



Summons to and  
Agenda for a  
Meeting on  
**Thursday, 22nd  
October, 2020**  
at **10.00 am**





DEMOCRATIC SERVICES  
SESSIONS HOUSE  
MAIDSTONE

Wednesday, 14 October 2020

To: All Members of the County Council

A meeting of the County Council will be held online on Thursday, 22nd October, 2020 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

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

1. Apologies for Absence
2. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
3. Minutes of the meeting held on 10 September 2020 and, if in order, **(Pages 1 - 10)** to be approved as a correct record
4. Chairman's Announcements
5. Questions
6. Report by Leader of the Council (Oral)
7. EU Transition Preparedness - Kent County Council Update **(Pages 11 - 22)**
8. Youth County Council Annual report **(Pages 23 - 42)**
9. ACCESS Pool Inter-Authority Agreement **(Pages 43 - 56)**
10. Statutory and Proper Officers: Data Protection Officer **(Pages 57 - 58)**
11. Appointment of Independent Member Remuneration Panel from 1 November 2020 **(Pages 59 - 60)**
12. Proposed Amendments to the Terms of Reference of the Selection and Member Services Committee **(Pages 61 - 66)**

13. Motion for Time Limited Debate

20mph schemes

*Proposed by Ian Chittenden.*

*Seconded by Antony Hook*

*Background information*

Kent County Council have for many years promoted the use of 20mph schemes in areas throughout Kent and, almost every Borough now has schemes in place in selected part of their area. The acceptance of a series of 20mph schemes as part of the Governments recent Active Travel initiative has accelerated the process in many existing built up areas. It is also strongly recognised that a reduction from 30mph down to 20mph helps cuts the number of accidents, reduces the seriousness of injury when accidents occur and saves lives.

MOTION

This Council requests that the Cabinet Member for Highways and Transport actively promotes the reduction of the default speed limit in all new housing developments to 20mph by:

- Recommending to District Planning Officers through the Consultee process in relation to all new housing development applications that the design of the estate roads should be such as to promote a default speed of 20mph.
- Adapting the Kent Design Guide to ensure that new estate roads are designed and constructed to ensure target speeds are self-enforcing at 20mph.



Benjamin Watts  
General Counsel  
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KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 10 September 2020.

PRESENT

Mr G K Gibbens (Chairman)  
Mr M J Northey (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 C Bell, Mrs P M Beresford, Mrs R Binks, Mr R H Bird, Mr T Bond, Mr A Booth, Mr A H T Bowles, Mr D L Brazier, Mr J Burden, Mr D Butler, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mr J Clinch, 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 D Farrell, Mrs L Game, Mr R W Gough, Ms S Hamilton, Mr P M Harman, Mr P M Hill, OBE, Mr A R Hills, Mrs S V Hohler, Mr S Holden, Mr P J Homewood, Mr A J Hook, Mr M J Horwood, Mr Eric Hotson, Mrs L Hurst, 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, OBE, Mr G Lymer, Mr R A Marsh, Ms D Marsh, Mr J P McInroy, Mr P J Messenger, Mr D D Monk, Mr D Murphy, 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 H Rayner, Mr A M Ridgers, Mr C Simkins, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr M Whiting, Mr M E Whybrow and Mr J Wright

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services) and Mr B Watts (General Counsel)

**UNRESTRICTED ITEMS**

**234 Apologies for Absence**

The General Counsel reported apologies from Mr Manion.

**235 Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda**

Dr Sullivan declared an interest as her husband was employed by the County Council as an Early Help and Prevention officer.

**236 Minutes of the meetings held on 17 June and 16 July 2020 and, if in order, to be approved as a correct record**

RESOLVED that the minutes of the meetings held on 17 June and 16 July 2020 be approved as a correct record.

**237 Chairman's Announcements**

**Thursday, 10 September 2020**

**a) Mr Robert Bliss**

(1) The Chairman stated that it was with the greatest regret that he had to inform Members of the death of Mr Bliss on Monday 10 August. Mr Bliss was the Conservative member for Folkestone West between 2005 to 2009. During his time with Kent County Council, Mr Bliss served on the Corporate Policy Overview Committee, the Communities Policy Overview Committee and the Joint Transportation Board. Miss Carey, Mr Love and Mr Bird paid tribute to Mr Bliss. Members observed a minute's silence in memory of Mr Robert Bliss.

(2) After the one--minute silence, the Chairman moved and the Vice-Chairman seconded and it was resolved unanimously that:

“this Council desires to record the sense of loss it feels on the sad passing of Mr Robert Bliss and extends to his family and friends our heartfelt sympathy to them in their sad bereavement.”

**b) World Suicide Prevention Day**

(3) The Chairman reminded the Council that it was World Suicide Prevention Day. Residents were being reminded of the help available in Kent for people experiencing mental health issues or concerned about their mental wellbeing. Covid-19 had presented a new set of challenges affecting mental wellbeing, as changes and restrictions on ways of living and working were making people feel anxious, concerned and isolated. KCC's Suicide Prevention Programme recognised the impact of the pandemic and had reacted by

:

- i. Stepping up work with partners, including Kent Police, to monitor suicidal activity and develop a response plan
- ii. Refreshing and promoting the Release the Pressure campaign and increasing funding for Release the Pressure 24-hour helpline, enabling over 10,500 calls to be answered between April and July, an 18% increase over the same period last year.
- iii. Launching a new easy-to-use mental health text messaging service, free on all major mobile networks, to start a conversation with a trained and experienced volunteer who could give support at any time. Over 700 text conversations had taken place already.

(4) Information on all these services, and links to other organisations which supported mental wellbeing, was available on the KCC website.

**c) Chairman's Activities**

(5) The Chairman updated members on some of the Chairman's recent activities. Both he and the Vice-Chairman had attended socially distanced VJ Day services in East Kent and had laid a wreath on behalf of the Council. The Chairman had also attended a Merchant Navy Day event in Dover, and again laid a wreath on behalf of the Council. He emphasised the importance, even in these difficult times, of marking these very important occasions.

**c) Chairman's Walk**

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(6) The Chairman informed members that he would be undertaking his walk in support of Porchlight on Saturday 13 September 2020. He was delighted that the target amount of £1,500 had been exceeded. He expressed his thanks to everyone who had already supported him and said there was still time to donate via his Just Giving Page.

### **238 Questions**

In accordance with Procedure Rule 1.17(4), 8 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. As Ida Linfield was not present during this item a written answer to her question has been provided.

### **239 Report by Leader of the Council (Oral)**

(1) The Leader updated the Council on events since the previous meeting. He said his update would include Unaccompanied Asylum-Seeking Children (UASC), the return to school, Covid 19, the devolution white paper and winter pressures.

(2) Mr Gough referred to the Section 5 report from the Monitoring Officer relating to UASC, which was on the agenda for this meeting. He said that following the rapid pace of UASC arrivals in Kent, KCC could no longer meet its statutory duties and provide safe care to those arriving; therefore, since 17 August 2020 new UASC arrivals had not been taken into the care of Kent County Council. This decision was taken due to concern both for the welfare of those arriving and those already in KCC's care. Mr Gough outlined the engagement that had taken place since the spring with the government and representations made by KCC in relation to UASC. There had been an increase in financial support and transfers to other local authorities had resumed with some 153 young people placed since 1 June, but the number of arrivals had significantly exceeded the number of transfers. Mr Gough said he had given evidence to the House of Commons Home Affairs Select Committee. The committee had shown a strong interest in the situation in Kent and had expressed its appreciation for the work that KCC's deeply committed staff were doing in this area. He stated that the National Transfer Scheme needed to be mandatory and the authority would respond accordingly to the Government's consultation on this matter.

(3) Mr Gough referred to the return to school and provided figures on the attendance rate for Kent schools on 8 September 2020. Of those schools which had submitted a return to the DfE, attendance was 90% which was in line with the national figures. He paid tribute to the work of Kent's schools to create a secure and welcoming environment for pupils. In relation to home to school transport, Mr Gough commended the work undertaken by the public transport team and officers in Education in dealing with an uncertain situation. The public transport team had worked closely with schools and operators to model demand and the impact of social distancing requirements to ensure sufficient capacity. He also thanked the relevant cabinet members who had led on these issues.

(4) Mr Gough stated that Kent had been below the national average in terms of the 7- day rolling average of Covid-19 infections per 100,000 of population since late July. KCC was working with regional partners to deliver local aspects of Test and Trace and had developed structures to manage any local outbreaks including the establishment of a Local Outbreak Engagement Board where Members would play a

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key role. He acknowledged that the situation was evolving nationally and it was essential to be ready to respond rapidly.

(5) Mr Gough said that the Government proposed to publish a White Paper on devolution in October. There had been much speculation about its contents; however, local authorities in Kent had agreed it was prudent to await its publication before making any decisions. His view was that the authority should ensure the continuing operation of Kent as a unit, both as a county with a historic identity and a strong strategic cohesion, and to avoid the risk of disaggregation of key, large-scale people services such as children's and adults. He concluded that Kent should as much as possible respond to the White Paper as a unified local government community.

(6) Mr Gough then referred to the prospect of a number of significant risks including an increase in Covid-19 infections, winter health pressures, the end of the EU/UK transition period on 31 December and severe winter weather occurring concurrently. He said the Government focus was on trader readiness for the ending of the transition arrangements, the development of smart systems for port readiness and traffic management as a contingency. KCC continuing to exert pressure to ensure the timely delivery of solutions and decisions on issues such as enforcement powers. He thought there was still much work to be done in areas such as trader readiness and said that KCC was continuing to work to ensure that Kent was prepared to the maximum degree possible.

(7) Mr Gough highlighted the launch of the Economic Renewal and Resilience Plan in August 2020. He referred to the government announcement of its Getting Building Fund which included £37million for projects in Kent and Medway. The new Kent and Medway Employment Taskforce would meet on 1 October 2020 and would have a major role to play in linking local businesses with people seeking employment. He referred to the negative impact of Covid-19 on the working community, including the career opportunities for young people, and stressed the importance of working with partners in both the public and private sectors to identify new opportunities for employment, skills development and work experience.

(8) In conclusion Mr Gough referred to the strategic re-set report considered at the County Council meeting in July and stated that the County Council's interim strategic plan, covering the next 18 months, would be submitted to the County Council in the near future.

(9) Mr Bird, the Leader of the Opposition, said the speed at which the number of new cases of Covid-19 had risen appeared to have surprised the Government but it was unsurprising as the Government's confusing messaging had been ignored by many. He acknowledged that the situation in Kent was not as challenging as other parts of the UK, but he referred to the difficulties that Kent residents had experienced in getting a test. He also said it was not the right time to abolish Public Health England and questioned the appropriateness of the person put in charge of its stripped-down successor organisation.

(10) Regarding the return to school Mr Bird paid tribute to school staff, KCC's transport team and bus operators for their hard work. He stated that it would have been helpful if the DfE guidance, including home to school transport, had been provided earlier.

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(11) Mr Bird said that the Government's advice not to use public transport had had a detrimental effect on town centres, with increased congestion and air pollution. He referred to the disappointing announcement by Eurostar that services from Kent would not recommence until 2022 and asked the Leader to press for this service to be restored in 2021.

(12) In relation to the end of the Brexit transition period, and the lack of the necessary infrastructure, Mr Bird said the prospect of thousands of lorries being stuck in the county would be devastating for Kent residents and businesses.

(13) Referring to the proposed devolution white paper, Mr Bird expressed the view that imposing unitary councils on Kent would be totally inappropriate unless it could be clearly demonstrated that they would provide better services and value for money for Kent residents, which he did not believe to be the case.

(14) Mr Farrell, Leader of the Labour Group responded to the Leader's report, by saying that KCC needed national support for the unique services that it provided for UASC arriving at Dover and that the national transfer scheme should be mandatory.

(15) Mr Farrell highlighted the inconsistencies in the steps taken by the Government during the Covid-19 crisis and the ambiguities in its guidance. He referred to the discharge of patients from hospitals into care homes without prior testing and the subsequent dropping of the care home testing pledge. He said it was unfair to blame young people for the rise in Covid-19 cases and emphasised the impact of the failure of the national Test and Trace system and, in particular, the contradiction between the Government encouraging the public to be tested and then blaming the public for having too many tests.

(16) In relation to the economy, Mr Farrell referred to the steps taken by other countries such as, Germany and France to extend their furlough schemes for up to 24 months in recognition of the need of millions of workers for support.

(17) In conclusion Mr Farrell referred to the lack of strategy at a national level in relation to Brexit and Covid-19.

(18) Mr Whybrow, Leader of the Independents Group, acknowledged the strong support that KCC had provided to vulnerable UASC. He agreed with the Leader that the national transfer scheme should be mandatory. He referred to the fake news online and expressed horror at the recent demonstrations by racist groups in Dover.

(19) Mr Whybrow, expressed his thanks to all officers for the work they had carried out to support schools and pupils to ensure they could return to school at the beginning of September.

(20) Mr Whybrow highlighted the consequences of the proposed changes to the planning laws on housing targets and the impact on local democracy. He referred to transport issues including the impact of Covid-19 on bus services, Eurostar not stopping in Kent until 2022 and to the potentially disastrous consequences for Kent residents and businesses following the end of the Brexit transition period.

(21) In conclusion Mr Whybrow, requested the Cabinet Member for Adult Social Services to consider postponing the re-design of the commissioning of wellbeing services particularly given the steep reduction in income for charities due to Covid-19.

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(22) In replying to the comments made by the leaders of the opposition groups, Mr Gough updated Members on the action he had taken in relation to the restitution of Eurostar services at Kent stations. This included a virtual meeting scheduled with the chief executive of Eurostar at which he intended to seek an assurance that services would return to Ashford and Ebbsfleet as soon as possible.

(23) Regarding the return to school Mr Gough reiterated his thanks to school staff, KCC officers and public transport operators who had responded very well to an extremely challenging situation.

(24) In relation to the end of the Brexit transition period, Mr Gough acknowledged the risk of traffic disruption. He stated that the Government was working with KCC and other partners on traffic management proposals. He was continuing to press this issue with the Government with the support of Kent MP's to ensure that the necessary measures were in place and that Kent and its businesses were as well-prepared as possible.

(25) In conclusion, Mr Gough agreed that there was a need to focus on the impact to the economy of the end of furlough in October and referred to the work of the new Employment Task Force.

(26) RESOLVED that the Leaders update be noted.

### **240 Report Under Section 5 of the Local Government and Housing Act 1989**

(1) Mr Watts,, the General Counsel, in his role as Monitoring Officer, introduced his report to County Council under Section 5 of the Local Government and Housing Act 1989 relating to a breach of statutory duties by Kent County Council. The breach had arisen from the unprecedented pressure being placed on KCC by the arrival of unaccompanied asylum seeking children.

(2) In response to a request for an update report, the Chairman undertook to ensure that, following consultation with the Leader of the Council, the leaders of the opposition groups and the General Counsel there would be a report to a future meeting of the County Council.

(3) RESOLVED that the report under Section 5 of the Local Government and Housing Act 1989 be noted.

### **241 Amendments to the Revenue Budget 2020-21**

(1) The Chairman reminded Members that any Member of a Local Authority who was liable to pay Council Tax, and who had any unpaid Council Tax overdue for at least two months, even if there was an arrangement to pay off the arrears, must declare the fact that they were in arrears and must not vote on any matter related to KCC's Budget or Council Tax. The Chairman drew Members attention to the Section 151 Officer's assurance, set out on page 40 of the report, that the budget estimates were as robust as possible in the circumstances and the level of reserves was adequate, as required by the requirements of the Local Government Act 2003

(2) Mr Oakford moved, and Mr Gough seconded the following motion:

The County Council is asked to agree:

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- (a) The amended net revenue budget requirement for 2020-21 of £1,099.9m, up from £1,063.7m in the Original Budget (section 3)
- (b) The individual proposed net spending changes of £36.3m across the Council as summarised in the report and detailed in Appendix A
- (c) Covid-19 additional response spending, income losses, underspends and provisions for potential recovery costs of £72.4m to be held as an unallocated central provision pending confirmation of the full impact of the pandemic
- (d) Revised directorate budgets, financing items and unallocated as per revised revenue budgets (Appendix B of the report) and to delegate:
- (e) Continued responsibility to cabinet members and corporate directors to manage the budget within the parameters set out in the constitution and Financial Regulations.
- (f) Authority to the Corporate Director for Finance (after consultation with the Leader, Cabinet Member for Finance, Corporate & Traded Services and the political group leaders) to resolve any minor technical issues for the final budget publication which do not materially alter the approved budget or change the net budget requirement. This includes approving the distribution of any unallocated amounts within the approved budget; and to note:
- (g) The progress on the review of reserves being conducted by the Council's Corporate Director of Finance.
- (h) The Corporate Director of Finance's opinion on the robustness of the budget estimates and the level of reserves held by the Council (section 6).
- (i) The outcome of the public consultation (Appendix D)
- (j) The financial outlook for later years in the absence of a multi-year settlement from government, significant potential spending growth and impact of recession on future council tax and business rate collection funds and tax base estimates (section 5).

(3) The leaders of the opposition groups were given the opportunity to respond to the budget amendments as set out in paragraph (2).

(4) Mr Bird, leader of the opposition asked for it to be noted in the minutes that the Liberal Democrat Group did not disagree with the proposed budget amendments and believed that the proposed reduction in members' allowances was appropriate in the current situation. He stated his group would not be supporting the proposed recommendations as they did not believe that the County Council should be put in this position by the Government

(5) Mr Whybrow stated that for the reasons set out in his response to the budget proposal he would not be voting for the proposed budget reductions, but he supported the reduction in Members Allowances

(6) Following the debate, the Chairman put the motion set out in paragraph (3) above to the vote and the voting was as follows:

For (59)

Mrs Allen, Mr Angell, Mr Balfour, Mr Barrington-King, Mr Bartlett, Mrs Bell, Mrs Beresford, Mrs Binks, Mr Bond, Mr Booth, Mr Bowles, Mr Brazier, Mr Butler, Ms Carey, Mr Carter, Mrs Chandler, Mr Chard, Mr Collor, Mr Cook, Mr Cooke, Mr

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Cooper, Mrs Crabtree, Mr Dance, Miss Dawson, Mrs Game, Mr Gibbens, Mr Gough, Mrs Hamilton, Mr Harman, Mr Hill, Mr Hills, Mrs Hohler, Mr Holden, Mr Homewood, Mr Hotson, Mrs Hurst, Mr Kite, Mr Lake, Mr Long, Mr Love, Mr Lymer, Mr Marsh, Mr McInroy, Mr Murphy, Mr Northey, Mr Oakford, Mr Ozog, Mr Pascoe, Mr Payne, Mrs Prendergast, Mr Pugh, Miss Rankin, Mr Rayner, Mr Ridgers, Mr Simkins, Mr Sweetland, Mr Thomas, Mr Whiting, Mr Wright.

Against (9)

Mr Bird, Mr Chittenden, Mr Clinch, Mr Daley, Mrs Dean, Mr Hook, Mr Koowaree, Ida Linfield, Mr Whybrow.

Abstain (5)

Mr Burden, Ms Constantine, Mr Farrell, Mr Lewis and Dr Sullivan.

*Motion carried*

(7) RESOLVED that:

- (a) the amended net revenue budget requirement for 2020-21 of £1,099.9m, up from £1,063.7m in the Original Budget (section 3 of the report) be approved;
- (b) the individual proposed net spending changes of £36.3m across the Council as summarised in the report and detailed in Appendix A be approved
- (c) Covid-19 additional response spending, income losses, underspends and provisions for potential recovery costs of £72.4m to be held as an unallocated central provision pending confirmation of the full impact of the pandemic be approved;
- (d) revised directorate budgets, financing items and unallocated as per revised revenue budgets (appendix B to the report) be approved;
- (e) continued responsibility be delegated to the cabinet members and corporate directors to manage the budget within the parameters set out in the constitution and Financial Regulations;
- (f) delegated authority be given to the Corporate Director, Finance (after consultation with the Leader, Cabinet Member for Finance, Corporate & Traded; Services and the political group leaders) to resolve any minor technical issues for the final budget publication which do not materially alter the approved budget or change the net budget requirement. This includes approving the distribution of any unallocated amounts within the approved budget;
- (g) the progress on the review of reserves being conducted by the Council's Corporate Director of Finance be noted;
- (h) the Corporate Director of Finance's opinion on the robustness of the budget estimates and the level of reserves held by the Council (section 6 of the report) be noted;
- (i) the outcome of the public consultation (Appendix D to the report) be noted;
- (j) the financial outlook for later years in the absence of a multi-year settlement from government, significant potential spending growth and impact of recession on future council tax and business rate collection funds and tax base estimates (section 5 of the report) be noted.

**242 Adoption of the Kent Mineral Sites Plan and modifications to the Kent Minerals and Waste Local Plan 2013 - 2030 resulting from the Early Partial Review**

(1) Mr Oakford moved, and Miss Carey seconded the following motion :

“County Council is asked to:

- (i) consider the Inspector’s Report (see Appendix A) on the examination of the Early Partial Review (EPR) and Minerals Sites Plan (MSP) and note and accept his recommended modifications;
- (ii) note the content and recommendations of the Sustainability Appraisals of the EPR and MSP; and
- (iii) adopt the Kent Mineral Sites Plan and modifications to the Kent Minerals and Waste Local Plan (as set out by the EPR) (as modified) as set out in Appendices B and C respectively.

In addition, County Council is asked to:

- (iv) delegate powers to the Corporate Director for Growth, Environment and Transport to approve any non-material changes to the text of the MSP and modifications to the KMWLP (as set out by the EPR) in consultation with the Deputy Leader prior to publication.
- (v) note and agree the future work activities on mineral and waste planning activities as set out in para 6.5 as the basis for a revised Local Development Scheme”.

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

For (66)

Mrs Allen, Mr Angell, Mr Barrington-King, Mrs Bell, Mrs Beresford, Mrs Binks, Mr Bird, Mr Bond, Mr Booth, Mr Bowles, Mr Brazier, Mr Burden, Mr Butler, Ms Carey, Mr Carter, Mrs Chandler, Mr Chard, Mr Chittenden, Mr Clinch, Mr Collor, Miss Constantine, Mr Cook, Mr Cooke, Mr Cooper, Mrs Crabtree, Mr Daley, Mr Dance, Miss Dawson, Mrs Dean, Mr Farrell, Mrs Game, Mr Gough, Mrs Hamilton, Mr Harman, Mr Hill, Mr Hills, Mrs Hohler, Mr Holden, Mr Homewood, Mr Hotson, Mrs Hurst, Mr Kite, Mr Koowaree, Mr Lake, Mr Lewis, Ida Linfield, Mr Long, Mr Love, Mr Lymer, Mr Marsh, Mr McInroy, Mr Murphy, Mr Northey, Mr Oakford, Mr Pascoe, Mr Payne, Mrs Prendergast, Miss Rankin, Mr Rayner, Mr Ridgers, Mr Simpkins, Dr Sullivan, Mr Sweetland, Mr Thomas, Mr Whiting, Mr Wright.

Against (1)

Mr Hook

Abstain (1)

Mr Whybrow

*Motion carried*

(3) Members asked that thanks be recorded to Mrs Thompson, Head of Planning, and her team for their work in developing a robust plan and also to Mr Brazier who chaired the cross-party member group.

(4) RESOLVED that:

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- (i) the Inspector's Report (attached as Appendix A to the report) on the examination of the Early Partial Review (EPR) and Minerals Sites Plan (MSP) be noted and the inspectors recommended modifications be accepted;
- (ii) the content and recommendations of the Sustainability Appraisals of the EPR and MSP be noted; and
- (iii) the Kent Mineral Sites Plan and modifications to the Kent Minerals and Waste Local Plan (as set out by the Early Partial Review) (as modified) as set out in Appendices B and C respectively to the report be adopted
- (iv) authority be delegated to the Corporate Director for Growth, Environment and Transport to approve any non-material changes to the text of the MSP and modifications to the Kent Minerals and Waste Local Plan 2013-30 (as set out by the EPR) in consultation with the Deputy Leader prior to publication.
- (v) the future work activities on mineral and waste planning activities as set out in para 6.5 of the report be approved as the basis for a revised Local Development Scheme.

### **243 Treasury Management Annual Review 2019-20**

- (1) Mr Oakford proposed, and Mrs Crabtree seconded the motion that:

“The County Council is asked to note the report “

- (2) The motion as set out in paragraph (1) above was agreed without a formal vote.

- (3) RESOLVED that the Treasury Management Annual Review 2019-20 be noted.

*(Mr Gibbens stated that he received a pension from the Australia and New Zealand Banking Group)*

### **244 Functions delegated by Council to officers**

- (1) Mr Payne moved, and Miss Rankin seconded the following motion:

“The County Council is asked to agree the recommendation from the Selection and Member Services Committee to amend the Delegation Table in the appendix to the constitution as set out in paragraph 2 of the report.”

- (2) The motion set out in paragraph (1) above was agreed without a formal vote.

- (3) RESOLVED that the recommendation from the Selection and Member Services Committee to amend the Delegation Table in the appendix to the constitution as set out in paragraph 2 of the report be approved

From: Roger Gough, Leader  
Barbara Cooper, Corporate Director of Growth, Environment and Transport

To: County Council, 22 October 2020

Subject: **EU Transition Preparedness – Kent County Council Update**

Summary: This report updates Members on the work Kent County Council (KCC) is undertaking, internally and with local and national public agencies through the Kent Resilience Forum, to prepare for EU Transition on 31 December 2020. This update builds on the County Council reports from July 2018, December 2018, March 2019 and September 2019.

**Recommendation(s):**

**County Council is asked to:**

- (1) **Note** the national and local preparations for the end of the EU Transition phase.
- (2) **Endorse** Kent County Council's priorities for urgent Government action to resolve the outstanding issues as highlighted in the paper.

**1. Introduction**

- 1.1 County Council Members have previously received reports on Kent County Council's EU Transition preparedness in July and December 2018 and March and September 2019, alongside several Cabinet Committee reports and all Members' briefings on 5 August and 13 October 2020.
- 1.2 The EU Transition period ends on 31 December 2020. Kent's position as the gateway to Europe means that the UK's readiness for the end of the EU Transition phase relies heavily on Kent's readiness. KCC, working with both national and local partners, has worked hard to prepare for all eventualities. Our preparations for 1 January 2021 are driven by the objective to minimise disruption to local communities and to keep the county open for business. Our plans are being shaped by national planning assumptions and are as robust as they can be against a continually evolving background. We are also working across directorates to ensure that the County Council can meet its statutory obligations and Kent's public services can continue to be delivered.
- 1.3 KCC has worked closely with colleagues from the Government's Border and Protocol Delivery Group (BPDG), Department for Transport (DfT), Her Majesty's Revenue and Customs (HMRC) and the Department for Environment, Food and Rural Affairs (Defra), to address the potential issues that could be realised as a result of congestion caused by delays across the 'Short Straits'.

- 1.4 Whilst KCC and local partners continue to review and refine preparations, there are still various strands of work to be delivered which are part of our ongoing dialogue with Government. These are detailed in section 9.

## **2. Local Resilience and Preparedness**

- 2.1 The Kent Resilience Forum (KRF) and government departments continue to work together to ensure contingency plans are in place to manage and mitigate any disruption to local residents, communities and businesses.

The Coronavirus pandemic and the Government's acquisition of a new site at Sevington in Ashford has led to significant changes being incorporated.

- 2.2 A single Command and Control structure to manage both the ongoing response to the Coronavirus pandemic and the response to the end of the EU Transition period has been agreed. Kent Police, Kent Fire & Rescue and Kent County Council share the strategic lead for this structure, each providing a strategic commander. In addition to this, preparations continue for the management of any potential winter related emergencies such as heavy snow or winter flooding.
- 2.3 A multi-partner (including participation by Government departments) exercise, Exercise Lundy III, was held in September 2020 using an innovative combination of a small number of partners physically gathered in a COVID-19 secure environment alongside a remote platform so that over 90 other partners could learn and contribute. This exercise incorporated learning from previous exercises and experience and identified priority areas to be addressed going forward. Further training and exercising for specific aspects of the plans is scheduled for October and November.
- 2.4 As well as preparing for the potential impact of the end of the transition period in January, preparations are also underway to manage the timetable for the introduction of import checks from 1 July 2021.

## **3. Trader Readiness**

- 3.1 On 23 September 2020, the Chancellor of the Duchy of Lancaster, Michael Gove, gave a statement to the House of Commons outlining the Reasonable Worst Case Scenario (RWCS) planning assumptions for the 'Short Straits' at the end of the EU Transition period. The assumption is that from 1 January 2021, 30-50% of trucks traveling via Port of Dover and Eurotunnel might not be ready for new border requirements, when taking into account empty trucks that will not have the same border requirements. This could reduce flow across the Channel crossings to 60-80% of normal levels, and lead to queues of up to 7,000 trucks in Kent.

- 3.2 It is recognised that trader readiness is key to avoiding significant congestion and that levels of readiness are not currently where Government had hoped they would be. The Government has a programme of business and trader readiness activity – including direct e-mail contact with over 200,000 VAT registered businesses, phone contact with 10,000 EU-only high value traders (who account for 92% of the value of EU trade), one-to-one follow up interventions with unready traders, a programme of webinars aimed at both UK and EU traders, and targeted action on key sectors.
- 3.3 The Government has published the document '[The Border with the European Union: Importing and Exporting Goods](#)'. This sets out the core model that all importers and exporters will need to follow from January 2021. This is a live document which will be updated on an ongoing basis.
- 3.4 The Government has developed a haulier communications campaign which will start in October 2020. This will include direct messaging to the haulage sector. In addition, from November 2020, 45 Information and Advice sites will be launched. These will be used to raise awareness of the new border requirements and the 'Check that an HGV is ready to cross the Border' service. In advance of Transition, these sites will be used to raise awareness and train hauliers on the use of the system. From January 2021, these sites will pivot to delivering advisory border readiness checks and re-routing unready hauliers who cannot make their loads border-ready. In parallel, Government is continuing to deliver their haulier outreach programme to UK and EU hauliers at events, exhibitions and via targeted webinars and industry-led events.

#### The Kent Access Permit

- 3.5 The Government is clear that it wants to deter unready trucks from entering Kent. In essence, the Government does not want hauliers to attempt to cross the Short Straits if traders have not completed the necessary EU formalities to ensure their goods can successfully cross the border. Automating readiness is a key plank of the Government's plans. The Government is developing a digital service – 'Check that an HGV is ready to cross the Border' (previously known as 'Smart Freight Service') – that will help to automate the process of establishing the border-readiness of an HGV.
- 3.6 The Government expects this service to be operational for January and it will be mandatory for freight using the Short Straits. The service will be staged:
- a) An HGV driver or haulier will use a web portal to answer questions about whether they have the correct documentation needed to cross the border.
  - b) If the HGV driver/haulier has declared that they have the correct documentation, and they intend to cross the border via Port of Dover or Eurotunnel, the web portal will issue them with a Kent Access Permit

(KAP) and instruct them to proceed on their journey. If the HGV driver/haulier does not have the correct documentation, the web portal will instruct them not to proceed with their journey and will provide guidance on how they can become border ready.

- c) Department for Transport will define through the Statutory Instrument process the roads in Kent which freight access will be conditional on having a KAP (which will reflect the traffic management plan). The KAP is issued digitally from the Government's new online system to an HGV, based on self-declared information regarding whether the driver has all the documentation they need to take goods across the Short Straits.
- d) On arrival in Kent, enforcement agencies can use an operator app to scan a vehicle registration number (VRN) to determine whether an HGV is border ready and has been issued with a KAP.
- e) If an HGV is using the conditional roads in Kent without a permit, enforcement agencies can fine the driver up to £300.

#### **4. Infrastructure to Support New Border Controls**

4.1 New infrastructure is required to facilitate exports from 1 January 2021 and full import controls from 1 July 2021, which is as follows:

- **For January 2021** - to support movements under the Common Transit Convention (CTC) and for traffic management purposes. Common Transit allows goods to move more quickly between the United Kingdom and Europe for customs declarations and duties, and some customs processes can be completed away from the border.
- **For July 2021** - to support customs compliance checks and checks on Sanitary and Phytosanitary goods at Border Control Post facilities.

4.2 **In Kent** - Transit infrastructure will be in place at: Ashford Sevington Inland Border Facility (IBF), and Ebbsfleet Common Transit Convention (CTC) and (on a contingency basis) at Ashford Waterbrook and Manston. Ashford Waterbrook provides a contingency option for the Sevington site. The site will be used for CTC checks and provide contingency capacity for traffic management. Manston would be used for traffic management (4,000 HGVs). The Government is also seeking a further CTC site near Dover, to be ready for July 2021.

4.3 **Outside of Kent** - there will be inland sites located at North Weald, at Warrington, for a CTC, and Birmingham, and at a small number of information and advice sites.

4.4 Traffic management facilities will be at Ashford Sevington, with Manston as a contingency (subject to commercial agreement). Ashford Sevington will be

capable of holding up to 1,700 HGVs. Ebbsfleet will also be used on a contingency basis as a 'mustering' point for prioritised outbound freight.

## **5. County Infrastructure and Traffic Management**

### Operation Fennel

- 5.1 Operation Fennel is the Kent Resilience Forum (KRF) strategy for EU Exit related planning and response. Several strategic, tactical, and operational contingency plans and arrangements support this overarching strategy including traffic management plans for both freight and passenger traffic in Kent.
- 5.2 Strategic leadership for Operation Fennel is provided by Kent County Council in the planning phase and this will transfer to Kent Police in the response phase.
- 5.3 The Operation Fennel Strategic Group considered the latest traffic management plans for Kent at its meeting on 28 September. These plans have been developed in line with Government's 'reasonable worst case scenarios' of 7,000 freight delayed in Kent for up to two days and the sites that have been procured by Government including Sevington and Waterbrook sites in Ashford, Ebbsfleet and at Manston. It is also contingent on further work being completed (see section 9 for more details).
- 5.4 The current Traffic Management Plan involves the following phases; however it is recognised there will be a degree of flexibility in phasing to take account of circumstances at the time:
  - Initial disruption will be managed through the Port of Dover Buffer Zone, holding capacity on approach to Eurotunnel, and for Dover traffic the TAP20 (total capacity c. 2,000 HGVs).
  - Use of Sevington for freight checking
  - Deployment of Operation Brock contraflow (M20 J8-J9: 2,100 HGVs). Highways England will use the new Quick Removable Barrier (QMB) between M20 Junctions 9 & 8, which will enable two lanes of traffic in each direction on the London bound carriageway should the coastbound carriageway be used to hold freight. This will take two nights' closures to implement, as opposed to six weeks previously to install the fixed metal barrier.
  - Deployment of holding capacity at Sevington (1,400 to 1,700 HGVs).
  - Directing Port of Dover traffic to Manston (4,000 HGVs).
  - TAP256 will be used in conjunction with Manston and will hold 300 HGVs, however, if required, a maximum of 440 HGVs can be held.

- 5.5 Ebbsfleet will be an HMRC Inland Border Facility. It will also be used as a Hub for prioritised freight. Should certain freight (including Scottish fish and day-old chicks) be prioritised, vehicles carrying this freight would be required to meet at Ebbsfleet where they will be issued a unique permit and directed to use the A2/M2 to junction 5, to then join the M20 and use the contraflow to the ports.
- 5.6 The traffic management plans will be refined and revised over the next weeks. However, it is important to note that whilst the plans will manage and mitigate freight congestion and keep the M20 traffic flowing in both directions, it will not completely prevent traffic congestion. Whilst the Traffic Management Plan can deal with 7,000 freight, it is expected that before capacity is reached the Government will act to divert and prevent further freight from entering Kent. In addition, in extremis should the road network be overwhelmed, or where specific circumstances dictate, then the previously deployed Operation Stack remains a viable and useable option.
- 5.7 The freight plan is complemented by a revised Operation Perch Plan that outlines the KRF response to driver welfare for tourist traffic.

#### Traffic Compliance and Enforcement

- 5.8 The Department for Transport (DfT) is leading on planning the appropriate compliance and enforcement plan for Kent working closely with Highways England, KCC and Kent Police. DfT has also recently consulted on secondary legislation for powers via Statutory Instrument (SIs) to enforce freight driver compliance and for freight to only use approved routes to the ports.
- 5.9 Traffic officers will have the power to stop and ask drivers of heavy commercial vehicles to produce any documents relating to the vehicle's journey and goods that are being exported. Traffic officers will be able to direct traffic to use certain roads including the KCC road network and be able to levy a fine of up to £300 for non-compliance. The KRF has urged DfT to properly resource the enforcement plan and to ensure that those resources are in place for 1 January 2021. One option put forward is for DfT to procure private contractors to undertake this work rather than rely on the local Police.
- 5.10 Work is also ongoing to ensure that the relevant Kent traffic authorities have the necessary powers to direct freight vehicles as required. As outlined in KCC's response to the secondary legislation consultation, KCC has asked DfT to consider extending the powers of enforcement and direction to key Kent County Council Highways Officers and explore the extension of traffic management tools such as a yellow box enforcement to relieve critical junction pinch points. DfT have indicated that this additional tool is unlikely to be agreed before late 2021 at the earliest.

## Local Haulier's Permit

- 5.11 In addition to the Kent Access Permit (section 3), there will be a Local Haulier's Permit. This will be available to East Kent hauliers that have at least five vehicles that travel across the Short Straits. The permit will enable HGVs to head straight to the ports rather than being required to join the back of the Brock queue.
- 5.12 Domestic hauliers either remaining in Kent or making a journey ending in Kent (i.e. not using the Short Straits) will not require a KAP.

## **6. Business Readiness**

### Business support

- 6.1 KCC is supporting businesses to prepare for EU Transition and will support the national campaigns through actively signposting businesses to advice and guidance. Central Government is promoting a public information campaign – 'Get Ready for Brexit'. There is also a national programme of business readiness, the recently announced Business Readiness Fund, and help for exporters to prepare for, and capitalise on, new opportunities.
- 6.2 The County Council website signposts a range of information for businesses (<https://www.kent.gov.uk/business/trading-standards/trading-standards-business-advice/brexit-and-your-business>). In addition, both the South East Local Enterprise Partnership (SELEP)'s Kent and Medway Growth Hub (<https://southeastbusiness.org.uk/kent-medway/uk-transition/>) and the Kent Invicta Chamber of Commerce (<http://www.kentinvictachamber.co.uk/brexit-hub/>) provide information on EU Transition.
- 6.3 Through the Kent and Medway Economic Partnership (KMEP), KCC is actively engaged with assisting business through the [Kent and Medway Economic Renewal and Resilience Plan](#). KCC Economic Development also works with partners including Locate in Kent, Visit Kent and Produced in Kent, who provide bespoke support packages for Kent businesses. In addition to access to finance through our successful Kent & Medway Business Funds, our work with partners includes the Kent International Business programme to consolidate the support offer to businesses in Kent for exporting and the business advice provided through the Kent & Medway Growth Hub.

### Trading Standards

- 6.4 KCC's Trading Standards Ports Team is based near the Port of Dover and comprises six Ports Import Compliance Officers. The team inspect consumer goods entering the UK through Kent and has been in place since March 2019.

- 6.5 There are three points of entry into the UK located in Kent: The Port of Dover, Eurotunnel, and the 'Fast Parcel Hub' in Dartford. At the end of EU Transition, a staged approach of compliance checks will mean that between January and July 2021, non-EU goods will continue to be examined at the Ports. However, by July these checks and the checks introduced on EU goods at that time, will be moved away from the Ports to at least one inland border control point.
- 6.6 With the establishing of a border control point in Kent, Trading Standards will be required to carry out checks on imported high risk animal feed. This is a wholly new duty requiring additional qualified staff. As yet the levels of checks required have yet to be determined but there will be increased demands, and officers are working on a business case to bid to Government for additional funding.

### Kent Scientific Services (KSS)

- 6.7 Following the end of the EU Transition period, checks on food and animal feed coming into the UK from the EU will be introduced on a staged basis between January and July 2021. The majority of physical checks will not be introduced until July. There is likely to be at least one new border control point established close to the key Short Straits crossings at Dover and Eurotunnel. This new control point is likely to facilitate the importation of both food and feed of a high-risk nature via the Short Straits. Whilst it is not yet certain which local authority will be required to provide the port health service to this control point, KSS provides the Public Analyst service to all those likely to be involved.
- 6.8 During the introductory period of these controls, goods of a high-risk nature will need to enter the UK via an existing border control point. KSS, as part of the national infrastructure supporting the food and feed supply chain, continues to provide analytical services to the majority of the ports in the Southeast. COVID-19 secure facilities and work practices have been introduced to enable the laboratory to continue to provide these services at the capacity likely to be required in a safe and sustainable way.
- 6.9 KSS continues to maintain stocks and supplies sufficient to provide continuous operations beyond the reasonable worst case disruption period envisaged. The supplies are relevant to all aspects of KSS's work including that for the Kent Coroners.

## **7. KCC Readiness - Business Continuity Planning**

### Cross-Directorate Resilience Forum

- 7.1 KCC has a Cross-Directorate Resilience Forum in place, with over 20 senior representatives from across all four directorates. The Forum meets monthly,

and principally feeds in and out of four Directorate Resilience Groups, whilst coming together to agree a common KCC oversight, preparation, planning and response. The work of the Cross-Directorate Resilience Forum is informed and in turn informs the KCC Resilience and Emergency Planning Service.

### Resilience and Emergency Planning

- 7.2 KCC's Business Continuity Planning (BCP) for EU Transition is being co-ordinated by the Resilience and Emergency Planning Service (REPS) within the Growth, Environment and Transport Directorate, and through the Directorate Resilience Group structures. Service level Business Continuity Plans are maintained to ensure our services are able to meet their statutory responsibilities and identify dependencies across corporate services. REPS is overseeing service BCP plans, ensuring plans are continually updated, and the latest BCP position will be reviewed at each of the four Directorate Resilience Groups, which are meeting every two to three weeks ahead of 31 December. A bespoke KCC EU Transition risk assessment has also been developed to assist risk monitoring and mitigation across each Directorate.
- 7.3 The Corporate Business Impact Analysis will ensure effective oversight of interdependencies across the organisation. Lessons learned and organisational change informed by local adaptation to the COVID-19 pandemic have strengthened organisational resilience ahead of EU Transition.
- 7.4 Seven EU withdrawal themed emergency planning exercises have been facilitated by the REPS team since 1 April 2019 and a 'virtual' EU Transition-exercise has been developed and is hosted on KNet. The exercise parameters were informed by the latest local and national risk assessment and addressed response and recovery, testing command and control structures and response personnel. The County Council contributed to the Kent Resilience Forum's Exercise Lundy III on 22 September, with the Resilience and Emergency Planning Manager leading the KCC cell, which comprised senior personnel from across key services.
- 7.5 REPS, KCC Directorates and partners are currently liaising on winter preparedness planning. Rotas have been developed to enable staff cover to deliver COVID-19 secure operation of the County Emergency Centre (CEC) and to reinforce the 24/7 Duty Emergency Planning Officer (DEPO) function. KCC is co-ordinating with Highways England on contingencies for any impacts from severe weather on the highway network during the winter period. Contingencies addressing offsite emergency planning duties for key infrastructure sites, including pipelines, industrial facilities and reservoirs,

have all been reviewed and updated ahead of winter, with any specific actions identified and acted upon.

## 8. Communications

- 8.1 For the Kent Resilience Forum's multi-agency approach to communications across Kent and Medway, the KRF Communications Group will manage the parallel incidents of ongoing communications round COVID-19 and that of EU Transition. The Communications Group has three communications plans: EU Transition/Op Fennel, COVID-19 and for Outbreak and Local Lockdown. In the event of concurrent incidents, the KRF multi-agency emergency communications plan will be deployed. Partners in the Communications Group have been assigned roles to ensure timely messaging about COVID-19, EU Transition, Winter Pressures and Severe Weather. Any or all of these will be coordinated by the Group as directed by the KRF's Command and Control structure.
- 8.2 There are two key messaging strands to be progressed to support EU Transition:
- **Community Impact messaging:** this will include advising residents to allow extra time for journeys due to traffic congestion, advising people travelling to carry essential medications with them, consider avoiding non-essential travel, and encouraging residents to check on potentially isolated family and neighbours to ensure they are safe and well.
  - **Business messaging:** there will be a drive to promote business and trader readiness: a centralised bank of messages directing businesses to national guidance and locally produced content via lead agency social media channels and shared and localised by KRF partners with appropriate business channels. The KRF Communications Group will also support the Government's national campaign to promote and encourage hauliers to be border-ready before they enter Kent.
- 8.3 KCC's communications will largely mirror and complement those of the KRF, and anticipates increased demand in three key areas: media, resident and business communications; website and social media updates; and an increase in Contact Centre call demands to both day and out of hours operations. An external communications management plan is in place and will run alongside existing COVID-19 communications. A prominent page on Kent.gov will give clear messages about EU Transition for residents and businesses which will be regularly updated with links to relevant Government information as it is released and KCC service delivery changes (informed by an internal EU Transition email address for KCC directorates to advise the Communications team of service changes). This will be supported with media releases and social media posts to reach residents across the county. KCC's Call Centre capacity will be reviewed and enhanced if needed.

8.4 For internal KCC staff communication, a full and comprehensive communications plan covering EU Transition, COVID-19 and other incidents has been developed and is regularly updated, encompassing scheduled and additional messages as required for all colleagues, with supplementary information for managers. The engagement team are ready to provide flexible ad hoc messaging as required and will liaise closely with Human Resources/Organisational Development as required in case further guidance is required for managers.

## 9. Dependencies and future risks

9.1 Understandably there are some outstanding dependencies and issues in preparing for EU Transition in Kent, and it is accepted and understood by all partners that the Operation Fennel Plan will be developed further over the next four to five weeks. While KCC and the Kent Resilience Forum are working through a number of priority actions in order to finalise preparations, there are a number of national and Government dependencies that need to be addressed at pace, and these have been shared with the Chancellor of the Duchy of Lancaster and the Government's Ministerial Committee on EU Exit Operations ('XO Committee'). The key issues are:

9.2 **Traffic modelling** for the M20's Junction 10 and 10a as priority, but also required for Manston, Ebbsfleet and relevant Strategic Road Network junctions (for example, M2 Junction 7, M20 Junction 7 M2 Junction 5). The Department for Transport (DfT) must continue to provide accurate modelling analytical support to the KRF's analytical cell.

9.3 **Border readiness** in terms of maximising the readiness levels to reduce Kent congestion; a national communications plan for key consistent messages about the Port of Dover, Eurotunnel and local partners to be shared with customers, residents and businesses; and assurances that the online 'Check an HGV is Ready to Cross the border' service will be ready for 1 January 2021. The Government's Border and Protocol Delivery Group (BPDG) is leading on addressing these dependencies.

9.4 **The Traffic Management Plan** can only be finalised and become operational if the following is in place:

- Confirmation of the Special Development Orders (SDOs) for each of Kent's five sites by DfT and Ministry of Housing, Communities and Local Government (MHCLG) including the detailed operational plans for each site as well as the respective Command and Control Plans (DfT).
- Agree the final composition of the 'prioritised' freight that will be fast-tracked by the Department for Environment, Food and Rural Affairs (Defra).

- The Government's plans for dealing with levels of freight beyond Kent's capacity, upstream and away from Kent.

9.5 **Agree resources to deliver the transition plans**, which include:

- Decisions regarding the Port Health Authority use and resources at the Sevington site, and additional resources for Trading Standards staff at the inland Border Facility sites – to be agreed by the BPDG and Defra.
- Agree and procure resources for the compliance and enforcement plan by DfT, Highways England and the Home Office; this will underpin all phases of the traffic management plan.

**10. Recommendations**

**Recommendation(s):**

**County Council is asked to:**

**(1) Note** the national and local preparations for the end of the EU Transition phase.

**(2) Endorse** Kent County Council's priorities for urgent Government action to resolve the outstanding issues as highlighted in the paper.

**11. Background Documents**

- Brexit Preparedness - Kent County Council Position to County Council (July 2018)
- Business Preparedness for Brexit update to Growth, Economic Development and Communities Cabinet Committee (July 2018)
- Trading Standards update to Growth, Economic Development and Communities Cabinet Committee (September 2018)
- Brexit Preparedness - Kent County Council Update to County Council (December 2018)
- Preparations by HM Government and the European Commission for a No-Deal Brexit to Growth, Economic Development and Communities Cabinet Committee (January 2019)
- Corporate Risk Register in relation to Brexit to Policy and Resources Cabinet Committee (January 2019)
- Supporting Kent Exporters to Growth, Economic Development and Communities Cabinet Committee (March 2019)
- Brexit Preparedness - Kent County Council Update (March 2019)
- Risk Management: Growth, Environment and Transport Directorate to Growth, Economic Development and Communities Cabinet Committee (March 2019)
- Brexit: Strategic and Corporate Services Business Continuity Arrangements to the Policy and Resources Cabinet Committee (March 2019)
- Brexit Preparedness – Kent County Council Update (September 2019)

From: Sue Chandler, Cabinet Member for Integrated Children's Services  
Richard Long, TD Cabinet Member for Education and Skills

To: **County Council**

Subject: **KYCC Annual Report 2019-20**

Classification: **Unrestricted**

**Past Pathway of report:** N/A

**Future Pathway of report:** N/A

**Electoral Division:** ALL

**Summary:**

This report details the work of Kent Youth County Council during 2019/2020, reporting on the KYCC elections November 2019, when 21,059 young people voted to elect their KYCC Member and to select the KYCC Campaigns for 2020. This year's campaigns are Mental Health, Curriculum for Life and Environmental Awareness. More information of the key actions of each group can be found within the report and recommendations from KYCC on how KCC could support or work with young people on these issues.

**Recommendations:**

County Council is asked to Note the Youth County Council Annual Report 2019-20 and consider the following recommendations set out in the covering report which relate to each of the KYCC Campaigns.

**1. Introduction**

1.1 This year's KYCC members have only had the opportunity to meet together three times in person since being elected last November. Online meetings started in May, with campaign groups and project groups meeting monthly using Microsoft Teams. 69 Virtual sessions have been held from May – August and will continue online for the foreseeable future.

1.2 This year's KYCC members have joined with young people from Gravesham & Sevenoaks Youth Hubs to developing a project in response to the Black Lives Matter movement. The young people have now met twice virtually and have decided to work on tackling all areas of hate crime including disability, race, religion, sexual orientation and gender identity. The hashtag #BeAnAlly was chosen as a positive act everyone can take in challenging hate crime.

- 1.3 Seven new Members of Youth Parliament (MYPs) have been elected to represent Kent nationally at UK Youth Parliament. They have started to meet with virtually with other MYPs from the South East and participated in a virtual Annual Conference with MYPs across the UK over 2 days at the beginning of January. The Report concludes with young people's feedback on what KYCC means to them including:

*"KYCC means the world to me and has changed me so much, even shaping my future career aspirations"* Alice

*"I'm in my 4<sup>th</sup> year at KYCC. It provides Kent's young people with an invaluable opportunity to build confidence, gain experience and make connections in a safe, welcoming environment."* Lydia

## **2. Mental Health:**

- 2.1. The Mental Health Group would like to be included more in plans involving the mental health of young people and how the council reaches them to gain their views and opinions.
- 2.2 We would also like to work together to help raise awareness and combat stigmas surrounding views of mental health and young people and KCC to share our mental health awareness posts on their social media accounts.

## **3. Curriculum for Life:**

- 3.1 We recommend that KCC give support to the Curriculum for Life group by providing perhaps some meetings or opportunities to get advice from those who work in education within the KCC. We would also like to invite a KCC Member or appropriate staff member to sit on our Select Committee as it develops in early 2021.

## **4. Environmental Awareness:**

Following on from Covid-19 and the increase in home working and working electronically we would recommend you also adopt a paperless scheme to prevent wastepaper, saving the environment and your resources. We would also seek any opportunities to work with KCC on environmental issues.

## **5. #BeAnAlly**

- 5.1 Work with us to bring together the key people, such as Kent Police, Head Teachers etc to work jointly to produce clear information about hate crime, the process of reporting hate crime and what to expect. As well as providing support to young people who have experienced hate crime.
- 5.2 Producing a communication plan for KCC so that we can share important messages, across all of the social media platforms, KCC, Youth Hubs, KYCC, open access etc quickly. Young people felt there was a lack of support shown for Black Lives Matter from all KCC social media and we need to be doing more to ensure young people know services are open and inclusive.
- 5.3 More training provided for staff across KCC ensuring awareness of all levels of hate crime and microaggressions and how to challenge these. Training should

also be provided to all schools, youth organisations and available to young people.

**6. Recommendations:**

County Council is asked to Note the Youth County Council Annual Report 2019-20 and consider the following recommendations set out in the covering report which relate to each of the KYCC Campaigns.

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# Kent Youth County Council

## Annual Report 2019/20



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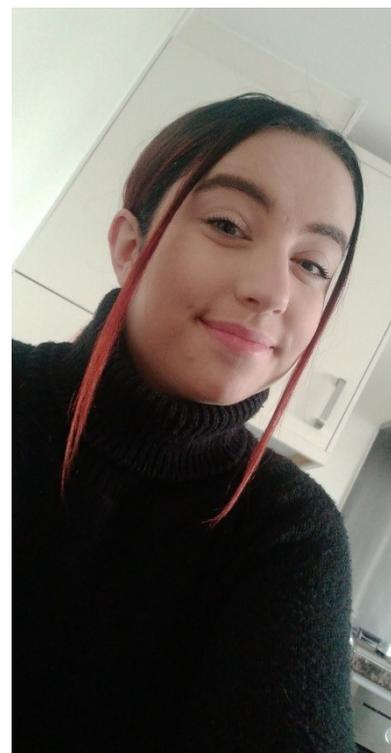
**Page 14:** Key moments over the last year

**Page 15:** KYCC Elections & What KYCC means to our members

## Welcome from the Chair:

Welcome to this year's Annual Report of the Kent Youth County Council (KYCC). We have created this report as a way of highlighting all the hard work, perseverance, and dedication all of the young people within this organisation have put into campaigning on this year's elected issues. Additionally, we wish this report provides a better understanding of what we do as a youth council, inspiring you with ideas on how you can assist us within our campaigns which will ultimately aid us in making a difference to the lives of the many young people living within our county.

This year it can be seen that everyone has done so well with the change to online meetings that I'd also like to highlight that as this has been a particularly different and somewhat challenging year for us as a youth council. However, it has been a pleasure to be Chair during all of the changes. So, finally, I hope you enjoy reading about all the amazing things our young people have done this year and let it help inspire you to help make a difference in young people's lives too.



**Alice Breiner**  
**Chair, Kent Youth County Council**

## Introduction:

Kent Youth County Council (KYCC) is a group of young people aged between 11 and 18 who are elected to represent either their district or community on campaigns which are voted for by the young people in Kent.

KYCC aims to represent the views and opinions of Kent's young people and in turn create change within the county which can benefit all young people. Furthermore, KYCC helps young people to understand the importance of engaging in the democratic process and learn how their vote can make a difference.

Annually in November, KYCC hold elections for new members and to determine which 3 campaigns they will be working on for the year. Four young people are elected to represent each district in Kent, these young people are known as "Members" and hold a position on the youth council for 2 years. Up to four deputy members for each area are also elected, who hold a position on the youth council for 1 year. Along with the election of district seats, twelve young people are also elected to community seats which represent specific groups within Kent, including: young carers, home schooled young people, LGBTQ+ groups and young people with disabilities.

Each year the new members campaign on the top 3 issues which were voted on during the elections. In November 2019, over 21,000 young people voted on the campaigns they wanted to see the youth council work on. The top 3 issues, which we have been campaigning on in 2020 are **Mental Health, Curriculum for Life and Environmental Awareness.**

## Kent Youth Voice

Kent Youth County Council have now widened out to become Kent Youth Voice meetings, welcoming in young people from the countywide SpeakOut @HeadStart Kent.

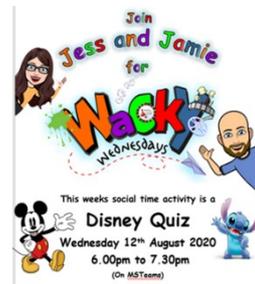
Speakout @HeadStart Kent have brought a new campaign, Building Resilience and work together with KYCC members on this campaign, the KYCC Campaigns and the joint project groups. This joint work has widened the reach of both KYCC & SpeakOut, increased levels of coproduction and joint working.

## Working through Covid

This year's KYCC members have only had the opportunity to meet together three times in person since being elected last November. Online meetings started in May, with campaign groups and project groups meeting monthly using Microsoft Teams.

### Since moving online:

- 62 of 99 current Youth Voice members completed consent forms to join virtual meetings
- 69 virtual sessions held from May - August including campaign meetings, project groups, social activities and our virtual summer programme with included our very own design Escape Room challenges, murder mysteries and our fortnightly Wacky Wednesday quizzes & activities
- 344 attendances at these events



### What young people have said:

*"Virtual meetings taking place more often than monthly face to face ones so helps to keep ball moving and get actions done and stay focused. Meeting more focused as no subgroups chatting in meetings"*

*"If we don't have face to face meetings at County Hall KYCC would lose what makes it special, as it's a privilege to use the Council Chamber."*

*"Virtual meetings are harder to build social relationships and friendships as less personal, so don't want virtual meetings to completely replace face to face ones. Virtual meetings wouldn't be very effective if face to face meetings hadn't happened first to meet people and build initial relationships."*

*"If you don't want to speak on camera you don't have to- you can speak in the chat and build up your confidence to speaking."*

*"Miss the meetings and going to my youth hub as I can get away from my family for a while, to interact with others and have fun, as I'm a young carer that's my MAIN socializing time."*

*"Would like to keep some 'teams' meetings when face to face meetings return as can help keep focus between meetings and get work completed between young people."*

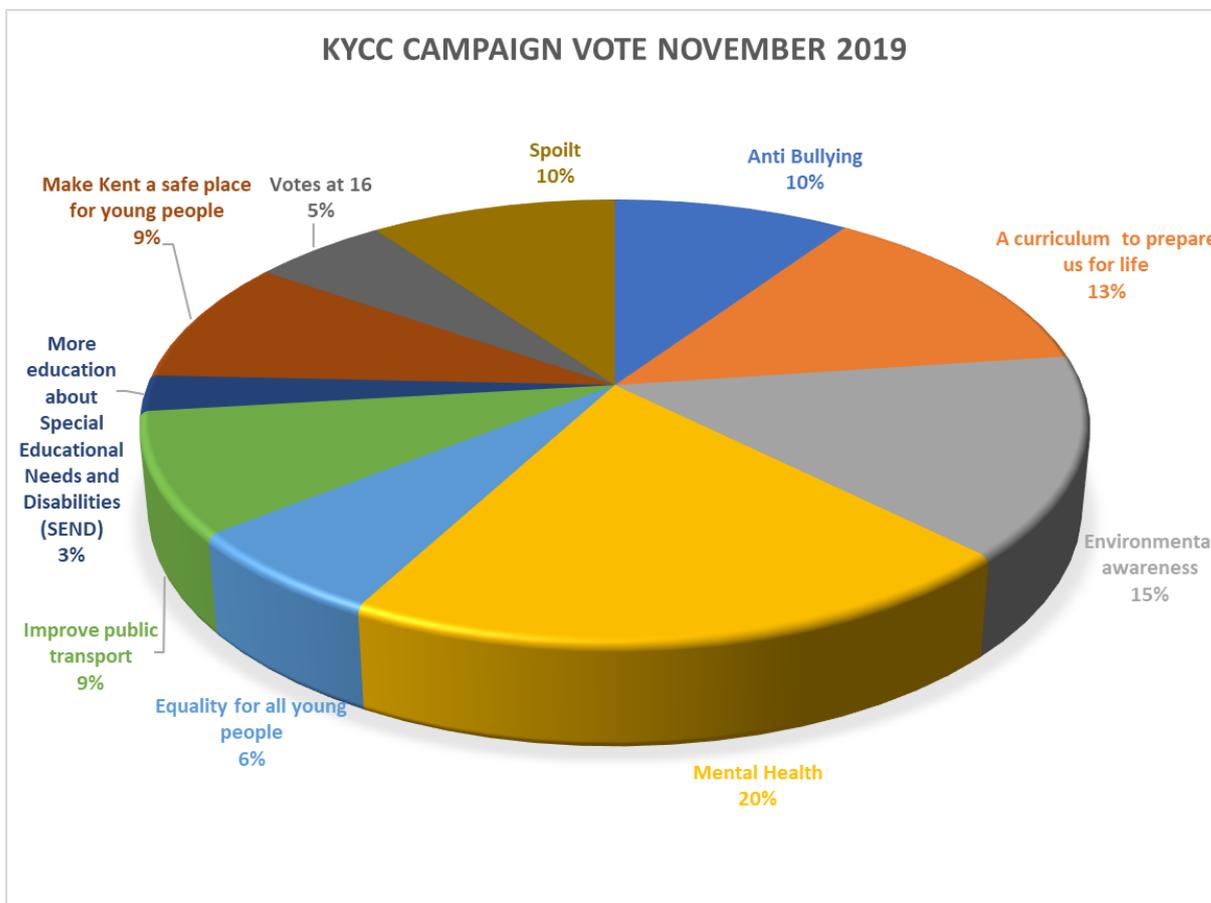


## KYCC Elections Overview November 2019

The annual KYCC elections were held in November 2019, with 21,059 votes cast by young people across 85 polling stations. Voting was held within schools and youth organisations across the county as a mix of both as online and paper ballots.

### Key Stats:

- 72 young people have been elected as KYCC Members and Deputies to represent young people across Kent.
- An amazing 21,059 young people voted in the elections either by online or paper ballots. The voting decided the elected members and on the top 3 KYCC Campaigns for 2020.



### Top 3 issues & campaigns for 2020:

1. Mental health
2. Environmental Awareness
3. A Curriculum to prepare us for Life

## Mental Health Campaign

### Key Stats:

- Mental Health received 20% of the votes in the 2019 election, making it the biggest issue amongst young people in Kent.
- Mental Health also received 181,691 votes in the UK Youth Parliament's Make Your Mark ballot in 2019, making it the 2<sup>nd</sup> most important issue to young people nationally.
- 50% of lifetime mental illness begins by the age of 14.

### Overall aim of campaign this year:

Our first aim within the Mental Health Campaign this year was to create visual sign posting for young people in Kent as to where they can receive help and advice regarding their emotional health and wellbeing. Due to being in lockdown, we decided to do this by creating a mixture of social media messages which went out on our social media platforms.

We also supported the work of the Emotional Wellbeing Participation workers. They asked us to feedback on several ideas which they had and gave suggestions as to how they could reach young people. We have enjoyed our work with them and feeding into their project knowing our voices had been heard.

Due to the pandemic and having to resort to virtual meetings, we also felt that it was highly important to support each other and promote the wellbeing of the group. We took part in many social and team building activities together. This helped us to feel connected and confident when working together online.

### Key actions:

Host a World Mental Health question and answer session at Kent Youth Voice to make other members aware of the support and services being provided to help them.

### Recommendation(s):

1. The Mental Health Group would like to be included more in plans involving the mental health of young people and how the council reaches them to gain their views and opinions.
2. We would also like to work together to help raise awareness and combat stigmas surrounding views of mental health and young people and KCC to share our mental health awareness posts on their social media accounts.

**Chair:** Abigail Sinstadt

**Vice Chair:** Riley Button



## Curriculum for Life Campaign

The Curriculum for Life Campaign was set up to help educate and equip young people with the skills necessary for all aspects of life, particularly non-academic issues like mental health, interviewing techniques and finance. This campaign was elected as a priority across Kent in recent elections and, with the large amount of KYCC members who chose Curriculum for Life as their campaign this year, it is clear to see it remains of interest.

### Key Stats:

- Curriculum for Life received 13% of young people's vote in the 2019 election
- In 2018, over 130,000 young people prioritised Curriculum for Life as the most important issue for them across the whole of the UK in the Make Your Mark Ballot.
- In surveying 321 pupils only 5% said their PSHE lessons were extremely useful.
- 72% of young people surveyed would like to learn more on budgeting & finance and investments & first aid.

### Overall aim of campaign this year:

To create resources that can be sent out to schools and teachers- with the aim of doing this in such a way that the resources will have been made to a high enough standard that they can be taught in all schools but have been made with the input of young people.

### Key actions:

- To continue contacting schools and getting help and support to build up our 'toolkit'. We want to work with teaching professionals to develop a range of lesson plans, activities and presentations that can be used by schools across Kent.
- To set up a select committee into PHSE and current provision within Kent schools. This has been delayed due to our move to online meetings, however, as this continues, we are now planning to try to run a virtual Select Committee.

### Recommendation:

We recommend that KCC give support to the Curriculum for Life group by providing perhaps some meetings or opportunities to get advice from those who work in education within the KCC. We would also like to invite a KCC Member or appropriate staff member to sit on our Select Committee as it develops in early 2021.

**Chair:** Poppy Mansfield Jones

**Vice Chair:** Maria Rodrigues

# Environmental Awareness Campaign

## Key Facts:

1. The environmental awareness campaign gained 15% of the vote in the November 2019 elections
2. Average wildlife populations have dropped 60% in the last 40 years
3. 120,000 square feet of tropical forests were lost in 2018. This loss of tropical forest although partially due to wild fires was primarily caused by mankind for agricultural purposes such as cattle farming.

## Overall aim of campaign this year:

Our initial idea as a group was to look at the logistics of our campaign group going paperless which we have achieved and would like to discuss KYCC going paperless. In addition as a campaign group our main aim for the year has been looking at how schools can be more environmentally friendly and how we can run a social media campaign as to how we can encourage people to be more environmentally friendly.

## Key actions:

As a new campaign group and due to the Covid-19 pandemic we have not achieved as much as other groups may have in previous years however, we feel like we have done the best we can under the circumstances. As a group we have discussed many things we could do to benefit the environment and before the pandemic were looking at the potential for a fundraiser to educate people on the environmental issues (not just climate change) while also raising money for charities. In addition to this, we have discussed large group litter picks. We continue to look for the positive though as through the use of virtual meetings as a campaign group we have achieved our aim of paperless meetings.

Our key action this year has been looking at grants for tree planting and contacting schools with links to these grants that they can apply for.

**Recommendation:** Following on from Covid-19 and the increase in home working and working electronically we would recommend you also adopt a paperless scheme to prevent wastepaper, saving the environment and your resources. We would also seek any opportunities to work with KCC on environmental issues.

**Chair:** Ella Scarr

**Vice Chair:** Nathan James

# Building Resilience Campaign

The building resilience group is supported by HeadStart Kent and was included last year when HeadStart's SpeakOut group was joined with Kent Youth County Council to form Kent Youth Voice.

## Key Stats:

- Last year 130 young people and staff attended the Big Conversation
- 42,430 young people are benefitting universal support in 78 HeadStart Kent schools. This equates to a third of the 10 to 16 year old population in Kent.
- 40 schools have achieved the standard to receive the 'Award for Resilience and Emotional Wellbeing'.
- 5,025 school and community staff have been trained by HeadStart Kent or their delivery partners. These staff feel more confident supporting young people's emotional health and wellbeing as a result of this training.
- The young people participating and coproducing HeadStart Kent feel more supported by their peers.

## Key actions:

The Building Resilience group help HeadStart staff to plan the Annual Big conversation, which is an event for young people to give information on improving their mental health and emotional wellbeing. The day includes workshops with a practical element gave an opportunity to try proven techniques to lessen anxiety.

The group decided which workshops and stall holders should be invited to attend, agreed the format of the day, including the introduction of a reverse Q&A giving professionals the opportunity to ask the young people attending questions.

Young people from the Building Resilience group write the script of the day and have the opportunity to present throughout the actual event. Big Conversation 2020 has been postponed until July 2021.

The Building resilience group also produce resources to help build young people's resilience, including PowerPoints for assemblies and are now concentrating on developing a board game.

**Chair:** Nikita Williams

**Vice Chair:** Kiera Jones

# KYCC Manifesto 2020

## Introduction:

Kent County Council's Manifesto tackles a wide range of topics affecting young people, from public transport to equality for all. It was created by young people, locally elected to represent the views of their peers. Kent Youth Voice members work on each of these topics as project groups, alongside their campaign work.

## Anti-Bullying:

Every child and young person should be able to go to school, socialize and use social media without fear of bullying. Bullying behaviours should be addressed quickly and young people who experience bullying should be provided with support to overcome this.

We are currently developing an Anti-Bullying Pledge for schools and youth organisations to create a good standard for dealing effectively with bullying and communicating this process to young people.

## Equality:

KYCC would like to see no minority to be treated as such by working with organisations to help youths know why there shouldn't be any discrimination. More Education is needed for people on discrimination.

## Keeping Kent Safe:

KYCC are passionate that young people should feel safe on their own streets. Keeping Kent Safe project group would feel more education is needed on safety issues including peer pressure, knife crime and county lines.

## Transport:

KYCC supports the proposed idea that bus fares should rise gradually for young people between child and adult rates so there is not a big jump in rates between child and adult fare at 16.

# #BeAnAlly

The #BeAnAlly campaign group was formed in July 2020 after a demand seen by young people, to make a change in hate crime, this followed swiftly after the BLM (Black Lives Matter) campaign. However, the group will be doing work in all areas of hate crime including disability, race, religion, sexual orientation and gender identity. We have had an opportunity to work with the KCC Youth Hubs in Gravesham & Sevenoaks to work together on tackling hate crime in Kent.

At our first virtual meeting, we heard from Gravesham Young People who presented on the work they have done so far, including undertaking a survey in 2017. As a group they discussed many points including, diversity in schools and the introduction of a hate crime app where young people can remotely report cases of hate crime.

The group are looking at lots of ideas and will be leading on some research over the next year, building on the survey undertaken in Gravesham so that we can get a Kent wide picture of the views of young people on hate crime and what they know about reporting it. We also plan on meeting with The Education People's Head of Inclusion to discuss hate crime in school and how this group can help shape safer schools for the future.

## Key stats:

- Kent Police recorded 4,395 hate crimes in 2018-19 - up 31% from the previous year.
- More than two-thirds of hate crime reports in Kent related to race, while 14% featured hostility towards disability.
- A report by the Crown Prosecution Service shows that the volume of homophobic and transphobic hate crime dealt with by prosecutors in Kent increased from 38 in 2017/18 to 62 in 2018/19.

## Recommendations:

1. Work with us to bring together the key people, such as Kent Police, Head Teachers etc to work jointly to produce clear information about hate crime, the process of reporting hate crime and what to expect. As well as providing support to young people who have experienced hate crime.
2. Producing a communication plan for KCC so that we can share important messages, across all of the social media platforms, KCC, Youth Hubs, KYCC, open access etc quickly. Young people felt there was a lack of support shown for Black Lives Matter from all KCC social media and we need to be doing more to ensure young people know services are open and inclusive.
3. More training provided for staff across KCC ensuring awareness of all levels of hate crime and microaggressions and how to challenge these. Training should also be provided to all schools, youth organisations and available to young people.



Each year 7 KYCC members are elected from within KYCC to represent Kent nationally at UK Youth Parliament events.

**This year’s members are:**



*Top row Left – right*

- MYP Lawrence Coomber – Canterbury
- MYP Zubair Asim - Canterbury
- MYP Poppy Mansfield Jones – Canterbury
- MYP Shoniwa Chindawi – Dartford
- MYP Lydia Nottingham - Thanet

*(Bottom Row left to right)* MYP Alice Breiner (Swale), DMYP Holly Leggett (Dover), DMYP Millie May (Swale), DMYP Zara Kumbasaroglu (Thanet), MYP Alice MacDonald (Tonbridge & Malling), DMYP Gabby Stere (Gravesham), DMYP Charlotte Swaine (Folketsone & Hythe), DMYP Shannon Birch (Swale).

Since being elected in January 2020, the UKYP annual programme of events have not gone to plan! The national training and induction residential in April was cancelled due to Covid-19 and instead we were sent a Prezi from British youth Council to explain the processes within UKYP.



The Annual Conference which is typically held over 3 days in July did not go ahead and instead in September we took part in a 2 day virtual Annual Conference, it wasn’t quite the same but even with a few technical hitches along the way we got to take part in over 60 debates which had been put forward for the UKYP manifesto & Make Your Mark ballot which will take place in November 2020.

We are now working hard to promote Make Your mark and how we can encourage young people in Kent to take part & vote online in the national ballot. We are also looking forward to debating in the House of Commons, hopefully now scheduled for February 2021.

## Key moments over the last year

### Debating in the House of Commons



On 8th November 2019, Kent's 7 MYPs travelled up to London to take part in the annual Youth Parliament Sitting in the House of Commons to debate the top 5 issues from the Make Your Mark Ballot.

Kent MYP Alex McGovern was voted to represent the South East of England as Debate Lead. In this role, Alex spoke at the Despatch box on the topic of Hate Crime.

Alex's tweet following the day really sums up his experience: *"Speaking at the Despatch Box of the @HouseofCommons for Tackling #HateCrime today made me consider the clear impact of rhetoric from MPs on hate crime. Our next parliament must not normalise the language of prejudice due to the dangerous, real-world consequences that are caused."*

Alex (right) pictured with Kyle Siwek, KYCC & UKYP Member at the Despatch box

### The Straits Committee launch conference, Arras, France — 5th February 2020

Alice McDonald (KYCC Vice chair 2019) was invited to attend a launch conference for the new Straits committee in France as a youth representative from the UK. The conference was also attended by several other European countries and MPs from Kent as well as KCC Cabinet Member Mike Whiting to discuss cross border working between European Countries post Brexit. The agenda covered climate change, economic development and working with and including young people.



## **KYCC Elections 2020**

We know schools are going to be busy in the new academic year and running the youth elections will not be their highest priority. We also know from current KYCC members they do not feel they have had the best experience of KYCC this year and that they have been unable to develop their campaigns fully.

As a result, all KYCC Members and deputy members who are due to come to the end of their term of office in December 2020 have been offered the opportunity to extend their term by 1 year until December 2021.

Where there are then vacant seats on KYCC we will be recruiting young people online and holding an online election process to those seats.

## **And finally...we asked KYCC members what KYCC means to them:**

*"Respect, understanding and equality"* Joseph

*"It is an amazing lively place to meet new people with the same interests as you. It's important to be part of something that can change the future."* Bella

*"KYCC means the world to me and has changed me so much, even shaping my future career aspirations."*  
Alice

*"I feel like I'm helping make Kent a better place for young people. I'm proud."* Luke

*"Being a part of Kent Voice had given me meaning. Before KYCC I lacked a sense of belonging and being a part of this group has transformed my life."*

*"KYCC has been an amazing opportunity, I have made new friends and learnt so many new skills I will take forward in the future."* Ella

*"I'm in my 4<sup>th</sup> year at KYCC. It provides Kent's young people with an invaluable opportunity to build confidence, gain experiences and make connections in a safe, welcoming environment."* Lydia

*"KYCC gives people without any power a chance to make a small difference however that can change can still grow into much more with the support of others."* Ethan

# For more information on Kent Youth County Council:

Web: [www.kent.gov.uk/kycc](http://www.kent.gov.uk/kycc)

Email: [kycc@kent.gov.uk](mailto:kycc@kent.gov.uk)

Or follow us on Facebook [@kentyouthcountycouncil](https://www.facebook.com/kentyouthcountycouncil) or Twitter [@kycc](https://twitter.com/kycc)

From: Charlie Simkins – Chair of Superannuation Fund Committee  
Zena Cooke – Corporate Director of Finance

To: County Council – 22 October 2020

Subject: Local Government Pension Scheme pooling – Inter-Authority Agreement review

Classification: Unrestricted

**Summary:**

To update the County Council on the ACCESS Pool

**Recommendation:**

The Council is asked to approve the updated ACCESS Pool Inter-Authority Agreement (IAA).

**FOR DECISION**

**1. Introduction**

1.1 In the summer 2015 budget the Chancellor of the Exchequer announced the Government's intention to enforce the pooling of LGPS investments. The criteria published in November 2015 required the pools to have a minimum of £25bn of assets. The drivers for the changes were to reduce cost and increased investment in infrastructure.

**2. Current position**

2.1 In late 2015 / early 2016 discussions took place with other local County Council LGPS funds and in July 2016 ACCESS (A Collaboration of Central, Eastern and Southern Shires) was established consisting of:

Cambridgeshire	Kent
East Sussex	Norfolk
Essex	Northamptonshire
Hampshire	Suffolk
Hertfordshire	West Sussex
Isle of Wight	

2.2 The ACCESS Pool has been operating under the current Inter-Authority Agreement as of July 2017 and since then the Pool has contracted an Operator to deliver the FCA regulated services and manage the pooled investments. The

ACCESS Joint Committee provides ongoing Member oversight and formal decision making in relation to pooling matters and contract management. Kent County Council is represented on the ACCESS Joint Committee by the Chair of the Superannuation Fund and is supported by senior officers, with oversight from the s151 Officer.

2.3 A copy of the ACCESS 2019-20 annual report is attached at appendix 1.

### **3. Inter-Authority Agreement (IAA)**

3.1 The current IAA was developed by the Monitoring officers of the 11 Councils assisted by Eversheds. This was created with the following governing principles in mind, as per agreement across the Pension Committee Chairs of the participating authorities:

- working collaboratively
- all Councils will have an equitable voice
- avoiding unnecessary complexity
- operating economically applying VFM considerations

3.2 The IAA resulted in the establishment of the Joint Committee, which was constituted under S101 & S102 of the Local Government Act 1972 and made up of one elected councilor chosen by each Council from their pension committees.

### **4. Revision of the Inter-Authority Agreement**

4.1. In accordance with the Terms of Reference of the Joint Committee, a review of the IAA was instigated prior to the second anniversary of its first meeting. The review was included within a wider governance project approved by the Joint Committee, which sought to ensure appropriate local authority good governance practice was correctly applied in the context of pooling.

4.2 The Governance Project was supported by Muse Consultancy and Squire Patton Boggis (Solicitors). Key outputs of this work included the development and adoption of a Governance Manual, which serves as a policy document and operational guide for activity necessary to allow the Pool to function, and the revised the IAA.

4.3 The revised IAA represents an update of the original agreement, with changes made to account for the shift from the establishment phase to the business as usual phase. As a result, the proposed IAA now more accurately reflects the key activities and accountabilities involved in the Pool and takes into account recent legislation changes (e.g. GDPR).

4.4 The new IAA does not require any additional delegation of authority from the County Council and does not represent any significant shift in approach but rather clarifies the obligations of each participating authority and provides additional clarity in areas where there was ambiguity, particular in relation to the ACCESS

Support Unit arrangements, s151 Officer involvement, Operator definitions and procurement arrangements.

- 4.5 Despite the lack of further formal delegation being required, the IAA and the ACCESS Pool more generally represents a significant contractual commitment to collaboration with 10 other local authorities in relation to more than £40bn of pension investments. Consequently, it is appropriate to apprise Council of the developments and seek authority to enter into the revised agreement to allow for continued participation in the pool.

## **5. Recommendation**

5.1 Council is asked to agree:

- (1) To enter into the revised ACCESS Pool Inter-Authority Agreement as attached at appendix 2
- (2) That authority be delegated to the s151 Officer to enter into relevant contracts and other legal agreements as required to implement this decision; and
- (3) That authority be delegated to the s151 Officer to, following consultation with the Chair of the Superannuation Fund and the General Counsel, agree future updates to the Inter-Authority Agreement providing no additional delegation of further formal Council powers are required.

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Alison Mings, Acting Business Partner – Kent Pension Fund

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**October 2020**

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A copy of the updated Inter-Authority Agreement (IAA) has been published on the County Council's website alongside the agenda and is also available via the modern.gov app.

[Agenda packs and supplementary papers – County Council 22 October 2020](#)"

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# ACCESS ANNUAL REPORT 2019/20

“I am pleased to introduce the ACCESS 2019/20 Annual Report.

We find ourselves in challenging times, facing a national emergency, but we will continue to manage these very substantial LGPS assets to the best of our abilities. I am truly grateful, at this time, that ACCESS has built a strong partnership that allows each of the 11 member authorities to support each other in this difficult period.

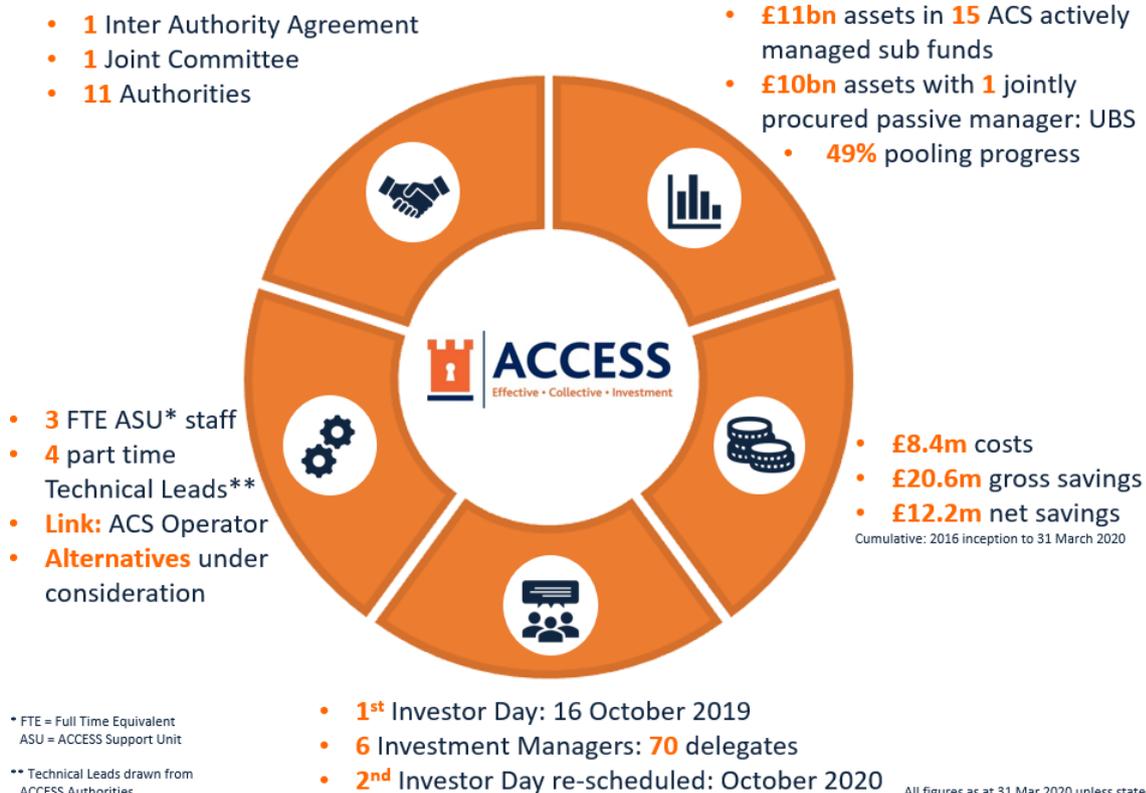


I would like to take this opportunity to thank Cllr Andrew Reid of Suffolk for the contribution he made as the first chairman of the ACCESS Joint Committee, which was critical in building a strong foundation for the Pool. It goes without saying that I was honoured by the confidence shown in me by my fellow Joint Committee members in choosing me to succeed Cllr Reid last December.

It has been another busy year for ACCESS with good progress made by our operator, Link, in launching new sub-funds, which has brought the total AUM under ACCESS auspices to £21.4bn. Equally important work has also taken place in reviewing the governance of the Pool and progressing options for pooling alternative investment categories.

I’m sure that 20/21 will be another busy year for ACCESS, not only in continuing to issue further sub-funds, but also in other crucial areas such as deepening the Pool’s approach to Responsible Investment.”

## At a glance



\* FTE = Full Time Equivalent  
ASU = ACCESS Support Unit  
\*\* Technical Leads drawn from ACCESS Authorities

## Background

ACCESS (A Collaboration of Central, Eastern and Southern Shires) is made up of 11 Local Government Pension Schemes (LGPS) Administering Authorities: Cambridgeshire County Council; East Sussex County Council; Essex County Council; Hampshire County Council; Hertfordshire County Council; Isle of Wight Council; Kent County Council; Norfolk County Council; Northamptonshire County Council; Suffolk County Council and West Sussex County Council in response to the Governments pooling agenda across the LGPS. The first ACCESS Inter Authority Agreement was signed in late June 2017.

The ACCESS Administering Authorities are committed to working together to optimise benefits and efficiencies on behalf of their individual and collective stakeholders, operating within a clear set of objectives and principles that drives the decision-making process.

Collectively as at 31 March 2020, the ACCESS Authorities have total assets of **£44 billion** (of which **49%** has been pooled) serving **3,534** employers with **1.1 million** members including **288,248** pensioners

## Governance

An extract from the ACCESS governance model is shown below:



Strategic oversight and scrutiny responsibilities remain with the Administering Authorities as does all decision making on their individual Funds asset allocation and the timing of transfers of assets from each Fund into the arrangements developed by the ACCESS Pool.

The Joint Committee (JC) has been appointed by the 11 Administering Authorities under s102 of the Local Government Act 1972, to exercise specific functions in relation to the pooling of LGPS assets. The JC's functions include the specification, procurement, recommendation of appointment of pool Operators (for active asset management) and pool- aligned asset providers (for passive asset management), to the Administering Authorities. The JC also reviews ongoing performance.

The Section 151 Officers of ACCESS Authorities provide advice to the JC in response to its decisions ensure appropriate resourcing and support is available to implement the decisions and to run the ACCESS Pool.

The JC further supported by Officer Working Group (OWG) and the ACCESS Support Unit (ASU).

The Officer Working Group are officers identified by each of the Administering Authorities whose role is to provide a central resource for advice, assistance, guidance and support for the Joint Committee.

The ACCESS Support Unit (ASU) provides the day-to-day support for running the ACCESS Pool and has responsibility for programme management, contract management, administration and technical support services. 2019/20 saw the completion of appointments to each of the three full time ASU roles, hosted by Essex County Council. These roles are also supplemented with additional technical support from Officers within the ACCESS Authorities.

### **The Operator: Link Fund Solutions**

Appointed 2018 Link Fund Solutions Ltd pooled operator service, overseeing an Authorised Contractual scheme for the sole use of ACCESS Authorities. Link are responsible for establishing and operating an authorised contractual scheme along with the creation of a range of investment sub-funds for active listed assets and the appointment of the investment managers to those sub-funds. This is designed to enable Administering Authorities to execute their asset allocation strategies

### **Pool Aligned Assets: UBS**

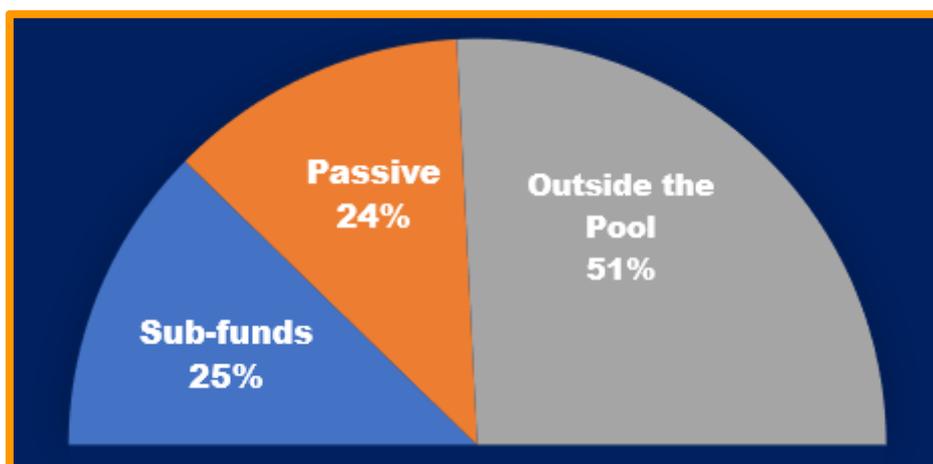
Appointed following a joint procurement in 2017, UBS act as the ACCESS Authorities' investment manager for passive assets.

### **Progress on Pooling**

ACCESS submitted its pooling proposal to Government in July 2016 with detailed plans for establishing and moving assets into the pool. Included in the proposal was an indicative timeline of when assets will be pooled, and ACCESS has continued to make excellent progress against the principal milestone of having **£27.2 billion** assets pooled and estimated savings of £13.6 million by March 2021.



As at 31 March 2020, **49%** of assets have been pooled:



### Pooled Assets

As at 31 March 2020 ACCESS has the following assets pooled:

Pooled Investments	£ Billion
Passive Investments	10.486
UK Equity Funds	1.588
Global Equity Funds	7.189
UK Fixed Income	0.834
Diversified Growth	1.262
<b>Total Pooled Investments</b>	<b>21.359</b>

The passive investment funds are held on a pool governance basis under one investment manager as these assets are held in life fund policies, which cannot be held within an authorised contractual scheme.

### Key milestones achieved in 2019/20

- Recruitment of an interim Director to lead the ACCESS Support Unit.
- Establishment of business as usual functions of the ACCESS Support Unit being undertaken by the ACCESS Support Unit officers and technical leads officers.
- Approval and launch of a range of sub-funds further rationalising the existing range of mandates whilst reflecting the strategic asset allocation needs of the ACCESS Funds.
- Re-procurement of a legal advisor for ACCESS.
- Provision of updates of progress of pooling to Government and responding to consultations.
- Commencement of a review of Environmental, Social and Governance and Responsible Investment guidelines for ACCESS.



- In conjunction with Link Fund Solutions, held the first investor day for members and officers of the individual funds to hear from the investment managers in the ACCESS pool.
- Commencement of a review to formulate an approach to pooling and managing illiquid assets such as private equity and infrastructure. This will involve reviewing various structures and platforms and assessing these to identify the best fit to meet with the Funds current and future requirements.

## Objectives for 2020/21

ACCESS is well placed to continue to develop the pool and progress will continue unabated despite the restrictions imposed by the COVID-19 lockdown. Virtual meetings are well established and productive. It is anticipated that 2020/21 will see key activities within the following themes:



- Actively managed listed assets: the completion of pooling active listed assets within the Authorised Contractual Scheme (ACS).
- Alternative / non listed assets: the initial implementation of pooled alternative assets.
- Passively managed assets: ongoing monitoring and engagement with UBS.
- Governance: the application of appropriate forms of governance throughout ACCESS.
- ACCESS Support Unit (ASU): the size and scope of the ASU will be kept under review.

## Expected v Actual Costs and Savings

The table below summarises the financial position for 2019/20 along with the cumulative position since the commencement of ACCESS activity in early 2016.



A budget for ongoing operational costs is set by the Joint Committee and is financed equally by each of the 11 Authorities. 2019/20 saw an underspend primarily due to lower than anticipated costs of external advice combined with the establishment of the ACCESS Support Unit reducing the reliance on external project management support.

	2019 – 2020		2019 – 2020	
	Actual In Year £'000	Budget In Year £'000	Actual Cumulative to date £'000	Budget Cumulative to date £'000
Set Up Costs	-	-	1,824	1,400
Transition Costs	-	-	674	2,499
Ongoing Operational Costs	811	1,203	2,208	2,469
Operator & Depository Costs	3,247	2,000	3,632	2,500
<b>Total Costs</b>	<b>4,058</b>	<b>3,203</b>	<b>8,338</b>	<b>8,868</b>
<b>Pool Fee Savings</b>	<b>13,456</b>	<b>13,200</b>	<b>20,515</b>	<b>18,450</b>
<b>Net Savings Realised</b>	<b>9,398</b>	<b>9,997</b>	<b>12,177</b>	<b>9,582</b>

Operator and depositary fees are payable by each Authority in relation to assets invested within the Authorised Contractual Scheme established by Link Fund Solutions as pool operator. The initial ACCESS business plan to MHCLG anticipated Operator costs of 2bps.

The 2019/20 fee savings have been calculated using the CIPFA price variance methodology and based on the asset values as at 31 March 2020. This approach highlights the combined level of investment fee savings, across all ACCESS Authorities stemming from reduced charges.

In summary, since inception ACCESS has demonstrated excellent value for money, maintaining expenditure broadly in line with the MHCLG submission whilst delivering savings ahead of the timeline contained in the original proposal.

## Environmental, Social and Governance (ESG) and Responsible Investment (RI)

The ACCESS Authorities believe in making long term sustainable investments whilst integrating environment and social risk considerations, promoting good governance and stewardship.

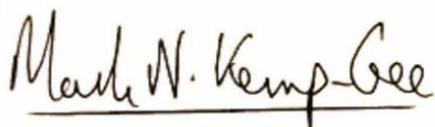


Whilst the participating authorities have an overriding fiduciary and public law duty to act in the best long term interests of their LGPS stakeholders to achieve the best possible financial returns, with an appropriate level of risk they also recognise the importance of committing to responsible investment alongside financial factors in the investment decision making process.

Over the course of the last year a number of ACCESS Authorities have reviewed and developed their individual ESG /RI policies. Building on this ACCESS will, in the current year review its own ESG /RI guidelines to reflect both the requirements of the Authorities and the expectations associated with this fundamental aspect of institutional investment.

The ACCESS pool has a set of voting guidelines which seeks to protect and enhance the value of its shareholdings by promoting good practice in the corporate governance and management of those companies.

The voting guidelines sets out the principles of good corporate governance and the means by which ACCESS will seek to exercise its influence on companies. During the year ACCESS voted at **383** meetings on **6,000** resolutions.



**Mark Kemp-Gee**

Cllr Mark Kemp-Gee - Chairman, ACCESS Joint Committee

**M E M O R A N D U M**

**To: ACCESS Pool Joint Committee Councils**

**Subject: Amended and Re-stated Inter-Authority Agreement ("IAA")**

**1 Introduction**

1.1 The IAA is the central constitutional document that describes the relationship between the Councils in respect of their pooling of investments under the ACCESS Pool. As legal advisors to the ACCESS Pool, we were asked by the Joint Committee, acting via the Governance Sub-Group ("GSG"), to review the terms of the IAA, which was originally executed by the Councils on 12 July 2017. A review of the IAA was required within two years of its execution, but it became clear that the IAA required numerous other amendments to take account of the changes to the ACCESS Pool over the first three years of its operation. In essence, the amended and restated IAA takes the Joint Committee's central governance document from the establishment phase of the ACCESS Pool to the business as usual/operational phase.

1.2 In particular, ACCESS has evolved beyond the original focus on the procurement of an operator for the authorised contractual scheme ("ACS"), i.e. Link Fund Solutions Limited ("Link"). As you will be aware, the ACS is a vehicle for pooling actively managed liquid investments. In the original IAA, other aspects of the ACCESS Pool were not given the same degree of focus, so the passively managed equities which are under UBS' management and the future plans for alternative investments, were not addressed. Operational changes, such as the gradual transition of some responsibilities from the Officer Working Group ("OWG") to the establishment of the ACCESS Support Unit ("ASU") also needed to be reflected in the IAA. Finally, the description of the role of the Section 151 officers, although recognised in a very broad sense in the original agreement, did not reflect their obligations in terms of business planning or providing advice to the members of the Joint Committee.

1.3 This memorandum outlines the key amendments to the IAA which have been reviewed by all of the Councils' Monitoring Officers.

**2 Recitals and definitions**

2.1 Amendments have been made to the recitals and definitions for clarification purposes. Though not an exhaustive list, these amendments include:

- (a) updating defined terms, for example, " Client Unit" has been amended to "ASU" and the "Operator Contract" has been changed to "Operator Agreement", to reflect how aspects of the Pool operate or actual terminology;
- (b) clarifying the role of the Joint Committee, to make it clear that it has a wider role in respect of other investments under structures that are not and will not be part of the ACS;
- (c) clarification that the IAA and activities under it will not involve the Councils engaging in any regulated activity for financial services legislation purposes;

- (d) distinguishing between the role of the operator of the ACS and the potential for appointing further operator(s) of other collective investment vehicles in the future; and
- (e) the expansion of the Pool's activity to incorporate not only the existing Pool Aligned Assets (ie the passive investments held by UBS), but also the anticipated creation of new arrangements for illiquid investments which would fall outside of the ACS (leading to the defined terms of "Pool Aligned Assets Provider" and "Pool Aligned Assets Vehicle").

### **3 Amendments to specific clauses**

#### **3.1 The following key amendments have been agreed:**

- (a) Clause 5.5(e) (*Establishment of Joint Committee*) – this clause has been amended to reflect the statutory obligations owed by the Section 151 Officers, who may provide advice to the Joint Committee under the aegis of the Section 151 Officers Group (as may Monitoring Officers where required);
- (b) Clause 7 (*Procurement*) – we have replaced language in the original IAA which was superseded by events (i.e. the original IAA was entered into before the procurement of the Operator and therefore before the Operator Agreement was entered into), and clarified the role of the Procurement Lead Authority but without changing the underlying requirement for each authority to appoint any service provider individually;
- (c) Clause 8 (*Governance*) – the changes here reflect the transfer of Host Authority from Kent to Essex and the supporting role of the ASU;
- (d) Clause 12 (*Withdrawal*) – in the event that a Council withdrew from the Joint Committee, the original IAA automatically required all of its assets to be withdrawn from the ACS, unless the Joint Committee agreed otherwise. We have expanded upon this flexibility in respect of Former Councils and the role of the Joint Committee; and
- (e) Clause 13 (*Termination*) - the original IAA could only be terminated by reference to the Operator Agreement with Link. This connection has been deleted so that any termination would be on terms agreed by all Councils.

### **4 Amendments to specific schedules**

#### **4.1 Leaving aside drafting changes to Schedule 2 (the Joint Committee's terms of reference), the main changes are to Schedules 4 and 5.**

4.2 The original Schedule 4 contained the terms of reference for the OWG, which have been replaced by terms of reference for the Section 151 Officers Group (which were not reflected at all in the original IAA). The OWG's remit will now be described in the Governance Manual. The text of Schedule 4 reflects the instructions of the Section 151 Officers.

- 4.3 A number of amendments have been made to Schedule 5 (Cost Sharing), including but not limited to the following:
- (a) updates to cover the allocation of costs payable in relation to the newly defined Pool Aligned Asset Providers or incurred under any Pool Aligned Asset Vehicles (ie non-ACS investments) and clarification of the original intention of the Councils in areas such as asset transitions both to and from the Pool;
  - (b) if another Council applies to join the ACCESS Pool, the original IAA only allowed the Joint Committee a discretion waive part or all of the Pool Establishment Costs, but the amended IAA will now allow the Joint Committee to charge an additional fee for joining if appropriate; and
  - (c) finally, the introduction of greater flexibility in terms of budgetary procedures.

**Squire Patton Boggs (UK) LLP**

**2 September 2020**

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From: Ben Watts, General Counsel

To: **County Council – 22 October 2020**

Subject: Statutory and Proper Officers: Data Protection Officer

Classification: **Unrestricted**

Past Pathway of report: Selection and Member Services Committee,  
30 September 2020

**Summary:**

The purpose of this report is to ask the County Council to agree to an amendment to the Constitution to formally record the position of the General Counsel as Data Protection Officer for Kent County Council.

**Recommendation:**

That County Council agrees to update the list of Statutory and Proper Officers in the Constitution to record the designation of the General Counsel as the Data Protection Officer under the Data Protection Act 2018.

**1. Introduction**

- a) The General Data Protection Regulation (GDPR) as enacted through the Data Protection Act 2018 requires Kent County Council (KCC) to nominate a Data Protection Officer (DPO).
- b) In a report to the Policy and Resources Cabinet Committee on 16 March 2018, Members were informed of this upcoming change and that I would be taking on the role of Data Protection Officer as it effectively replaced the role of Senior Information Risk Officer (SIRO) that I exercised at the time. The role of SIRO continues, and is exercised by David Whittle.
- c) This delegation was not formally captured in the Constitution. Doing so would ensure the DPO is readily identifiable. Recording it in the Constitution will also enable me to delegate parts of the work or function of the DPO more easily where appropriate. I will of course remain accountable where this is the case.

**2. The Proposed Changes**

- a) New section to be added the list of Statutory and Proper Officers list, Appendix to the Constitution, as below:

Table: Proposed new section: Data Protection Act 2018

<b>Section</b>	<b>Purpose</b>	<b>Officer</b>
69	Designation of a Data Protection Officer	General Counsel

- b) The Selection and Member Services Committee agreed to recommend to County Council that this change be made at its meeting of 30 September 2020.

**3. Recommendation:**

**That County Council agrees to update the list of Statutory and Proper Officers in the Constitution to record the designation of the General Counsel as the Data Protection Officer under the Data Protection Act 2018.**

**4. Background Documents**

None.

**5. Contact details**

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From: Ben Watts, General Counsel  
To: County Council, 22 October 2020  
Subject: Appointment of Independent Member Remuneration Panel from  
1 November 2020

Classification: **Unrestricted**

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## 1. Introduction

- 1.1 The appointment of a Member Remuneration Panel is a legal requirement and part of our usual course of business. The same process has been followed this year as is followed every four years. The Selection and Member Services appoints an independent selection panel. This selection panel then makes recommendations regarding the appointment of members of the independent Member Remuneration Panel.
- 1.2 Following consultation with, and the agreement of, the Group Leaders, the Selection and Member Services Committee agreed the composition of the independent selection panel on 23 June 2020.
- 1.3 The following Honorary Alderman were on the independent and cross-party selection Panel:
- Mr John Davies.
  - Mr Mike Harrison.
  - Mr Martin Vye.
- 1.4 The selection panel elected Mr Martin Vye as Chair.
- 1.5 Following a public advertisement on the County Council website inviting applications for the three independent Member Remuneration Panel positions, the selection panel shortlisted and then interviewed five candidates.

## 2. Selection Panel Recommendations

- 2.1 At the conclusion of the interviews, the Panel **unanimously** agreed to recommend to the County Council that the following be appointed to the County Council's independent Member Remuneration Panel for the period 1 November 2020 to 31 October 2024:
- Ms Jemma Gowland.
  - Mr Chris Macklin.
  - Mr David Mercier.
- 2.2 A copy of the recommended candidates' CVs are available on request.

**3. Recommendation(s):**

**The County Council is invited to consider the recommendation of the selection panel of Honorary Aldermen and appoint Ms Jemma Gowland, Mr Chris Macklin, and Mr David Mercier as the members of the independent Member Remuneration Panel for a four-year term, from 1 November 2020 to 31 October 2024.**

**4. Background Documents**

None.

**5. Contact details**

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From: Ben Watts, General Counsel

To: **County Council – 22 October 2020**

Subject: Proposed Amendments to the Terms of Reference of the Selection and Member Services Committee

Classification: **Unrestricted**

Past Pathway of report: Selection and Member Services Committee, 29 July 2020

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**Summary:**

The purpose of this report is to set out the proposed amendments required to the Terms of Reference of the Selection and Member Services Committee

**Recommendation:**

**The Council is asked to agree the changes to the Terms of Reference of the Selection and Member Services Committee, following the recommendation of the Selection and Member Services Committee, as set out in paragraph 2 of the report.**

**1. Introduction**

- a) Building on earlier discussions at the Selection and Member Services Committee and informal discussions elsewhere, I gave a presentation to the Selection and Member Services Committee on 23 June 2020 setting out the options for and importance of enhancing and developing the role of the Selection and Member Services Committee.
- b) In the current operating environment, it has become even more apparent that there is a need for Members to be able to clearly see the issues relating to their role being discussed. At each recent meeting, the Chairman has allowed a number of Members who are not part of the standing membership of the Committee to speak on a range of issues that were important.
- c) I was asked by the Committee to use this presentation as a basis for discussions with the political groups and to request individual responses from Members. This was then to be turned into a formal report to the Selection and Member Services Committee on its future role within KCC.
- d) This report was presented to the Selection and Member Services Committee on 29 July 2020. Any changes to the Terms of Reference required the Committee to recommend these changes to County Council which was subsequently agreed. There was a further discussion of the future work of the Selection and Member Services Committee at its meeting of 30 September 2020.

## 2. Changes to the Terms of Reference

- a) The proposed changes as set out in the Appendix<sup>1</sup> are needed to enable the Committee to do the following:
- i. Reviewing Member Grants. It has been recognised that recent unprecedented events may require a different approach with Selection and Member Services taking a greater role. Currently, the Monitoring Officer and his team review the legality of the scheme and individual grants but reviewing the grants in aggregate and operation of the scheme would allow for the development of new guidance.
  - ii. Member Development Sub-Committee. The Committee already has a role in developing the role of Members and there is also the Member Development Steering Group but the two are not formally connected. It is proposed that the Steering Group be converted into a Sub-Committee of this Committee so there is a natural reporting route for its work.
  - iii. Informal Member Working Groups. Some Members have expressed concern about the number of informal Member Working Groups and the transparency surrounding their work. Where the outcomes of their work are not reported elsewhere, this Committee would be an appropriate place.

## 3. Operational Changes

- a) The Committee also discussed a range of areas it could consider on a regular basis as part of its work programme which are covered by the existing Terms of Reference. These are set out below and would be unaffected by the proposed changes:
- i. Reviewing the changes made to the internal democratic process during the COVID-19 pandemic and identifying and maintaining positive changes.
  - ii. Review the balance between physical and virtual meetings.
  - iii. Providing a platform to explain to the public the work that is carried out by Members to provide a greater explanation of the time commitment and expectations placed on Members and the role they play in communities.
  - iv. Providing information on the work of the Chairman, Lord Lieutenant and Civic Office. This will also provide an opportunity for non-executive Members to understand the opportunities to link the Civic Office to their divisions.
  - v. Recommending changes to the Constitution necessary as a result of local government gaining new statutory powers/functions.
  - vi. Oversight of preparations for the new Council – pre- and post-elections 2021. This could include oversight of the induction programme for new/continuing Members, arrangements for those Members who do not return after May and contributing to the design of any programmes or materials designed to inform prospective candidates as to the role of being an elected Member.

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<sup>1</sup> Additions to the Constitution are underlined. The ~~Page 62~~ deletions from the current Terms of Reference of the Selection and Member Services Committee.

- vii. Council and Member facilities, accommodation, and Member IT provision.
- viii. Member support arrangements – agree principles prior to the election to help develop a clear sense of direction.
- ix. The Electoral and Boundary Review Committee has a clear role in certain matters relating to elections, particularly reviews of electoral and local government boundaries. Where there are other matters relating to elections falling outside the Terms of Reference of the Electoral and Boundary Review Committee and where formal engagement with Members is needed, the Selection and Member Services Committee would be an appropriate forum for this.

#### **4. Resourcing and Support**

- a) Expanding the scope and increasing the work of this Committee will require an increase in the frequency of meetings and have an opportunity cost in terms of Officer support for other areas of activity within Democratic Services. Members are asked to take this into account in their discussions and give their views on potential mitigations.

#### **5. Recommendation:**

**The Council is asked to agree the changes to the Terms of Reference of the Selection and Member Services Committee, following the recommendation of the Selection and Member Services Committee, as set out in paragraph 2 of the report.**

#### **6. Background Documents**

None.

#### **7. Contact details**

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Selection and Member Services Committee

Selection and  
Member Services  
Committee

17.41 Membership: 8 Members - Conservative: 6, Liberal Democrat: 1,  
Labour: 1.

17.42 This Committee is responsible for:

- (a) developing the role of Members, particularly within their local community,
- (b) keeping the Constitution under review and making recommendations to Council on any changes that may be required,
- (c) when asked by the Executive, contributing where appropriate to the development of the Council's response to developments in government policy impacting local democracy as a whole (e.g. local government reform),
- (d) keeping the Committee structure under review and making recommendations to Council as and when necessary on the number, names, terms of reference, size and political proportionality of Committees,
- (e) making recommendations to Council as and when necessary on the political proportionality of the Council's representation on other authorities, joint Committees and partnership bodies,
- (f) the removal of Local Authority Governors to school governing bodies,
- (g) the removal of Local Authority nominees to the Management Committees of Pupil Referral Units (PRUs),
- (h) the removal of Local Authority governors to Academies,
- (i) for making or arranging the following appointments and nominations:
  - i. Parent Governor Members of Council Committees,
  - ii. independent appeal Panels (school admissions and exclusions),
  - iii. independent members of Social Services Complaints Review Panels,
  - iv. the selection Panel for the Independent Person and members of the Member Remuneration Panel,
  - v. any other non-Council Members on Council Committees,
- (j) making appointments and nominations on behalf of the Council to serve on outside bodies (except those needing to be made by the Leader in connection with a delegation by them of their functions, the list of those

appointments to be agreed between the Leader and the Committee from time to time),

- (k) monitoring expenditure on Members allowances, expenses, services, and any Members' Grants Schemes.
- (l) overseeing all Member accommodation, facilities and support services, including conferences, training, secretarial and other Officer support, and making recommendations to the relevant Cabinet Member, as appropriate,
- (m) agreeing arrangements for Member attendance at conferences,
- (n) determine requests from a lead petitioner for a review of the Council's response to a petition in accordance with Petition Scheme.
- (o) To receive reports from the Committee's Member Development Sub-Committee.
- (p) To receive reports from informal Member Working Groups where they do not report elsewhere.

#### Selection and Member Services Committee – Member Development Sub-Committee

17.43 Membership: 8 Members - Conservative: 6, Liberal Democrat: 1, Labour: 1

17.44 The role of this Sub-Committee is:

- (a) To champion and promote the development of Members
- (b) To regularly review the Member Training and Development Strategy to ensure its relevance.
- (c) To agree the Members' training and development plan annually including induction programmes in appropriate years.
- (d) To monitor and evaluate the development programme for Members on an annual basis.
- (e) To support and encourage Members in maintaining the Member Development Charter Plus
- (f) To report to the Selection and Member Services Committee at least annually on progress of Member development.