

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 16 March 2017.

PRESENT:

Mr T Gates (Chairman)
Mr D L Brazier (Vice-Chairman)

Mrs A D Allen, MBE, Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr H Birkby, Mr N J Bond, Mr A H T Bowles, Mrs P Brivio, Mr L Burgess, Mr C W Caller, Miss S J Carey, Mr P B Carter, CBE, Mr N J D Chard, Mr I S Chittenden, Mr B E Clark, Mrs P T Cole, Mr G Cooke, Mr G Cowan, Mrs M E Crabtree, Mr A D Crowther, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mr J A Davies, Mrs T Dean, MBE, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr G K Gibbens, Mr R W Gough, Mr P M Harman, Ms A Harrison, Mr M J Harrison, Mr M Heale, Mr P M Hill, OBE, Mr C P D Hoare, Mr S Holden, Mr P J Homewood, Mr E E C Hotson, Mr M J Horwood, Mr A J King, MBE, Mr J A Kite, MBE, Mr S J G Koowaree, Mr R A Latchford, OBE, Mr R L H Long, TD, Mr G Lymer, Mr B E MacDowall, Mr T A Maddison, Mr S C Manion, Mr R A Marsh, Ms D Marsh, Mr F McKenna, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr C R Pearman, Mr L B Ridings, MBE, Mrs E D Rowbotham, Mr J E Scholes, Mr W Scobie, Mr T L Shonk, Mr C Simkins, Mr J D Simmonds, MBE, Mr C P Smith, Mr D Smyth, Mrs P A V Stockell, Mr B J Sweetland, Mr N S Thandi, Mr R Truelove, Mrs C J Waters, Mr J N Wedgbury, Mrs J Whittle, Mr M E Whybrow, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services), Mr B Watts (General Counsel) and Mr J Lynch (Head of Democratic Services)

UNRESTRICTED ITEMS

59. Apologies for Absence

The General Counsel reported apologies from Mr Bird, Mrs Howes, Mrs Hohler, Mr Parry, Mr Terry and Mr Vye.

60. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda

Item 7 – The Sustainability and Transformation Plan for Kent and Medway

(1) The Chairman stated that Members who were non-executive directors of NHS trusts could declare this interest and were able to take part in agenda item 7.

(2) Mr King declared an interest in item 7 as a non-executive director of the Maidstone and Tunbridge Wells NHS Trust.

(3) Mr Chard declared an Other Significant Interest in item 7 as a Director of Engage in Kent who had delivered the Healthwatch programme.

Item 9 – Local Government Pension Scheme Pooling and Item 11 – Pay Policy Statement 2017

(4) Mr Hotson and Mrs Stockell declared Other Significant Interests in item 9 as they were in receipt of KCC Pensions.

(5) Mr Caller declared an Other Significant Interest in items 9 and 11 on the agenda as his son was a KCC employee.

(6) Mr Maddison declared an Other Significant Interest in items 9 and 11 on the agenda as his son was a KCC employee

(7) Mrs Brivio declared an Other Significant Interest in items 9 and 11 on the agenda as her son was a KCC employee and she was in receipt of a KCC Pension.

(8) Mrs Whittle declared an Other Significant Interest in items 9 and 11 on the agenda as her husband was a KCC employee.

61. Minutes of the meetings held on 26 January and 9 February 2017 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meetings held on 26 January and 9 February 2017 be approved as a correct record, subject to the amendment of typographical errors.

62. Chairman's Announcements

(a) Kent Invicta Award

(1) The Chairman stated that it was his intention to present the Kent Invicta Award to Mr Emson immediately prior to lunch and therefore it might be necessary to amend the order of business.

(b) La Légion d'honneur

(2) The Chairman had on behalf of all Members congratulated the seven Kent service men and women who were presented with La Légion d'honneur for their part in military operations for the liberation of France between 1944 and 1945. Recipients included a former sister with the Imperial Military Nursing Service, a Lancaster navigator, a naval gunner and a platoon sergeant with the Royal Army Service Corps. The presentations had taken place at the Battle of Britain Memorial near Folkestone on 24 February 2017.

(3) The Chairman thanked those that had been honoured and all those who fought for their country.

(c) FareShare Kent

(4) The Chairman expressed gratitude and appreciation, on behalf of Craig Brown of FareShare Kent, to Members for all their support since FareShare's launch in July 2014. Member's community grants had generously provided some of the foundation needed to establish this fantastic operation. Last year alone, FareShare had redistributed 325 tonnes of surplus food to frontline charities across Kent. This equated to over 700,000 meals.

63. Questions

In accordance with Procedure Rule 1.17(4), 13 questions were asked and replies given. A record of all questions put and answers given at the meeting were available [online](#) with the papers for this meeting.

64. Report by Leader of the Council (Oral)

(1) The Leader updated the Council on events since the previous meeting.

(2) Mr Carter welcomed the Chancellor of the Exchequers recent announcement of an additional £2 billion for social care across the Country. Kent County Council had received the second largest allocation of £18 million phased over 3 years and guidance was awaited regarding the use of this money. He identified areas in which this money should be invested including increasing capacity and strengthening the care market and delivering support to reduce pressure on hospitals in relation to admissions and discharges. He stated that the Cabinet Member and senior officers would be meeting with care providers across the County to discuss capacity, costs and the recruitment and retention of employees in care provision across the County. He made reference to the role of the enablement service in supporting the timely discharge of patients from hospital.

(3) Mr Carter referred to the Chancellors decision regarding not making changes to National Insurance contributions for the self-employed.

(4) Mr Carter highlighted the "Made in Kent" campaign to encourage businesses to offer more apprenticeships on the basis that training grants for new trainees had removed the age barrier and with the aim of doubling the number of young apprentices. He stated that currently there were 1,000 young people looking for apprenticeships starting in the new academic year.

(5) Mr Carter mentioned the "Keep Kent Clean" campaign and the co-ordination of the efforts of District/ Borough Councils, Town/Parish Councils and Highways England and expressed his thanks to those partners.

(6) Mr Carter referred to the extra half a million pounds for pothole repairs and stated that "Find and Fix" would be launched shortly.

(7) In conclusion Mr Carter referred to current Ofsted inspection of children's services and expressed the hope that the report would reflect the effort and hard work of staff over the past 7 years to achieve improvements in the service.

(8) Mr Latchford, the Leader of the Opposition, welcomed the increase in government grant for care of the elderly. In relation to delayed discharges from hospital he expressed the view that this was a Central Government responsibility. A strategic approach was needed to address the issue of long term sustainable funding which had been acknowledged by the Chancellor. He referred the Cabinet Member to the successful scheme that had been introduced in Mansfield and Ashfield.

(9) Mr Latchford referred to the new apprenticeship scheme and expressed the hope that this would lead to job creation and learning skills for the future without further cost and pressure on employers.

(10) Mr Latchford welcomed the opportunity that the current Ofsted inspection of Children's Services provided to showcase the hard work of officers and the Select Committee on Corporate Parenting chaired by Mrs Wiltshire.

(11) Mr Latchford mentioned the reference made by Mr Carter to potholes, and sought an assurance about the quality of repairs.

(12) In conclusion Mr Latchford paid tribute to officers for their dedication, commitment and support of Kent in general and to his group in particular who for the first time in 2013 were the opposition group.

(13) Mr Cowan, Leader of the Labour Group, congratulated the Chairman on the impartial and fair way in which he had Chaired meetings of the County Council.

(14) In relation to the issue of delayed discharges, Mr Cowan agreed that this was a Central Government rather than a Local Government issue. He welcomed the additional government funding for social care but expressed the view that this would not address the shortfall as demographic pressures on the social care system were rapidly increasing. This issue needed to be addressed by a properly funded strategic plan. Mr Cowan referred to the funding inequality between urban metropolitan boroughs and shire counties.

(15) Regarding the apprenticeship levy Mr Cowan emphasised the importance of meeting the governments targets to support economic growth and close the skills gap that the UK had with countries like Germany. He highlighted the particular need for apprenticeships in Thanet and Swale to address the skills gap in those areas.

(16) Mrs Dean, Leader of the Liberal Democrat Group, also welcomed the additional funding for social care but was disappointed that there had been so little time for implementation. She was pleased that some of this funding would be used to improve the salary of social workers, who carried out a demanding job requiring excellent skills.

(17) In terms of apprenticeships, Mrs Dean stated that she was pleased with the progress of the scheme but questioned whether the wage level for an apprentice was high enough to attract candidates. She also referred to the skills and productivity gap between the UK and other countries and question whether, unless the wage levels of apprenticeships were higher, it would address these issues.

(18) Mrs Dean commended the “Keep Kent Clean” campaign and referred to its success in encouraging the public to support local litter clearance events. She mentioned the need to encourage the Highways Agency to clean up motorway slip roads onto truck roads in the County.

(19) Mr Whybrow, Leader of the Independents Group, thanked the Chairman for the good humoured and fair way that he had presided over the Chamber.

(20) Mr Whybrow referred to the vagaries of central government funding for local government. Whilst welcoming the additional funding for social care he expressed the view that it would have been helpful if this area had been properly funded initially rather than the Government responding to the crisis. He hoped that the awaited guidance would not be too prescriptive. Overall he stated that the Council had done a good job with reducing resources.

(21) In replying to the other Leaders’ comments, Mr Carter referred to the additional money to help and support the most vulnerable which would be available from 1 April 2017. Mr Carter acknowledged the need to find a long term sustainable solution to fund social care services and referred to the Dutch system.

(22) Mr Carter responded to concerns regarding quality control of pothole repairs especially the challenges of carrying out temporary repairs during the winter and explained the quality control that was in place.

(23) Mr Carter referred to comments made on the apprenticeship programme and expressed the view that there should be more higher level apprenticeships such as those in KCC legal and financial services.

(24) In conclusion Mr Carter endorsed what the other leaders had said about Members standing down at the coming election and referred to the hundreds of years of experience that would be leaving the Chamber. He referred to the challenges of the past four years and commended the responsible way in which the Opposition had worked with the Administration to achieve efficiencies to support and improve services. He referred to the way in which Members had collectively contributed to the running of the authority to improve the quality of life for all Kent residents.

65. The Sustainability and Transformation Plan (STP) for Kent and Medway

(1) Mr Carter moved and Mr Gough seconded the following motion:

“The County Council is asked to endorse the approach being taken towards the development of the Kent and Medway Sustainability and Transformation Plan.”

(2) Following the debate the Chairman put the motion as set out in paragraph (1) to the vote and the voting was as follows:

For (40)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr D Brazier, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr T Gates, Mr R Gough, Mr M Hill, Mr S Holden, Mr P

Homewood, Mr E Hotson, Mr M Horwood, Mr A King, Mr J Kite, Mr R Long, Mr G Lymer, Mr S Manion, Mrs D Marsh, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr C Simkins, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham

Against (35)

Mr M Baldock, Mr H Birkby, Mr N Bond, Mr A Bowles, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr I Chittenden, Mr B Clark, Mr G Cowan, Mr D Daley, Mrs T Dean, Dr M Eddy, Mr J Elenor, Mrs M Elenor, Mr G Gibbens, Mr P Harman, Ms A Harrison, Mr M Harrison, Mr M Heale, Mr C Hoare, Mr G Koowaree, Mr R Latchford, Mr T Maddison, Mr F McKenna, Mr B MacDowall, Mr A Marsh, Mr M Northey, Mrs E Rowbotham, Mr W Scobie, Mr T Shonk, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Abstain (2)

Mr J Simmonds, Mrs Z Wiltshire

Motion carried

(3) RESOLVED that the approach being taken towards the development of the Kent and Medway Sustainability and Transformation Plan be endorsed.

66. Select Committee: Bus Transport

(1) Mr Balfour moved and Mr Pearman seconded the following motion:

“The Select Committee be thanked for its work and for producing a relevant and balanced document.

The witnesses and others who provided evidence and made valuable contributions to the Select Committee be thanked.

County Council’s comments be noted and the report be submitted to an appropriate meeting for further discussion.”

(2) Following the debate the motion as set out in paragraph (1) was agreed without a formal vote.

(3) RESOLVED that the Select Committee be thanked for its work and for producing a relevant and balanced document; the witnesses and others who provided evidence and made valuable contributions to the Select Committee be thanked; the County Council’s comments be noted and the report be submitted to an appropriate meeting for further discussion.

67. Presentation of Kent Invicta Award to Mr Clive Emson

(1) The Chairman welcomed Mr Emson to the meeting to receive the Kent Invicta Award for 2017. The Kent Invicta Award recognised residents of Kent who had achieved excellence in their chosen field or who had provided exceptional service to the County. The Chairman outlined the many contributions made to Kent by Mr Emson.

(2) The Chairman stated that he was delighted that the Group Leaders had agreed unanimously that the Award should be presented to Mr Emson and it gave him great pleasure, on behalf of all KCC Members, to present him with the award and cheques for a total of £5,000 for his chosen charities, the Young Lives Foundation, Kent Community Foundation and Maidstone Town Centre Youth Café.

(3) Mr Carter congratulated Mr Emson on his award and outlined the contribution he had made in particular to the lives of young people in Kent. In accepting this award, Mr Emson responded and expressed his thanks to Members.

68. Local Government Pension Scheme Pooling

(1) Mr Scholes moved and Mr Daley seconded the following motion:

“Council is asked to agree:

- a) That authority is delegated to the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee to agree the approach to pooling that County Council will take, based upon the Government’s responses to the two options put forward by the ACCESS Pool and the views of the local authorities that make up the ACCESS Pool.
- b) the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee agrees to adopt pooling based on the use of a Collective Investment Vehicle (CIV) Operator, then authority is delegated to the Corporate Director Finance and Procurement in consultation with the Chairman of the Superannuation Fund Committee, to finalise and agree the terms of an Inter-Authority Agreement (IAA) to implement this model, and the Council resolves to delegate the functions to the Joint Committee as specified in Appendix 2 with effect from the date of execution of the IAA;
- c) If the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee agrees to adopt pooling based on Collaborative Joint Procurement, then authority is delegated to the Corporate Director Finance and Procurement in consultation with the Chairman of the Superannuation Fund Committee to finalise and agree the terms of an IAA to implement this model and the Council resolves to delegate the functions to the Joint Committee as specified in Appendix 3 with effect from the date of execution of the IAA; and
- d) That authority is delegated to the General Counsel to make consequential amendments to the County Council’s Constitution to reflect the agreed approach to pooling and the creation of the Joint Governance Committee. Any amendments to the Constitution will be reported to a future meeting of the County Council.”

(2) Following the debate the Chairman put the motion as set out in paragraph 1 to the vote and the voting was as follows:

For (59)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr N Bond, Mr D Brazier, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Dr M Eddy, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Ms A Harrison, Mr M Hill, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr M Horwood, Mr A King, Mr J Kite, Mr G Koowaree, Mr R Latchford, Mr G Lymer, Mr B MacDowall, Mr T Maddison, Mr S Manion, Mr A Marsh, Mrs D Marsh, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mrs E Rowbotham, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr D Smyth, Mrs P Stockell, Mr B Sweetland, Mr N Thandi, Mr R Truelove, Mrs C Waters, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire

Against (1)

Mr C Hoare

Abstain (4)

Mrs P Brivio, Mr B Clark, Mrs T Dean, Mrs J Whittle

Motion carried

(3) RESOLVED that:

- a) authority be delegated to the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee, to agree the approach to pooling that the County Council will take, based upon the Government's responses to the two options put forward by the ACCESS Pool and the views of the local authorities that make up the ACCESS Pool.
- b) if the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee, agree to adopt pooling based on the use of a CIV Operator, then authority be delegated to the Corporate Director Finance and Procurement in consultation with the Chairman of the Superannuation Fund Committee, to finalise and agree the terms of an IAA to implement this model and the functions as specified in Appendix 2 of the report be delegated to the Joint Committee with effect from the date of execution of the IAA;
- c) if the Corporate Director Finance and Procurement, in consultation with the Chairman of the Superannuation Fund Committee agrees to adopt pooling based on Collaborative Joint Procurement, then authority be delegated to the Corporate Director Finance and Procurement in consultation with the Chairman of the Superannuation Fund Committee to finalise and agree the terms of an IAA to implement this model and the functions as specified in Appendix 3 of the report be delegated to the Joint Committee with effect from the date of execution of the IAA; and

- e) authority be delegated to the General Counsel to make consequential amendments to the County Council's Constitution to reflect the agreed approach to pooling and the creation of the Joint Governance Committee. Any amendments to the Constitution will be reported to a future meeting of the County Council.

69. Treasury Management 6 Month Review

- (1) Mr Simmonds moved and Mrs Crabtree seconded the following motion:

“Members are asked to consider and comment on the report.”

- (2) Following the debate the motion as set out in paragraph (1) was agreed without a formal vote.
- (3) RESOLVED that the report and comments be noted.

70. Pay Policy Statement 2017

- (1) Mr Cooke moved and Mr Carter seconded the following motion:

“County Council endorses the attached Pay Policy Statement.”

- (2) Following the debate the motion as set out in paragraph (1) was agreed without a formal vote.
- (3) RESOLVED that the Pay Policy Statement 2017 be endorsed.

71. Constitutional Amendments to reflect recent decisions of the County Council

- (1) Mr Cooke moved and Mr Carter seconded the following motion:

“That the County Council approve the changes to the Constitution as detailed in paragraph 3 of the report.”

- (2) The motion as set out in paragraph (1) was agreed without a formal vote.
- (3) RESOLVED that the changes to the Constitution as detailed in paragraph 3 of the report be approved.

72. Select Committee Topic Review Update - May 2013 - March 2017

- (1) Mr Cooke moved and Mr Gough seconded the following motion:

“The County Council is asked to note the report, celebrate the impact and added value that the outcomes of the Select Committee reports provide for Kent residents and agree that further monitoring of the recommendations from these Select Committees be carried out either on a six monthly or annual basis, as considered appropriate by the County Council.”

16 MARCH 2017

(2) Following the debate the motion as set out in paragraph (1) was agreed without a formal vote.

(3) RESOLVED that the report be noted, the impact and added value that the outcomes of the Select Committee reports provide for Kent residents be noted and agree that further monitoring of the recommendations from these Select Committees be carried out either on a six monthly or annual basis, as considered appropriate by the County Council.