County Council, 20 October 2011

Subject: Proposed revisions to the Council's governance arrangements

Classification: Unrestricted

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### **Background**

(1) Before the Local Government Act 2000, councils could either take all decisions at full council or could delegate decision-making to committees, sub committees, joint committees or officers.

(2) By the mid-1990s, the committee system was deemed to be inefficient, lacking in transparency, slow in decision-making, resource-intensive and overly focused on operational activities rather than policy strategy and results.

(3) The 2000 Act abolished the committee system and required all councils serving a population of 85,000 or more to adopt an executive model of governance with either an elected Mayor and Cabinet, a powerful council manager, or an indirectly elected Leader and Cabinet (the latter being the model adopted by most councils, including KCC in 2001).

(4) Since then, the power of the full council is limited to approving the annual budget, the council tax and the key strategies that form the Policy Framework, together with a number of other functions that are reserved to it or its committees by law (as listed in Appendix 2 Part 1 of the Constitution). Whilst a small number of cross-party committees are retained, particularly for quasi-judicial matters, all other decision-making responsibilities rest with the executive (the Leader). The Leader is given authority by the Council to allocate individual portfolio responsibilities to Cabinet Members, along with any executive powers in relation to these portfolios, although it would be open to the Council (instead of the Leader) to appoint those Cabinet Members.

(5) The Cabinet system has undoubtedly led to decisions being made more quickly and accountably, particularly given that individual Cabinet Members can make decisions. The executive/scrutiny split has also been effective in terms of calling decision-makers to account, whilst releasing backbench and opposition members from having to attend so many formal meetings and allowing them to concentrate more on their representative role in their communities.

(6) However, the speed of the decision-making process can sometimes lead to significant numbers of elected members feeling removed from the decision-making process. Some believe that too much power is concentrated in the hands of too few people and that, once made, executive decisions are rarely altered through the scrutiny process.

## **The Localism Bill**

(7) The Localism Bill proposes to amend the Local Government Act 2000 to permit either of the following models of governance to be adopted:

- (a) An executive system
- (b) A committee system
- (c) Other arrangements proposed by the council and approved by the Secretary of State. Such approval is only likely to be given if they are an 'improvement' on current arrangements and ensure that decisions are taken in an efficient, transparent and accountable way

(8) In terms of the committee system proposals, details in the Bill currently include:

- (a) Provision for the Secretary of State to specify which functions of a council can be delegated under a committee system
- (b) That any council adopting a committee system may appoint one or more overview and scrutiny committees (OSCs)
- (c) Lead local flood authorities must carry out scrutiny of flood risk and coastal erosion risk management functions
- (d) Health scrutiny powers/duties will continue, but these may be taken on by a relevant committee rather than a specific OSC
- (e) For those councils that have adopted one or more OSCs, one of those committees must be designated as the Crime and Disorder Committee
- (f) The Secretary of State may make provisions about the function, composition and procedure of OSCs and the appointment of joint committees and sub committees of OSCs.

(9) Under the Localism Bill, it is proposed that the process for changing governance arrangements would be as follows:

- (a) A resolution of the full council
- (b) Approval by the Secretary of State (if 'other arrangements' are proposed)
- (c) Changes to governance arrangements come into effect immediately after the next local election (May 2013)

(10) Councils would not be permitted to pass another resolution to change governance arrangements within five years, unless that resolution is approved by referendum. Proposals to change governance arrangements may be subject to a referendum in cases where:

- (a) The council's existing form of governance was approved by referendum and it wishes to change; or

- (b) The council resolves that a proposed change of governance be approved by referendum

Councils will not normally be permitted to hold another referendum on changes to governance within ten years. Given that a referendum (effectively an all-out election) would cost approximately £2m, it is not recommended.

### **Design considerations**

(11) Under the Localism Bill, therefore, the earliest the Council would be able to implement a new system of governance would be 2013. Before introducing any changes, however, it would be important to establish:

- (a) That improvements could be made on the current system in terms of transparency, accountability, reduced bureaucracy, speed/quality of decision making and the better involvement of all Members
- (b) What a new system of governance would be designed to achieve and what the benefits would be in terms of service delivery and efficiency
- (c) What would be the benefits (real or perceived) to the people of Kent
- (d) How a scrutiny function would be built into the system (if at all), including existing responsibilities (e.g. HOSC)
- (e) How issues around partnership working and an increased focus on commissioning (rather than delivery) and localism would be administered and achieved by the new system
- (f) What changes to the Constitution would be necessary and what implications these would have
- (g) How the new system would interface with the Corporate Management Team, the Officer Scheme of Delegation and how the delivery of Bold Steps for Kent would be assured

### **The Kent Hybrid model**

(12) The proposals contained in the Localism Bill present many opportunities around adopting a new form of governance and there is an opportunity to take the best of both the Cabinet and Committee systems and design a hybrid model. In addition, by examining and maximising existing legislative provisions, particularly around the overview and scrutiny function, such a hybrid alternative could be introduced immediately and without the need for an expensive referendum.

### **Proposals in more detail**

**(13) The creation of Cabinet Committees, possibly linked to portfolios or aligned with existing POSCs:**

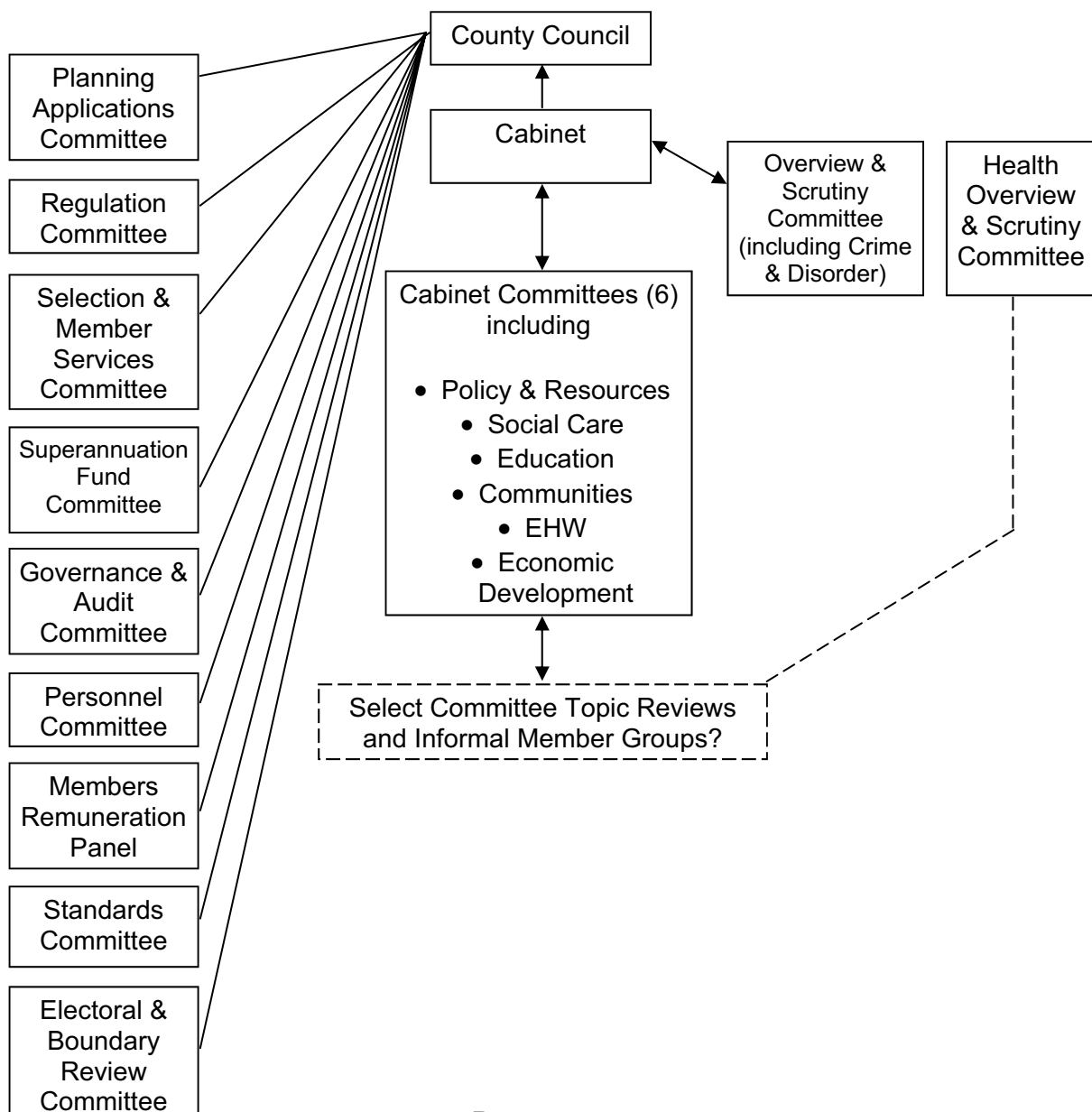
- (a) Possibly chaired by the Cabinet Member (but see questions below) with cross-party membership, designed to ensure a wider Member involvement in shaping policy and forthcoming executive decisions
- (b) Proportionality rules need not apply, thus allowing both Opposition Groups the opportunity of a seat on all of the committees
- (c) Formal decisions would continue (as now) to be made by the Cabinet Member (or Cabinet) following the relevant Cabinet Committee meeting, but no formal decisions (other than urgent decisions) would be made on a matter that had not been considered through one of these committees
- (d) Care would be required to ensure that the papers submitted to the Cabinet Committees were sufficiently detailed so that the committee was fully aware of the impending decision, i.e. not a loose and inexact report with unclear conclusions so that the committee might not be aware of what is really being proposed
- (e) Cabinet Committees would also have a performance management and policy development role (similar to old-style committees)
- (f) Terms of Reference and Procedure Rules would need to be developed for the Cabinet Committees
- (g) It would have the effect of reducing the number of formal committees by one-third, from 29 to 19 (see diagrams below):

Existing Mode of Operations	County Council	
Health Overview & Scrutiny Committee	Cabinet	Cabinet Scrutiny

Policy Overview & Scrutiny Committees		
<u>Not</u> including the Informal Member Group (IMGs) for each POSC	Scrutiny Board	Adult Social Care & Public Health POSC
Corporate POSC	Customer & Communities POSC (Crime & Disorder Cttee)	Education, Learning & Skills POSC
Environment, Highways & Waste POSC	Regeneration & Economic Development POSC	Specialist Children's Services POSC

Other/Support Committees*		
Personnel Committee	Planning Applications Committee	Electoral & Boundary Review Committee
Flood Risk Management Committee	Governance & Audit Committee	Regulation Committee
Superannuation Fund Committee	Standards Committee	Selection & Member Services Committee
Corporate Parenting Panel	Governor Appointments Panel	School Organisation Advisory Board
Kent Schools Admissions Forum	Joint Appointments Committee – Kent Police Authority	Gypsy & Traveller Advisory Board
Supporting People in Kent Commissioning Body	* Not including: Select Committees, Local Neighbourhood Forums, Member Panels, Sub-Groups and Sub-Committees	

Proposed committee structure



(14) **Overview and Scrutiny:** Under existing legislation, the council has to have at least one Overview and Scrutiny Committee (OSC) plus an OSC for Health and it is proposed that KCC adopts the statutory minimum model. It is suggested that the membership of the main OSC is made up of Members who are not Members of any of the Cabinet Committees, to ensure complete separation of roles and to maintain a single, independent scrutiny function for formal Cabinet, Cabinet Member and Officer decisions. It is also suggested that the relevant parts of the Constitution should be tightened up to ensure that any decision called-in to scrutiny meets a more robust test of reasonableness than has existed hitherto. There would be an expectation of fewer call-ins if improved ‘pre-decision scrutiny’ at Cabinet Committees took place. Crime and disorder will also be undertaken by the single OSC, although the HOSC would be retained in its current form as a separate committee.

(15) **Other Committees:** Executive Advisory Boards, e.g. Gypsy and Traveller Advisory Board, School Organisation Advisory Board, Flood Risk Management, etc, would be subsumed into the new Cabinet Committees, but all current council-side committees, particularly quasi-judicial committees such as Planning and Regulation, would remain, although the opportunity exists to re-examine the terms of reference and delegated powers of these committees. Other committees, e.g. Governance and Audit are not required by statute but are recommended by bodies like CIPFA as good practice and would remain.

(16) **Locality Boards:** Locality Boards could give much greater backbench engagement and, subject to the existing pilots being successful, Locality Boards could be placed on a more formal footing, perhaps as Joint Committees, with commissioning powers. This was envisaged some time ago by the work done by the “Going Local” IMG and reflects the Government’s aspirations in the Localism Bill.

(17) **Impact on Members’ Allowances:** It is suggested that the impact on the Members’ Allowances Scheme would be neutral. Under these proposals, 8 SRAs would disappear (7 POSC chairmen and 1 spokesman on Cab Scrutiny). These could be replaced by 12 new SRAs for the KCC Vice-Chairmen of Locality Boards, although it is likely that there would be a gap between the dissolution of POSCs and the creation of some Locality Boards.

### **Outstanding issues**

(18) There remain many unanswered questions that will require careful consideration, including:

- (a) Chairmanship of Cabinet Committees – Cabinet Members, Deputy Cabinet Members or backbenchers?
- (b) Who sets agendas – Cabinet Members or backbenchers?
- (c) How many Cabinet Committees and how many Members on each?
- (d) What size Cabinet – fewer Members to mirror Cabinet Committees?
- (e) Future role of Cabinet meetings

- (f) Frequency and size of Cabinet Committees? Currently POSCs meet five times per year. If the Cabinet Committees only met five times a year the decision-making process would be slow. If monthly, decision-making quicker but results in an increase (not decrease) in the number of formal meetings
- (g) Public or private meetings? Confidentiality during policy development?
- (h) Would Cabinet Committees be permitted to co-opt? e.g. parent governors and church representatives on Education Cabinet Committees
- (i) Cabinet Sub Committees? Should they be avoided for reasons of resources and too much demand on Member time?
- (j) Chairmanship of OSC?
- (k) Future of IMGs (good for examining detail but not public or transparent part of decision-making process). Could they be disbanded?
- (l) Future of Select Committees?
- (m) What consultation would be required?

### **Recommendations**

(19) The Council is invited to debate the proposed hybrid model of governance outlined above, based on a retention of the Cabinet; the creation of a number of cross-party Cabinet Committees; the scaling back of the overview and scrutiny function; and recognising the future significance of Locality Boards.

(20) If approved in principle, consideration should be given to how this is taken forward and the timescale for proposals to be made to the Council for formal adoption.

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By: Alex King – Deputy Leader  
Peter Sass – Head of Democratic Services

To: County Council –20 October 2011

Subject: Select Committee Topic Review Update – May 2005- June 2010

Classification: Unrestricted

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## Introduction

1. (1) The Select Committees are widely recognised as one of the successes of the Overview and Scrutiny Function.

(2) Both executive and non-executive Members have recognised the benefits of the Select Committee process. From a non-executive point of view it provides the opportunity to look at a topic in depth and the majority of Members have found this process very rewarding as it has provided the opportunity to influence Kent County Council policy. From an executive Member point of view, Select Committee reports have added strength to portfolios and in some cases, have had national standing e.g. Alcohol Misuse.

(3) These Committees of non-executive Members have had a major influence on national and local policy and the quality of Select Committee reports has been recognised within Kent and beyond.

## Topic Reviews 2005-2010

2. (1) **Appendix 1** to this report shows Select Committees completed between May 2005 and June 2010.

(2) The Select Committees that submitted their reports to County Council on 16 December 2011 (Extended Services and Renewable Energy) are due to meet again at the end of the year to receive a report on progress made with their recommendations and therefore feedback on progress with the recommendations from these Select Committees has not been included in this report. The action plan for the recommendations from the Select Committee on Renewable Energy, were received by the Environment, Highways and Waste POSC on 8 April 2011. The action plan for the recommendations from the Select Committee on Extended Services was received by the Education, Learning & Skills POSC and the Customer & Communities POSC in July 2011.

## Highlights

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

### Water and Waste Water (particularly in Ashford)

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

#### Outcome

- Since 2005 public and private sector partner organisations have been brought together through the Ashford Water Group and a comprehensive work programme has been implemented.
- Southern Water has completed a £54million upgrade for the Bybrook wastewater treatment works at Ashford, resulting in significant improvements to water quality in the River Stour. Similar work is also underway for upstream treatment works.
- A new water supply pipeline is under construction to bring water from the Bewl Water Reservoir to Ashford.
- Sustainable drainage is now being incorporated into new developments following the preparation and adoption by Ashford Borough Council of a SUDS SPD.
- A Stour Catchment Improvement Group has been set up in 2011 to help deliver wider improvements to the river system and biodiversity.
- KCC is leading the development of a Water Resilience Framework to examine and respond to the long-term impacts of climate change, population growth and land use change on water systems across Kent.

### Gypsy and Travellers

(3) Recommendation 4: For KCC to facilitate the sharing of best practice between Kent local authorities, over the needs assessment processes, including addressing future needs.

(4) Recommendation 17: For KCC to facilitate the establishment of a joint Kent and Medway Authority group, to address the accommodation needs for Gypsies and Travellers. The primary objective of this group is to address the accommodation needs that are identified. It will also provide a vehicle for consultation and a sub-regional approach for applying for funding. In addition, it will consider the revenue cost implications linked to site provision, with a view to pooling resources.

## *Outcome*

(5) The Group was established, and provided a useful link between public agencies and the Gypsy and Traveller Communities in Kent.

(6) Accommodation needs assessments were commissioned by groups of Borough and District Councils, there was close joint working with KCC, and the data they provided has helped enormously in planning site provision to meet backlog and future accommodation needs.

(7) A number of councils have worked singly or jointly on a number of Kent public site projects, through which more new pitches either have been, or are likely to, be built in Kent over a five-year period than the figure for new public pitches funded in the whole of England between 2008 and 2011.

(8) Recommendation 10: For KCC, with district authorities, to lobby the Department of Work and Pensions to address the difference in the treatment of County Councils (as if they were profit-making landlords) in comparison to housing authorities. This is in the context of the Department of Work and Pensions meeting the full reasonable rent of claimants in receipt of housing benefit who reside on Gypsy and Traveller sites. This is in order to ensure that County Councils and Housing Associations who provide and manage public sites are not forced to subsidise the costs of provision.

## *Outcome*

(9) In 2009, the Department for Work and Pensions (DWP) reversed the change made in 2001, and county councils are now treated exactly the same as district and borough councils when the level of rents are being considered for housing benefit purposes.

## *Home to School Transport*

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

## *Outcome*

(11) The Kent Freedom pass, funded by KCC, was introduced from June 2007 for students in academic years 7-11 (11-16 year olds). The scheme was fully available Countywide from June 2009. As of 1st October 2011 nearly 24,000 passes have been issued for the 2011/12 academic year. Some 27,000 passes were issued in total last academic year. The cost of the pass is £100 per annum or £50 for those in receipt of Free School Meals or free to young people in care / care leavers and young carers.

## *Climate Change*

(12) Following on from the Climate Change Select Committee the following has been achieved:

- Climate change mitigation and adaptation is now integrated in KCC's Environment Policy and ISO14001 and is a key consideration in business planning. Climate change is also logged as a risk in KCC's risk register. A Key Decision Makers pack for Members has been revised and updated for Members. Climate Change is the second theme of the Kent Environment Strategy (Rec 1)
- A full risk assessment of the impacts of climate change on Kent has been undertaken, a Kent wide Adaptation Plan produced, and a Severe Weather Impacts Monitoring database developed, which is now being rolled out across the public sector. (Rec 2)
- Carbon emissions in the KCC estate, excluding schools, have decreased by 5%, over £1.7m has been invested in the KCC estate with savings of over £3m. There has been a total of 120 investment projects, with in excess of 60 energy efficiency installations and 28 renewable energy projects including 4 biomass boilers. (Rec 5 & 6)
- Emissions from KCC travel and transport has again reduced, with 11% fewer miles been driven by KCC staff in 2009/10 (Rec 7)
- A KCC retrofit programme was delivered to Kent residents across 4 target districts, installing over 2228 energy or water saving measures. Phase II of the project was began in April 2011. (Rec 4)
- A Kent wide Climate Change Network has been set up, and has won a Improvement Efficiency South East Award for Innovation.
- In addition, a comprehensive business support programme is being developed for businesses to cut costs and take advantage of the new green economy.

### Physical, Social and Health Education

(13) Currently central Government is reviewing the National curriculum and a separate review is being conducted by the DfE with regard to PSHE. Once the outcome of the review is known KCC will assess what changes will be necessary.

### Transition to a positive future

(14) In April 2007, a KCC Select Committee produced the "Transition to a Positive Future" report. This followed a review of the transition arrangements for young disabled people and those with a learning difficulty.

(15) Since the review there has been progress in many areas of transition.

- The Kent Transition protocols (2008) have been widely distributed and well received. The protocols set out the expectations on the different agencies as young people progress through the stages of transition. The protocols are currently being reviewed to see if they require updating.
- The "Getting a Life" programme has led to a much more person centred approach to transition – helping young people to shape their own futures

including assisting disabled young people into employment. Several special schools have received assistance from transition workers to develop a more person centred approach to young people's reviews and plans.

- One example of the joint working is "Project Search". In the QEQM hospital in Thanet agencies came together to provide internships for 11 young people with learning disability age between 18 and 25. This provided the young people with lessons and practical experience to prepare them for the world of work.
- The Good Day Programme also makes available a selection of community based services and opportunities that reflect people's needs, choices and aspirations. This is being achieved working in partnership with other agencies including sport and leisure providers. The programme includes capital investment in community access.
- Adult social care services are working closely with the Education and Learning Entitlement Team and with Connexions to assess and assist young people moving into further education including those young people who need independent specialist provision.
- The recent KCC restructuring provides an opportunity to further streamline the transition experience of young people moving from children's social services to adult social services. Governance arrangements for transition are being revised by Families and Social Care with partner agencies to further promote effective transition.

There is further work to do on transition but progress continues to be made.

### Flood Risk Management

(16) Following the commencement of the Flood and Water Management Act 2010, KCC has become the Lead Local Flood Authority for Kent. The Flood Risk Committee has overseen the work that KCC has undertaken in this new role. This includes:

- Delivering the Preliminary Flood Risk Assessment - a statutory requirement that provides an overview of the surface water flood risks in Kent and an identification of the high risk areas where further work is required; and
- Delivering the Dover Surface Water Management Plan - a study into the impacts of surface water flooding in Dover Town, which has included a successful bid for £112.5k from the Environment Agency to protect 30 homes.

(17) The committee is currently expanding its membership to include elected members from district councils and Internal Drainage Boards to ensure that these bodies are included as KCC develops policy to implement the Flood and Water Management Act 2010.

(18) The committee will continue to oversee the work KCC does to implement the Act, including further surface water management plans being undertaken in the high risk areas identified; the delivery of the Local Flood Risk Management Strategy; and the role of approving body for drainage.

## Carers

(19) The Select Committee recommendations have been progressed further since the last update in 2010. Support for Carers and recognition of the important contribution they make continues to be a high priority for KCC. This is but a flavour of the extensive work that has been done:

- From its launch in May 2010 over 400 people have accessed the 24 hour telephone helpline for Carers.
- The Carers Emergency Card scheme continues to provide Carers with peace of mind when away from the person they care for. Annual uptake has increased from 689 carers to over 1900 over the last 3 years. The Royal College of GPs is using an image of the Kent Carers Emergency Card in its action guide for supporting carers in general practice.
- During Kent Carers Week 2010, the 'Do I look Like I Care?' social media campaign was launched. A short advert aimed at Young Adult Carers was posted on Youtube and the kent.gov website was linked with Facebook and Twitter. The campaign encouraged Young Adult Carers to become involved in shaping future support for people in their age group across Kent who are looking after family/friends in an unpaid capacity. KCC again supported voluntary organisations during Kent Carers Week 2011.
- KCC has been influencing how the local NHS allocates carers funding, in particular through the Carers Joint Commissioning Group, which is attended by commissioners from the Primary Care Trust and Kent and Medway Partnership Trust and continues to work closely with Health and Voluntary Sector partners wherever possible.

## Alcohol Misuse

(20) Since the alcohol select committee Kent Drug and Alcohol Team (KDAAT) has managed to source additional investment through the PCT's for a much more comprehensive alcohol service across the county. These services were commissioned through a competitive tendering exercise and the current providers are delivering excellent outcomes for people with alcohol misuse problems. Referrals into treatment have also improved since the introduction of screening into GP surgeries and more recently work is being developed with A&E departments in hospital settings.

(21) Hard hitting campaigns have been developed including House and subsequently House on the Move, which has proved to be highly successful in engaging young people providing interventions where necessary and delivering early prevention work to reduce risk taking behaviours.

## Accessing Democracy

(22) The Select Committee recommended that there should be the opportunity for participatory budgeting from devolved discretionary funds to enable local people to determine how the resources should be spent. The Community Engagement team have carried out of participatory Budget Events in local areas with more planned.

(23) In accordance with another recommendation Members are provided with training in media skills and presentation techniques. The Select Committee also highlighted the importance of achieving the Members Charter, as Members will be aware KCC has been awarded the South East Employers' Charter for Elected Member Development and recently the "Charter Plus" award. This demonstrates that KCC recognises that the development of all members is critical to the successful achievement and delivery of strategic priorities on behalf of the people they represent and serve in the community. "

### Passenger Rail Services

(24) "County Council should use the publicity surrounding the launch of the new services to promote:

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

#### Outcome

(25) Following the successful impact of the Visit Kent initiative reported last year, which, in partnership with Southeastern and other Councils, ran a joint marketing campaign to cover the launch of the new High Speed services, publicity by Visit Kent and Southeastern has continued to grow the High Speed market. Passenger journey figures indicate a significant increase in the number of passengers using High Speed services from Kent, with the highest increases recorded in Ashford and Canterbury.

(26) "The County Council should lobby for services lost in the new timetable to be reinstated at the earliest opportunity."

#### Outcome

(27) KCC has held two further rail summits, in October 2010 and April 2011. These included representatives of the operator Southeastern Railway, Network Rail, members from county, district and parish councils, and rail user groups.

(28) The Rail Action Plan for Kent, which consolidated aspirations for the new Kent franchise from all stakeholders, was approved by Cabinet on 4 April 2011 and presented to third rail summit on 27 April 2011. Plan was then presented to Theresa Villiers, Minister of State for Transport, on 3 May 2011 and will form basis of KCC's submission as part of stakeholder consultation on new Kent franchise in 2012/13.

(29) Paul Crick and Stephen Gasche will meet with officials at DfT in October 2011 to consider KCC's recommendations for new franchise, which include improvement to journey times on Mainline services on North Kent line and to restore direct service to City on Maidstone East line.

(30) KCC has provided revenue support for delivery of High Speed rail services in peaks from Sandwich and Deal to St Pancras. These commenced on 5 September and are initially for trial period of one year. Assessment of use will be made after six months, and continued revenue funding will be dependent on actual revenue generated by new service. If agreement is reached to extend period of revenue

support, this will last from 5 September 2012 to 31 March 2014 as new Kent franchise commences on 1 April 2014.

### **Detailed feedback on progresses with Select Committee recommendations for Select Committees from 2009.**

4. As progress with the recommendations from the Select Committees on Autistic Spectrum Disorder and Provision of Activities for Young People Select Committees have not been reported to County Council. Set out in **Appendix 2** is detailed feedback on the progress with their recommendations. The Adult Social Care and Public Health Policy Overview and Scrutiny Committee on 20 September 2011 received a report on progress with recommendations 2 years on and this is included in **Appendix 2**.

### **Strengthening of the Select Committee Process**

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

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

### **RECOMMENDATION**

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

Mr A King  
Deputy Leader of the Council

*Enquiries:*  
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Background Documents – link to all Select Committee reports – [http://www.kent.gov.uk/your\\_council/how\\_the\\_council\\_works/decisions/overview\\_and\\_scrutiny/select\\_committee\\_reports.aspx](http://www.kent.gov.uk/your_council/how_the_council_works/decisions/overview_and_scrutiny/select_committee_reports.aspx)

## SELECT COMMITTEE TOPIC REVIEWS – MONITORING

<b>Select Committee</b>	<b>Chairman</b>	<b>Final report to Cabinet</b>	<b>SC meeting to consider progress with Recommendations (12 months on from Cabinet)</b>
Water and Waste Water, particularly in Ashford	Mr Hirst	October 2005	31 October 2007
Gypsy and Travellers	Mr Fullarton	May 2006	May 07 + 29 Nov 2007
Home to School Transport	Mr Law	April 2006	27 April 2007
Climate Change	Mr Wells	October 2006	Quarterly monitoring report circulated starting Feb 07
PSHE	Ms Cribbon	April 2007	14 April 2008
Transition to a Positive Future	Mr Bowles	May 2007	23 June 2008
Flood Risk Management in Kent	Mrs Hohler	November 2007	13 November 2008
Carers	Mr Christie	December 2007	30 January 2009
Alcohol Misuse	Mr Fullarton/ Mr Hirst	March 2008	17 March 2009
Accessing Democracy	Mrs Angell	September 2008	15 June 2010
Passenger Rail Services in Kent	Miss Carey	December 2008	22 June 2010
Autistic Spectrum Disorder	Mr Simmonds	30 March 2009	11 May 2010
Provision of Activities for Young People	Mr Chell	30 March 2009	23 June 2010
Renewable Energy	Mr Ferrin	29 November 2010	Nov/Dec 2011
Extended Schools	Mr Burgess	29 November 2010	Nov/Dec 2011

By: Graham Gibbens, Cabinet Member, Adult Social Care and Public Health  
Malcolm Newsam, Interim Corporate Director, Families and Social Care

To: Adult Social Care and Public Health Policy Overview and Scrutiny Committee – 20 September 2011

Subject: **AUTISM SPECTRUM DISORDER – “TWO YEARS ON” REPORT**

Classification: Unrestricted

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**Summary:** This report is to update Members about the progress that has been made since the Autism Spectrum Disorder (ASD) “One Year On” report. Since the latter report the Department of Health issued Statutory Guidance in December 2010, to Local Authorities, NHS organisations and Foundation Trusts on implementing the changes.

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## Introduction

1. (1) The Autistic Spectrum Disorder Select Committee reported to the County Council in March 2009. It made a total of 15 recommendations for further action to improve services to people with Autistic Spectrum Disorders and their carers.

(2) Based on the Terms of Reference of the Select Committee a multi-agency ASD steering group was established to drive the changes.

(3) First year progress against these recommendations was reported to the Select Committee on 11 May 2010 and the Adult Social Services Policy Overview and Scrutiny Committee on 25 June 2010.

(4) Since then, Statutory Guidance has been published and is currently informing the work of the ASD steering group, chaired by the Director of Older People and Physical Disabilities.

(5) The steering group consists of representatives from across Families and Social Care Directorate and Kent based NHS organisations. It has set up a number of sub-groups, each lead by a steering group representative to address various work streams. These sub- groups will consider and report back options for change on issues ranging from modifying existing services to make them more inclusive and responsive to people with ASD, to establishing specialist support for people with Aspergers.

(6) Concurrently the public engagement aspect of the steering group is being developed, building on existing mechanisms such as the Learning Disability Partnership Boards and Mental Health Service User forums.

(7) The purpose of this “two year on” report is to inform Members of the Services & Public Health Policy Overview and Scrutiny Committee of the progress that has been made so far on the Select Committee’s recommendations.

#### Policy Context

2. (1) The Autism Act 2009 was the first ever piece of legislation designed to address the needs of one specific impairment group. It was followed by ‘Fulfilling and Rewarding Lives’: The strategy for adults with autism in England (March 2010))

(2) The national strategy is underpinned by the vision that:

‘All adults with autism are able to live fulfilling and rewarding lives within a society that accepts and understands them. They can get a diagnosis and access support if they need it, and they can depend on mainstream public services to treat them fairly as individuals, helping them make the most of their talents.’ (‘Fulfilling and Rewarding Lives’)

(3) The strategy acknowledged that change will be a long term process with the first year delivery plan acting as a driver.

(4) This was followed in December 2010 by “Implementing Fulfilling and Rewarding Lives”: Statutory Guidance for Local Authorities and NHS organisations to support implementation of the autism strategy.

(5) This would be achieved by the following specific areas for action:

- increasing awareness and understanding of autism amongst staff,
- strengthening diagnosis and assessment of needs including establishment of clear pathway(s) with easy access, by 2013,
- continuing to improve transition support for young people with Autism,
- developing with partners local commissioning plans to deliver appropriate support services for adults with autism and their carers

(6) One of the underlying principles of the guidance is to make sure existing policies work for people with Autism to avoid new burdens or extra requirements on Health and Social care professionals.

#### Summary of progress

3. (1) Specific actions that have and are been taken Two Years On are:

- Established a ASD Multi-agency Operational Group to drive the changes
- Created a link hosted on KCC website to provide information advice and guidance to the public
- Provided training to the majority of staff. This is continuing throughout 2011/12
- Provisionally identified an allocation from NHS monies transferred to Social Care to deliver Health outcomes, to support the establishment of a specialist service for people with Aspergers.
- Working on improving care pathways for people with autism. This includes improving transition arrangements for young people moving from children services to adult services.

- Continuing to help adults with autism into work – an essential priority, given the low numbers of adults with autism in employment.

## Conclusion

4. (1) Progress to date has been steady. KCC is continuing to work with local partners to meet the required outcomes as outlined in the Statutory Guidance

## Recommendation

5. Members are asked to NOTE the contents of the 'Two Years On' monitoring report.

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## *Appendices:*

Appendix 1 Autistic Spectrum Disorder 'Two Years On' Monitoring Report  
Appendix 2 Statutory guidance for Local Authorities and NHS organisations to support implementation of the autism strategy (December 2010)  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_122847](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_122847)

## *Background documents:*

Autistic Spectrum Disorder – “One Year On” Report to ASD Select Committee, 11 May 2010 and Adult Social Services Policy Overview and Scrutiny Committee 25 June 2010, Item C2

The 'Fulfilling and rewarding Lives': The strategy for adults with autism in England, March 2010  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_113369](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113369)

**ASD Select Committee - Summary of progress towards each Select Committee Recommendation**

Recommendation 1:	Progress to date	Status
<p>The Autistic Spectrum Disorder (ASD) Select Committee recommends that the Kent Adult Social Services Directorate, through the Joint Strategic Needs Assessment for adults in Kent, establishes the most effective way of conducting a county-wide study investigating:</p> <ul style="list-style-type: none"> <li>• the prevalence and incidence of adults with ASD in need of support and not currently receiving service provision</li> <li>• levels of service satisfaction of those adults with autism living at home and currently receiving support.</li> </ul> <p>This investigation will inform the planning and commissioning of future services for adults with ASD. The study could involve sponsoring a bursary for a student to carry out a research project at the Tizard Centre, University of Kent (please refer to Chapter 3).</p>	<p><b>The national prevalence study work commissioned by the Department of Health will improve understanding of the prevalence and incidence of ASD locally, enabling KCC to make local estimate of need. This will in turn inform the core data sets and planned outcomes of the JSNA</b></p> <p><b>Research sponsored by the Tizard Centre is currently being carried out via an undergraduate project to determine the satisfaction levels of people with ASD and their carers, with the support they receive. The findings will be shared with KCC to inform local planning and commissioning.</b></p> <p><b>Older People and Physical Disability (OPPD) directorate is carrying out a sampling exercise to help determine the level of contacts and requests for support from people with ASD and their carers. This will be completed in September 2011.</b></p>	<p align="center">Some good progress although more to do</p>

## ASD Select Committee

Recommendation 2:	Progress to date	Status
<p>KCC should encourage the inclusion of autism-related services, in the form of “care pathways”, amongst the services provided by multi-disciplinary mental health teams in the County. The local authority should also explore the possibility of setting up, in partnership with the NHS, a highly specialised autism service in Kent, such as the one offered by the South London and Maudsley Hospital (Chapter 4, Section 4.1 and Section 4.2).</p>	<p><b>The Maudsley Hospital service model has been found to be inappropriate for Kent. However, following a benchmarking exercise, the Liverpool model, subject to some modifications, may be the model that KCC and its partners consider taking forward.</b></p> <p><b>Funding has been identified from the 3 PCTs in Kent to part fund a Social Communication Assessment Service to address the needs of those people with Autistic conditions who do not present with a Learning Disability or Mental Health issues. FSC has provisionally identified an allocation from monies transferred to Social Care to deliver Health outcomes, to support the establishment of appropriate services.</b></p> <p><b>Subject to funding, the Social Communication Assessment Service will establish a pathway to diagnosis, care planning and commissioning of appropriate services, including services from the private and voluntary sector, to meet the needs of individuals and their carers.</b></p> <p><b>Following a review by the coalition government of Implementing “Fulfilling and Rewarding Lives”, <i>statutory guidance for local authorities and NHS organizations to support implementation of the autism strategy</i>, was published in December 2010. The timeline, July 2012, for a model Care Pathway by The National Institute for Health and Clinical Excellence (NICE) was unaffected by the review. The ASD Multi-agency Operational Group will be guided by the model pathway when it is published by NICE.</b></p> <p><b>The deadline for establishing a care pathway as laid down in the Statutory Guidance is 2013.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**

<b>Recommendation 3:</b>	<b>Progress to date</b>	<b>Status</b>
<p>The Kent Adult Social Services Directorate should ensure that:</p> <ul style="list-style-type: none"> <li>• all its staff involved in the assessment of autism are fully trained to understand the uniqueness, complexity and implications of the condition. This training should be coupled with an increasing number of early interventions aimed at diverting people with autism from care pathways that are inappropriate and expensive.</li> <li>• adequate advocacy services with ASD-specific knowledge are offered to all people with autism</li> </ul>	<p><b>Staff training commenced in 2009 and by the end of 2010 the majority of staff was trained. Resources have been identified for training throughout 2011 – 12. Feedback has been very positive. Continued training will be informed by national examples of good practice which will be available on-line via the Department of Health’s website.</b></p> <p><b>In addition, KCC has bought an e-learning licence to provide on-line training for all staff including those of Private and Voluntary sector partners.</b></p> <p><b>Kent Autistic Trust (KAT) provides an advocacy, information and support service for Kent and Medway and has secured funding until March 2015</b></p>	<p><b>Complete/advanced progress</b></p>

**ASD Select Committee**

<b>Recommendation 4:</b>	<b>Progress to date</b>	<b>Status</b>
<p>The Kent Adult Social Services Directorate should aim to achieve greater access to person-centred planning for, and a greater usage of Direct Payments by, people with ASD.</p> <p>It will liaise with the recently appointed Specialist Advisor for Autism at the Department of Health in an effort to expand its capacity, expertise and leadership on autism in Kent (Chapter 5).</p>	<p><b>Self Directed Support (SDS) places the individual at the centre of support planning. Anyone with ASD who is eligible for services and is able to manage a Direct Payment by themselves or through a third party, is offered one as a means of exercising choice and control over the support they receive.</b></p> <p>.</p> <p><b>KCC and NHS Eastern and Coastal Kent's Personal Health Budgets pilot supported by Department of Health which focussed on Thanet, has been successful. It is now possible to merge some aspects of Health's Budget with Social Care Budget which, along with adoption of Common Assessment Process (CAP) will deliver even greater choice, control and flexibility to people with ASD.</b></p>	<p>Complete/advanced progress</p>

**ASD Select Committee**

<b>Recommendation 5:</b>	<b>Progress to date</b>	<b>Status</b>
<p>The Managing Director of Kent Adult Social Services should oversee and ensure the prompt production and implementation of a protocol for joint working between KCC's learning disability and mental health teams, in order to provide a more inclusive and responsive service to individuals with ASD</p> <p>(Chapter 6, Section 6.1).</p>	<p><b>Following KCC's recent restructure responsibility for Learning Disability Services and the Social Care element of the Kent and Medway Partnership Trust (KMPT) is now managed by a single director. This should greatly enhance joint working, support planning and co-ordinated commissioning which should result in a more responsive service to individuals with ASD and their carers.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**

<b>Recommendation 6:</b>	<b>Progress to date</b>	<b>Status</b>
<p>The Select Committee endorses the production of Transition Protocols, which can enhance data sharing between children and adult social services in Kent, and recommends that the impact of these protocols on service planning and provision for young people with ASD – including those with Asperger syndrome - is specifically monitored</p> <p>(Chapter 6, Section 6.2).</p>	<p><b>The recently created Families and Social Care Directorate (FSC) is leading to greater integration of Children and Adult services particularly around data sharing and planning, resulting in more person-centred commissioning.</b></p> <p><b>Regular evaluation and monitoring of the effectiveness of the Protocols is ensuring that transition arrangements are continuously being improved.</b></p> <p><b>KCC and its partners will review the transition protocols in response to the University of York’s DH funded research into transition planning, when it is published.</b></p> <p><b>KCC and its partners will take account of any statutory guidance emanating from the DfE in relation to improving the support available to children with Special Educational Needs (SEN) and disabilities, currently the subject of a Parliamentary Green Paper.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**

Recommendation 7:	Progress to date	Status
<p>7a Kent Adult Social Services should lead on the establishment of a multidisciplinary task group with representation from agencies including health, social care, housing, employment services, education, independent sector providers and the voluntary sector.</p> <p>7b The task group - which should liaise with the Kent Learning Disability Partnership Board - will widen and strengthen the interdependence and joint working amongst all these agencies, to provide more efficient and effective services to people with autism and individuals with learning disabilities (Chapter 6, Section 6.3).</p>	<p><b>Following KCC restructure the responsibility for implementing the Select Committee recommendations has been transferred from the ASD multi- agency task and finish group to the ASD Multi-agency Operational Group consisting of representatives from. PCTs, KMPT, Mental Health, Gypsy Unit, Education and Learning and OPPD and chaired by the director of OPPD.</b></p> <p><b>Through its membership, the group has links with the Kent Learning Disability Partnership Board, Kent Children Trust and the County Strategic Partnership for Disabled Children and Young People. The thrust of group’s strategy is to make existing services work better for people with ASD while spearheading the establishment of a new specialist Social Communication Assessment Service, targeted at people with Aspergers</b></p>	<p>7a Complete/advanced progress</p> <p>7b Some good progress although more to do</p>

Recommendation: 8	Progress to date	Status
<p>KCC should make sure that transition planning offered to young people with autism should start at the age of 14, and that it should be in place before they reach statutory school leaving age</p> <p>The local authority should ensure well coordinated, seamless transitions into adulthood, involving person-centred, effective planning and support. Planning should be coupled with a mechanism to monitor progress and to secure a smooth transition</p> <p>(Chapter 7, Section 7.1, Section 7.2 and Section 7.3. To view the recommendations of the report "Transition to a Positive Future" (2007) see Appendix 4).</p>	<p><b>Kent's Transition Protocols continue to ensure that young people with ASD who have complex needs are able to make the move from adolescence to adulthood with the support they need and with their involvement in all decision making processes to achieve the outcomes they want, in line with Self Directed Support.</b></p> <p><b>A framework for monitoring and evaluating the effectiveness of Transition planning has been developed and implemented by County Transition Planning and Review group, supported by Good Practice supervisors.</b></p> <p><b>A qualitative survey carried out last year by Education and Learning to determine young people's experience of the Transition process revealed that a majority of young people with Learning Disability were either happy or very happy with the process and outcome, relative to their particular circumstances.</b></p>	<p>Some good progress although more to do</p>

Recommendation 9:	Progress to date	Status
<p>Kent County Council should review the availability of specialist psychology, psychiatry and speech therapy health services to people with autism both during transition and into adulthood (Chapter 7, Section 7.4).</p>	<p><b>The Autistic Spectrum Disorder Operational Group has further work to do in response to this recommendation.</b></p> <p><b>Child and Adolescent Mental Health Services commission appropriate services including through community LD teams upon identification of anyone with ASD</b></p> <p><b>Education and Learning are able to identify those who are within the education system who need specialist psychological support.</b></p>	<p>Some good progress although more to do</p>
<p>Kent County Council should support a campaign to raise awareness in the community about autism. KCC should also urge internal and partner agencies, including the NHS, the Criminal Justice System, the police and the housing, employment and education services, to enhance awareness amongst their staff about autism, its complexities and the implications for their service delivery (Chapter 8, Section 8.1 and Section 8.2).</p>	<p><b>The KCC sponsored DVD of a young person with ASD telling their story continues to be shown and is a powerful means of raising awareness. KCC is seeking permission to place the DVD on its website.</b></p> <p><b>The ASD webpage (Rec11) is already a source of information but its value will be further enhanced when the e-training tool purchased on license by KCC goes online around September 2011. This is a cost effective way of raising awareness of ASD within the community and will be rolled out to a number of agencies such as Criminal Justice System, Police and Jobcentre Plus, Health and voluntary sector partners in Kent</b></p> <p><b>The possibility of creating a network of “Autism Ambassadors” – local volunteers who actively represent and promote the needs of people with ASD will also be explored by the ASD Multi-agency Operational Group.</b></p> <p><b>Kent Autistic Trust (KAT) has a good track record of raising awareness of Autism within Kent.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**

<b>Recommendation 11:</b>	<b>Progress to date</b>	<b>Status</b>
<p>KCC should contribute to the development of a website which provides up-to date national guidance as well as local information on all the services and support available to people with ASD and their families in Kent. Information and guidance should be presented in a clear, unambiguous and user-friendly form (Chapter 8, Section 8.3).</p>	<p><b>KCC, working with parents, carers and a member of staff with an Autistic Spectrum Condition, has created a web page hosted on KCC website. The web page provides information about Autistic Spectrum Conditions, how to obtain a diagnosis, assessment from KCC and access to support services within the community. There are a number of links to other websites e.g. NAS, NHS and KAT and to relevant publications. The web page will be maintained and updated as more information becomes available.</b></p> <p><b>In addition, Kent Autistic Trust (KAT) provides accessible information about services available locally for people with ASD and their carers.</b></p>	<p><b>Complete/advanced progress</b></p>

**ASD Select Committee**

Recommendation 12:	Progress to date	Status
<p>Kent County Council should:</p> <ul style="list-style-type: none"> <li>• review its recruitment practices and selection criteria so that they support and enable the employment of more people with autistic spectrum conditions within the Authority</li> <li>• explore the potential of further education colleges in Kent to maximise the employment opportunities of people with autism in the County</li> <li>• require the Supporting Independence Programme team to carry out a project, possibly with the Tizard Centre, aimed at helping people with ASD to access employment (Chapter 9, Section 9.1 and Section 9.2).</li> </ul>	<p><b>11 learners including people with ASD started on Project SEARCH in September 2010 based at QEQM Hospital in Margate. Of these, 8 learners completed the course and 3 people including 1 with ASD moved straight into jobs. Another course commences in September 2011, and there are plans to make sure similar courses are developed in other areas of Kent.</b></p> <p><b>KCC has set up an apprenticeship project for vulnerable learners offering 22 opportunities to young disabled people including people with ASD. Some of the apprenticeships have been working for KCC and the young people and their employers are receiving additional support through Kent Supported Employment now located in the Customer and Communities Directorate. The project is being independently evaluated and a report is due in early Summer 2012.</b></p> <p><b>KCC is working with Further Education (FE) colleges to make sure that projects similar to Project Search on the employment pathway are available for people with ASD. Kent Supported Employment continues to work with the FE sector to ensure that courses are better geared to support pathways into both employment and supported living</b></p> <p><b>The Employability Strategy was agreed at full Cabinet in July 2010. With the changes in KCC and the review of the Supporting Independence Programme, decisions are still being made as to how the Strategy will be taken forward.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**




<b>Recommendation 13:</b>	<b>Progress to date</b>	<b>Status</b>
<p>Kent County Council should:</p> <ul style="list-style-type: none"><li>• carry out an audit involving all Kent District Councils to ascertain accurately the housing options available to people with ASD and those with learning disabilities</li><li>• urge both District Councils and the Joint Planning and Policy Board to take particular account of the needs of people with autism when discussing and deciding housing options</li><li>• encourage both District Councils and the Kent Adult Social Services Directorate to consider allocating some of their PFI housing options to people with autism (Chapter 9, Section 9.3).</li></ul>	<p><b>A Housing Needs Survey in the 12 districts and borough councils and Medway Council to determine the housing needs of Kent’s residents, also considered the need for supported accommodation for people with complex needs</b></p> <p><b>The survey’s findings informed the Kent Forum Housing Strategy which was launched in May 2011. The strategy supports the Joint Policy and Planning Board’s (JPPB) ambition to develop appropriate housing options for people with Learning Disability and Mental Health problems, including those with ASD. This is reflected in the Kent Housing Action Plan</b></p> <p><b>Private Finance Initiatives (PFI) continues to support some people with ASD to become tenants through the allocation of accommodation that enables them to live in the community with varying levels of support.</b></p>	<p><b>Complete/advanced progress</b></p>

**ASD Select Committee**

<b>Recommendation 14:</b>	<b>Progress to date</b>	<b>Status</b>
<p>Kent County Council should:</p> <ul style="list-style-type: none"> <li>• start a pilot scheme in Kent in which a drop-in facility providing autism related information and guidance is available one day a week. The Committee suggests using an existing local setting, such as the successful Ashford Gateway, as the base for this pilot scheme. In order to maximise the effectiveness of this initiative, it is essential that the staff working in the premises are made aware both of the initiative and about the condition of autism</li> <li>• contribute to the funding of a befriending scheme, using trained volunteers, which may be run in collaboration with The National Autistic Society (Chapter 10, Section 10.1 and Section 10.2).</li> </ul>	<p><b>Autism related information is now available on line via KCC website and is accessible at all Gateways throughout Kent. There are links to both the National Autistic Society (NAS) and Kent Autistic Trust (KAT) and other supporting organizations and agencies.</b></p> <p><b>With the roll out of Self Directed Support an increasing number of adults with ASD are opting for Direct Payments to access a wider range of support options to meet their assessed needs.</b></p>	<p>Some good progress although more to do</p>

**ASD Select Committee**

Recommendation 15:	Progress to date	Status
<p>The Kent Adult Social Services Directorate should carry out a county-wide audit to quantify the need for respite of people with ASD and their families.</p> <p>The purpose of this study is to inform the planning of future respite service provision in Kent, taking into account the Authority's financial constraints (Chapter 10, Section 10.3).</p>	<p><b>See comments provided in response to recommendation 1 above which covers this matter.</b></p>	<p>Some good progress although more to do</p>

- Key**
-  = Complete/advanced progress
  -  = Some good progress although more to do
  -  = Little/no significant progress yet/high risk (therefore high priority next steps)

Appendix 2: SELECT COMMITTEE TOPIC REVIEWS – PROGRESS WITH RECOMMENDATIONS

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

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p><b>1. That, as part of the comprehensive review of community library services, Libraries and Archives consider the role of mobile libraries as a means of engaging more young people in positive activities, and whether a change of timetable is a practical way of facilitating this.</b></p>	<p><b>The Library service provided strong and most consistent support for the innovative HOUSE project across each of the locations. Library staff have proven to be an exemplar in engaging young people in the potential future design of library services. The Library Service have provided young people with books that have assisted them with particular life events (such as bereavement, family changes) which have been invaluable to a number of young people and had a profound influence on young people’s confidence, self-awareness and self-esteem.</b></p> <p><b>Library mobile vehicles have recently become single staffed making the engagement of young people more challenging through this avenue however consultation with over 1000 young people is being used to continually inform design and delivery of services and have produced three specific offers for young people designed to support them in looking for work, learning opportunities and gaining the best value from library services.</b></p>
<p><b>2. That KCC particularly through the Kent Youth Service and Extended Services continue to encourage and support schools in their efforts to develop extended services that compliment and supplement those already available in their</b></p>	<p><b>School-based Community Youth Tutors continue to play a key role in the provision of youth services across the county.</b></p> <p><b>During the past year two schools identified that they were unable to continue funding the Community Youth Tutor model, however this has opened the opportunity for other schools to participate in the model which has resulted in new posts at Folkestone Academy and potentially at another school in the Dover area. In addition the Sheppey Academy has reversed its position and recruitment for a new CYT is underway.</b></p> <p><b>No further funding has been identified to develop this work, however Kent Youth Service is continually reviewing its service delivery and methods of working. As such</b></p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>local communities as an essential part of Integrated Youth Support in Kent.</p> <p>To facilitate this, the Extended Services Team should explore how available funding could be utilised to ensure that schools are supported in their efforts to develop up to and beyond the core level of extended services by, for example:</p> <p>a) making extended school co-ordinators or community youth tutors available in more schools</p> <p>b) with colleagues in the Youth Service, developing expertise among School Governors and Head Teachers by providing training/presentations on extended service development and</p>	<p>funding for new CYT posts during 2010/11 may be identified through a review and reduction in dedicated Detached and Outreach projects.</p> <p>Under its current transformation proposals Kent Youth Service is suggesting the retention of all CYT posts and a commitment to maintain at least one per district. 18 posts are now in place, including new appointments in Sevenoaks [Knole Academy], Dartford [Swan Valley] and the Thanet Skills Centre. Proposals for Youth Service Transformation – currently out for consultation until 29 October 2011 – include a continuation of the CYT in future service provision.</p> <p>Analysis of which members of staff require training and access to Togogo is underway. Once completed this will allow training on the redeveloped Togogo site for Extended Service Co-ordinators and ensure that local information is kept up to date. This training will take place once the Children &amp; Young People’s Services Activities Database has been redeveloped along with Togogo.</p> <p>A review of Youth Advisory Groups was completed, recommending a number of changes which will allow a wider, ongoing consultation with partners and young people about service development at a District level. These groups, which focus on the development of local services, will establish a strong working relationship to advise the new local Children’s Trust arrangements on key issues 13-19 year olds, particularly the provision of positive activities.</p> <p>An offer of bespoke training and guidance has been sent to all Governors and Head Teachers to both promote and respond to interest in how schools can be supported in developing the local offer to young people by working with both Extended Services and the Youth Service.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>community engagement</p> <p>c) ensuring that information about extended services within Local Children’s Services Partnerships (LCSPs) is gathered, recorded and made available to the public through various media (as outlined elsewhere in this report) and taken into account as an integral part of the Youth Strategy in every district</p> <p>d) with Youth Service Colleagues, encouraging and assisting schools to ensure there is effective and ongoing consultation with local communities (beyond the immediate school population) about the development of extended services</p> <p>e) ensuring that the allocation and</p>	

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>distribution of funding for extended services (routed LCSPs) is clearly recorded and made available to assist with planning for service provision within local communities.</p>	
<p>3. That KCC together with district and borough councils should:</p> <p>a. proactively engage with rail travel providers in Kent to determine the feasibility, cost and business benefits of incorporating off-peak rail travel into the Freedom Pass to enable more young people to make use of existing activities and facilities.</p> <p>b. proactively engage with bus travel providers to determine the feasibility, cost and business benefits of adding integrated (perhaps specific nights of the week) later bus</p>	<p>A report on the progress of the Freedom Card was presented to Cabinet in November 2009. This report identified potential developments for the scheme. At this point in time rail travel remains unlikely to be included as the cost implications are too great and rail companies are unwilling to participate at this stage.</p> <p>As the Freedom Pass has been rolled out across the county the Environment, Highways and Waste and bus service providers have been continually responding to service demands by putting on larger vehicles and extra services where necessary.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>services to enable more young people to make use of existing activities and facilities.</p> <p>c. consider the benefits and potential cost savings of combining the Freedom Pass with any (future planned) Leisure Card and for example, Library card. This should be considered alongside the concept of rewards for positive activities (e.g. encouraging use of healthy activities).</p>	<p>The Communities Directorate Finance team has undertaken a scoping exercise to determine the costs involved in implementing a Leisure Pass. Solutions for this could take on a number of formats and include a range of functions. The implementation of a smart card system which both the local authority and parents could contribute funds to would incur administrative costs of £25 per person to run (circa £3.25m for all 13-19yr olds) and could also involve significant capital investment to increase the network of smart card machines at participating venues (an initial investment of £1m was required to equip buses with smart card machines). Whilst this level of investment is unlikely the Youth Service and the Reward Team are currently examining whether the contract with Asperity to provide staff discounts could also source activity discounts with local providers by using the existing Freedom Pass.</p> <p>Kent Youth County Council is currently researching the possibilities for a campaign to support the extension of the Freedom Pass to young people aged 16 and 17.</p> <p>A petition on the KCC website recently passed the 12,000 signatures mark, triggering a full debate on the extension of the Freedom Pass in County Council. Members of KYCC have met with Sarah Hohler and Mike Whiting to discuss proposals for a new Post 16 Travel Pass.</p>
<p>4. a. That to fully utilise available transport KCC directorates should co-operate to produce a register of passenger carrying vehicles (minibuses) that could</p>	<p>Resources from Communities Directorate have been identified to undertake this task and work is currently underway to finalise a directory of available vehicles.</p> <p>A list of all vehicles has been created but is now under review as significant proposed changes to Service delivery models will also have an impact on maintaining and managing vehicles.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>potentially be shared with the youth service and/or voluntary sector organisations for individual trips or on a more regular basis and that guidelines be produced for the use of such vehicles.</p> <p>b. That the Youth Service liaise with the Rural Regeneration Officer to determine whether links could be made to existing community transport schemes to provide assistance with transporting young people to leisure activities, or to investigate whether any joint funding arrangements could be of benefit.</p> <p>c. That there be a drive to recruit certified PC V drivers employed by KCC and partner organisations in</p>	<p>The change in the framework of policy and funding for Rural Regeneration has put significant pressures on existing Community Transport schemes and expansion without considerable investment is not realistic. The Youth Service and Rural Regeneration Team are working together to influence the Integrated Transport Policy in order to reflect the needs of young people in isolated communities.</p> <p>A job description and recruitment process for volunteer drivers is currently being finalised and will be distributed via the Kent Volunteer network and also to partners through the district based Volunteer Driver networks.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>Kent to register for occasional voluntary driving duties (subject to satisfactory CRB disclosure being in place) to assist the Youth Service's provision of sports/leisure activities to young people. Once established the Youth Service should assess the viability of extending the scheme to include affiliated and non-affiliated voluntary organisations.</p>	
<p>5. That the Youth Service and in particular the Diversity Team should liaise with the Analysis and Information Team to determine how Mosaic could enhance their work in terms of community profiling and targeting information. That the Analysis and Information Team</p>	<p>The Youth Service is undertaking a pilot examination of two centres using Mosaic to examine its usefulness in supporting Community Needs Analysis processes. Appendix 2 shows the community profile around the two centres and once ContactPoint updates have been completed to the Youth Service MIS system postcodes will be extracted and mapped to examine where the Youth Club Members originate from.</p> <p>The current Youth Service consultation is using online information gathering and Mosaic mapping tools in order to map the needs of local communities when developing any possible commissioning model.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>determine whether Mosaic could incorporate data on Traveller communities.</p>	
<p>6. That KCC (Youth Service and others) should work with district partners including those in the voluntary and community sector to build upon the success of events such as Gifted Young Gravesham, those organised by Blade and Youth of Generation and explore opportunities to hold similar events elsewhere in the county.</p>	<p>Kent Youth Service remains dedicated to the development of Young People though the arts and during 2009/10 a large number of arts events were hosted and/or supported by Kent Youth Service and its partners across the county. Gifted Young Gravesham was delivered successfully again this year with plans for a similar event, Dartford Is Gifted, well under way. In addition the Youth Service hosted a Rhythmix weekend residential experience for young people wanting to develop their performance skills. The Service has also hosted 6 Kick Racism Out of Football events and also 6 events to celebrate LGBT history month in February – at each of these events young people are able to take part in forum theatre and practice other performance skills. The Youth Service also hosts 8 Try Angle awards ceremonies each year which both celebrate young people’s achievement and provide a platform for young people to perform.</p> <p>On 15<sup>th</sup> of August 2009 the Youth Service hosted a partnership Summer Diversity Festival which was attended by more than 1400 young people who were able to take part in a number of cultural and sporting activities whilst more than 30 young people’s acts were able to perform at the event and take part in talent shows, battle of the bands and workshops. The intention to hold a similar event in 2011 is dependant on securing external funding to do so.</p> <p>The Youth Service continues to develop and support a wide range of arts events for young people alongside Dartford Is Gifted and Gifted Young Gravesham, Similar projects in Sevenoaks and Dover are under development in 2011/12, as are a range of cultural festivals around the county</p>
<p>7. That KCC adopts a policy of promoting positive language,</p>	<p>A code of good practice has been established by the Communications and Media Centre to ensure that all departments recognise the importance of promoting a positive message about young people.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>perceptions and expectations of young people in all KCC publications and communications and encourages and engages with partners and the media to further this aim.</p>	
<p>8. a. That meetings which are to involve young people are planned and structured in a young person-friendly format.</p> <p>b. That Youth Advisory Groups focus on strategic planning in their districts and extend invitations to, and renews efforts to engage, private and voluntary sector facility and activity providers as well as potential funders, in order to create opportunities for mutually beneficial discussions at YAG meetings.</p>	<p>The Youth Advisory Group Review established a new set of Terms of Reference for the groups, emphasising the importance of playing a key role in the strategic development of services for young people – and particularly positive activities – at a local level. As part of this review the Terms of Reference also requires the meaningful participation of young people and ensuring that they are able to engage fully in meeting structures.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>c. That KCC Members be encouraged to contribute towards local young people's transport funds from Members' Community Grants (and other available sources) to finance organised trips for young people from their local area, focusing on those who attend youth groups and projects.</p>	<p>KCC Members Community Grants contributed directly towards work with young people in a variety of ways throughout the 2009/10 year. Full details of the spend of Members grants are available through the Community Engagement Team.</p>
<p>9. a. That projects with an intergenerational theme should receive a high priority in decisions about funding in Kent in order to break down barriers and build community cohesion.</p> <p>b. That KCC should consider how intergenerational activity could be supported in other ways such as through the</p>	<p>Kent Youth Service and partners prepared a bid for the 'Generations Together' programme which unfortunately proved unsuccessful. As a result the Service has included intergenerational work into its business planning processes. This has resulted in a range of activities taking place such as young people supporting Silver Surfers, Allotment Projects and intergenerational video projects examining the views of local young and older people.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
Staff Club and Staff Discount schemes.	
10. That there should be increased opportunities for well motivated young people to shadow community leaders in order for them to gain experience of political life and leadership and that Members of Kent County Council should take a lead in facilitating this.	Work shadowing opportunities to work alongside Council Officers and County Councillors, including Cabinet Members have been taken up by 7 young people and students and this opportunity is on offer through Legal & Democratic Services as well as Kent Youth County Council. An offer for Members to shadow members of the Youth County Council has also been extended.
11. That Kent TV continues to provide young people with the opportunity to broadcast their interests and concerns and gain experience of TV and film production through the apprenticeship programme and the development of a dedicated broadcasting unit.	Kent TV was decommissioned at the end of the 2009/10 financial year and whilst this means that a ‘youth channel’ is not possible Kent Youth Service continues to offer young people a range of opportunities to engage in media and film activities and develop broadcast and production skills and experience.

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>12. a. Development of Togogo could include:</p> <ul style="list-style-type: none"> <li>▪ Clear links to leisure listings for specific areas of interest such as cycling, parks, sports</li> <li>▪ Times dates of meetings/venue contacts</li> <li>▪ How to contact local Kent Youth County Councillor and Local Members of the County Council (by postcode look-up)</li> <li>▪ The facility to vote on youth-related proposals</li> <li>▪ Continually providing the opportunity for and proactively seeking out private and voluntary providers to invite listing</li> <li>▪ Interactive local</li> </ul>	<p>The re-development of Togogo has been significantly delayed due to the delays in completing the Kent.gov site – Togogo will be hosted on the same platform and by the same provider. The Youth Service has begun working with young people to identify views and opinions on developing the site however specific functional capabilities will not be clear until later in 2010.</p> <p>In order to aid the development of the Togogo and the adjoining database a part-time administrator has been assigned the task of updated and improving data quality. This is particularly crucial as the Kent Resource Directory, which provided a significant amount of the information for Togogo, has been withdrawn from service.</p> <p>A basic, voluntary survey has been running as a Polaroid on the existing togogo site asking for feedback on the ease of use and design of the site and also asking people to give their postcode to allow mapping against the re-developed site.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>maps showing private/voluntary/LA provision</p> <ul style="list-style-type: none"> <li>▪ Requesting that schools signpost Togogo on pupil VLEs (virtual learning environments screensaver and enabled in favourite sites) thus reaching every schoolchild</li> <li>▪ Advertising Togogo on the Freedom Pass/Kent Travel Card/Library Card</li> <li>▪ Allowing additional and selected advertising on the website (directly leisure related) to generate revenue and show discount offers.</li> <li>▪ Liaising with the Children’s Disability Register co-ordinator to ensure that views and experience of disabled young people and their</li> </ul>	

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>families help to make the site informative and relevant.</p> <p>b. Following an initial reluctance by young people to engage with Togogo its effectiveness in reaching a range of young people from different areas and backgrounds should be measured before and after development of the site by using Mosaic to analyse users registering on the site with a postcode.</p>	
<p>13. That KCC Innovations Team works with young people, supported by professional advisers to produce a policy and guidelines for the safe use of social networking sites (Facebook, Bebo etc) by young people, and that KCC work towards developing protocols</p>	<p>A new policy for Internet Usage in Youth Centres and projects has developed which gives clear guidelines on how young people should be supported to gain the benefits of online communities whilst remaining safe. Additional guidelines support staff in ensuring their own personal and professional usage is appropriate and safe.</p> <p>A dedicated section of Knet gives clear guidance and direction on the use of Social Networking to promote KCC and its activities – in addition training to achieve a ‘social media license’ has been implemented allowing staff to achieve a corporate standard before using these tools.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>for effective and appropriate use of social networking sites by youth work practitioners, other KCC staff and Members as well as members of Kent Youth County Council.</p>	
<p>14. That KCC should investigate the implementation of an SMS texting service to notify young people of discounts and offers of free access to leisure activities.</p>	<p>An SMS service exists and is available to use with the implementation of data handling processes to gain permission for the use of personal mobile phone numbers, however until such time as Togogo is redeveloped and/or future offers are able to be sourced through Asperity such a service would offer little value to young people. Resource to supply SMS services is yet to be identified.</p>
<p>15. That KCC should consider providing support to Oi! (provided there is a sustainable business plan) to enable more young people to benefit from the work experience and personal development it offers and for the magazine to reach and involve a greater number of</p>	<p>A variety of KCC departments have used SO! to promote activities and examine issues, these include Kent Apprenticeships, CFE Participation team, the HOUSE partnership project, Kent Drug and Alcohol Action Team, Kent Sport Leisure and Olympics and Kent Youth Service. In addition the Try Angle Awards have become a national media partner of the magazine which involves a young person's story and nomination form being printed in each issue.</p> <p>Since December 2010, SO! Magazine has ceased trading.</p> <p>The Youth Service has offered support and guidance to, and material for, Nubia magazine a publication developed with a particular focus on BME young people and currently in it's 10<sup>th</sup> issue.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
<p>young people across the county. This support might take the form of a regular advertising slot paid for by the Kent Youth Service and other directorates/service (particularly CFE Extended Services) to: publicise activities and the availability of other local youth provision, and get across important messages e.g. links to advice on internet safety.</p>	
<p>16. That the Youth Service increases its engagement with the diverse range of services provided by the voluntary and community sector to ensure that the contribution of this sector can be fully acknowledged, mapped and taken into account in planning positive activities within an area.</p>	<p>The completion of the YAG review and particularly the adoption of new terms of reference will allow an increased engagement with Voluntary Organisations in developing local services for young people.</p> <p>Kent Youth Service has renewed its Partnership Awards with 23 different voluntary sector groups to deliver a range of direct youth work across the County and a further 10 groups to provide a range of support services to other Voluntary Organisations throughout Kent.</p> <p>Under the proposals for the transformation of Youth Services, Kent Youth Service is proposing to withdraw from direct delivery in a range of projects and use a portion of the saved revenue to significantly increase the level of funding to Voluntary and Community Youth Service providers through a new commissioning framework.</p>

Recommendation	Provision of Activities for Young People – Select Committee Progress to Date
	<p>During 2009/10 the Youth Service facilitated 2 training courses focusing on developing the capacity to manage integrated services with 12 places taken up by leaders from Voluntary Youth Organisations.</p>
<p>17. That KCC, with its partners, considers how to increase the proportion of activities, as well as information advice and guidance, provided to young people in young-person centred surroundings, in locations accessible during evenings/weekends.</p>	<p>During 2009/10 Kent Youth Service took part in the DCSF led ‘Open Weekend’ during which all areas opened provision during the weekend. Currently some Youth Service Provision in each operational area is open Friday evenings and Saturday in addition to the wide range of residential opportunities offered across the County.</p> <p>Delivery of the partnership project HOUSE on the Move commenced in May 2010 taking advice, guidance and support to young people on Substance Misuse, Alcohol Abuse, Smoking Cessation and Sexual Health to a variety of locations around Kent and delivering services at times convenient for young people to access.</p> <p>Connexions Kent &amp; Medway Ltd has been awarded a new three year contract for the delivery of careers information advice and guidance with a requirement to examine how this can be done in closer integration with other partners and delivered in times and places where young people are keen to engage. Productive meetings have taken place with the new Chief Executive of Connexions Kent and Medway to take forward proposals for closer working relationships including joint location of services and staff.</p>

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By: Mr J Simmonds – Cabinet Member for Finance and Business Support  
Mr A Wood – Acting Corporate Director of Finance & Procurement

To: County Council – 20 October 2011

Subject: **Treasury Management Annual Review – 2010/11**

Classification: Unrestricted

Summary: **This report invites the County Council to approve the annual review of treasury management activity for 2010/11**

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1. At its meeting on 30 June 2011, the Governance and Audit Committee considered and approved the Treasury Management Annual Review for 2010/11 (attached as **Appendix 1**) for onward submission to the County Council. The review report included a high rating from Internal Audit, which had been reported to the quarterly meeting of the Treasury Advisory Group.
2. During the discussion of the report at the Governance and Audit Committee meeting, the Head of Financial Services replied to questions from Members of the Committee by saying that it was anticipated that, assuming that the County Council maintained its Preferred Creditor status, it was projected that 95% of its investment in Icelandic Banks would be recovered. He also informed the Committee that the Treasury Advisory Group was meeting in July to look at the approach to counter parties. The Treasury Advisory Group met twice in July and determined that no changes could be made to counter parties given the volatility of financial markets.

3. **RECOMMENDATION**

That the County Council agrees to note the Treasury Management Annual Review for 2010/11.

Peter Sass  
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By: Cabinet Member for Finance  
Acting Director of Finance & Procurement

To: Governance and Audit Committee – 30 June 2011

Subject: **Treasury Management Annual Review 2010-11**

Classification: Unrestricted

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Summary: To report a summary of Treasury Management activities in 2010-11

**FOR DECISION**

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**INTRODUCTION**

1. The CIPFA definition of Treasury Management is “the management of the Council’s investments and cash flows, its banking and its capital market transactions; the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks”.
2. The Treasury Management Code requires local authorities to determine an annual Treasury Management Strategy and now, as a minimum, formally report on their treasury activities and arrangements to Members mid-year and after the year-end. These reports enable those tasked with implementing policies and undertaking transactions to demonstrate they have properly fulfilled their responsibilities, and enable those with ultimate responsibility for the treasury management function to scrutinise and assess its effectiveness and compliance with policies and objectives. When this report is agreed by this Committee it will then go forward to full Council.

**ECONOMIC BACKGROUND**

3. At the time of determining the strategy for 2010-11, interest rates were expected to remain low in response to the fragile state of the UK economy. Spending cuts and tax increases seemed inevitable post the General Election if the government had a clear majority. The markets had, at the time, viewed a hung parliament as potentially disruptive particularly if combined with a failure to articulate a credible plan to bring down government borrowing. The outlook for growth was uncertain due to consumers and corporates trimming their spending and financial institutions exercising restraint in new lending.
4. The economy’s two headline indicators moved in opposite directions – growth was lacklustre whilst inflation spiked sharply higher. The economy grew by just 1.3% in calendar year 2010; the forecast for 2011 was revised down to 1.7% by the Office of Budget Responsibility in March. Higher commodity, energy and food prices and the increase in VAT to 20% pushed the February 2011 annual inflation figure to 4.4%. The Bank Rate was held at 0.5% as the economy

grappled with uneven growth and the austerity measures set out in the coalition government's Comprehensive Spending Review.

5. Gilts benefitted from the Comprehensive Spending Review (CSR) plans as well as from their relative 'safe haven' status in the face of European sovereign weakness. 5-year and 10-year gilt yields fell to lows of 1.44% and 2.83% respectively. However yields rose in the final quarter across all gilt maturities on concern that higher inflation would become embedded and greatly diminish the real rate of return for fixed income investors.
6. During the year money market rates increased marginally at the shorter end (overnight to 3 months). 6-12 month rates increased by between 0.25% to 0.3% over the 12 month period reflecting the expectation that the Bank Rate would be raised later in 2011. Relevant interest rate indices are attached in Appendix A.

## **BORROWING REQUIREMENT AND DEBT MANAGEMENT**

7. The overall borrowing position is summarised below:

	Balance on 31/3/2010 £000's	Debt Maturing £000's	New Borrowing £000's	Balance on 31/3/2011 £000's	Increase in Borrowing £000's
Capital Funding Requirement	1,236,211			1,309,517	
Short Term Borrowing					
Long Term Borrowing	1,042,363	46,030	100,000	1,096,333	53,970
<b>TOTAL EXTERNAL DEBT</b>	1,042,363	46,030	100,000	1,096,333	53,970

8. Following the CSR on 20 October 2010, on instruction from HM Treasury, the PWLB increased the margin for new borrowing to average 1% above the yield on the corresponding UK Government Gilt. New fixed rate borrowing rates increased by approximately 0.87% across all maturities, and new variable rate borrowing rates by 0.90%. Premature repayment rates did not benefit from the increase in the margin which potentially makes future rescheduling of PWLB loans more challenging.

9. The type of borrowing taken was:

<b>Loans Borrowed during 2010-11</b>	Principal £000's	Average Rate %	Average Maturity (years)
PWLB Fixed Rate Maturity Loans	70,000	4.12	39.75
PWLB Fixed Rate EIP Loans	20,000	1.94	10
Market Loans	10,000	4.20	31
<b>Total</b>	100,000		

10. Given the large differential between short and longer term interest rates, which is likely to remain a feature for some time in the future, as well as the pressure on Council finances, the debt management strategy sought to lower debt costs within an acceptable level of volatility (interest rate risk). Changes in the debt portfolio over the year have achieved a reduction in the overall debt cost by £4.6m whilst increasing the average life from 27.22 years to 27.82 years.
11. The PWLB remains the Council's preferred source of borrowing given the transparency and control that its facilities continue to provide.
12. No debt rescheduling was undertaken in the year.

### **INVESTMENT ACTIVITY**

13. The Council held average cash balances of £278.67m during the year. These represented working cash balances/capital receipts, and the Council's reserves. This is a significant reduction in the level of balances which is the result of the deliberate decision to run down balances and defer borrowing (due to the low return on deposits and the lack of counterparties) and the separation of Pension Fund working cash.
14. The CLG's Guidance on Investments, revised during 2009-10, reiterated security and liquidity as the primary objectives of a prudent investment policy. Although the Guidance became operative on 1 April 2010, its principal recommendations run parallel to the credit risk management requirements in the revised Treasury Management Code. In the revised Guidance, Specified Investments are those made with a body or scheme of "high credit quality". Both the Guidance and the revised Treasury Management Code emphasise that counterparty credit criteria should not rely on credit ratings alone but should include a wider range of indicators. The revised Code nonetheless requires that ratings assigned by all three rating agencies – Fitch, Moody's and Standard & Poor's – be taken into account and the lowest rating be used.
15. The criteria agreed by Cabinet on 2 February 2011 for the approval of counterparties are:
  - A strong likelihood of Government intervention in the event of liquidity issues based on systematic importance to the UK economy.
  - Credit rating (Council's minimum long term counterparty rating of A+ across all 3 rating agencies, Fitch, Standard & Poor's and Moody's).
  - Credit default swaps.
  - Share price.
  - Reputational Issues.
  - Exposure to other parts of the same banking group.
  - Country exposure.

16. The agreed counterparties were:
- Royal Bank of Scotland
  - Lloyds Banking Group
  - Barclays
  - HSBC
  - Santander UK
  - Nationwide
  - Clydesdale Bank
  - Standard Chartered
17. Santander has been suspended since 30 April 2010 as a result of concerns about the creditworthiness of the Banco Santander group following the downgrading of Spain's long-term sovereign credit rating.
18. Clydesdale has also been suspended linked to issues in the Australian economy for its parent National Australia Bank. Standard Chartered have not been in the market for deposits. This leaves the Council with the 5 largest UK financial institutions and the Debt Management Office. The Treasury Advisory Group, advised by Arlingclose, continues to look at other options but the parlous state of the banking sector worldwide supports a highly judicious approach.
19. Deposits as at 31 March 2011 are shown in Appendix B.

### **ICELANDIC EXPOSURE**

20. Heritable – this administration, managed by Ernst &Young, continues to run well. The base case forecast return is 79-85p in the £ and to date 56p in the £ has been recovered realising £10.28 m. Quarterly dividends continue to be received.
21. Landsbanki and Glitnir – on 1 April 2011 the Reykjavik District Court ruled that the funds placed by UK local authorities were deposits and enjoy priority status. This was not only the right outcome but the ruling was highly supportive. International bank and bond holder creditors and the Glitnir Winding Up Board are appealing the decisions to the Icelandic Supreme Court as expected. If priority status holds the anticipated level of recoveries are 100% for Glitnir and 95% for Landsbanki.

### **COMPLIANCE WITH PRUDENTIAL INDICATORS**

22. The Council can confirm that it has complied with its Prudential Indicators for 2010-11, which were set as part of the Council's Treasury Management Strategy Statement. Details can be found in Appendix C.

## **TREASURY ADVISER**

23. On 2 March 2011 Arlingclose was appointed by the Acting Director of Finance & Procurement in conjunction with the Treasury Advisory Group as the Council's sole treasury adviser for a 5 year period. This ended the use of both Sector and Arlingclose. Butlers contracts and staff had transferred to Sector in October 2010. The Office of Fair Trading has referred the Butlers acquisition by Sector to the Competition Commission.

## **RECOMMENDATION**

24. Members are asked to agree the report and recommend that it is submitted to County Council.

**Nick Vickers**  
**Head of Financial Services**  
**Ext: 7000 4603**

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## Interest Rates

Table 1: Bank Rate, Money Market Rates

Date	Bank Rate	O/N LIBID	7-day LIBID	1-month LIBID	3-month LIBID	6-month LIBID	12-month LIBID	2-yr SWAP Bid	3-yr SWAP Bid	5-yr SWAP Bid
01/04/2010	0.50	0.35	0.35	0.42	0.51	0.81	1.26	1.54	2.07	2.82
30/04/2010	0.50	0.30	0.30	0.43	0.53	0.83	1.29	1.70	2.23	2.95
31/05/2010	0.50	0.45	0.50	0.61	0.60	0.85	1.35	1.46	1.89	2.58
30/06/2010	0.50	0.35	0.35	0.45	0.61	0.94	1.38	1.40	1.79	2.42
31/07/2010	0.50	0.40	0.40	0.50	0.71	1.01	1.46	1.36	1.75	2.39
31/08/2010	0.50	0.40	0.55	0.50	0.71	1.00	1.45	1.20	1.47	2.02
30/09/2010	0.50	0.30	0.25	0.51	0.72	1.01	1.46	1.24	1.51	2.05
31/10/2010	0.50	0.48	0.40	0.51	0.72	1.01	1.46	1.26	1.53	2.08
30/11/2010	0.50	0.40	0.51	0.51	0.72	0.88	1.46	1.32	1.66	2.30
31/12/2010	0.50	0.40	0.40	0.51	0.72	1.01	1.47	1.49	1.94	2.61
31/01/2011	0.50	0.40	0.55	0.52	0.64	1.04	1.52	1.74	2.21	2.90
28/02/2011	0.50	0.40	0.54	0.53	0.68	1.09	1.56	1.85	2.29	2.95
31/03/2011	0.50	0.30	0.50	0.54	0.80	1.11	1.58	1.85	2.31	2.96
Minimum	0.50	0.30	0.25	0.42	0.51	0.75	1.00	1.13	1.37	1.92
<b>Average</b>	<b>0.50</b>	<b>0.39</b>	<b>0.43</b>	<b>0.50</b>	<b>0.67</b>	<b>0.98</b>	<b>1.44</b>	<b>1.50</b>	<b>1.90</b>	<b>2.54</b>
Maximum	0.50	0.55	0.55	0.80	0.80	1.11	1.58	1.97	2.49	3.19
Spread		0.25	0.30	0.38	0.29	0.36	0.58	0.84	1.12	1.26

Table 2 : PWLB Borrowing Rates - Fixed Rate, Maturity Loans

Change Date	Notice No	1 year	4½-5 yrs	9½-10 yrs	19½-20 yrs	29½-30 yrs	39½-40 yrs	49½-50 yrs
01/04/2010	064/10	0.81	2.84	4.14	4.21	4.60	4.61	4.63
30/04/2010	089/10	0.85	2.86	4.13	4.20	4.61	4.61	4.60
28/05/2010	127/10	0.73	2.46	3.76	3.83	4.36	4.38	4.38
30/06/2010	171/10	0.67	2.27	3.54	3.62	4.22	4.28	4.27
30/07/2010	217/10	0.70	2.29	3.55	3.62	4.32	4.41	4.40
31/08/2010	259/10	0.63	1.84	3.05	3.13	3.82	3.93	3.93
30/09/2010	303/10	0.64	1.88	3.14	3.86	4.00	4.03	4.02
29/10/2010	346/10	1.58	2.90	4.23	5.06	5.2	5.22	5.2
30/11/2010	390/10	1.56	3.05	4.40	5.18	5.26	5.25	5.23
31/12/2010	430/10	1.65	3.33	4.58	5.18	5.23	5.20	5.16
31/01/2011	040/11	1.79	3.57	4.80	5.40	5.46	5.44	5.40
28/02/2011	080/11	1.87	3.61	4.75	5.33	5.38	5.35	5.31
31/03/2011	126/11	1.89	3.57	4.71	5.27	5.30	5.27	5.24
	Low	0.60	1.81	3.05	3.82	3.93	3.93	3.92
	<b>Average</b>	1.19	2.79	4.05	4.72	4.79	4.78	4.76
	High	1.99	3.84	5.00	5.50	5.55	5.53	5.48

**Table 3: PWLB Borrowing Rates - Fixed Rate, EIP Loans**

<b>Change Date</b>	<b>Notice No</b>	<b>1 year</b>	<b>4<sup>1</sup>/<sub>2</sub>-5 yrs</b>	<b>9<sup>1</sup>/<sub>2</sub>-10 yrs</b>	<b>19<sup>1</sup>/<sub>2</sub>-20 yrs</b>	<b>29<sup>1</sup>/<sub>2</sub>-30 yrs</b>	<b>39<sup>1</sup>/<sub>2</sub>-40 yrs</b>	<b>49<sup>1</sup>/<sub>2</sub>-50 yrs</b>
01/04/2010	064/10	--	1.78	2.94	4.18	4.53	4.60	4.62
30/04/2010	089/10	--	1.82	2.96	4.16	4.53	4.61	4.62
28/05/2010	127/10	--	1.52	2.55	3.79	4.24	4.36	4.39
30/06/2010	171/10	--	1.38	2.36	3.58	4.06	4.23	4.27
30/07/2010	217/10	--	1.42	2.38	3.58	4.11	4.33	4.40
31/08/2010	259/10	--	1.12	1.92	3.09	3.61	3.82	3.91
30/09/2010	303/10	--	1.14	1.96	3.18	3.67	3.87	3.96
29/10/2010	346/10	--	2.11	2.98	4.27	4.84	5.07	5.16
30/11/2010	390/10	--	2.19	3.14	4.44	4.99	5.19	5.25
31/12/2010	430/10	--	2.43	3.42	4.62	5.05	5.19	5.23
31/01/2011	040/11	--	2.62	3.66	4.84	5.25	5.40	5.45
28/02/2011	080/11	--	2.71	3.69	4.79	5.18	5.33	5.38
31/03/2011	126/11	--	2.69	3.65	4.74	5.14	5.28	5.31
	Low		1.10	1.89	3.09	3.61	3.82	3.91
	<b>Average</b>		1.91	2.87	4.08	4.55	4.72	4.77
	High		2.88	3.93	5.03	5.38	5.51	5.55

## Deposits as at 31 March 2011

Instrument Type	Counterparty	Principal Deposit Amount at 31/03/11	End Date	Interest Rate	Territory
Fixed Deposit	Dexia Bank	£10,000,000	31/10/2011	0.5050	Belgian Bank
	<b>Total Belgian Bank Deposits</b>	<b>£10,000,000</b>			
	<b>Total Icelandic Bank Deposits</b>	<b>£41,155,209</b>			
Fixed Deposit	Barclays Bank	£5,000,000	31/05/2013	6.8000	UK Bank
Fixed Deposit	Barclays Bank	£5,000,000	08/08/2011	1.0900	UK Bank
Fixed Deposit	Barclays Bank	£5,000,000	06/09/2011	1.1700	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	05/04/2011	1.1700	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	05/07/2011	1.3000	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	07/10/2011	1.6000	UK Bank
Fixed Deposit	Lloyds TSB	£5,000,000	09/01/2012	2.0000	UK Bank
LIBOR Fixed Deposit	Royal Bank of Scotland	£5,000,000	19/09/2011	1.0556	UK Bank
Fixed Deposit	Royal Bank of Scotland	£5,000,000	06/01/2012	1.4000	UK Bank
LIBOR Fixed Deposit	Royal Bank of Scotland	£5,000,000	18/10/2013	1.3700	UK Bank
Same Day Call Deposit	Bank of Scotland	£19,999,975	n/a	0.8500	UK Bank
Same Day Call Deposit	Barclays Bank	£25,000,000	n/a	0.7000	UK Bank
Same Day Call Deposit	Royal Bank of Scotland	£20,600,000	n/a	1.1500	UK Bank
	<b>Total UK Bank Deposits</b>	<b>£115,599,975</b>			
Fixed Deposit	Nationwide Building Society	£5,000,000	05/05/2011	0.7400	UK Building Society
Fixed Deposit	Nationwide Building Society	£5,000,000	06/06/2011	0.8500	UK Building Society

<b>Instrument Type</b>	<b>Counterparty</b>	<b>Principal Deposit Amount at 31/03/11</b>	<b>End Date</b>	<b>Interest Rate</b>	<b>Territory</b>
LIBOR Fixed Deposit	Principality Building Society	£5,000,000	21/04/2011	1.3756	UK Building Society
	<b>Total UK Building Society Deposits</b>	<b>£15,000,000</b>			
Fixed Deposit	Debt Management Office	£18,000,000	01/04/2011	0.2500	UK Govt.
Fixed Deposit	Debt Management Office	£2,800,000	05/04/2011	0.2500	UK Govt.
Fixed Deposit	Debt Management Office	£8,000,000	06/04/2011	0.2500	UK Govt.
Fixed Deposit	Debt Management Office	£10,000,000	07/04/2011	0.2500	UK Govt.
Fixed Deposit	Debt Management Office	£8,950,000	08/04/2011	0.2500	UK Govt.
	<b>Total UK Govt. Deposits</b>	<b>£47,750,000</b>			
	<b>Grand Total of All Deposits</b>	<b>£229,505,184</b>			

## PRUDENTIAL INDICATORS

### 1. Estimate of capital financing requirement (underlying need to borrow for a capital purpose)

Estimates of the Council's cumulative maximum external borrowing requirement for 2010 -11 to 2012 -13 are shown in the table below:

	<b>31/3/2010 Actual £000s</b>	<b>31/3/2011 Actual £000s</b>	<b>31/3/2012 Estimate £000s</b>	<b>31/3/2013 Estimate £000s</b>
Capital Financing Requirement	1,236,211	1,309,517	1,308,640	1,300,156
<b>Less:</b> Existing Profile of Borrowing	1,042,363	1,096,333	1,096,333	1,096,333
<b>Less:</b> Other Long Term Liabilities	0	0	0	0
<b>Cumulative Maximum External Borrowing Requirement</b>	<b>193,848</b>	<b>213,184</b>	<b>212,307</b>	<b>203,823</b>

In the light of current commitments and planned expenditure, forecast net borrowing by the Council will not exceed the Capital Financing Requirement.

### 2. Operational Boundary for External Debt

The operational boundary for debt is determined having regard to actual levels of debt, borrowing anticipated in the capital plan, the requirements of treasury strategy and prudent requirements in relation to day to day cash flow management. The operational boundary for debt has not been exceeded in 2010 -11

#### (a) Operational boundary for debt relating to KCC assets and activities

	<b>Prudential Indicator 2010-11 revised £m</b>	<b>Actual as at 31/3/2011 £m</b>
Borrowing	1,142	1,046
Other Long Term Liabilities	0	0
	1,142	1,046

- (b) Operational boundary for total debt managed by KCC including that relating to Medway Council etc (pre Local Government Reorganisation)

	<b>Prudential Indicator 2010-11 revised £m</b>	<b>Actual as at 31/3/2011 £m</b>
Borrowing	1,192	1,096
Other Long Term Liabilities	0	0
	1,192	1,096

### 3. **Authorised Limit for External Debt**

The authorised limit includes additional allowance, over and above the operational boundary to provide for unusual cash movements. It is a statutory limit set and revised by the County Council. The revised limits for 2010 -11 are:

- (a) Authorised limit for debt relating to KCC assets and activities

£m	
Borrowing	1,182
Other long term liabilities	0
	1,182

- (b) Authorised limit for total debt managed by KCC including that relating to Medway Council etc

£m	
Borrowing	1,232
Other long term liabilities	0
	1,232

The additional allowance over and above the operational boundary has not needed to be utilised and external debt, has and will be maintained well within the authorised limit.

### 4. **Upper Limits for Fixed Interest Rate and Variable Interest Rate Exposures**

- These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates.
- The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of deposits.

	<b>Limits for 2010/11 %</b>
<b>Upper Limit for Fixed Rate Exposure</b>	100
Compliance with Limits:	Yes
<b>Upper Limit for Variable Rate Exposure</b>	50
Compliance with Limits:	Yes

## 5. Maturity Structure of Fixed Rate Borrowing

- This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

<b>Maturity Structure of Fixed Rate Borrowing</b>	<b>Upper Limit %</b>	<b>Lower Limit %</b>	<b>Actual Fixed Rate Borrowing as at 31/03/11 £000's</b>	<b>% Fixed Rate Borrowing as at 31/03/11</b>	<b>Compliance with Set Limits?</b>
under 12 months	25	0	57,024	5.20	Yes
12 months and within 24 months	40	0	77,021	7.03	Yes
24 months and within 5 years	60	0	91,209	8.32	Yes
5 years and within 10 years	80	0	108,003	9.85	Yes
10 years and above	90	40	763,076	69.60	Yes

## 6. Upper Limit for Principal Sums Invested for Periods Longer than 364 days

- This indicator allows the Council to manage the risk inherent in deposits longer than 364 days.
- The limit for 2010 -11 was set at £50m.
- The Council's policy has been to keep deposit maturities to a maximum of 12 months and no deposits were made for a period greater than 364 days during this period.

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By: Chairman, Superannuation Fund Committee  
To: County Council – 20 October 2011  
Subject: **Superannuation Fund Committee Annual Report**  
Classification: Unrestricted

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Summary: To report on the major issues of Superannuation Fund business in the year 2010/11.

## **FOR INFORMATION**

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### **Introduction**

1. The Superannuation Fund Committee produces an annual report and accounts which the Committee agreed at its meeting on 2 September. This report will highlight the most significant issues from the last year with an update on this year.

### **Performance of the Fund**

2. The Fund enjoyed strong performance in 2010/11 with a total return of 9.0% against a benchmark of 8.1%. The benchmark is mathematical calculation of the combined indexes for the assets that the Fund invests in. This return represented a cash increase in the year of £289m. The return ranked the Kent Fund in the 31<sup>st</sup> percentile compared with other local authority funds and 27<sup>th</sup> over 3 years.
3. Whilst comparisons with other local authority funds are inevitable they do nothing to reflect the amount of risk which is being taken to achieve the level of return. We believe that we are being cautious in the risks we take reflecting the extremely uncertain financial market conditions which still exist.
4. The Fund employs a range of investment managers to manage the assets of the Fund, they reflect investments in different classes of asset, different geographic regions and different styles of investment. Our strong performance last year reflected:
  - (1) The 2 largest equity mandates, Schroders UK equities and Baillie Gifford overseas equities performed very strongly, Schroders returning 12.9% against a benchmark of 8.6% and Baillie Gifford 12.4% against 7.5%-so well in excess of the target +1.5% outperformance each manager has. It was a deliberate decision of the Committee not to cut the size of these very large mandates.
  - (2) The Fund has built up a large holding in passively invested equities, both UK and Global, managed by State Street. These funds track the movement of equity indices at very low fee levels. So we have benefited from rises in the market and have no risk of under performance.

- (3) We terminated one of the global equity manager, Alliance Bernstein, in August 2010 after an extended period of under performance and these funds were moved to State Street.

### **Actuarial Valuation**

5. The Fund had its triennial actuarial valuation at 31 March 2010 and we received the results from the actuary in late October. The outcomes of the valuation at Fund level were highly satisfactory with the funding level increasing by 4% to 77% and at Fund level the employer contribution rate reducing by 2%. Of the 16 local authority employers 15 saw a reduction in the rate the actuary was prepared to certify including Kent County Council. The decision to appoint Barnet Waddingham as actuary in 2009 has been confirmed as providing a technically robust approach which reflects the reality of employer's financial positions as much as possible.

### **Alternative Investments**

6. The Fund needs to spread its assets into different types of assets to reduce the exposure that the Fund has to Equities. The Fund has deliberately sought to do this in a relatively low risk way through the following investments:
  - (1) Private equity manager appointment – Harbourvest were appointed to manage a £75m private equity fund of funds mandate in May 2010.
  - (2) Infrastructure manager appointment – Partners Group were appointed to manage a £75m infrastructure fund of funds mandate in November 2010.
7. Reflecting our very deliberate approach to where we take risk in March 2011 we decided not to proceed with the appointment of a currency manager.

### **Cash Management**

8. The Fund has a healthy positive cashflow and accumulates cash which is then periodically reallocated to the investment managers or meets the funding needs of new investments.
9. A separate bank account for the Superannuation Fund has been set up and cash is managed on a fully segregated basis from KCC funds using counterparties agreed by the Superannuation Fund Committee. The counterparties are Royal Bank of Scotland, National Westminster Bank and the JP Morgan Sterling Liquidity Fund.

### **Lord Hutton's Review of Public Sector Pensions**

10. All the public sector pension schemes are under review and the Government's response to Lord Hutton's review is due in the autumn. Inevitably there will be major changes to the Local Government Scheme in the next 2-3 years and the Fund will need to communicate well with scheme members and employers and be alert to what could be fundamental changes which may require major changes to our investment strategy.

11. Whilst we recognise the need to address the long term funding issues of public sector pension schemes the funded position of the LGPS does put us in a much stronger position than unfunded public sector schemes and this seems to have been largely ignored in Lord Hutton's review.

### **Updated Position**

12. Clearly there has been huge uncertainty in financial markets in recent months. UK equity returns were -2.2% in July and -6.8% in August, with Global equity returns of -4.0% and -6.3% for the same periods. At this stage the Committee has not liquidated assets to hold additional Cash but we continue to monitor the position very closely.

### **Recommendation**

13. Members are asked to note this report.

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By: Mr Paul Carter – Leader of the Council  
 Mr Peter Sass – Head of Democratic Services

To: County Council – 20 October 2011

Subject: Quarterly Report On Urgent Key Decisions

Classification: Unrestricted

Summary: To report two urgent Key Decisions taken in the last quarter.

1. The Constitution requires the Leader to provide a quarterly report to the County Council of any Key Decisions which were taken as urgent matters during the previous three months.

2. Two urgent Key Decisions were taken in the last quarter as set out below.

**(a) Sandwich Sea Defences – Contribution by Kent County Council to the costs of the scheme (11/01728)**

An urgent decision was taken on 12 August 2011 by Mr P Carter, Leader of the Council, to commit KCC to a maximum contribution of £5 million to the costs of the Sandwich Sea Defence Scheme to be implemented by the Environment Agency. The commitment was made on the basis that:

- The total cost of the scheme is estimated at £24.71 million. Costs of £20.07 million will be borne by the Government and Pfizer Ltd
- KCC's contribution will be £4.64 million on the basis of the estimated cost of the scheme
- In the event that the scheme costs more or less than the estimated cost:
  - KCC will benefit from any gain on a pro-rata basis with the Government
  - KCC's liability for any increased costs will be capped at a maximum contribution of £5 million
- The funding will only be used if and when the scheme proceeds
- KCC's contribution will be made in staged payments as the construction of the scheme progresses over an estimated period of 2012 to 2015

Whilst there is no guarantee that KCC's contribution will be recovered, options for the recovery of some or all of the contribution are being explored. These include the business rate growth including that arising from the proposed Sandwich Enterprise Zone and the potential for charging a precept on households in

Sandwich benefiting from the scheme, which will be explored with Sandwich Town Council and Dover District Council.

This matter was deemed urgent under the terms of the Council's Constitution because:

- The national system for funding flood defence schemes has changed. Confirmation of KCC's contribution to the Sandwich Scheme, together with a further contribution from Pfizer, raises the priority of the scheme within the national programme. This will enable the Environment Agency to progress the scheme as part of the approved 2011/12 programme;
- An application has been made by KCC to designate the Pfizer site at Sandwich as an Enterprise Zone. This is currently being considered by Ministers. However, Government has made it clear that any designation decision is dependent on the resolution of the flood risk to the site.

### **Consultations**

In accordance with the requirements in the Constitution, the Chairman and Spokespersons of the Cabinet Scrutiny Committee were consulted and agreed that the decision should be taken as a matter of urgency.

#### **(b) Repton Park Primary School, Ashford – creation of new 1 form entry (FE) primary school with capability to expand to 2FE (11/01713)**

An urgent decision was taken on 28 July 2011, by Mr Roger Gough, Cabinet Member for Business Strategy, Performance and Health Reform and Mrs S Hohler, Cabinet Member for Education, Learning and Skills, (i) to the letting of a contract to deliver the proposed scheme to create a new 1FE primary school at Repton Park, Ashford, with the capability of expanding to 2F in due course; and (ii) subject to being satisfied as to the detailed terms and conditions, to authorise the Director of Property and Infrastructure Support to sign the contract on behalf of the County Council.

This matter was deemed urgent under the terms of the Council's Constitution because, following a ten week delay due to planning issues and the need for KCC to negotiate and secure a robust agreement with regard to the developer's contribution, the project team wanted to assure the contractor that it had formal permission to enter into the build contract, in view of the fact that the building was originally scheduled for occupation in September 2012.

### **Consultations**

The Chairman and Spokespersons of the Cabinet Scrutiny Committee were consulted about this matter and their views were reported to the Cabinet Member prior to the decision being taken. The Members concerned expressed concern about the slippage on this particular project and the fact that the mid-August 2012 completion date was not made part of the contractual performance. Concerns were also expressed more generally about the increase in the number of urgent

decisions and the justification for these. Members agreed, however, that this particular decision should be made and implemented.

3. The comments of the Chairman and Spokespersons of the Cabinet Scrutiny Committee in relation to the number of urgent key decisions are noted. It should always be a last resort to use the urgency procedures for any formal decision and the County Council is advised that the Corporate Management Team and the Cabinet are working on improving awareness amongst officers and Members of the correct decision-making procedures and emphasizing the need for greater use of the Forward Plan to highlight and forecast such key decisions in future.

**Recommendation:**

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

P B Carter  
Leader of the Council

Enquiries: Peter Sass  
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[peter.sass@kent.gov.uk](mailto:peter.sass@kent.gov.uk)

*Background documents: Records of Decision 11/01728 and 11/01713*

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**KENT COUNTY COUNCIL**

**GOVERNANCE AND AUDIT COMMITTEE**

MINUTES of a meeting of the Governance and Audit Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 14 September 2011.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr B R Cope, Mr C Hibberd, Mr D A Hirst, Mr R A Marsh, Mr R J Parry, Mr T Prater, Mr R Tolputt and Mr C T Wells

ALSO PRESENT: Miss S J Carey and Mr A J King, MBE

APOLOGIES: Mr K A Ferrin, MBE and Ms A Hohler

OFFICERS: Mr A Wood (Acting Corporate Director of Finance and Procurement), Mr G Wild (Director of Governance and Law), Mr D Tonks (Head of Audit & Risk), Mr P Rock (Counter Fraud Manager), Ms S Buckland (Audit Manager), Mrs A Beer (Corporate Director of Human Resources), Ms J Foster (Director of Business Strategy), Ms A Mings (Treasury & Investments Manager), Mr I Treacher (Assistant Head Of Trading Standards) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr D Wells and Mrs E Robinson of the Audit Commission.

**UNRESTRICTED ITEMS**

**29. Minutes - 30 June 2011**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 30 June 2011 are correctly recorded and that they be signed by the Chairman.

**30. Meeting dates in 2012**

*(Item 5)*

The Committee noted the following meeting dates in 2012:-

Wednesday, 18 April 2012;  
 Thursday, 26 July 2012;  
 Tuesday, 25 September 2012 (pm);  
 Wednesday, 19 December 2012.

**31. Committee Work Programme**

*(Item 6)*

(1) The Head of Audit and Risk presented a forward work programme to the Committee for approval.

(2) RESOLVED that the forward work programme for 2011/12 be agreed.

### **32. The development of Statements of Required Practice**

*(Item 7)*

- (1) The Director of Business Strategy gave an overview of the process for the development of Statements of Required management Practice (SORPs). She explained their purpose and the method by which they were being developed, communicated and embedded into the organisation, as well as a timeline for the development of specific SORPs. She also outlined the governance arrangements for their development and ongoing review.
- (2) The Director of Business Strategy agreed to send a copy of each of the SORPs to the Members of the Committee once they had been finalised.
- (3) The Committee asked for a progress update report at its meeting in April 2012.
- (4) RESOLVED that the process and governance for the development of SORPs be noted for assurance and that a progress update be reported to the Committee in April 2012.

### **33. KCC's Performance Management Framework**

*(Item 8)*

- (1) The Director of Business Strategy reported on the review of current performance management arrangements and the introduction of the performance management framework (agreed at Cabinet on 20 June 2011) which aimed to ensure effective briefing of Cabinet and into Scrutiny.
- (2) The Committee agreed that paragraph 3.6 should be amended to indicate that managers would continue to be trained in the skills required by the Council.
- (3) RESOLVED that subject to (2) above the report be noted for assurance.

### **34. Review of the Committee Terms of Reference**

*(Item 9)*

- (1) The Head of Audit and Risk suggested some minor amendments to the Committee's terms of Reference for recommendation to the County Council. These were agreed.
- (2) RESOLVED that:-
  - (a) the amendments to the Committee's description of methodology be agreed as set out in the Annex to the report; and
  - (b) the Committee's Terms of Reference be further reviewed in September 2012.

### **35. Progress update on "Change to Keep Succeeding"**

*(Item 10)*

(1) The Chairman declared that this item was Urgent on the grounds that the Committee needed to be constantly updated on how the County Council was managing the staffing reduction figures.

(2) The Corporate Director of Human Resources tabled a report giving an update on the "Change to Keep Succeeding" programme of organisational change, covering progress on populating the senior level of the new operating framework, the changes to staffing across the Authority since April 2011 and the development of values and behaviours and other culture change initiatives.

(3) The Corporate Director of Human Resources agreed to provide the total staffing numbers for inclusion in the Minutes. These were (excluding staff on Casual Relief, Sessional or Supply contract):-

Total Non Schools 11,647 (9,658.37 fte)

Total Schools 23,315 (15,793.93 fte)

TOTAL KCC 34,689 (25,452.30 fte).

(4) RESOLVED that the report be noted for assurance and that further reports on this matter be given to the Committee on a quarterly basis.

### **36. 2010/11 Budget Monitoring**

*(Item 11)*

(1) The first quarterly budget monitoring report to the Budget IMG and Cabinet had previously been circulated to all Members of the Committee as a supplementary appendix.

(2) The Acting Corporate Director of Finance and Procurement asked the Committee to note the quarterly budget report for assurance, explaining that detailed examination would take place at the Budget IMG on 15 September 2011 and at Cabinet on 19 September 2011.

(3) The Chairman noted comments from Members of the Committee that the level of detail contained in the supplementary report might not be necessary for the Committee to carry out its function and said that consideration would be given to these views in advance of publication of the next agenda.

(4) RESOLVED that the forecast outturn for the year 2011/12, based on spend and activity in the first quarter of the year be noted.

### **37. Ombudsman Complaints**

*(Item 12)*

(1) The Director of Governance and Law reported the Local Government Ombudsman letter and Annual review 2010/11 as well as the latest position on complaints about the County Council escalated to the Ombudsman during the period 1 April to 30 June 2011.

(2) The Director of Governance and Law confirmed that a report on the maladministration case set out in paragraph 5 of the report would be made to the next meeting of the Committee.

(3) RESOLVED that the report be noted for assurance.

### **38. 2010/11 Final Accounts and Annual Governance Report**

*(Item 13)*

(1) The Acting Corporate Director of Finance and Procurement updated the Committee on the final Annual Governance Report from the External Auditors relating to the 2010/11 Statement of Accounts.

(2) Mr Darren Wells from the Audit Commission informed the Committee that, whilst he had made recommendations for improvement, there were no significant areas of concern.

(3) RESOLVED that the report be noted for assurance.

### **39. Treasury Management update**

*(Item 14)*

(1) The Treasury and Investments Manager gave a quarterly summary of Treasury Management activity.

(2) RESOLVED that the report be noted for assurance.

### **40. Annual RIPA Report on "surveillance" and other activities carried out by KCC between January and December 2010**

*(Item 15)*

(1) The Assistant Head of Trading Standards outlined the work undertaken in 2010 by Kent County Council's Officers on surveillance and other activities governed by the Regulation of Investigatory Powers Act 2000 (RIPA).

(2) RESOLVED that the use of the powers under RIPA during 2010 be noted for assurance.

### **41. Internal Audit progress report**

*(Item 16)*

(1) The Head of Audit and Risk reported the outcomes of Internal Audit activity during June and July 2011.

(2) RESOLVED to note:-

(a) the amendments to and progress against the 2011/12 audit programme; and

(b) the assurance provided in relation to the County Council's control environment as a result of the Internal Audit programme to date.

#### **42. Internal Audit Benchmarking results**

*(Item 17)*

- (1) The Head of Audit and Risk summarised the 2010/11 Internal Audit Benchmarking results. He explained that (as recommended by CIPFA) these related to comparator County Councils. The number of such Councils participating in the exercise had reduced from 21 in 2009/10 to 13 in 2010/11.
- (2) RESOLVED that the outcome of the annual benchmarking exercise be noted for assurance in respect of the economy and efficiency of the Internal Audit section.

#### **43. Progress for anti-fraud and corruption arrangements**

*(Item 18)*

- (1) The Head of Audit and Risk provided a summary of progress against the self-assessment of anti fraud and corruption arrangements.
- (2) RESOLVED that the progress against the identified actions be noted for assurance.

#### **44. Bribery Act 2010**

*(Item 19)*

- (1) The Head of Audit and Risk summarised the County Council's proposed response to the commencement of the Bribery Act 2010.
- (2) RESOLVED that the enactment of the bribery Act 2010 and the County Council's proposed response plan be noted for assurance.

#### **45. The future of the Head of Audit and Risk role**

*(Item 20)*

- (1) The Head of Audit and Risk reported that following the announcement of his resignation, a decision had been taken to strengthen the role he currently fulfilled. This would involve splitting the function by the recruitment of a permanent Head of Audit as well as a Head of Risk (whose responsibilities would be carried out within the Business Strategy Unit).
- (2) The Chairman thanked Mr David Tonks on behalf of the Committee for his invaluable work as Head of Audit and Risk.
- (3) RESOLVED to note the steps being undertaken to replace the Head of Audit and Risk and to strengthen the functions currently carried out by him.

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## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 26 July 2011.

PRESENT: Mr J F London (Vice-Chairman, in the Chair), Mr R E Brookbank, Mr H J Craske (Substitute for Mr R E King), Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson, Mr C P Smith Mr A T Willicombe

ALSO PRESENT: Mrs C J Waters

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr R White (Development Planning Manager) Mr A Tait (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **35. Minutes - 14 June 2011**

*(Item 4)*

RESOLVED that the Minutes of the meeting held on 14 June 2011 are correctly recorded and that they be signed by the Chairman.

##### **36. Site Meetings and Other Meetings**

*(Item A4)*

(1) The Committee noted that its training session on Highways Considerations would take place on the rising of the meeting.

(2) The Head of Planning Applications Group advised that Members should hold the afternoons of future Planning Applications Committee meetings free for training.

##### **37. General Matters**

*(Item )*

(1) The Committee noted that the County Council had agreed that the votes of each individual member of the Planning Applications Committee (whether for, against or in abstention) would be recorded whenever the Committee voted against the Head of Planning Applications Group's recommendation for permission or refusal of a planning application, together with the grounds and reasons for overturning the recommendation.

(2) The Head of Planning Applications Group informed the Committee of the very recent publication by the Government of the "Draft National Planning Policy Framework" for consultation. This document was a key part of the Government reforms to the planning system and would replace Planning Policy Guidance and Planning Policy Statements.

**38. Proposal SH/11/189 - Inclusion and Family Centre at The Marsh Academy, Station Road, New Romney; Governors of The Marsh Academy**  
(Item D1)

(1) Mrs C J Waters was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) Correspondence from New Romney Town Council was tabled. This contained a response from the Democratic Services Officer to its complaint that it had had insufficient opportunity to properly consider the report.

(3) 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 applicant following the terms of the statement regarding a one off payment to the Internal Drainage Board, or other licensed or approved maintenance body regarding 'the pumping station'; the submission of details of all materials to be used externally; details of all external lighting; a scheme of landscaping, including hard surfacing, its implementation and maintenance; measures to protect those trees to be retained; details of fencing, gates and means of enclosure, including colour finishes, including the vehicular access gate on Dymchurch Road; no tree removal during the bird breeding season; the development to accord with the recommendations of the ecological surveys; the submission of a bat survey, and details of any required mitigation and enhancement; the implementation of a programme of archaeological work; a BREEAM rating of 'Very Good' being achieved; the provision of vehicular visibility splays; the provision of access, car parking, and circulatory space, prior to first occupation, and their subsequent retention; the gated access on Dymchurch Road being locked at all times, and only opened to allow access to minibuses and emergency vehicles; car parking on the main Academy site being available out of school hours to accommodate evening and weekend use; hours of use of the facility being restricted to 0800-2100 Monday to Friday, 0930-1800 on Saturdays, Sundays and Bank Holidays; control of surface water drainage; control of contaminated land; 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 contractors and other vehicles related to construction and demolition operations; and measures to prevent mud and debris being taken onto the public highway; and

(b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice relating to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

**39. Proposal AS/11/594 - Installation of two classrooms in a pre-fabricated unit at Challock Primary School, Church Lane, Challock; KCC Capital and Premises Development Unit**

*(Item D2)*

(1) The Head of Planning Applications Group reported the views of Mr R E King, the Local Member, in support of the Proposal.

(2) Following advice from the Development Planning Manager, the Committee agreed to the inclusion of a Condition requiring the School Travel Plan to be updated to include the applicants taking practical steps to ensure that vehicles parked in the vicinity of the site at dropping-off and picking-up times minimised the impact upon local residents.

(3) 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; the submission of details of the colour finish of the building; no lighting, including security lighting, being installed on the southern elevation of the building, facing properties in Kiln Close; hours of working during construction being restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris being taken onto the public highway; and the updating of the School Travel Plan to include the applicants taking practical steps to ensure that vehicles parked in the vicinity of the site at dropping-off and picking-up times minimise the impact upon local residents.

**40. Proposal SE/11/20 - Habitat pond to store flood water from the highway at Land opposite Field Cottage, Stone Street Road, Seal; KCC Kent Highways Services**

*(Item D3)*

(1) The Head of Planning Applications Group reported correspondence from Mr N J D Chard, the Local Member, raising no objection to the Proposal.

(2) The Head of Planning Applications Group reported correspondence from the applicants confirming that the reptile survey was now underway and emphasised that any permission would be subject to its satisfactory completion and the submission of any necessary mitigation measures.

(3) RESOLVED that subject to the satisfactory completion of the reptile survey and the submission of any necessary mitigation measures, 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 an archaeological watching brief; the submission of details for prior approval of the biodiversity enhancement measures recommended by the Phase 1 Habitat Survey; the submission of details for prior approval of the proposed pollution prevention control measures to be installed; the submission of details for prior approval of the landscape works and planting scheme proposed; the re-instatement of hedgerows affected during construction; the ongoing maintenance of the

landscape scheme; controls over hours of operation during construction; and measures to prevent mud and other debris being deposited on the public highway.

**41. County matter applications dealt with under delegated powers**  
*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government departments (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact 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, 6 September 2011.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R E Brookbank, Mr A R Chell, Mrs V J Dagger, Mr J A Davies, Mr W A Hayton, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr S J G Koowaree (Substitute for Mr M B Robertson), Mr R J Lees, Mr S Manion (Substitute for Mr R A Pascoe), Mr R F Manning, Mr C P Smith Mr A T Willicombe

ALSO PRESENT: Mr M J Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr R White (Development Planning Manager) Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **42. Election of Chairman**

*(Item 4)*

(1) Mr R E King informed the Committee that he was resigning as its Chairman. He thanked the Planning Officers and Members of the Committee for the quality of their work over the previous six years.

(2) Mr R E King moved, seconded by Mr R F Manning that Mr J A Davies be elected Chairman of the Committee.

*Carried unanimously*

(3) Mr J A Davies thereupon took the Chair. He thanked Mr King on behalf of the Committee for the manner and style in which he had chaired the Committee over the past six years.

#### **43. Election of Vice-Chairman**

*(Item A4)*

(1) The Chairman moved, seconded by Mr A T Willicombe that Mr C P Smith be elected Vice-Chairman of the Committee.

*Carried unanimously*

(2) The Chairman thanked Mr J F London on behalf of the Committee for his work as Vice-Chairman (and previously as Chairman) of the Committee. Mr J F London suitably replied.

#### **44. Minutes - 26 July 2011**

*(Item A5)*

RESOLVED that the Minutes of the meeting held on 26 July 2011 are correctly recorded and that they be signed by the Chairman.

#### **45. Committee meeting dates in 2012**

*(Item A6)*

(1) The Democratic Services Officer informed the Committee that the published Committee date for February 2012 had been amended to 14 February 2012.

(2) The Committee noted the following meeting dates in 2012:-

Tuesday, 17 January 2012;  
Tuesday, 14 February 2012;  
Tuesday, 13 March 2012;  
Tuesday, 10 April 2012;  
Tuesday, 8 May 2012;  
Tuesday, 12 June 2012;  
Tuesday, 24 July 2012;  
Tuesday, 14 August 2012 (provisional);  
Tuesday, 4 September 2012;  
Tuesday, 9 October 2012;  
Tuesday, 6 November 2012;  
Tuesday, 11 December 2012.

#### **46. Site Meetings and Other Meetings**

*(Item A7)*

The Committee noted that a training session on the Draft National Planning Policy Framework would be held on the rising of the Committee meeting.

#### **47. Application SW/ 11/194 - Use of Building 15A for internal shredding and screening of wood and external storage of shredded wood at Unit 15A, Ridham Dock Industrial Ridham Dock Road, Ridham, Sittingbourne; Sita UK Ltd**

*(Item C1)*

(1) Mr M J Whiting was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) RESOLVED that permission be granted to the Application subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; a cap of 75,000 tpa of waste wood being processed at the facility; a daily cap of 46 HGV movements (23 in, 23 out) per day; the restriction of HGV movements to and from the site to between 0700 and 1900 hours seven days per week; full implementation of the ecological avoidance measures detailed within the application; the external stockpile of processed wood not exceeding 6 metres in height, with no stockpiling of wood except in the location shown within the application drawings; installation of an external dust suppression system (rain guns) for the external stockpile of shredded wood prior to first commencement of wood shredding operations (the rain guns thereafter being used in accordance with a management plan to be agreed with the Waste Planning Authority); installation of a replacement boundary wall structure prior to first

commencement of wood shredding operations; replacement cladding matching the existing building in external appearance; the development being carried out in accordance with the submitted Flood Risk Assessment and Flood Evacuation Plan; and the use of rainwater harvesting techniques as detailed within the application.

**48. Application SW/11/209 - Use of Building 15B for a Materials Recycling Facility (MRF) and Refuse Derived Fuel (RDF) Facility at Unit 15B Ridham Dock Industrial Estate, Ridham Dock Road, Ridham, Sittingbourne; Sita UK Ltd (Item C2)**

(1) Mr M J Whiting was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) In agreeing the Head of Planning Applications Group's recommendations, the Committee asked her to write to Iwade Parish Council to explain the rationale for its decisions in respect of both this application and Application SW/11/194.

(3) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; a cap of 125,000 tpa of commercial and industrial waste being processed at the facility per year (25,000 tpa for the MRF and 100,000tpa for the RDF); a daily cap of 58 HGV movements (29 in, 29 out) per day; restriction of HGV movements to and from the site to between 0700 and 1900 hours seven days per week; full implementation of the ecological avoidance measures detailed within the application; any replacement cladding to Unit 15B matching the existing building in external appearance; no external stockpiling of material in respect of the MRF/RDF facility; and the development being carried out in accordance with the submitted Flood Risk Assessment and Flood Evacuation Plan;
- (b) the applicant be advised by Informative that they should take all reasonable steps to advise HGVs entering and leaving the facility to use Sheppey Way to gain access to and from the A249 and only use the Grovehurst junction when Sheppey Way is not in use; and
- (c) the Head of Planning Applications Group be requested to write to Iwade Parish Council setting out the Committee's rationale for this decision as well as its decision in respect of Application SW/11/194 (Minute 47).

**49. Proposal TW/10/4051/R5 & R7 - Revised details of site levels of the development on Site 2 (Condition 5) and surface water drainage on Site 2 (Condition 7) pursuant to Permission TW/10/4051 for the redevelopment of The Skinners Kent Academy at The Skinner's Kent Academy, Blackhurst Lane, Tunbridge Wells; KCC Building Schools for the Future and Academies Team (Item D1)**

RESOLVED that approval be given to the proposed site levels of the development on Site 2 (Condition 5) and to the surface water drainage scheme on Site 2 (Condition 7) pursuant Permission TW/10/4051 for the redevelopment of the Skinners Academy (permitted on 30 March 2011).

**50. Matters dealt with under delegated powers**

*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

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

## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 7 September 2011.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman)  
Mr R E Brookbank, Mr C J Capon, Mr A R Chell (Substitute for Mr J M Cubitt),  
Mr J A Davies, Mr R J Lees, Mr S Manion, Mr R F Manning, Mr J M Ozog,  
Mr R Tolputt (Substitute for Mr H J Craske), Mr J N Wedgbury Mr M J Whiting

ALSO PRESENT: Mr R W Gough

IN ATTENDANCE: Mr G Rudd (Assistant Democratic Services Manager),  
Mrs A Hayward (Manager for Primary Admissions & Transport), Miss M McNeir  
(Public Rights Of Way and Commons Registration Officer), Mr G Rusling (Public  
Rights of Way Operations Manager), Mr R Gregory (Principal Planning Officer -  
Enforcement) Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **17. Minutes**

*(Item 3)*

RESOLVED that the Minutes of the Committee meeting held on 17 May 2011 and of the Member Panel meetings held on 13 June 2011, 28 June 2011, 12 July 2011 and 19 July 2011 are correctly recorded and that they be signed by the Chairman.

#### **18. Dates of meetings in 2012**

*(Item 4)*

The Committee noted the following meeting dates in 2012:-

Tuesday, 24 January 2012;

Tuesday, 15 May 2012;

Wednesday, 5 September 2012.

#### **19. Transport Appeals Terms of Reference - Verbal Update**

*(Item 5)*

(1) The Assistant Democratic Services Manager tabled a draft Home to Schools Transport Appeals Procedure which would be considered at the next meeting of the Committee. He briefly commented on the draft Procedure and the issues which had led to its preparation.

(2) The Chairman invited Committee Members to contact the Assistant Democratic Services Manager if they had any comments or suggested amendments to the draft.

(3) RESOLVED that the report be noted.

## **20. Transport Appeal Statistics**

*(Item 6)*

(1) The Committee noted that the second table in the Appendix to the report referred to Stated Pupils' Home to School Transport Appeals between 1 April 2011 and 31 August 2011.

(2) The Committee asked for future reports to include figures for those appeals which had been settled without being considered by an Appeal Panel.

(3) RESOLVED that the report be noted.

## **21. Update from the Commons Registration Team**

*(Item 7)*

(1) The Public Rights of Way and Commons Registration Officer updated the Committee on progress with Village Green applications, the Commons Act 2006 Pilot Project and on the DEFRA consultation on the registration of new Town or Village Greens.

(2) RESOLVED that the report be received.

## **22. Update on the Definitive Map Team casework**

*(Item 8)*

(1) The Public Rights of Way Operations Manager reported on the reduced backlog of Public Rights of Way cases and on progress in respect of Gating Orders.

(2) The Committee recorded its appreciation for the many years of excellent work by Mr Chris Wade on its behalf.

(3) RESOLVED that the report be received.

## **23. Gating Orders - Un-named footpath to the rear of Henley Fields, Tenterden**

*(Item 9)*

(1) The Public Rights of Way Operations Officer reported on the effectiveness of the Gating Order made in September 2008, excluding the public from an un-named footpath to the rear of Henley Fields, Tenterden.

(2) In agreeing to continue the Gating Order, the Committee agreed that it should be reviewed after two years, or earlier if circumstances permitted, and that the basis on which the order would be reviewed would be an analysis of reported crime and anti-social behaviour in the area.

(3) RESOLVED that:-

- (a) the Gating Order for the un-named footpath to the rear of Henley Fields, Tenterden continue in operation; and

- (b) the Gating Order be reviewed after a further two years or earlier if circumstances permit, with a report being made to the Committee on its findings.

(3) RESOLVED that:-

- (b) the Gating Order for the un-named footpath to the rear of Henley Fields, Tenterden continue in operation; and
- (b) the Gating Order be reviewed after a further two years or earlier if circumstances permit.

#### **24. Update on Planning Enforcement Issues**

*(Item 10)*

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

(2) The Principal Planning Officer reported on the County Council's Enforcement co-ordinating work, various national consultations and progress on new and ongoing cases.

(3) RESOLVED that the report be noted and that the actions taken or contemplated on the respective cases set out in paragraphs 5 to 24 of the report be endorsed, together with those contained within Schedules 1, 2 and 3 in Appendices 1,2 and 3 of the report.

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## KENT COUNTY COUNCIL

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### SUPERANNUATION FUND COMMITTEE

MINUTES of a meeting of the Superannuation Fund Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Friday, 1 July 2011.

PRESENT: Mr J E Scholes (Chairman), Mr J Burden, Mr D C Carr, Mr P Clokie, Mr D S Daley, Mr J A Davies, Mrs J De Rochefort, Ms A Dickensen, Mr M J Jarvis, Mr J F London, Mr R A Marsh, Mr S Richards, Mr M V Snelling, Mr R Tolputt (Substitute for Mr R J Parry) Mrs M Wiggins.

IN ATTENDANCE: Mr A Wood (Acting Corporate Director of Finance and Procurement), Mr N Vickers (Head of Financial Services), Ms K Gray (Senior Accountant Investments), Ms A Mings (Treasury & Investments Manager) Mr G Rudd (Assistant Democratic Services Manager).

#### UNRESTRICTED ITEMS

##### A. COMMITTEE BUSINESS

##### **29. Membership**

*(Item )*

Mr J E Scholes welcomed Mr D Carr as the new Medway Council representative on the Committee.

##### **30. Declarations of Interests by Members in items on the Agenda for this meeting.**

*(Item A2)*

Mr J E Scholes, Mr J Burden and Mr P Clokie declared interests as Borough Councillors in respect of the Kent & Medway Investments Fund referred to in Item D1.

Mr P Clokie also declared an interest as a Borough Councillor in respect of the item relating to Ashford's Future Company Limited referred to in Item D5.

##### **31. Minutes**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 20 May 2011 are correctly recorded and that they be signed by the Chairman.

## **D. MATTERS FOR REPORT/DECISION BY THE COMMITTEE**

### **32. Kent Investment Fund**

*(Item D1- report by the Cabinet Member for Regeneration and Enterprise and the Director of Economic Development. Mrs A Harrison and Mr N Smith were in attendance for this item)*

(1) Members were asked to note the proposals set out in the report.

(2) Mr J A Davies moved and Mr R A Marsh seconded as an amendment to the original recommendation in item (1) above that in addition to noting the proposals, the Members resolved not to take this matter any further and that Mr J E Scholes as Chairman of the Committee should write to the Cabinet member expressing the Committee's views as to why the proposal should not be pursued.

(3) Mr J E Scholes put to the vote the motion set out in (2) above.

*Carried*

(4) Mr J E Scholes agreed that he would arrange for the letter to be e-mailed to the Members of the Committee before being sent to the Cabinet member.

(5) RESOLVED that;

- (a) the proposals set out in the report be noted but that the matter should not be taken any further:
- (b) the Chairman write to the Cabinet Member expressing the Committee's views as to why the proposal should not be pursued: and
- (c) Mr J E Scholes e-mail the letter to the Members of the Committee before Sending it to the Cabinet Member.

### **33. Fund Position Statement**

*(Item D2- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

RESOLVED that the report be noted.

### **34. Pensions Administration**

*(Item D3- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

RESOLVED that the contents of the report be noted and that endorsement be given to the continued involvement of the Kent Pension Section in the CLASS Group and its intent to seek a national procurement framework.

### **35. Cash Management**

*(Item D4 - report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

RESOLVED that the Pension Fund's cash balance and cash flow be noted.

### **36. Admission to the Fund**

*(Item D5- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

(1) The Members had been asked to note the information provided on academies.

(2) Mr J Davies moved and Mr R A Marsh seconded an amendment to the original recommendation in (1) above that, in addition to noting the proposals regarding academies, the schools should be re-charged the actuarial fee incurred when they convert to an academy.

(3) Mr J E Scholes put to the vote the motion set out in (2) above

*Carried*

(4) RESOLVED that:-

(a) the application for admission to the Kent County Council Pension Fund of Principal Catering Consultants Limited be agreed;

(b) the withdrawal of Ashford's Future Company Limited as a participating employer in the Pension Fund be noted;

(c) the information provided on academies be noted and that the schools be re-charged the actuarial fee incurred when they convert to an academy: and

(d) once legal agreements have been prepared for all of the above matters, the Kent County Council seal can be affixed to the legal documents.

## **C. MATTERS FOR REPORT/DECISION BY THE COMMITTEE**

### **37. Minutes**

*(Item C1)*

RESOLVED that the exempt Minutes of the meeting held on 20 May 2011 are correctly recorded and that they be signed by the Chairman.

**38. Invesco (930-1015)**

*(Item C2)*

- (1) Mr H Ferrand and Mr W Deer of Invesco were in attendance for this item.
- (2) RESOLVED that the report be noted.

**39. YFM Private Equity (1015-11)**

*(Item C3)*

- (1) Mr P Canning and Mr M White of YFM were in attendance for this item.
- (2) RESOLVED that the report be noted.

**40. Baring Asset Management (11-12)**

*(Item C4)*

- (1) Mr P Stannion and Mr A Benton, of Barings were in attendance for this item.
- (2) RESOLVED that the report be noted.

**41. Fund Structure**

*(Item C5- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

The Committee agreed a number of issues relating to the structure and management of the Fund.

## KENT COUNTY COUNCIL

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### SUPERANNUATION FUND COMMITTEE

MINUTES of a meeting of the Superannuation Fund Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Friday, 2 September 2011.

PRESENT: Mr J E Scholes (Chairman), Mr P Clokie, Mr D S Daley, Mr J A Davies, Mrs J De Rochefort, Ms A Dickensen, Mr M J Jarvis, Mr J F London, Mr R A Marsh, Mr R J Parry, Mr S Richards, Mr M V Snelling and Mrs M Wiggins.

IN ATTENDANCE: Mr A Wood (Acting Corporate Director of Finance and Procurement), Mr N Vickers (Head of Financial Services), Ms A Mings (Treasury & Investments Manager) and Mr G Rudd (Assistant Democratic Services Manager).

#### UNRESTRICTED ITEMS

##### A. COMMITTEE BUSINESS

##### **42. Declarations of Interests by Members in items on the Agenda for this meeting.**

*(Item A2)*

There were none.

##### **43. Minutes**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 1 July 2011 are correctly recorded and that they be signed by the Chairman.

##### **44. Dates of Meetings - 2012**

*(Item A4)*

RESOLVED that the following meeting dates for 2012 be noted;

10 February 2012  
2 March 2012  
18 May 2012  
29 June 2012  
31 August 2012  
16 November 2012

##### D. MATTERS FOR REPORT/DECISION BY THE COMMITTEE

##### **45. Superannuation Fund Report & Accounts And External Audit**

*(Item D1- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement – Ms E Robinson of the Audit Commission was in attendance for this item)*

RESOLVED that:

- (a) the contents of the Annual Report and Accounts for 2010 – 11 be noted and confirmed that they can be published:
- (b) the external auditor's Annual Governance Report be noted: and
- (c) the position with regard to the Governance and Audit Committee be noted.

**46. Fund Position Statement**

*(Item D2- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

RESOLVED that the report be noted.

**47. Application For Admission To The Fund**

*(Item D3- report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

RESOLVED that:-

- (a) a revised legal agreement be entered into in respect of Kent Music School:
- (b) a revised legal agreement be entered into in respect of Turner Contemporary Centre, subject to the cessation report; and
- (c) once legal agreements have been prepared for all of the above matters, the Kent County Council seal can be affixed to the legal documents.

**C. MATTERS FOR REPORT/DECISION BY THE COMMITTEE**

**48. Minutes**

*(Item C1)*

RESOLVED that the exempt Minutes of the meeting held on 1 July 2011 are correctly recorded and that they be signed by the Chairman.

**49. Schroder Investment Management**

*(Item C2)*

(1) Mr G Day, Mrs S Noffke and Mr P Duncombe, of Schrodgers were in attendance for this item to give a presentation on Schrodgers performance and to answer Members questions.

(2) RESOLVED that the report be noted.

## **50. LGPS Reform Update Barnett Waddingham**

*(Item C3)*

(1) Mr G Muir, of Barnett Waddingham addressed the Members on his tabled report regarding Local Government Pension Scheme Reform.

(2) RESOLVED that the report be noted.

## **51. Fund Structure**

*(Item C4 - report by the Chairman of the Superannuation Fund Committee and the Acting Corporate Director of Finance and Procurement)*

The Committee agreed a number of issues relating to the structure and management of the Fund.

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