

KENT COUNTY COUNCIL

COUNTY COUNCIL

MINUTES of a meeting of the County Council held in the Mote Hall, Maidstone Leisure Centre, Maidstone, Kent ME15 7RN on Friday, 23 July 2021.

PRESENT: Mrs A D Allen, MBE, Mrs L Game (Vice-Chairman), Mr N Baker, Mr P V Barrington-King, Mr P Bartlett, Mr C Beart, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Booth, Mr A Brady, Mr D L Brazier, Mr C Broadley, Mrs B Bruneau, Mr S R Campkin, Miss S J Carey, Sir Paul Carter, CBE, Mrs S Chandler, Mr I S Chittenden, Mrs P T Cole, Mr P Cole, Mr G Cooke, Mr P C Cooper, Mr D Crow-Brown, Mr D S Daley, Mr M C Dance, Ms M Dawkins, Mr M Dendor, Mr R W Gough, Ms S Hamilton, Mr P M Harman, Mrs S V Hohler, Mr S Holden, Mr M A J Hood, Mr A J Hook, Mrs S Hudson, Mr D Jeffrey, Mr A Kennedy, Mr J A Kite, MBE, Rich Lehmann, Mr B H Lewis, Mr R C Love, OBE, Mr S C Manion, Mr R A Marsh, Ms M McArthur, Mr J P McInroy, Ms J Meade, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr H Rayner, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr T L Shonk, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr A Weatherhead, Mr S Webb, Mr J Wright and Ms L Wright

IN ATTENDANCE: Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

14. Apologies for Absence
(Item 1)

The General Counsel reported apologies from Mr Baldock, Mr Beaney, Mr Cannon, Mr Chard, Mr Collor, Ms Constantine, Mrs Dean, Mr Hill, Mr Hills, Mr Meade, Mr Simkins, Mr Sole and Mr Watkins.

15. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda
(Item 2)

There were no declarations of interest.

16. Minutes of the meeting held on 27 May 2021
(Item 3)

RESOLVED that the minutes of the meeting held on 27 May 2021 be approved as a correct record.

17. Chairman's Announcements (Item 4)

Chairman's Charity

- (1) The Chairman announced that she had chosen to support Kent Foster Care Association as her charity for the year. She said this was a Kent-based charity that supported registered foster carers and the children in their care. The charity also promoted the professionalism of foster carers in the significant role they play in managing the care of children and young adults and organised a variety of inclusive events including sport, outdoor events, and the creative arts. Further information about the charity can be found on its website at www.kfca.org.uk.

The Queen's Birthday Honours List 2021

- (2) The Chairman said that a number of Kent residents had received honours in the Queen's Birthday Honours this year, including Bill Ferris, the recently retired Chief Executive of Chatham Historic Dockyard Trust and a serving Deputy Lieutenant of Kent, who was awarded a CBE and Jo Holmes, Head of the Civic Office at Kent County Council, the Deputy Clerk to the Kent Lieutenancy and a serving Deputy Lieutenant of Kent, who was awarded an MVO. She asked members to join with her in congratulating them, and everyone who had received an honour in this year's Birthday Honours list, especially those based in Kent.

LoCASE Award

- (3) The Chairman said that Kent County Council was recognised at a national level for its work in supporting sustainable and clean growth and that the Low Carbon Kent team, chiefly through the Low Carbon Across the South-East (LoCASE) project, had been unanimously voted winners of the Delivering Clean Growth category at the President of the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) Awards. She said that the LoCASE project had been running since 2016 and was a partnership between Kent County Council, East Sussex County Council, Essex County Council, Southend-on-Sea Borough Council, Thurrock Council and the University of Brighton. In addition, KCC had recently been given the green light to extend this programme to include LEP areas across the South as part of an ambitious multi-LEP collaboration. She asked members to join her in congratulating everyone involved in the project on their success and on being recognised in this way.

Graduate Scheme Awards

- (4) The Chairman said that KCC had been placed at 35 in the rankings for the Top Companies for Graduates in the UK and had also come top in the 'Charity, Education and Public Sector' category for the first time. In addition, KCC was the only local authority to make the graduate list too.

She asked members to join her in congratulating everyone involved in the scheme on their success and on being recognised in this way.

18. Questions
(Item 5)

In accordance with Sections 14.15 to 14.22 of the Constitution, 5 questions were asked and replies given. A record of all questions put and answers given at the meeting is available [online](#) with the papers for this meeting.

As Mr Chard and Ms Constantine were not present during this item a written answer to their questions has been provided.

19. Report by Leader of the Council (Oral)
(Item 6)

- (1) The Leader updated the Council on events since the previous meeting.
- (2) Mr Gough outlined the reasons for holding the County Council meeting away from County Hall and said some members had sent apologies as they were self-isolating following notifications from the NHS Covid-19 app. He went on to say that the most recent figures for Kent showed weekly cases of Covid-19 infections to the 18 July of 407.1 per 100,000, which was an increase from 230 the previous week, but below the national average and the average for the South-East. He referred to the success of the vaccination programme, and its effect on weakening the links between infection and hospitalisation and between infection and serious illness or death. He said that almost all legal restrictions imposed to deal with Covid-19 would be lifted from Monday 19 July and that the authority would pay heed to the continuing guidance issued by government. He said all 18 public libraries in Kent would re-open but in accordance with government guidance, there was an expectation that staff and visitors would continue to wear face masks. He also acknowledged the impact of self-isolation on both KCC and other organisations.
- (3) Mr Gough said the initial transition arrangements for leaving the EU had concluded on 31 December 2020, but in reality there would be a series of transitions including the introduction of import controls from 2022. He said preparation for the transition had been seen as a major success for KCC both in terms of working with district councils and with members of parliament to secure government commitment to the international border facility in Dover and border health facilities located nearby. He said the authority had successfully made the case that this was an important investment in Kent, and that it would avoid a single point of failure, undermining resilience and putting excessive strain on the inland border facility at Sevington. He referred to the lifting of passenger travel restrictions on 19 July and said that Operation Brock had been activated on the M20 motorway to deal with increased passenger traffic, longer passport checks and any staff shortages arising from self-isolation requirements. He said the Kent Resilience Forum was continuing to monitor the situation and that KCC was well-prepared to discharge its responsibilities such as driver welfare if needed. He also said it might be possible to stand down Operation Brock in the coming days;

however, longer- term investment to ensure the border and the infrastructure supporting it was both smart and resilient and major issues, such as the impact of HGVs on the county of Kent, would be a major focus of the authority's continuing conversation with government.

- (4) Mr Gough drew members' attention to references to Levelling Up and new deals for counties in the Prime Minister's speech the previous week. Mr Gough believed Kent had grounds for good and important engagement with the government and would focus on the need for skills and for border infrastructure.
- (5) Mr Gough said public consultation on the authority's budget would begin on 28 July. He said that, while he did not believe there would be a return to the austerity experienced ten years ago, the authority faced financial challenges especially in seeking to cope with the rising demand for many services and pressures in its capital budget. He said Croydon and Slough councils had issued Section 114 notices and a further eight authorities had applied for financial support through a capitalisation direction which was essentially borrowing to fund their revenue budgets. He said KCC's financial position was different from those authorities, but it was right to emphasise the challenges it faced from its stock of borrowing and the demands of the capital programme. He referred to the Highways Asset Management Plan, considered recently by the Environment and Transport Cabinet Committee, which demonstrated both the scale of the challenge and the strategic approach to tackling it.
- (6) Mr Gough said the authority was continuing to respond to government initiatives related to transport. He said the overhaul of a 35-year-old system of deregulated rural bus services was very welcome as was the opportunity for the authority to shape services in conjunction with residents and operators; however, a consistent policy and financial framework was required from the government to avoid significant financial risk to the authority. He said that the first version of the Bus Service Improvement Plan must be published by the end of October and that the enhanced partnership scheme must start in April 2022.
- (7) Mr Gough said that the authority had responded quickly to the government's demanding timetables in relation to the Active Travel Fund and was building on the experience gained from the schemes implemented as a result of the first two tranches of funding. It was anticipated that further bids would be submitted for off road routes many of which would be recreational, required minimum land acquisition and could be delivered within the required timeframe with the least amount of practical difficulty and the maximum amount of local support. Once funding had been secured full public consultation would take place. In addition, the authority would continue to develop its strategic approach to bidding for funds in future rounds.
- (8) Mr Gough said the environment agenda would be pushed forward over the coming months. He referred to the success of the Low Carbon Kent team at the ADEPT Awards mentioned by the Chairman, and to Miss Carey's response to Mr Stepto's question about the funding secured to achieve the accelerated target of net zero by 2030 and that a 40% reduction was anticipated by March 2022. He

said that progress would continue on achieving the long-term target of net zero for the county by 2050 and referred to the development of the Kent and Medway Adaptation Programme, the details of which had been considered by the Environment and Transport Cabinet Committee in March. He referred to the re-tendering of the grass cutting contract and to the work underlying the Plan Bee initiative.

- (9) The Leader said that as the country and the authority moved out of a 16-month period of lockdown it was timely to review decisions made in that time and to decide which elements to reverse and which to continue. As part of this a public consultation on the future of the booking system for household waste and recycling centres would begin on 19 August. He also said that he and Mrs Chandler had given a full report on the Reconnect Programme to the Scrutiny Committee. He concluded by saying that the safety at the Open Golf event in Sandwich had been a great triumph for Kent and paid tribute to Mike Hill and Sir Paul Carter in securing the event for Kent.
- (10) The Leader of the Labour Group, Dr Sullivan responded. She thanked the staff at Mote Leisure for accommodating the meeting of the County Council as well as the Democratic Services team. She asked members to join her in paying tribute to the English men's football team for reaching the final in the European Cup and said that the women's team had made it to the final in 1994 and 2009. She deplored the racist abuse of individuals that had occurred on social media after the match and welcomed the solidarity shown by many in condemning it. She said she would have expected that KCC might have shown some public solidarity on a cross-party basis in condemning the abuse as Gravesham Borough Council had.
- (11) Dr Sullivan said all members aspired to give communities that had been left behind the opportunity to level up, however, the decentralisation of power to county authorities outlined in the Prime Minister's speech did not go far enough. She said she would prefer to support the devolution of power to local communities than see further centralisation of power within county councils. She also said that many residents thought that KCC was already too remote from local communities and would not support a costly re-organisation of local government.
- (12) Dr Sullivan said that Operation Brock was becoming a regular feature of life in Kent and that she believed, an oven-ready solution was available. She asked the Leader to join with her in condemning the continuing delays in implementing the Prime Minister's promise, made two years ago, to fix social care. She asked for assurance that KCC and the local economy in Dover would receive compensation for the disruption and inconvenience caused by continuing travel restrictions and that costs would not be borne by KCC and local taxpayers. Dr Sullivan said that, although the pandemic was not yet over, she would like to thank front line staff at KCC as well as key workers in the service sector, the NHS, and the public sector for their efforts over the last year. She also said she supported their efforts in seeking a pay rise that reflected the sacrifices they had made and referred to key workers such as the police, teachers and others who were not receiving any increases. She asked the Leader to join with those on the opposition benches in condemning the government for this.

- (13) Mr Hook, Leader of the Liberal Democrats, said that in his group's view, the situation in relation to Covid-19 remained very serious. He said that a week ago the number of cases in Kent was 6,251 which was an 80% increase on the previous week while across the country cases had risen by 24% and the number of deaths from Covid-19 had increased by 50%. He said that since the County Council meeting in May more than 5,000 Kent and Medway residents had died from Covid-19. The number of infections in the UK appeared to be driven by the Delta variant which had produced a grave picture in the UK compared with other European countries or the US which he attributed to the government's decision to delay implementing travel restrictions between India and the UK. He said restrictions on travel between UK and Pakistan and Bangladesh had been implemented although these countries had lower infection rates than India. He said that KCC had an important leadership role and need to convey messages about the need to be careful, use hand sanitiser, wear face masks, work from home where possible and isolate when appropriate.
- (14) Mr Hook said that the form of Brexit that had been adopted had led and would continue to lead to more concrete lorry parks in Kent with pollution from light and noise costing millions of pounds. He paid tribute to Paul Francis, a journalist with the Kent Messenger Group, who had been very persistent in getting the environmental impact assessments on sites developed as lorry parks into the public domain. He also referred to the burden of paperwork faced by cross-channel hauliers and the food and drink sector as result of Brexit and the failure of government to continue the powers granted to local councils to deal with illegal lorry parking.
- (15) Mr Hooke was pleased to have seen the Pride flag flying from County Hall for Pride month in June. He said it was a small gesture which made a big statement that Kent, in 2021, was a place of equality for LGTB people. He said the European Football Championship had been inspiring for all and especially for children; however, he hoped there was widespread dismay at the racism experienced by some of England's footballers afterwards. He said this was strong evidence that racism remained an important issue that had to be taken seriously.
- (16) Mr Hooke said he had listened to the Prime Minister's speech on levelling up and, like many, he thought it was a little vague. He said he understood levelling up to mean achieving equality without reducing anyone's position; that it was more complex than just transferring resources from south to north; and that the government should be held to account on its achievements in relation to it. Mr Hooke said he welcomed the active travel strategy and was pleased that Faversham now had a town-wide 20mph speed limit which had resulted in more walking and cycling and a healthier and cleaner environment. He welcomed Miss Carey back to her role as Cabinet Member for Environment and said he was looking forward to the outcome of the COP 26 Conference in November which might make the targets set in the Paris Agreement more ambitious.
- (17) Mr Stepto, Leader of the Independent and Green Group, acknowledged that the vaccination programme had loosened the link between Covid-19 infection and death and said that a cautious approach based on science rather than on a libertarian ideology was required. He said 40% of the population had not received any vaccinations, some children became seriously unwell when infected and that the effects of long Covid were still unclear.

- (18) Mr Stepto asked that the Council remained mindful of the negative impact of the International Border Facility and its associated infrastructure from increased traffic and noise, light, and air pollution. Mr Stepto said he had read the text of the Prime Minister's speech of the recommendation of Mr Gough and, not only had he found it unclear, he had been shocked by its content and the standard of English grammar and punctuation in it.
- (19) Mr Stepto welcomed the work being done on active travel and expressed concern about the lack of progress on the proposed A26 cycle route between Tunbridge Well and Tonbridge. He said this needed to be resolved as soon as possible as it would have many benefits for commuters and school children as well as lead to reductions in motor traffic.
- (20) He concluded by referring to flooding in Europe and China, wildfires in the USA and Siberia, and the first ever extreme heat warning in the UK and said climate change needed to be taken very seriously as well as suggesting that the authority should become a leader in cutting CO2 emissions, increasing recycling, encouraging nature, and increasing the use of sustainable materials.
- (21) The Leader thanked the group leaders for their comments and responded to several items. In relation to Covid-19, he said it was sensible to recognise the progress of vaccination programme and its impact compared with the situation earlier in the year. He also said that as a public authority and a public health authority, KCC had to model a sensible and responsible approach and although many wanted this meeting to be held in the Council Chamber, it was right to respond to government guidance in relation to confined spaces and meet in a place where social distancing was possible and where there was better circulation of air. He also said that the administration supported efforts to provide services and open the economy and society to the maximum degree possible, however, there would be a difficult balance to be struck over the coming weeks and months.
- (22) The Leader said: there was no disagreement on the equalities' issues raised including flying the Pride flag at County Hall; all members shared in the delight and pride in the achievement of the English football team; and deplored the conduct of a small minority after the game.
- (23) The Leader clarified some aspects of the Prime Minister's speech and said the recent re-organisation of local government in North Yorkshire, Somerset and Cumbria went back to last year's debate on these issues, the talk about introducing mayors was simply one option and that whatever happened KCC would also seek to achieve the right balance between providing services at a strategic level and close to communities. He said that he was delighted to welcome Miss Carey back into her role as Cabinet Member for Environment and said the role had exceptionally well discharged by Mr Hills for a short period recently. He said the authority had embraced climate change which was a huge issue that extended beyond the authority's estate and operations. He said the authority had a role as a community leader and as an indirect shaper of policies in areas such as transport and dealing with climate change was the work of decades not just of months or years. He said that lessons had been learned from the implementation of active travel schemes funded by the first and second tranches of funding from the Active Travel Fund. He said there were often challenges where schemes resulted in reducing road space for motorists particularly in congested areas. He said that schemes to be developed from tranche 3 funding would focus on off-road schemes that went with the grain of the

county's existing cycling culture which was predominantly recreational although some would be more strategic in terms of linkages to school routes. He concluded by thanking Dr Sullivan for her kind words about the authority's approach to pay bargaining, acknowledging Mr Holden's work on the impact of HGVs on the county and by agreeing with Mr Hook that it was regrettable that the government had not renewed local authorities' powers to deal with illegal lorry parking.

(24) RESOLVED that the Leader's update be noted.

20. End of Year Performance Report, 2020/21
(Item 7)

(1) Mr Gough proposed and Mr Oakford seconded the motion that

"The County Council notes the Performance Report".

(2) Following the debate the Chairman put the motion set out in paragraph 1.

(3) RESOLVED that the County Council notes the Performance Report.

21. Monitoring Officer's Section 5 report - UASC
(Item 8)

(1) Mrs Chandler proposed and Mr Gough seconded the motion that

"the County Council notes the content of the report".

(2) Following the debate the chairman put the motion set out in paragraph 1.

(3) RESOLVED that the County Council notes the content of the report.

22. KCC's ambition for Health and Care Partnership Working with the NHS Integrated Care System
(Item 9)

(1) Mr Gough proposed and Mrs Bell seconded the motion that

"the County Council

(a) Approves the development of a partnership framework to underpin the County Council's continuing partnership with the Integrated Care System based on the requirements of the White Paper.

(b) Endorses further exploration with Health leaders to identify shared areas of ambition and opportunities for new ways of working as the Integrated Care System develops.

(c) Agrees to the principles for partnership working with the emerging Integrated Care System as at section 7 the report.

(d) Agrees to the transition of the Kent and Medway Joint Health and Wellbeing Board to the Health and Care Partnership Board subject to the agreement of all Partners”.

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

For (50)

Mrs Allen, Mr Baker, Mr Barrington-King, Mr Beart, Mrs Bell, Mrs Binks, Mr Bond, Mr Booth, Mr Brazier, Mr Broadley, Miss Carey, Mr Carter, Mrs Chandler, Mrs Cole, Mr Cole, Mr Cooke, Mr Cooper, Mr Crow-Brown, Mr Dance, Mr Dendor, Mrs Game, Mr Gough, Mrs Hamilton, Mrs Hohler, Mr Holden, Mrs Hudson, Mr Jeffery, Mr Kennedy, Mr Kite, Mr Love, Mr Manion, Mr Marsh, Mrs McArthur, Mr McInroy, Mr Murphy, Mr Oakford, Mrs Parfitt-Reid, Mrs Prendergast, Mr Rayner, Mr Richardson, Mr Ridgers, Mr Robey, Mr Ross, Mr Shonk, Mr Sweetland, Mr Thomas, Mr Weatherhead, Mr Webb, Mr Wright, Mrs Wright.

Against (7)

Mr Brady, Mr Campkin, Ms Dawkins, Mr Harman, Mr Lewis, Mrs Meade, Dr Sullivan.

Abstain (8)

Mrs Brunneau, Mr Chittenden, Mr Daley, Mr Hood, Mr Hook, Mr Lehman, Mr Stepto, Mr Streatfeild.

Motion Carried

(3) RESOLVED that the County Council:

- (a) Approves the development of a partnership framework to underpin the County Council’s continuing partnership with the Integrated Care System based on the requirements of the White Paper.
- (b) Endorses further exploration with Health leaders to identify shared areas of ambition and opportunities for new ways of working as the Integrated Care System develops.
- (c) Agrees to the principles for partnership working with the emerging Integrated Care System as at section 7 the report.
- (d) Agrees to the transition of the Kent and Medway Joint Health and Wellbeing Board to the Health and Care Partnership Board subject to the agreement of all Partners.

23. Proportionality and Appointments to committees and other bodies

(Item 10)

(1) Mr Gough proposed and Mr Oakford seconded the motion that

“The County Council

- (a) Determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;

- (b) Note that Selection and Member Services made the necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - (c) Agree to give delegated authority to the Democratic Services Manager, in consultation with the four Group leaders and the Monitoring Officer to adjust the allocation of committee places in order to conform to overall proportionality requirements”.
- (2) Following the debate the chairman put the motion set out in paragraph 1 to the vote.
- (3) RESOLVED that the County Council
- (a) Agrees the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;
 - (b) Notes that Selection and Member Services made the necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - (c) Agrees to give delegated authority to the Democratic Services Manager, in consultation with the four Group leaders and the Monitoring Officer to adjust the allocation of committee places in order to conform to overall proportionality requirements.

24. Annual Report on Urgent Decisions taken by the Executive – 2020-21
(Item 11)

- (1) Mr Gough proposed and Mr Oakford seconded the motion that
“County Council notes the report”.
- (2) Following the debate the chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council notes the report.

25. Governance & Audit Committee - Terms of Reference amendment
(Item 12)

- (1) Mrs Binks proposed and Mr Brazier seconded the motion that
“the County Council approve the proposed amendments to the Terms of Reference of the Governance and Audit Committee”.
- (2) Following the debate the chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council approves the proposed amendments to the Terms of Reference of the Governance and Audit Committee.