

**SCRUTINY COMMITTEE**

**Thursday, 15th December, 2016**

**10.00 am**

**Darent Room, Sessions House, County Hall,  
Maidstone**







## AGENDA

### SCRUTINY COMMITTEE

**Thursday, 15th December, 2016, at 10.00 am**    Ask for:    **Joel Cook/Anna Taylor**  
**Darent Room, Sessions House, County Hall, Maidstone**    Telephone:    **03000 416892/416478**

#### Membership

Conservative (6):    Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman),  
Mr E E C Hotson, Mr A J King, MBE, Mr L B Ridings, MBE and  
Mrs P A V Stockell

UKIP (2)    Mr H Birkby and Mr R A Latchford, OBE

Labour (2)    Mr G Cowan and Mr R Truelove

Liberal Democrat (1):    Mrs T Dean, MBE

Church  
Representatives (3):    Mr D Brunning, Mr Q Roper and Mr A Tear

Parent Governor (2):    Mr P Garten and Mr G Lawrie

*Tea/coffee will be available 15 minutes before the start of the meeting*

*County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.*

#### Webcasting Notice

Please note: this meeting may be filmed for the live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

## **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

### **A - Committee Business**

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 9 November 2016 (Pages 5 - 10)
- A5 Meeting dates 2017/18

The Committee is asked to note the following dates for meetings in 2017:

Tuesday, 17 January, 10am  
Friday, 31 March, 10am  
Friday, 7 July, 10am  
Thursday, 27 July, 10am  
Thursday, 5 October, 2pm  
Wednesday, 29 November, 10am

- A6 Motion to exclude the press and public

That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

## **EXEMPT ITEMS**

*(During these items the meeting is likely NOT to be open to the press and public)*

### **B - Any items placed on the agenda by any Member of the Council for discussion**

- B1 RGF Schemes (to follow as supplementary agenda)

## **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

### **C - Scrutiny Committee meeting as the Crime and Disorder Committee**

- C1 Community Safety Agreement 2015-18 (Pages 11 - 14)

John Lynch  
Head of Democratic Services  
03000 410466

**Wednesday, 7 December 2016**

## KENT COUNTY COUNCIL

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### SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Wednesday, 9 November 2016.

PRESENT: Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman), Mr H Birkby, Mr D L Brazier (Substitute for Mr L B Ridings, MBE), Mr G Cowan, Mrs T Dean, MBE, Mr E E C Hotson, Mr A J King, MBE, Mr R A Latchford, OBE and Mr J N Wedgbury (Substitute for Mrs P A V Stockell)

ALSO PRESENT: Mr M A C Balfour, Mr R W Gough and Mrs J Whittle, Mr P Garten (Parent Governor Representative)

IN ATTENDANCE: Mr K Abbott (Director of Education Planning and Access), Mrs K Stewart (Director of Environment Planning and Enforcement), Mr S Baggs (Energy Manager), Ms S Platts (Strategic Planning and Infrastructure Manager), Mr J Lynch (Head of Democratic Services) and Mrs A Taylor (Scrutiny Research Officer)

### UNRESTRICTED ITEMS

#### **110. Minutes of the meeting held on 21 September 2016**

*(Item A4)*

RESOLVED that the minutes of the meeting held on 21 September 2016 were an accurate record and that they be signed by the Chairman.

#### **111. Grammar Schools and Social Mobility Select Committee - 3 months on from County Council Implementation Plan**

*(Item A6)*

1. Mr Gough, Cabinet Member for Education and Health Reform, introduced the item; he thanked the Members of the Select Committee for their valuable contribution and invited discussion on the 3 month progress report.
2. The Cabinet Member spoke briefly about the Government's Green Paper 'Schools that work for everyone', it was considered that Kent was already discussing many of the issues raised in the consultation document.
3. Mr Gough highlighted three key areas within the update report;
  - a. Outreach to families which was vitally important to KCC;
  - b. Admissions - KCC had previously tried to challenge the admission arrangements of the super selective schools in Kent but this had not been successful. KCC was consulting on changes for schools where KCC was the admission authority and KCC was seeking to encourage other schools to consider similar admission arrangements;
  - c. Transport – a new county Transport Policy was being developed and should be available by the end of 2016.

4. Mr Gough welcomed recommendation 13 of the Select Committee's report but further investigation was needed to enable the Council to 'means test' families which were low income but not entitled to Free School Meals.
5. The Green Paper identified working families who were 'just about managing' as a group, if the paper became policy there would be a need for the Government to track what was working for that group. This might provide a way for the Council to deal with this issue although the admissions team was looking at alternative approaches.
6. A Member commented that the report should have been written in the name of the Cabinet Member, the Cabinet Member assured the Member that he had signed off the report and that this had been an oversight.
7. Mrs Whittle, Chairman of the Grammar Schools and Social Mobility Select Committee, was invited to comment on the 3 month update report. She explained that a strong partnership between the Primary School Head Teachers and the Local Authority was critical. Questions had been raised about how the pupil premium was being used in schools to support academically able pupils; the Select Committee had had concerns that children from low income families, but who were academically able, were not being put forward for the Kent Test. 600 children who were in receipt of the pupil premium had done well at Key Stage 2 but had not gone on to a selective school. It was essential to look at how children were being supported at primary school, how the brightest children were being stretched and whether more vigorous action was needed by the Head Teachers to support children from poorer backgrounds.
8. Mr Vye, a Member of the Select Committee, was invited to speak to the Scrutiny Committee; he highlighted the promotion of social mobility through all schools.
9. In response to a comment from a Member about the phrase 'we will' within the report Mr Gough confirmed that the work was being undertaken, this was a presentational point and perhaps the service was underselling itself.
10. A Member welcomed the Select Committee update report and the concept of equal opportunities for all children. A strong partnership between the Head Teachers and Kent County Council or the Admission Authority was critical.
11. A Member welcomed the suggestion of the social mobility pack within the progress report. There was also an issue with the lack of aspiration amongst low income parents. The Member asked for confirmation on the status of free schools, were they classed as all ability or still non selective? The Cabinet Member confirmed that free schools were all ability schools.
12. In response to a question about the feedback from the conference held with primary school Head Teachers, the Cabinet Member confirmed that he would circulate the feedback from the primary conference to Members of the Committee.
13. It was considered that the Head Teacher's decisions over which pupils should take the Kent Test were critical, should all children doing well at Key Stage 2 take the Kent Test? The Cabinet Member explained that Buckinghamshire County

Council had trialled an opt in model where all pupils sat a test at the end of primary school to determine whether they were grammar ability, however this had not boosted the numbers of children in the 'free school meals' category obtaining a place at a grammar school.

14. The Cabinet Member commented on the point about aspirations of parents and explained that often it was the case that low income families did not think that a grammar school was the right place for their child. It was important to challenge and seek to overcome this.
15. A Member who was also on the Select Committee explained that if recommendation 13 had not been included within the report it would not have been signed off by the Select Committee, it would be helpful to receive a further progress report setting out progress on recommendation 13.
16. In relation to the packs for parents the cost of this had been raised previously and whether it was done online or via paper copies. The responses to the recommendations had been good and the directorate had taken heed of the concerns raised by the select committee. It was not possible to force the primary Head Teachers to do what they did not want to do. There was hope that the packs for parents could be progressed and a member requested that the Cabinet Committee should monitor the progress of recommendation 13.
17. One of the Parent Governor Representatives raised a point about pupil premium families with low aspirations for their children. There were concerns that the most able children from non-academic families got less support than academic families in the appeals process. It was necessary to encourage the parents in low income families to get the right support.
18. The Cabinet Member was sympathetic to the points made by members of the Committee; there was an aim to ensure that grammar schools took a broad approach to admissions. Mr Gough had concerns about some of the suggestions set out within the green paper, notably those that suggested 'quota' arrangements.
19. Regarding the opt in or opt out system for the Kent Test Mrs Whittle explained that there was no evidence that the opt out system made a difference to the number of free school meal children at grammar schools. The critical question was how to ensure children from poorer backgrounds could access a grammar school place. To close the gap lower income families needed support to enable children to take the Kent test if they were academically able and with the support of their parents.
20. One Member questioned how success would be measured? Mr Gough suggested that it could be measured by looking at the proportions of children doing well at Key Stage 2 from a pupil premium background and compare with those doing equally well from the wider population. There was a 20% differential between the two groups.

RESOLVED that Members of the Scrutiny Committee thank the Cabinet Member, Select Committee Chairman and Officer for attending the meeting and for answering Members' questions. Members acknowledged the completed actions and stated

approach to delivering the Select Committee recommendations as set out in Appendix 1 of the report.

## **112. Energy Security Select Committee - 3 months on from County Council Implementation Plan**

*(Item A5)*

1. Mr Wedgbury, Chairman of the Energy Security Select Committee, introduced this item. He explained that good progress had been made and there had been a lot of interest in the work of the Select Committee. He highlighted the progress on recommendation 8, that KCC leads by example through driving further energy saving and energy generation measures across its estate. To date £3million had been invested with more than £10million in energy savings.
2. Mr Baggs, Energy Manager, explained that work had been done to integrate the recommendations from the Select Committee into the Kent Environment Strategy implementation plan. LED lighting had been put into schools and buildings and work had also been done within community groups in Kent. £30,000 had been spent on solar panels in Gravesend which would provide an income of £100,000 over 20 years.
3. A Member asked if LASER was currently purchasing any renewable energy. Mr Baggs explained that his understanding was that there were different options for local authorities to take out but that a briefing note on LASER would be provided.

POST MEETING NOTE: Information on the options available to LASER customers in relation to renewable energy was circulated to members of the committee, via email, on Monday 5 December.

RESOLVED that the Scrutiny Committee thank the Cabinet Member, Select Committee Chairman and Officer for attending the Committee and answering Members' questions and note the progress of the Energy Security Select Committee.

## **113. Progress Report of the Growth and Infrastructure Framework**

*(Item C1)*

1. Mrs Stewart, Director of Environment, Planning and Enforcement, thanked Members for the opportunity to discuss the progress of the Growth and Infrastructure Framework (GIF). The GIF document had been originally published in 2015 and the report gave the Scrutiny Committee an update on progress. Mrs Platts, Strategic Planning and Infrastructure Manager, explained that there would be a full refresh of the GIF in 2017. In Spring/Summer 2017 it was hoped that conclusions would be drawn and a draft update of the GIF would be produced.
2. A Member asked about job numbers in Kent and whether the figures were accurate. In Maidstone 18,000 new homes were expected between now and 2031 and the evidence base for job creation was weak with no details or explanation of where jobs would be created. The Member also commented that in paragraph 8 the calculated number of new jobs did not increase between 2015 and 2016. Another Member expanded on the previous point raising the issue of commercial property changing to residential property without the same rigor in the



planning process. Large areas of manufacturing land were unwanted and it was thought that permission would be granted for residential housing in the long term.

3. Mrs Stewart recognised that in the original GIF the commercial employment element was weak; work was underway to better understand commercial growth. KCC was working on this with Locate in Kent which was tasked with bringing in new jobs. Despite not being the planning authority KCC could engage with Government and Districts and identify where opportunities were available.
4. The Cabinet Member explained that it was difficult to dictate jobs, some of the research being done by KCC was because of concerns that offices had been built in the wrong places. Mr Dance, Cabinet Member for Economic Development, and his team were continuing to work to generate jobs in Kent. It was also necessary to ensure that the right rail connections and right roads were available and strong efforts were being made to ensure jobs were created and remained in Kent.
5. Members were concerned that this problem had been discussed for the last decade; it was a historical problem of increased housing and decreased jobs.
6. In response to a question about why the Corporate Director was not present at the Scrutiny Committee meeting the Chairman confirmed that the appropriate officers along with the Cabinet Member had attended the Scrutiny Committee meeting to discuss the item and answer Members' questions.
7. One Member confirmed that he was pleased that the GIF would in future be produced in house and that the cost was therefore internal only. In response to a query about the funding gap in paragraph 8 of the report, Mrs Stewart confirmed that if the funding gap continued to increase it might be necessary to look elsewhere for funding.
8. A Member agreed that houses must be built but when there was a large funding gap, there was a need to think about communities which involved people and school facilities, for example, to ensure that in 10 years the growth and infrastructure was appropriate for society and communities.
9. In response to a point about funding, the Cabinet Member confirmed that there was an Infrastructure Funding Group with Cabinet Members and senior officers overseeing infrastructure funding, and that an officer co-ordinated KCC's engagement in every major development. The Infrastructure Funding Group helps to find a solution to problems encountered with developments. The Cabinet Member insisted that every effort was being made with Government to ensure that appropriate funding was provided. He agreed with the point about creating communities, this took years to achieve and the design element existed within the GIF with an aim to create vibrant new communities.
10. A Member asked that Action 10 on page 36 be moved up to Action 1 of the GIF Action Plan and more emphasis should be placed on ensuring high quality design.
11. Mrs Stewart explained that a conference would be held with key stakeholders to understand how the County Council could add value to the work of the local planning authorities. KCC wanted to be able to give local planning officers the tools to respond to design in the planning process. The Cabinet Member referred

to Design South East which went into districts to ensure that they were design conscious. Kent Design Guide was found to be too prescriptive; KCC was aiming to establish that good design was worth investing in and to promote good design.

12. In response to a question about schools and health services and whether housing estates would have sufficient services available to them, Mr Balfour explained that the Sustainability and Transformation Plan (STP) had an aim to bring together health and community services. This necessity was already in the GIF but the relevant documents needed to fit together to enable services to understand how each was funded.

13. A Member had concerns that the planning rules regarding free schools were lacking, there was opportunity to control a development site on the GPO site in Maidstone. There were hopes that the aspirations made by the Cabinet Member were repeated when it came to developing that site.

RESOLVED that Members:

- a. thank the Cabinet Member and Officers for attending the meeting and for answering Members' questions.
- b. note the progress of the GIF and request that Officers be mindful of the comments made by the Scrutiny Committee especially the need for appropriate infrastructure and to recognise the importance of Action 10 in the GIF Action Plan.

**114. Motion to exclude the press and public**  
(Item C2)

RESOLVED that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

**115. Exempt minute from the meeting of the Committee held on 21 September 2016**  
(Item C3)

RESOLVED that the exempt minute of the meeting held on 21 September 2016 was an accurate record and that it be signed by the Chairman.

By: John Lynch (Head of Democratic Services)  
To: Crime and Disorder Committee – 15<sup>th</sup> December 2016  
Subject: Community Safety Agreement

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Summary: This report briefly explains the background of Community Safety Agreements and the development of Kent's Agreement. This report also seeks to outline the role of the Committee in scrutinising the Kent Community Safety Agreement and as a 'critical friend' to the Community Safety Partnership.

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## **1. Community Safety Agreements**

- 1.1 Community Safety Agreements (CSAs) are mandatory for two tier authorities and are used by the Community Safety Partnerships (CSPs) to meet their statutory duty under Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006). Additionally, the 2006 Act required CSPs to include anti-social behaviour (ASB) and substance abuse within their strategies. The Police and Crime Act 2009 added reducing reoffending to the areas to be addressed by CSPs.
- 1.2 The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 revised the 1998 Act, altering the manner in which District and Borough Council evaluated their Community Safety arrangements. The previous method of three yearly audits was replaced with an annual strategic, triennial partnership plan and public consultations. These district/borough level assessments feed into the higher authority's CSP and influence the Community Safety Agreement.
- 1.3 The broad range of public safety considerations addressed by CSPs requires joint work from the partners that serve as responsible authorities:
  - Police
  - District and Borough Councils
  - County Council,
  - Clinical Commissioning Groups (CCGs)
  - Fire and Rescue Service
  - Relevant Probation company
- 1.4 The CSA draws together the key strategic aims of all the relevant services in the crime, disorder and public safety sectors, promoting a joint approach that enables more effective and co-ordinated inter-agency planning that will result in improved outcomes.

1.5 Each CSA reflects its own areas priorities based on needs assessment and shared intelligence between the partner agencies. Since the introduction of Police and Crime Commissioners (PCCs) Community Safety Partnerships must give due regard to the PCC's Police and Crime Plan. The strategic assessments undertaken by local Community Safety Partnerships are reviewed for common issues and priorities, which are then consulted on with relevant stakeholders to confirm their inclusion in the CSA. This engagement with stakeholders also provides opportunities for gaps to be identified and broader cross-cutting themes to be taken into account.

## **2. Kent Community Safety Agreement**

2.1 Responsibility for delivering the CSA priorities rests with the Kent Community Safety Partnership (KCSP). The KCSP agreed amendments to the 2014-17 Community Safety Agreement document in March 2016 and approved the continuing development of its associated action plan which details what work would be undertaken to achieve the desired outcomes.

2.2 Early last year, the Kent CSP also agreed that performance monitoring would be managed by the senior officer led working group and relevant priority leads from the partner agencies. Any points of concern or anomalies would then be reported to the KCSP for consideration.

2.3 The new and refreshed priorities included within Kent's CSA are:

- Domestic Abuse
- Road Safety
- Substance Misuse
- Anti-social Behaviour
- Serious and Organised Crime
- Safeguarding

2.4 Details of the relevant Leads for each priority are contained within the main CSA document along with a summary of the key issues identified by the local CSP strategic assessments. The attached appendix provides detail on the related actions being undertaken to deliver the priority outcomes and following a previous request from the Crime and Disorder Committee, includes a summary of performance and contextual information.

2.5 The Kent Community Safety Agreement also works to deliver against the countywide ambitions detailed in the Vision for Kent 2012-22; to grow the economy, to tackle disadvantage and to put citizens in control. The core focus on effective partnership working embedded within the Kent Community Safety Partnership and the Agreement reflects the need for continued joint working with relevant agencies to meet the needs of Kent's communities.

### **3. Committee Role**

- 3.1 The Scrutiny Committee is required to meet in the form of the Crime and Disorder Committee to review and scrutinise work undertaken by relevant partner agencies and authorities responsible for managing crime and disorder in the County. This duty arises from the Police and Justice Act 2006 which introduced Crime and Disorder Committees to fulfil this scrutiny function.
- 3.2 The Committee exists as a 'critical friend' of the Community Safety Partnership, considering the strategic level approach on crime and disorder and should not seek to challenge operation level actions.
- 3.3 Reviewing, considering and commenting on the Community Safety Agreement and its associated action plan serves as a constructive approach for the Committee to fulfil its statutory requirement to scrutinise the strategic activity in the arena of crime and disorder. The focus of the Committee's scrutiny should be on the collective work of the partnership rather than the activities of the individual agencies.

### **4. Recommendation**

- 4.1 The Committee may resolve to:
- Note the Community Safety Agreement and make no comment.
  - Make comment on the Community Safety Agreement and its action plan.
  - Offer recommendations to one or more of the responsible authorities.

#### **Background Documents:**

Kent County Council – The updated Kent Community Safety Agreement 2014 – 17  
[http://www.kent.gov.uk/\\_\\_data/assets/pdf\\_file/0019/6184/Kent-Community-Safety-Agreement.pdf](http://www.kent.gov.uk/__data/assets/pdf_file/0019/6184/Kent-Community-Safety-Agreement.pdf)

Kent County Council – Vision for Kent  
[http://www.kent.gov.uk/\\_\\_data/assets/pdf\\_file/0003/5475/Vision-for-Kent-2012-2022.pdf](http://www.kent.gov.uk/__data/assets/pdf_file/0003/5475/Vision-for-Kent-2012-2022.pdf)

**Appendix:** Kent CSA 2014-17 Action Plan and Performance Summary (to follow as supplementary agenda document)

#### **Contact details:**

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