

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 25 May 2017.

PRESENT:

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

Mrs A D Allen, MBE, Mr M J Angell, Mr M A C Balfour, Mr P V Barrington-King, Mr P Bartlett, Mrs P M Beresford, Mrs R Binks, Mr R H Bird, Mr T Bond, Mr A H T Bowles, Mr D Butler, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Mr N J Collor, Ms K Constantine, Mr A Cook, Mr G Cooke, Mr P C Cooper, Mrs M E Crabtree, Mr D S Daley, Mr M C Dance, Miss E Dawson, Mrs T Dean, MBE, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G K Gibbens, Mr R W Gough, Mr K Gregory, Ms S Hamilton, Mr P M Harman, Mr P M Hill, OBE, Mr T Hills, Mrs S V Hohler, Mr S Holden, Mr P J Homewood, Mr A J Hook, Mr M J Horwood, Mr E E C Hotson, Mr J A Kite, MBE, Mr S J G Koowaree, Mr P W A Lake, Mr B H Lewis, Ida Linfield, Mr R L H Long, TD, Mr R C Love, Mr G Lymer, Mr R A Marsh, Ms D Marsh, Mr J McInroy, Mr P J Messenger, Mr D D Monk, Mr D Murphy, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr R A Pascoe, Mr M D Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr A M Ridgers, Mr C Simkins, Mr J D Simmonds, MBE, Mrs P A V Stockell, Dr L Sullivan, Mr I Thomas, Mr M Whiting, Mr M E Whybrow and Mr J Wright

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

UNRESTRICTED ITEMS

1. Election of Chairman

(Mr T Gates the present Chairman presided for this item)

(1) Mr Gough moved and Mr Chard seconded that Mr D Brazier be appointed Chairman of the County Council.

Agreed unanimously

(2) Thereupon Mr Brazier took the chair, made his Declaration of Acceptance of Office and returned thanks for his election.

(3) Mrs Dean and Mr Bowles paid tribute to Mr Gates and thanked him for the manner in which he had carried out his duties as Chairman of the Council from May 2016 until the present day.

(4) Mr Gates suitably replied.

2. Election of Vice-Chairman

(1) Mr Carter moved and Mr Simkins seconded that Mr M Angell be appointed Vice-Chairman of the Council.

Agreed unanimously

(2) Mr Angell thereupon made his Declaration of Acceptance of Office and returned thanks for his appointment.

3. Apologies for Absence

The General Counsel reported apologies from Mr Booth, Mr Manion and Mr Sweetland.

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

None.

5. Minutes of the meeting held on 16 March 2017 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meeting held on 16 March 2017 be approved as a correct record.

6. The Returning Officer to submit the returns of persons elected to be County Councillors until 2021

(1) The County Returning Officer for the County of Kent submitted the Return, dated 5 May 2017, of persons elected to be County Councillors for the Electoral Divisions of the said County as reproduced in the papers for this meeting. The County Returning Officer apologised for the typographical error of the Sevenoaks Town candidate's name.

(2) RESOLVED that the Return be noted.

7. Chairman's Announcements

(a) Welcome

(1) The Chairman welcomed all newly elected and returning Members of the County Council.

(b) Turner Contemporary

(2) The Chairman informed Members that the Turner Contemporary in Margate had been selected to be the host for the 2019 Turner Prize.

(c) One minutes silence

(3) The Chairman referred to the recent terrorist attack in Manchester and reminded Members that the National Threat level for a terror attack in the UK had been moved to Critical which meant additional precautions must be taken to remain safe. He reminded Members to remain vigilant when accessing buildings and make sure that their KCC ID was visible at all times in accordance with additional security measures.

(4) The Chairman stated that there would be a one minute's silence observed at 11.00am in memory of all those who lost their lives in the terrorist attack in Manchester.

(d) 100th anniversary of Britain's first air raid in WWI

(5) The Chairman stated that today was the 100th anniversary of the first raid by aircraft over the UK. Aircraft had crossed the coast heading towards London and on returning had divested themselves of their remaining bombs. 71 civilians were killed including 60 in Tontine Street in Folkestone. Also a number of servicemen were killed at Shorncliffe barracks.

(e) Chairman's charity

(6) The Chairman informed Members that he had chosen Kent Community Foundation as his charity. It was a unique body in Kent and part of a wider network. This charity identified and approached charitable givers, usually in the commercial sector, and made it easy for them to give to grass roots charities serving the deprived and vulnerable in the County.

(f) Presentation to previous Leader of the Liberal Democrat Group

(7) The Chairman paid tribute to Mrs Trudy Dean, MBE, a Member of this authority for 32 years, who had stepped down as Leader of the Liberal Democrat group after 20 years. Mr Bird and Mr Carter were invited to speak in tribute to Mrs Dean. Mrs Dean suitably replied.

(g) Committee meetings

(8) The Chairman reminded Members that there would be a number of formal meetings of the various Committees on the rising of this County Council meeting for the purposes of electing a Chairman of each main Committee. He asked that all Members remain in the Chamber at the conclusion of the meeting.

8. Election of Leader

(1) Mr Oakford moved and Mr Simmonds seconded that Mr P B Carter, CBE be elected Leader of the Council until the Annual Meeting of the Council in 2021.

Carried without a formal vote

9. Appointment of Leader of the Opposition

(1) Mrs Dean moved and Mr Whybrow seconded that Mr Bird be appointed Leader of the Opposition.

Carried without a formal vote

10. Questions

In accordance with Procedure Rule 1.17(4), 6 questions were asked and replies given. A record of all questions put and answers given at the meeting are available [online](#) with the papers for this meeting.

11. Report by Leader of the Council (Oral)

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

(2) Mr Carter thanked the County Council for his re-appointment as Leader of Kent County Council and undertook to exercise the role to the best of his ability. He expressed thanks to Mr Watts, the County Returning Officer, for a smooth well run election. He referred to the election result and acknowledged the work of those who had not been returned to the Chamber.

(3) Mr Carter referred to the three core strategic objectives of the County Council for the next 3 to 4 years which were:

- to deliver services that enable children and young people in Kent to get the best start in life,
- to ensure our older and vulnerable residents are safe and supported with choices to live independently and wherever possible are supported in their own home, and
- to provide services that supported Kent communities to feel the benefit of economic growth and that supported Kent Businesses to expand and grow, providing increased job opportunities and prosperity for all.

He reminded Members that everything the County Council did was designed to deliver those objectives and to provide strong stable leadership, not just on the political side but through the inter-dependencies between elected Member and dedicated officers. He acknowledged the integrity of and expressed gratitude to officers who had served for many years.

(4) Mr Carter emphasised the need to focus on delivering savings within this year's budget and reminded Members that this encompassed an additional £73 million of savings in year and it was intended to pull the budget together by the Autumn as had been done last year.

(5) Mr Carter referred to the continuing financial pressure which made it imperative that the current traded services delivered the anticipated £10 million worth of profitability to help support the delivery of services and were grown in future years to achieve targets in excess of the current year. In addition he outlined one of his priorities was, in discussion with Mr Wood, to set aside monies to invest in good strategic investments such as commercial sites and residential housing sites, to help

support housing delivery. He gave the examples of the profitable investment made by the County Council in Kings Hill and East Kent.

(6) Mr Carter welcomed the additional £2 billion going into Social Care for the next 3 years which would be considered later in the meeting.

(7) In relation to Social Care, Mr Carter expressed the view that there needed to be an acceptance by all parties that the current system of accessing social care in this Country was broken, unfair and needed fixing. He stated that it was unfair for the 25% on low incomes and benefits to be supported and have entitlement to state support whilst the “just about managing” who were unfortunate to have dementia or long term disabilities were failed by the system.

(8) Regarding Education and Young People Mr Carter referred to the awaited report from the recent Ofsted Inspection of Children’s Services and also the need to move forward with implementing the new structure agreed by the County Council once the report was received. He emphasised the importance of continuing to campaign for a fair funding mechanism for schools in Kent, with a guarantee that no schools would be worse off and more importantly to make sure that the fair funding formula distribution method targeted genuine need and demand in schools in Kent.

(9) In conclusion, Mr Carter referred to a campaign to make sure that the potholes on KCC’s 5000 miles of roads were fixed well and in addition to take bus operators to task to ensure that they delivered sensible and intelligent bus services that served both the rural and the urban economy of Kent.

(10) Mr Bird, the Leader of the Opposition, started by welcoming new Members to the Chamber and remarked upon how important it was that the Council reflected the demographic of the people of Kent. He congratulated the Leader and his group on their success in the election and expressed his gratitude for the Leaders acknowledgement that opposition Members could and should make a valuable contribution to the Council’s Committee business. He stated that his Group would acknowledge the good work of the Council but if something was wrong, or something could be done better or if something was unfair his Group would speak up. He hoped that the administration would listen as Members were all here to serve the best interests of the people of Kent.

(11) Mr Bird expressed the hope that the Government would listen to local government as its services were vital for society and had been adversely impacted by over-zealous measures and the unfair and unsustainable approach to social care. Whilst not advocating a return to free spending he expressed the view that Government needed to understand that there was a limit to the efficiency gains that could be made by Local Authorities.

(12) Regarding social care, Mr Bird stated that this was a huge financial burden and that it was clear that in future NHS and social care services must be better linked, fairly offered and fairly financed. He continued that it should not matter whether the elderly person needed a clinical procedure or support in dementia, or where the person lived. His Group advocated a broad brush approach to the financing of these services.

(13) In conclusion Mr Bird stated that he welcomed the prospect of investing in residential property as long as it was for the people of Kent and not a purely commercial exercise. His party believed that every citizen should have the right to live in decent affordable accommodation.

(14) Mr Farrell, Leader of the Labour Group, began by sending his condolences to all those affected by the Manchester attack and also referred to colleagues across local government both in Manchester and in Kent, in charge of planning and enacting the response to such atrocities.

(15) Mr Farrell congratulated the Chairman on his election and on behalf of his group he recorded thanks for the work of the dedicated team of officers who had been involved in induction since the election. He stated that the authority and existing Members had been welcoming and supportive.

(16) Mr Farrell referred to concerns over the significant challenges facing social care and stated that policy in this area must not be poorly developed. He highlighted the difference in care for those relying on social care with conditions such as Alzheimer's and those with other illness's that qualified for NHS treatment. He welcomed the additional Government grant for adult social care but stated that local authorities needed greater support to meet social care needs and reduce the pressures on the national health service. He stated that adult social care needed a fundamental, all-encompassing structured approach, with a national care service working alongside the NHS and a clear step change in the current short term funding approach.

(17) Mr Farrell appealed to all sides of the Chamber to put the most vulnerable residents of the County at the centre of every decision taken.

(18) In conclusion Mr Farrell stated that the biggest issues facing the county over the next four years were national issues such as social care, education and the issues presented by population growth and that local government would be at the forefront of these challenges. His Group were aware of the important role that they must take in representing residents of their divisions and holding the administration to account. Therefore in the life of this Council his group would acknowledge and highlight the right course of action, scrutinise when the approach was unjust and criticise when policy was ill conceived.

(19) Mr Whybrow, Leader of the Independents Group, welcomed the new Chairman and Vice-Chairman on behalf of the Independents Group, although the opposition ranks had been depleted he hoped that what they lacked in numbers they would make up for in quality. He referred to the good hard working members from all political parties that had been lost at the last election, some through boundary changes.

(20) Mr Whybrow welcomed the good news that the Turner Prize was coming to the Turner Contemporary in 2019.

(21) In relation to social care, Mr Whybrow, stated that he was not sure how this was going to be funded going forward. There seemed to be an acknowledgement at national level that social care was in crisis and that there was a major funding gap.

He expressed the view that whatever the solution for social care it should not be down to chance as to who had to pay for social care.

(22) Mr Whybrow referred to the challenge of re-connecting with the electorate, across Kent fewer than one in three people actually voted in the County Council elections. KCC was highly relevant to all residents and that message did not seem to be getting across. He wondered if there was a strategic piece of work that might be done with the commissioning team, with a cross party Member group to look at how this could be improved including the relevance of messages from KCC, the success of this would be measured by turnout at the 2021 election.

(23) In conclusion Mr Whybrow stated that he was delighted to provide advice on the environment, which he considered was much needed and looked forward to working with all Members going forward over the next 4 years.

(24) In replying to the other Leaders' comments, Mr Carter stated that he agreed with Mr Bird that there was a limit to the amount of efficiencies that Local Government could take and the fact that tax levels in inner London were set at roughly half of what the council tax payers of Kent had to pay and this could not be allowed to continue. The opportunity to reorganise the way that funding was distributed could release an additional £1billion to help and support counties such as Kent.

(25) Regarding health and social care integration, he hoped that in the coming months and years there would be some experimenting with pooled resources, subject to the right governance arrangements. In his new portfolio for health reform, Mr Carter expressed the view that the health economy could learn from the local government experience in financial management, which would give local government more confidence in working with them in pooling resources, joint commissioning and co-commissioning.

(26) Finally Mr Carter referred to the dreadful events in Manchester, and to a briefing that he had received on the Prevent agenda. He stated that there was going to be a seminar where senior figures representing all the faith organisations in Kent would be coming together to discuss how to ensure that Prevent was making sure that there was good racial cohesion across Kent. He stated that everyone should be involved in ensuring that there was racial tolerance and racial cohesion across the county.

12. Revised Budget 2017-18 and Medium Term Financial Plan 2017-20

(1) Mr Simmonds moved and Mr Gibbens seconded the following motion:

“The County Council is asked to agree the following:

- (a) Revised net budget requirement of £932.977m (a change of £26.018m)
- (b) The overarching adult social care strategy outlined in this report arising from the additional £26.091m grant and the £6.8m market sustainability fund
- (c) Delegate the final decision on precise spending plans under this strategy to the Cabinet Member for Adult Social Care and Corporate Directors

within the limits included in financial regulations, and through the established governance arrangements

The County Council is asked to note the following:

(d) The £0.073m impact on the net budget requirement following minor technical changes following the final notification of business rate share and collection fund balance and New Homes Bonus grant

(e) £0.073m reduction in the £3.994m contribution to general reserves in the approved budget

(f) Potential impact on the local share of business rate tax base following the changes announced in the 2017 Spring Budget and additional compensation grant. These cannot be quantified until local discretionary relief schemes have been approved

(g) The revised policy in relation to KCC dividends and Commercial Services reserves.”

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

For (74)

Mrs A Allen, Mr M Balfour, Mr P Barrington-King, Mr P Bartlett, Mrs P Beresford, Mrs R Binks, Mr R Bird, Mr T Bond, Mr A Bowles, Mr D Brazier, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mr N Chard, Mr I Chittenden, Mrs P Cole, Mr N Collor, Ms K Constantine, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr D Daley, Mr M Dance, Miss E Dawson, Mrs T Dean, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Mr K Gregory, Ms S Hamilton, Mr P Harman, Mr M Hill, Mr T Hills, Mr S Holden, Mr P Homewood, Mr A Hook, Mr M, Horwood, Mr E Hotson, Mr J Kite, Mr G Koowaree, Mr P Lake, Mr B Lewis, Ida Linfield, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr D Monk, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mr M Payne, Mrs S Prendergast, Mr K Pugh, Miss C Rankin, Mr A Ridgers, Mr C Simkins, Mr J Simmonds, Mrs P Stockell, Dr L Sullivan, Mr I Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright.

Against (0) Abstained (0)

Motion carried

(3) RESOLVED that

(a) revised net budget requirement of £932.977m (a change of £26.018m) be agreed.

(b) the overarching adult social care strategy outlined in the report arising from the additional £26.091m grant and the £6.8m market sustainability fund be agreed.

(c) the final decision on precise spending plans under this strategy be delegated to the Cabinet Member for Adult Social Care and Corporate Directors within the limits included in financial regulations, and through the established governance arrangements

(d) the £0.073m impact on the net budget requirement following minor technical changes following the final notification of business rate share and collection fund balance and New Homes Bonus grant be noted.

- (e) £0.073m reduction in the £3.994m contribution to general reserves in the approved budget be noted
- (f) potential impact on the local share of business rate tax base following the changes announced in the 2017 Spring Budget and additional compensation grant, which cannot be quantified until local discretionary relief schemes have been approved, be noted.
- (g) the revised policy in relation to KCC dividends and Commercial Services reserves be noted.

13. Members' Allowances Scheme for the Four Year Period 8 May 2017 to May 2021

- (1) The Chairman moved and the Vice-Chairman seconded the following motion:

“The County Council be asked to agree to the adoption of the Members Allowance Scheme set out in the appendix to this report pending the receipt of the report and recommendations of the independent Member Remuneration Panel at the July/September meeting of the Council.”

- (2) The above motion was agreed without a formal vote.

(3) RESOLVED that the Members Allowance Scheme as set out in the appendix to the report be adopted pending the receipt of the report and recommendations of the independent Member Remuneration Panel at the July/September meeting of the Council.

14. Proportionality and Appointment to Committees and other bodies

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

“The County Council is asked to:

- (a) determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;
- (b) if appropriate, give delegated powers to the Head of Democratic Services in consultation with the four group Leaders to adjust the allocation of committee places in order to conform to overall proportionality requirements.
- (c) agree that Selection and Member Services Committee will make the appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
- (d) agree proposals for the allocation of the Members' Conference Budget.”

- (2) The motion set out above was agreed without a formal vote.

- (3) RESOLVED that;
- (a) the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies be approved as set out in the report, with the addition of a Member of the Independence Group on the Environment and Transport Cabinet Committee, and that the Head of Democratic Services, in consultation with the four group Leaders, be delegated authority to adjust the allocation of committee places in order to conform to overall proportionality requirements.
 - (b) It be noted that the Selection and Member Services Committee will make the appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - (c) proposals for the allocation of the Members' Conference Budget as set out in the report be agreed.

15. Proposed changes to Financial Regulations

- (1) Mr Simmonds moved and Mrs Crabtree seconded the following motion;
- “Members are asked to consider and approve the updated Financial Regulations and Delegated Authority Matrix of Approval Limits.”
- (2) The motion was agreed without a formal vote.
- (3) RESOLVED that the updated Financial Regulations and Delegated Authority Matrix of Approval Limits, as set out in the appendix to the report, be approved.