

SELECTION AND MEMBER SERVICES COMMITTEE

Wednesday, 29th July, 2020

2.00 pm

Online





AGENDA

SELECTION AND MEMBER SERVICES COMMITTEE

Wednesday, 29 July 2020, at 2.00 pm
Online

Ask for: **Andrew Tait**
Telephone: **03000 416749**

Membership (8)

Conservative (6): Mr B J Sweetland (Chairman), Mr M C Dance, Mr R W Gough, Mr E E C Hotson, Mr G Lymer and Mr C Simkins

Liberal Democrat (1): Mrs T Dean, MBE

Labour (1) Mr D Farrell

In response to COVID-19, the Government has legislated to permit remote attendance by Elected Members at formal meetings. This is conditional on other Elected Members and the public being able to hear those participating in the meeting. This meeting of the Committee will be streamed live and can be watched via the Media link on the Webpage for this meeting.

UNRESTRICTED ITEMS

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

- 1 Substitutes
- 2 Declarations of Interests by Members in items on the Agenda for this meeting.
- 3 Minutes - 23 June 2020 (Pages 1 - 4)
- 4 Future of the Selection and Member Services Committee (Pages 5 - 10)
- 5 Update on Council Meetings (Pages 11 - 16)
- 6 Members' Allowances and Expenses 2019/20 (Pages 17 - 22)
- 7 KCC Combined Member Grants - Whitstable East and Herne Bay West Divisions (Pages 23 - 28)
- 8 Functions delegated by Members to Officers (Pages 29 - 30)

- 9 Robert Thompson Charities (Pages 31 - 32)
- 10 Other Items which the Chairman decides are Urgent

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Tuesday, 21 July 2020

KENT COUNTY COUNCIL

SELECTION AND MEMBER SERVICES COMMITTEE

MINUTES of a meeting of the Selection and Member Services Committee held in the Online on Tuesday, 23 June 2020.

PRESENT: Mr B J Sweetland (Chairman), Mr R H Bird (Substitute for Mrs T Dean, MBE), Mr M C Dance, Mr D Farrell, Mr R W Gough, Mr E E C Hotson, Mr G Lymer and Mr C Simkins

ALSO PRESENT: Mr A H T Bowles

IN ATTENDANCE: Mr B Watts (General Counsel), Mr T Godfrey (Scrutiny Research Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

7. Membership

(Item 1)

The Committee noted the appointment of Mr C Simkins in place of Mr J P McInroy.

8. Minutes - 27 February 2020

(Item 4)

RESOLVED that the Minutes of the meeting held on 27 February 2020 are correctly recorded and that they be signed by the Chairman.

9. Presentation on the future of the Selection and Member Services Committee

(Item 5)

(1) The General Counsel gave a power point presentation. Its content can be viewed in the electronic agenda papers for this meeting on the KCC website.

(2) The General Counsel introduced his report by setting out the current remit of the Committee. He said that it was under-utilised, due to its limited role. This led to many of its scheduled meetings being cancelled.

(3) The General Counsel then said that there were many significant internal governance discussions that could and should take place in an open and formal environment. Selection and Member Services Committee was the natural forum for these to be held. He then gave examples of matters that the Committee's remit could well be extended to. These were:-

(a) Internal democratic processes during the COVID 19 pandemic.

(b) To what extent should the County Council revert to holding physical meetings and what potential advantages would there be in continuing with virtual

meetings in the future? For which committees (if any) would a virtual format be the most appropriate?

(c) Communications with Government. The County Council was very well placed to offer advice to the Government in response to consultation on possible future plans for local democracy. The Committee had an appropriate role in considering and recommending its content.

(d) Member Grants were a significant political and financial commitment made by the County Council. The General Counsel said that he could advise on the legality of the process whenever the legislation was clear. The Committee's role would be to develop the County Council's own guidelines in respect of what it considered to be appropriate use of this facility. This guidance should be supplemented by advice on the regulations on grants for Highways projects where Members had expressed concerns that confusing and contradictory advice was given by different officers.

(e) The Government was expected to grant County Councils new statutory powers, particularly in the area of Public Health. The democratic arrangements for oversight of such changes would need to be carefully considered.

(f) Preparations for the new Council in 2021 needed to be considered. Doing so in an open forum would be very useful for anyone seeking election. The matters for discussion under this heading would include the closedown period for the present Council as well as the post-election period.

(g) The General Counsel spoke in greater detail about facilities following the election. This included the allocation of accommodation and equipment such as computer software.

(h) The issue of Member Development was of great importance. The County Council needed to take an informed decision on whether training should be mandatory in the light of the increased legal risks as Members' roles became more complicated. The Committee should receive and discuss regular reports from the Informal Member Development Group (which might be replaced by a Sub-Committee) on induction training and the areas where specialised training was needed.

(i) The question of the appropriate type and use of technology was one which the Committee should address. This related to the virtual technology for meetings as well as to the need for provision of electronic software that ensured that no Member was disadvantaged.

(j) The role of Informal Working Groups was one which the Committee needed to debate. The work they undertook was significant. Outcomes should, for the sake of transparency, be directed to a single, easily-identifiable source such as Selection and Member Services Committee.

(k) Resourcing of meetings was a factor which should be a factor in the debate on the merits of physical and virtual meetings (see (b) above). The General Counsel estimated the average cost of holding physical meetings at £450 per

meeting. This needed to be weighed against the increased staff resources needed to facilitate virtual meetings.

(l) Decisions taken by the Monitoring Officer needed to be reported so that their content and implications could be discussed. The General Counsel described this as “Monitoring Officer Interface.”

(m) The Committee was the appropriate forum for consideration of the “cost of democracy,” including the Chairman’s Office and Virtual Meetings.

(n) It would be far better to consider support arrangements in terms of the allocation and potential re-allocation of staff resources and facilities *before* the election rather than reacting to the results afterwards. The latter approach had always been adopted in the past, leading to confusion and fear of job loss within the affected staff group. This needed to be avoided as all staff had the skills necessary to be appropriately re-allocated within the staff unit. The Committee should give a Member-led view on this principle.

(4) The General Counsel concluded his presentation by briefly summarising the Committee’s Terms of Reference before setting out the discussion points. These were:-

(a) Whether the Committee should expand its remit back to that intended in the Constitution and was willing to deal with the range of subject discussions in formal meetings?

(b) What information was needed (and in what format) in order for these meetings to be conducted?

(c) What support was needed and what should be the role of the Chairman of the Committee and the Support Officers?

(d) What meetings should the Committee hold? Should it utilise Sub-Committees and informal meetings in order to add pace to its work? Should the membership of the Committee be expanded? How would other Members be advised on progress?

(5) The Committee Members decided that the presentation slides would be sent to all Members of the Committee and the political groups. A meeting would be arranged in late July to consider a formal proposal from the General Counsel. This would be developed in the light of discussions within and between the political groups which he would facilitate. Members would also be invited to respond on an individual basis.

(6) RESOLVED that:-

(a) the presentation be sent to all Members of the Committee and the political groups;

(b) the report be noted as the basis for discussion within and between the political groups to inform a formal report on the future role of the Committee by the General Counsel at a meeting to be held in Late July 2020; and

- (c) Members be invited to respond to the General Counsel on an individual basis.

10. Selection Panel for the Member Remuneration Panel

(Item 6)

RESOLVED that the Selection Panel for Members of the Member Remuneration Panel be made up of 1 Honorary Alderman nominated by the Liberal Democrat Group and 2 from the Conservative Group.

From: Ben Watts, General Counsel

To: **Selection and Member Services Committee – 29 July 2020**

Subject: Future of the Selection and Member Services Committee

Classification: **Unrestricted**

Summary:

The purpose of this report is to set out a draft proposal for expanding the work and remit of the Selection and Member Services Committee for discussion by Members and agreement on next steps.

Recommendation:

This Committee is asked to discuss the report and:

- a. **Agree changes to the Committee Terms of Reference to recommend to County Council;**
- b. **Agree the areas of work the Committee would like to see as regular items on the agenda;**
- c. **Agree a work programme for the Committee and frequency of meetings**
- d. **Make any other comments on 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 enhancing and developing the role of the Selection and Member Services Committee.
- b) 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.
- c) The Committee is being asked to consider the proposal set out in this paper and agree, reject, or amend. Any changes to the Terms of Reference would require this Committee to recommend these changes to County Council.

2. Proposal Part A: Changes to the Terms of Reference

- a) The Appendix sets out the proposed changes that would be needed to enable 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 following changes as to what the Committee could cover would come under the existing Terms of Reference but have not formed a regular part of its work. If these are agreed as areas that the Committee is interesting in having more regularly, Officers will be asked to liaise with the Chair as to the best way of managing this work:
 - 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.
 - vii. Council and Member facilities, accommodation, and Member IT provision.
 - viii. Member support arrangements – agree principles prior to the election to allay staff concerns and ensure Member views are taken into account.

5. 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.

6. Recommendation:

This Committee is asked to discuss the report and:

- a. **Agree changes to the Committee Terms of Reference to recommend to County Council;**
- b. **Agree the areas of work the Committee would like to see as regular items on the agenda;**
- c. **Make any other comments on the report.**

7. Background Documents

None.

8. Contact details

Ben Watts, General Counsel

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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) 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,

(d) 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,

(e) the removal of Local Authority Governors to school governing bodies,

(f) the removal of Local Authority nominees to the Management Committees of Pupil Referral Units (PRUs),

(g) the removal of Local Authority governors to Academies,

(h) 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,

(i) 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),

(j) monitoring expenditure on Members allowances, expenses, ~~and~~ services, and any Members' Grants Schemes.

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~~(j)~~(k) 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,

~~(k)~~(l) agreeing arrangements for Member attendance at conferences,

(m) determine requests from a lead petitioner for a review of the Council's response to a petition in accordance with Petition Scheme.

(n) To receive reports from the Committee's Member Development Sub-Committee.

~~(l)~~(o) 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.

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By: Ben Watts, General Counsel (Monitoring Officer)

To: Selection and Member Services Committee – 29 July 2020

Subject: Update on Council Meetings

Classification: Unrestricted

Summary: This paper is presented to provide Members with background information and advice to inform a discussion around future planning for meetings during and beyond the restrictions put in place for the Coronavirus pandemic.

Introduction

1. On Tuesday 17th March 2020, in line with Government guidance, we took the decision to reluctantly cancel County Council and Cabinet which had already been published. On that date, I wrote to all Members and advised that we would be suspending all Committee meetings until further notice and instructed Democratic Services to cancel all diarised Committee meetings between 20th March and 20th May 2020. The final formal meeting to take place was Personnel Committee on 19th March 2020.
2. In my role as Monitoring Officer, I have a number of statutory and constitutional obligations to ensure good governance, lawful decision-making and probity which persist in the current emergency. Accordingly, I have kept all Members updated regularly in relation to Council meetings and have specifically briefed Cabinet and the Opposition Leaders in framing my thoughts that are reflected in this paper.
3. The Government passed emergency regulations which allowed local authorities to conduct virtual meetings from April 4th 2020. In just over a fortnight, Kent County Council established and trialled a virtual Cabinet meeting. Formal meetings resumed on 27 April with Cabinet followed by HOSC, Scrutiny and a range of other Committees held in briefing format in the lead up to a full County Council meeting in mid-June. All meetings are currently listed to be held virtually until 30 September 2020 at the earliest.
4. At the briefing meeting for Selection and Member Services in June 2020, I committed to bring forward a paper to support a discussion between Members about the conduct of meetings. I am aware that many Members have strong and contrary views as they have been expressed to me over the past few months. In facilitating such a discussion, I have set out in the proceeding pages some of the issues that I would ask Members to bear in mind when expressing a view as part of any debate.

5. To inform the discussion at Selection and Member Services further and to assist me in my statutory duty to determine the appropriate lawful governance for the Council, a survey will be circulated to all Members and key staff who clerk, attend and present at meetings to seek their views as we look at meeting arrangements in the coming months.
6. I will provide a short presentation at the start of this item at the meeting on 29th July 2020, to capture the outcomes from the survey and discussions with other Monitoring Officers.

Virtual Meetings – Legal Position

7. The Government introduced provisions for virtual meetings so that local authorities could continue to transact democratic business. Kent County Council quickly adapted and utilised the Microsoft Teams platform to conduct meetings followed by Microsoft Teams Live Events for formal meetings. This ensures that meetings are available to view by members of the public in real time.
8. Our current arrangements are compliant with the legislation around meetings and in my professional view represent the safest way to transact democratic activity from a governance, legislative and Health & Safety perspective.

Returning to Physical Meetings – Legal Position

9. Notwithstanding the relative success of our virtual meetings, it is important to continually review the role of physical meetings not least because the virtual meeting regulations are currently only in place until May 2021.
10. Despite the comments from the Prime Minister on 17 July 2020 and the publication of new regulations (The Health Protection (Coronavirus, Restrictions) (No. 3) (England) Regulations 2020) on the same day, the position in statutory terms remains unchanged from the earlier legislation published on 4 July 2020.
11. From Saturday 1 August 2020, the Government is updating their advice on going to work. Instead of advising people to work from home as a default, the message has changed. Government “are going to give employers more discretion, and ask them to make decisions about how their staff can work safely”. The Prime Minister has said that this could mean “continuing to work from home”, “or it could mean making workplaces safe by following Covid Secure guidelines”. Employers are asked to “consult closely with their employees, and only ask people to return to their place of work if it is safe”. The Prime Minister clarified that it is “up to employers” what decisions they take, and that “it is not for Government to make that decision”.
12. The earlier Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020 set out some of the new rules around gatherings and are relevant to the issue of meetings. It is important to understand that these rules

need to be read in conjunction with other statutory and regulatory duties on the Council which include the key health and safety legislation.

13. The Regulations do not prevent local authorities such as Kent from holding physical meetings but this does not mean that we should hold such meetings. The Council's Health and Safety and other legal obligations (which are significant) persist and are specifically mentioned in the regulations.
14. The legal advice is therefore:
 - a. it would remain unwise to hold a physical meeting, whether hybrid or not, unless there was a real need to do so which could not be met by remote meeting, and
 - b. even if there was a real need of this nature, the numbers of people meeting physically should be kept as low as possible and any meeting would need to be carefully risk assessed
 - c. the equalities implications of any such meeting would need to be considered including the equalities impact on those attending the meeting as Members/Presenters, those supporting the meeting as well as the public.
15. In circumstances where a meeting was held physically, whether hybrid or not, the Regulations and the other legislation and guidance require us to set out clearly why such a meeting needs to take place and why.
16. The Regulations are cleverly drafted and transfer liability and responsibility to building owner/operators such as KCC to ensure that legal obligations are met. The comments of the Prime Minister are also clear as to where the liability for this judgement rests. If an individual or their estate is able to demonstrate that KCC did not discharge those legal obligations or that there was not a "real need" for the meeting then the Council and decision-making Members and Officers may face legal proceedings.
17. The above notwithstanding, part of the purpose of the survey and the discussion at Selection and Member Services is to carefully take the views of Members and to understand whether there are circumstances that might fit the legal test.

Returning to Physical Meetings

18. Given the guidance and legislative position, there are a number of assessments that need to be undertaken before buildings are opened and before they are authorised for certain uses. Members have been advised already of some of the work that is ongoing in this regard. Building and Health & Safety assessments are ongoing across the estate and would form part of any return to physical meetings. Members will also be aware that work is underway to explore the technology possibilities around hybrid meetings – which would also require the same assessment process.

19. At the moment, the Council continues to deal with an operational emergency and is structured accordingly, with resources and priority redirected to those in greatest need supporting our vulnerable communities.
20. It is also vital as part of my statutory and constitutional duties, that I am able to make arrangements for all Members to attend meetings.
21. Governance, Law and Democracy staff are currently deployed virtually and our governance is modelled accordingly to ensure that we are able to continue to conduct meetings and make decisions lawfully. The Council as an employer has duties under the Work and Families Act, Employment Rights Act and Equality Act amongst others. These are unusual times and it is not about the motivation of the staff who in many cases have worked considerable additional hours during the lockdown period to help us respond to needs.
22. Staff are currently continuing to act as carers for children and elderly family members. Schools and summer childcare settings are not available in the usual way which impacts on staff availability for physical meetings. We also have staff (and their families) who have disabilities or medical conditions for whom the risk of contracting COVID is particularly severe.
23. Ordinarily, many of our staff attend County Hall via public transport and are concerned about the additional risks attendance via public transport places on their health and wellbeing. Those same staff have been resourced to work from home and have been doing so successfully which is why the “real need” question is so important.
24. In terms of any physical meetings, these would have to take place in the Council Chamber and assessments will need to be conducted over the coming weeks as to how we can make any meeting compliant with the Government’s guidance, the regulations or existing legislation.
25. We will need to rearrange the webcasting, timing and technology facilities which require two operators and are currently housed in a room that is not big enough to socially distance. Similarly, we will need to find solutions for sterilising microphones (which given the risks around COVID present a particular challenge) and for entry and exit from the Chamber for multiple attendees. It will not be possible for multiple users to use the same microphone in a single session so that will require thought.
26. Whilst it is accepted that a number of shops and pubs have reopened, their operating model is considerably different to that at County Hall and whilst not insurmountable it requires thought, time and resources to be committed at a time when lawful virtual meetings are in place.

27. Ultimately, it will not be possible to eradicate risk entirely and accordingly it is vital that we are able to clearly and calmly explain the “real need” for meetings to take place physically. It is also important to note the successes brought by virtual meetings as we move forward and for the continued and increased opportunities of webcasting through our new virtual platforms.

Next Steps

28. After the discussion at Selection and Member Services, I will then speak with the Leader of the Council and the Opposition Leaders about arrangements for the period from September 30th onwards. This will include updates regarding the potential for hybrid meetings. This is a situation that is constantly moving and further updates will be provided to each meeting of Selection and Member Services.

Recommendation:

The Committee is requested to:

- a) NOTE the Report
- b) AGREE for a full risk assessment to be carried out and circulated to all Members of the Council on the potential for formal meetings in the Council Chamber by 31 August 2020
- c) AGREE that the arrangements for meetings for the period from 30 September 2020 – 31st December 2020 be further discussed between the General Counsel, Opposition Leaders and a further paper brought back to this Committee in September 2020.

Ben Watts
General Counsel
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Background Information: none

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By: Ben Watts, General Counsel

To: Selection and Member Services Committee – 29 July 2020

Subject: MEMBERS' ALLOWANCES AND EXPENSES 2019/2020

Classification: Unrestricted

Summary: The Committee is invited to note and approve for publication the annual return for Members' allowances and expenses, together with details of the costs of the County Car service and taxis for Members for 2019/20.

FOR INFORMATION

Introduction

1. In accordance with paragraph 15 of The Local Authorities (Members' Allowances) (England) Regulations 2003, Kent County Council is required to publish annually the allowances paid to Members, which includes the Basic, Special Responsibility, Travelling and Subsistence, Dependent Carers and Co-optees Allowances. The Committee will also be aware of the legal requirement for the County Council to have a Member Remuneration Panel to advise the Council on the level of allowances and expenses Members should receive.

Details for 2019/20

2. The schedule of Members' Allowances and Expenses for the period 1 April 2019 to 31 March 2020 is attached as **Appendix A**. The total gross cost (including VAT) of all allowances and expenses for Members in 2019/20 is **£2,030,189** which represents a **£40,278** increase in total costs compared to 2018/19 of **£1,989,911**. As the VAT element can be reclaimed, Member's allowances and expenses have been reported monthly throughout the year on a net basis (excluding VAT) in order to demonstrate the true cost to the authority.

3. At its meeting on 13 July 2011, this Committee agreed that the costs incurred by Members using the County Cars and taxis that were booked directly by KCC should also be reported on an annual basis. The total net cost of the County Car service in 2019/20 was £6,895 compared to £10,836 in 2018/19, as detailed in **Appendix B**.

Recommendation:

4. The Committee is requested to note this report and agree to the publication of the allowances and expenses for 2019/20 as detailed in **Appendix A** as required by the Local Authorities (Members' Allowances) (England) Regulations 2003

Ben Watts
General Counsel
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Background Information: *Members' Expenses records for 2019/20 held by Kent County Council*

Council Members Expenses and Allowances Paid - April - March 2020

Name	Initials	Public Transport	Casual User Allowance	Professional Membership	Postage	Subsistence	Carers Attendance Allowance	Total Expenses	Basic Allowances	Special Responsibility Allowance	Total Remuneration	Grand Total
		£	£	£	£	£	£	£	£	£	£	£
Allen	A D	6.80	3,344.40					3,351.20	15,491.32	16,551.57	32,042.89	35,394.09
Angell	M J	32.35	2,395.35					2,427.70	15,491.32	2,276.78	17,768.10	20,195.80
Balfour	M A							0.00	15,491.32	11,540.80	27,032.12	27,032.12
Barrington-King	P		700.65					700.65	15,491.32	3,918.42	19,409.74	20,110.39
Bartlett	P W	30.20	470.25					500.45	15,491.32	2,624.09	18,115.41	18,615.86
Bell	C	537.20	241.65					778.85	12,996.96	30,687.90	43,684.86	44,463.71
Beresford	P		2,146.50					2,146.50	15,491.32		15,491.32	17,637.82
Binks	R		1,939.50					1,939.50	15,491.32		15,491.32	17,430.82
Bird	R H							0.00	15,491.32	7,142.28	22,633.60	22,633.60
Bond	T		990.45					990.45	15,491.32		15,491.32	16,481.77
Booth	A		2,217.60					2,217.60	15,491.32	8,875.40	24,366.72	26,584.32
Bowles	A H	191.85	2,736.90					2,928.75	15,491.32	11,157.70	26,649.02	29,577.77
Brazier	D L	177.55	2,085.75					2,263.30	15,491.32	8,875.40	24,366.72	26,630.02
Burden	J P							0.00	13,624.78		13,624.78	13,624.78
Butler	D	29.80						29.80	15,491.32		15,491.32	15,521.12
Carey	S J	151.05	3,327.75					3,478.80	15,491.32	32,965.98	48,457.30	51,936.10
Carter	P B	425.74	2,322.45			36.84		2,785.03	15,491.32	27,330.38	42,821.70	45,606.73
Chandler	S		852.30					852.30	15,491.32	19,918.67	35,409.99	36,262.29
Chard	N J	174.10	339.30					513.40	15,491.32		15,491.32	16,004.72
Chittenden	I							0.00	15,491.32		15,491.32	15,491.32
Clinch	J							0.00	13,706.16		13,706.16	13,706.16
Cole	P T		793.35					793.35	15,491.32	8,875.40	24,366.72	25,160.07
Collor	N		1,102.05					1,102.05	15,491.32		15,491.32	16,593.37

Constantine	K		259.20					259.20	15,491.32		15,491.32	15,750.52
Cook	A		976.50					976.50	15,491.32		15,491.32	16,467.82
Cooke	G							0.00	15,491.32	5,492.18	20,983.50	20,983.50
Cooper	P C		443.70					443.70	15,491.32		15,491.32	15,935.02
Crabtree	M E	56.70	1,713.15					1,769.85	15,491.32	15,215.06	30,706.38	32,476.23
Daley	D S							0.00	15,491.32		15,491.32	15,491.32
Dance	M C	15.60	2,588.85					2,604.45	15,491.32	20,913.99	36,405.31	39,009.76
Dawson	E		833.40					833.40	15,491.32		15,491.32	16,324.72
Dean	T	187.50	135.00			730.00		1,052.50	15,491.32	3,571.08	19,062.40	20,114.90
Dhesi	T	90.16	2,380.05			375.00		2,845.21	15,491.32	8,536.56	24,027.88	26,873.09
Farrell	D		1,626.30					1,626.30	15,491.32	3,383.23	18,874.55	20,500.85
Game	L	1,293.35	1,078.65					2,372.00	15,491.32	11,994.99	27,486.31	29,858.31
Gent	S	617.97	4,343.85					4,961.82	15,491.32	41,151.25	56,642.57	61,604.39
Gibbens	G K		228.60					228.60	15,491.32	6,396.90	21,888.22	22,116.82
Gough	R W		259.20					259.20	15,491.32		15,491.32	15,750.52
Hamilton	S		976.50					976.50	15,491.32		15,491.32	16,467.82
Harman	P M							0.00	15,491.32		15,491.32	15,491.32
Hill	P M	378.90	4,126.95					4,505.85	15,491.32	33,262.80	48,754.12	53,259.97
Hills	T	123.60	2,277.90					2,401.50	15,491.32		15,491.32	17,892.82
Hohler	S V	231.40	2,210.85					2,442.25	15,491.32	15,215.06	30,706.38	33,148.63
Holden	S		2,074.05					2,074.05	15,491.32	11,853.11	27,344.43	29,418.48
Homewood	P J							0.00	15,491.32		15,491.32	15,491.32
Hook	A							0.00	15,491.32		15,491.32	15,491.32
Horwood	M		99.00					99.00	15,491.32		15,491.32	15,590.32
Hotson	E E	26.80	1,179.00					1,205.80	15,491.32	22,826.74	38,318.06	39,523.86
Hurst	E		618.30					618.30	15,491.32		15,491.32	16,109.62
Kite	J A							0.00	15,491.32	7,607.54	23,098.86	23,098.86
Koowaree	S J							0.00	15,491.32		15,491.32	15,491.32
Lake	P		1,036.80					1,036.80	15,491.32		15,491.32	16,528.12
Lewis	B		2,376.00					2,376.00	15,491.32		15,491.32	17,867.32
Linfield	I	41.60	858.60			55.00		955.20	15,491.32		15,491.32	16,446.52
Long	R L	202.85	2,270.70					2,473.55	15,491.32	32,965.98	48,457.30	50,930.85
Love	R	1,139.18	1,883.25			416.48		3,438.91	15,491.32		15,491.32	18,930.23

Lymer	G	518.90	3,905.55					4,424.45	15,491.32	8,875.40	24,366.72	28,791.17
Manion	S C	1,224.70	1,270.80			213.57		2,709.07	15,491.32		15,491.32	18,200.39
Marsh	D	30.00	921.60			266.20		1,217.80	15,491.32	15,215.06	30,706.38	31,924.18
Marsh	R A	34.20	1,954.35			597.00		2,585.55	15,491.32	11,157.70	26,649.02	29,234.57
McInroy	J	191.00	1,690.20					1,881.20	15,491.32	15,215.06	30,706.38	32,587.58
Messenger	P		1,158.75					1,158.75	15,491.32		15,491.32	16,650.07
Monk	D							0.00	15,491.32		15,491.32	15,491.32
Murphy	D	833.20	18.45					851.65	15,491.32		15,491.32	16,342.97
Northey	M J	336.70	1,794.15					2,130.85	15,491.32	15,215.06	30,706.38	32,837.23
Oakford	P J	68.70	3,392.55					3,461.25	15,491.32	32,965.98	48,457.30	51,918.55
Ozog	J M							0.00	15,491.32		15,491.32	15,491.32
Pascoe	D		919.35					919.35	15,491.32		15,491.32	16,410.67
Payne	M	454.64	3,802.95					4,257.59	15,491.32	23,352.18	38,843.50	43,101.09
Prendergast	S	32.55	2,893.95					2,926.50	15,491.32	23,352.18	38,843.50	41,770.00
Pugh	K		1,408.05					1,408.05	15,491.32	-227.80	15,263.52	16,671.57
Rankin	C	154.25	967.50					1,121.75	15,491.32	24,251.06	39,742.38	40,864.13
Rayne	H							0.00	15,491.32		15,491.32	15,491.32
Ridgens	A	11.70	1,224.45					1,236.15	15,491.32	11,540.80	27,032.12	28,268.27
Simkins	C E	488.36	926.55					1,414.91	15,491.32	8,875.40	24,366.72	25,781.63
Stockell	P A							0.00	15,491.32		15,491.32	15,491.32
Sullivan	L		693.45			46.80	491.00	1,231.25	15,491.32		15,491.32	16,722.57
Sweetland	B		198.90					198.90	15,491.32	8,875.40	24,366.72	24,565.62
Thomas	I		761.40					761.40	15,491.32		15,491.32	16,252.72
Thomas	R		750.60					750.60	15,491.32	2,600.01	18,091.33	18,841.93
Whiting	M	373.62	1,969.20					2,342.82	15,491.32	32,965.98	48,457.30	50,800.12
Whybrow	M E	924.40						924.40	15,491.32		15,491.32	16,415.72
Wright	J	60.80	806.40					867.20	15,491.32		15,491.32	16,358.52
Grand Total		11,899.97	99,054.00	0.00	0.00	2,736.89	491.00	114,181.86	1,248,650.86	667,356.71	1,916,007.57	2,030,189.43

Running Costs of Members Cars

	2019-20 £	2018-19 £	2017-18 £	2016-17 £	2015-16 £	2014-15 £	2013-14 £	2012-13 £
Vehicle Repairs & Maintenance	290.04	293.97	3,376.70	6,700.48	6,486	4,066	4,248	7,436
Petrol	1,073.44	1,995.26	2,941.22	5,113.93	4,440	4,997	5,588	6,786
Insurance			16.27		200			
Congestion Charges	10	925.50	869.50	518.50	1,173	529	472	933
G Vrakopolous 25% of costs (in previous years 45%)	-	-	7,924.99	8,291.53	14,423	12,520	13,921	14,558
Chauffeurs Employment costs	5,521.93	7,620.79	11,851.24	15,124.86	21,456	16,870	19,364	22,362
Less Chauffeur Recharges						(140)		(490)
	6,895	10,836	26,980	35,749	48,178	38,842	43,593	51,585

Plus

Lease Charges - 4 cars until 24/10/06 then 3 cars only
Purchase of 3 cars (invoice date 14/12/09) spread over 2 years

0	0	0	0	0	0	0	0	0
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By: Ben Watts, General Counsel

To: Selection and Member Services Committee – 29 July 2020

Subject: KCC Combined Member Grant – Whitstable East and Herne Bay West Divisions

Classification: Unrestricted

Summary: The Committee is invited to comment on and consider the following report that details the proposed arrangements for the distribution of the Combined Member Grant in the vacant seat of Whitstable East and Herne Bay.

1. Following the sad death of Mr Ian Thomas, Member for Whitstable East and Herne Bay West, consideration needs to be given to the way in which the Combined Member Grant should be assigned to eligible organisations and the process for determining these grants.
2. This has not been an issue previously as normally a by-election would be held within a relatively short period of time. However, under the COVID 19 Regulations there will not be any elections held until May 2021 and therefore this seat will remain vacant until the election.
3. Under our governance, Member Grants are effectively assigned to an individual Member for disbursing to the organisations and projects that they wish to prioritise in their community in the name of Kent County Council. Because it is a vacant seat, it is important to ensure that any awards do not benefit a particular party or individual in the locality so as to potentially influence the future election.
4. Our governance does not contemplate this set of circumstances. At the same time, it seems unfair to penalise the Division's constituents and local organisations. In order to prevent this from happening, a proposal is being presented to you today to submit all applications, both community and highway, for this division to the Selection and Member Services Committee for approval. This would avoid allegations of impropriety during the vacancy and ensure that community groups and projects continue to be supported.
5. Further to the above, Mr Robert Thomas has informed us directly of three major projects that merit consideration by the Committee that would have been favoured by Mr Ian Thomas. These are:
 - a. Contribute funding towards a minibus for a charity
 - b. A Graffiti cover-up project
 - c. A wildlife and environmental improvement project

6. In conjunction with the Member Hub, the Press Office will be asked to publicise the availability of this fund, highlighting a specific welcoming of applications from the major projects as aforementioned.
7. Mr Ian Thomas had planned but was yet to approve a Highways Scheme for his division that related to Tree Planting on Bridgefield Road, the details of which are attached as an appendix.

Recommendation:

The Committee is requested to:

- a) Comment on and approve the proposal for the distribution of the Combined Member Grant for the Whitstable East and Herne Bay West Division as and when the need arises; and
- b) Consider and provide a judgement on the following Combined Member Grant application:
- c) Contribute funding towards:
 - i. a minibus for a charity
 - ii. a Graffiti cover-up project
 - iii. a wildlife and environmental improvement project
 - iv. Tree Planting on Bridgefield Road

Ben Watts
General Counsel
Tel No: 03000 416814
e-mail: benjamin.watts@kent.gov.uk

Background Information: none

Kent County Council
Combined Member Grants Scheme
Highways Projects Application Form 2019-2020

Unique Reference Number: WAMS Number: (to be completed by KH Officer) or Purchase Order No: 4950704		
District: Canterbury		
Member(s) Name(s) (and amount(s) being allocated): <small>You must have discussed this project with the Kent County Council Member(s) before submitting this form to the relevant Member Hub Support Officer</small>	1. Ian Thomas	£ 280.31
	2.	£
	Additional Member (s)	
	Total	£ 280.31
Enquiry Details		Plant 1 x new highway trees in Bridgefield Road as per member requests
Location where issue exists		Bridgefield Road
Guided Price Scheme <input type="checkbox"/>	Guided Price Scheme <input type="checkbox"/>	Charged Project: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Section One: The cost of your project

Working estimate of project		£ 280.31	
What is the total amount of CMG funding you are seeking?		£	
Is this project solely funded by KCC Combined Member Grant? If no, please complete the information below		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Name of Organisation / Funder	Amount Applied for £	Amount Received £	Date Received / Anticipated
Please complete this table with details of what you will spend the grant funding on			
Breakdown of Spend			Cost (£)
Subtotal (This should equal or exceed the grant request to KCC and must be completed) (Add more rows if necessary)			



Section Two: Contact details (All correspondence will be via the primary officer contact)**Primary Officer Contact**

Contact name (Inc. title) Dan Kemsley

Position in organisation / group: Tree Officer

Email address: Daniel.kemsley@kent.gov.uk

Daytime telephone number: 03000 414541

Section Three: Information about the KHS project**Please tell us about the need for this KHS project:**

Please briefly explain how the project meets KCC's objectives, and in particular how road safety and the Kent environment will be enhanced.

The works are to improve the amenity value to the local area. Providing bird nesting opportunities and visual screening

Technical information to be considered: Statutory guidance/design standards. Is there an ongoing liability or police burden? What impact could this scheme have, and any additional costs? Have we advised the Member of expectations and outcomes of this scheme?

Future maintenance will be taken on by KCC Highways Soft Landscape Team in line with their maintenance regime.

What are the key project milestones?

Plant tree

Will your project be complete within one year?
If no, please explain why below

Yes ☒

No ☐

Section Four: Declaration and agreement

I confirm that I am authorised to sign this application on behalf of Highways. The information provided in this application is correct to the best of my knowledge. If this application is successful, I confirm that the grant will only be used for the purposes specified in this application. Highways will comply with all the terms and conditions that apply to the Kent County Council Combined Member Grants Scheme. I agree that the information provided in this application can be retained and used by Kent County Council to allow the project to be monitored. I understand that any grant award will be made in accordance with the eligibility criteria for the Kent County Council Combined Member Grants Scheme and with the County Council's Equality and Diversity Policy Statement. I understand that, if the grant will not be used for the purposes specified in this application, permission must be sought from the relevant Member Hub Support Officer. I agree that Highways accepts, and will abide by, the full terms and conditions and the monitoring requirements of the Kent County Council Combined Member Grants Scheme (as set out above).

For completion by the Primary Officer Applicant:

I am aware of a disclosable pecuniary interest (DPI) or other significant interest (OSI) relating to this application. Please tick/delete as

Yes ☐ No ☒

If Yes, please state the nature of the interest(s) below.

Nature of Interest(s)

Name & signature:

Date:

04/03/2020.



Countersignature of
Authorised Senior
Highways Officer

Date:

03/03/2020

Combined Member Grants Scheme Highways Agreement Form 2019/20

District: CANTERBURY

Application details

Project: Plant 1 new Highways Tree, Bridgefield Road

Unique Reference No:

Amount requested: £ 280.31

For completion by the Member Hub Support Officer:

I have checked this application and I can confirm the project will be monitored before payment is made:

Name and
signature:

Date:

6.3.20

For completion by the Local KCC Member:

I would like to support this project and would like to recommend a grant of:

£

I am aware of a disclosable pecuniary interest (DPI) or other significant interest (OSI) relating to this application. Please tick/delete as appropriate.

Yes ☐ No ☐

If Yes, please state the nature of the interest(s) below.

Nature of
Interest(s):

Recommendation by the Local KCC Member:

I (have declared above) / (do not have) any disclosable pecuniary interest (DPI) or other significant interest (OSI) relating to this application. I recommend and agree the above allocation from my delegated KCC Combined Member Grants scheme and the community benefit that it will bring in my Division / District / Kent (as set out on this application form):

Member's
signature:

Date:

Name:

IAN THOMAS

Division:

WHITSTABLE EAST
AND HORNE BAY WEST

Cabinet Member / Manager Approval:

I approve the allocation of £ under the KCC Combined Member Grants scheme

Signature:

Date:

Name:

Position
within KCC:

Request for £ additional funding

Member approval

Name:

Signature:

Date:

Budget holder approval

Name:

Signature:

Date:

From: **Michael Payne - Cabinet Member for Highways and Transport**

Simon Jones, Director of Highways, Transportation & Waste

To: **Selection & Member Services – 29 July 2020**

Subject: **Functions delegated by Council to officers**

Classification: **Unrestricted**

Past Pathway of Paper: None

Future Pathway of Paper: County Council for approval

Electoral Division: All

Summary: This report sets out a request for amendments to the Delegation Table to the Constitution.

Recommendation(s):

Members are asked to consider and endorse or make recommendations to the County Council to approve amendments to the Delegation Table as set out in this report.

1. Introduction

- 1.1 This report sets out a request for changes to the Delegation Table of the KCC Constitution. As these are functions of the council delegated by the council to committees and officers, it will be necessary for any amendments to be formally approved by County Council.

2. Proposed changes

- 2.1 The changes refer to powers which exist in statute but which have not been formally recorded previously in the delegation table.
- 2.2 Additionally, the proposed amendment in paragraph 2.3 (ii) second bullet point, aligns with KCC's published approach to asset management which sets out the core legislation used by Highways Transportation and Waste to manage the service. The asset management approach was formerly discussed at the Environment and Transport Cabinet Committee on January 2018 and the key decision subsequently taken by the Cabinet Member for Planning, Transport and Highways in February 2018.

- 2.3 The proposed changes are to:

(i) Section C: Highways functions:

The making of traffic regulation orders to restrict traffic under the Road Traffic Regulation Act 1984 to be delegated to the Director Highways, Transportation and Waste.

(ii) Section H: Other Functions:

- Legal framework for duty of care for waste, contaminated land and statutory nuisance under the Environmental Protection Act (EPA) 1990 to be delegated to the Director Highways Transportation & Waste

- To carry out Highways, Transport & Waste statutory duties included within The Highways Act 1980, The Traffic Management Act 2004, The New Roads & Streetworks Act 1991, The Road Traffic Act 1991, Traffic Signs Regulations and General Directions 2016, The Construction (Design and Management) Regulations 2015, The Equality Act 2010, Town and Country Planning Act 1990, The Wildlife & Countryside Act 1981 and Public Nuisance Common Law to be delegated to the Director Highways Transportation & Waste

3. Recommendation

- 3.1 Members are asked to consider and endorse or make recommendations to the County Council to approve amendments to the Delegation Table as set out in this report.

4. Report author

Theresa Warford
Staff Officer – Growth, Environment and Transport
Theresa.warford@kent.gov.uk
03000 417192

Relevant Director

Simon Jones
Director – Highways, Transport and Waste
Simon.jones@kent.gov.uk
03000 411683

From: Peter Oakford – Cabinet Member for Corporate and Democratic Services

To: Selection and Member Services Committee – 29 July 2020

Subject: The Robert Thompson Charities

Classification: **Unrestricted**

Summary:

The Robert Thompson Trust has run the Village Hall and 8 adjacent almshouses in Saltwood since it was founded in 1899 by benefactor, Robert Thompson. The Chair of the Trustees has written to the County Council asking whether it would agree that its membership provisions could be amended to read “a person nominated by Kent County Council” rather than “the County Councillor for the Elham Division of Kent for the time being”. This report recommends that the request is agreed.

1. Introduction

1.1 The Robert Thompson Trust (known as Robert Thompson Charities) is based in Saltwood near Hythe. It has run the Village Hall and 8 adjacent almshouses in Saltwood since it was founded in 1899 by benefactor, Robert Thompson.

1.2 The existing Charitable Scheme provides for 1 Trustee who is “the County Councillor for the Elham Division of Kent for the time being”. Miss Susan Carey (Member for Elham Valley) is therefore automatically KCC’s representative even though, as a result of boundary changes, the Village Hall and almshouses are now in the Cheriton, Sandgate and Hythe East Division, for which Mr Rory Love is the Local Member.

1.3 The Chair of the Trustees has written to the County Council to explain that Miss Carey (who has been a regular attendee at the Trust meetings) has now been appointed as Folkestone and Hythe DC’s representative. The Trust has agreed that this is an opportunity to correct the current anomaly and has suggested that its KCC representative should be described as “a person nominated by Kent County Council.”

1.4 The Chair of the Trust has explained that there are two issues that would arise if the words “Elham Division” were to be simply amended to “Cheriton, Sandgate and Hythe East Division.” The first is that a good deal of Saltwood is in the Hythe West Division. The second, more weighty consideration, is that the Trust considers it to be “unduly prescriptive in today’s circumstances to insist that one person has to be on a trustee body irrespective of their other commitments and interests.”

1.5 If the Committee were to agree to the proposed amendment, it would also be its duty to nominate a representative. The logical candidates would be Mr Rory Love and Mr Martin Whybrow who represent the Chariton, Sandgate and Hythe East and the Hythe West Divisions respectively. It is recommended that the general Counsel be given delegated powers to make the nomination following consultation with these two Members.

2. Recommendations:

The Committee is invited to agree that the Robert Thompson Charities be advised that Kent County Council agrees to the revision of its Charitable Scheme so that its KCC representative is described as “a person nominated by Kent County Council” and that the General Counsel be given delegated powers to make the appointment once the views of Messrs Love and Whybrow have been sought.

Background Documents:

Correspondence between the Robert Thompson Charities and Kent County Council.

Contact details

Andrew Tait: Democratic Services Officer

Ext: 03000 416749

Email: andrew.tait@kent.gov.uk