

KENT COUNTY COUNCIL

COUNTY COUNCIL

MINUTES of a meeting of the County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 25 May 2023.

PRESENT: Mrs L Game (Chairman), Mr G Cooke (Vice-Chairman), Mr N Baker, Mr M Baldock, Mr P V Barrington-King, Mr P Bartlett, 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, Mr T Cannon, Miss S J Carey, Sir Paul Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Mr P Cole, Mr N J Collor, Ms K Constantine, Mr P C Cooper, Mr D Crow-Brown, Mr M C Dance, Ms M Dawkins, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Peter Harman, Jenni Hawkins, Mr P M Hill, OBE, Mr A R Hills, 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, Mrs M McArthur, Mr J P McInroy, Ms J Meade, Mr J Meade, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr A Sandhu, MBE, Mr T L Shonk, Mr C Simkins, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN ATTENDANCE: Mr J Cook (Democratic Services Manager) and Mr B Watts (General Counsel)

UNRESTRICTED ITEMS

137. Apologies for Absence
(Item 1)

The Democratic Services Manager reported apologies for absence from Mrs Dean, Mr Manion, Mr Marsh, Mr Rayner, Mr Sole and Mr Watkins.

The Democratic Services Manager said Mr Chittenden and Mrs Parfitt-Reid would be joining the meeting late.

138. Election of Chairman
(Item 2)

(Mrs Game, the present Chairman, presided for this item)

- (1) Sir Paul Carter proposed, and Mr Cooper seconded that Mr G Cooke be appointed Chairman of the County Council.

Agreed unanimously.

- (2) Mr Cooke took the chair, made his Declaration of Acceptance of Office, and returned thanks for his election.
- (3) Mr Cooke paid tribute to, and thanked, Mrs Game for the manner in which she had carried out her duties as Chairman of the Council. The Chairman invited Members to speak, and tributes were paid to Mrs Game by Mr Gough, Dr Sullivan, Mr Hook, Mr Stepto, Ms Meade, Mr Lewis, Mr Meade, Mr Kite, and Ms Wright. Mr Cooke presented Mrs Game with the Past Chairman's Badge.
- (4) Mrs Game thanked Members for their comments.

139. Election of Vice-Chairman

(Item 3)

- (1) Mr Meade proposed, and Miss Carey seconded that Mr B Sweetland be appointed Vice-Chairman of the County Council.

Agreed unanimously.

- (2) Mr Sweetland made his Declaration of Acceptance of Office and returned thanks for his election.

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

(Item 4)

There were no declarations of interest.

141. Minutes of the meeting held on 23 March 2023 and, if in order, to be approved as a correct record

(Item 5)

RESOLVED that the minutes of the meeting held on 23 March 2023 be approved as a correct record.

142. Corporate Parenting Panel - Minutes for noting

(Item 6)

Mr Ross, Chairman of the Corporate Parenting Panel, introduced the item and reminded Members of their role as a corporate parent to Kent's children in care.

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 15 February 2023 be noted.

143. Chairman's Announcements

(Item 7)

Dan Daley

- (1) With the greatest of regret the Chairman informed Members, formally, of the passing of Mr Dan Daley at the end of March 2023. He said Mr Daley was a well-known and well-respected Borough and County Councillor who worked tirelessly on behalf of the residents in Maidstone Central Division. Mr Daley was elected to Maidstone Borough Council in 1990 and to Kent County Council in 2001. The Chairman said Mr Daley had a love of nature and the environment and cared greatly about the health and wellbeing of Kent residents. He was a member of the Council's Health Overview and Scrutiny Committee since it was set up in its current form and his thoughtful and passionate input at all committees would be missed greatly.
- (2) Tributes were made by Mr Hook, Mr Gough, Dr Sullivan, Mr Lehmann, Mr Lewis, Sir Paul Carter, Miss Carey, Mr Simkins, Mr Streatfeild, Mr Kennedy, and Mr Cannon.

Paul O'Grady

- (3) At the end of March this year, Kent residents and people from around the world mourned the unexpected death of Mr Paul O'Grady MBE DL. The Chairman said Mr O'Grady had been appointed a Deputy Lieutenant of Kent in November 2022 and referred to Mr O'Grady's love for the county which he had made his home for over 21 years. He filmed a series about Kent back in 2020 which saw him travelling around the county highlighting many of the coastal areas around Kent and had written a book about living in Kent, with his latest children's book being set on the Romney Marshes. Mr Grady was also very committed to supporting many charities, including being a Patron of Save the Children and an Ambassador for Battersea Dogs and Cats Home, along with a number of other animal charities across the county. The Chairman said Mr O'Grady was a great loss to many people and the organisations he championed.
- (4) The Chairman held a one-minute silence in memory of Mr Daley and Mr O'Grady.

Motion of condolence

- (5) Mr Cooke proposed, and Mr Sweetland seconded, that the Council formally record the sense of loss it feels on the sad passing of Mr Daley and Mr O'Grady and extends to their families and friends its heartfelt sympathy to them in their sad bereavements.

Agreed unanimously.

Mike Whiting

- (6) The Chairman welcomed back to the Council, Mr Mike Whiting, as Member for the Sheppey Division.

David Cockburn retiring

- (7) The Chairman informed Members of Mr Cockburn's decision to retire from his role as Chief Executive Officer and expressed his support on behalf of the Council. Mr Cooke thanked Mr Cockburn for his outstanding contribution to the Council and said he had been the most Senior Officer of the Council for nearly 12 years and the commitment he had given to the Authority, particularly through some of the most difficult of times, was exceptional. Mr Cooke said he would be extremely missed and on behalf of all Members of the Council thanked and wished him well for the future.
- (8) The Chairman invited Mr Gough, Dr Sullivan, and Sir Paul Carter to comment.

Coronation Champion

- (9) The Chairman explained, as part of the Coronation celebrations and in honour of Their Majesties' service to the country, the Royal Voluntary Service launched the Coronation Champions Awards to celebrate extraordinary volunteers across the country who had been contributing to their communities. Out of the many volunteers who were nominated, 500 volunteers were selected to win this Award and the Chairman was pleased to say that 18 of these were from Kent.
- (10) One of the Kent Coronation Champions was a KCC member of staff, Mr Kevin Hunt, an Early Help Support Worker covering the Sevenoaks district. Mr Hunt spent countless hours each week volunteering for his cricket club, coaching children's football, and volunteering with the Youth Justice Service. Mr Cooke congratulated Mr Hunt and thanked him for all he did in support of the community.

Bill Cockcroft

- (11) The Chairman welcomed Deputy Lieutenant, Mr Bill Cockcroft to the meeting who was joined by fellow Deputy Lieutenant, Mr Trevor Sturgess.
- (12) Mr Cooke thanked Mr Cockcroft, on behalf of the Council, for his exceptional service to the County. Mr Cockcroft was currently the longest serving Deputy Lieutenant, having been appointed by the late Lord Kingsdown in 1996, and had since served under a further three Lord-Lieutenants (Mr Allan Willett, Viscount De L'Isle and Lady Colgrain). In 2004, Mr Cockcroft was made the first Link Deputy Lieutenant for Maidstone, a role created by the late Mr Allan Willett. Mr Cockcroft was a retired Senior Partner of a Quantity Surveying Practice and a former Chief Commissioner of England for the Scout Association and was Chair of the Organising Committee and Camp Chief for the 2007 Centenary World Scout Jamboree held in the UK. Mr Cooke said he was President of Kent Scouts and Maidstone Sea Cadets as well as a number of other voluntary roles.

- (13) Mr Cooke said Mr Cockcroft was retiring as a serving Deputy Lieutenant after an outstanding 27 years and on behalf of the Council, he thanked him for his remarkable service to Kent.

Chairman's Charities

- (14) The Chairman announced that he had chosen to support two charities during his year as Chairman and they were Imago and Crossroads. Both charities provided support to young carers in Kent.
- (15) The Chairman invited Ms Angela Holland, Ms Jo Rickword and Ms Wendy McGeachy from Imago, and Ms Irene Jeffrey and Ms Jan Hall from Crossroads to introduce the charities and their work.

144. Questions

(Item 8)

In accordance with Sections 14.15 to 14.22 of the Constitution, 14 questions were submitted by the deadline, 7 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 Sole was not present during this item a written answer to their question was provided.

Questions 9 - 14 were not put in the time allocated but written answers were provided.

145. Report by Leader of the Council (Oral)

(Item 9)

- (1) The Leader commented on the recent district and borough elections that were held across Kent and Medway on 4 May 2023 and the scale of change that had occurred as a result. Mr Gough commiserated with Conservative colleagues who had lost their seats but looked forward to working with the new administrations across the county.
- (2) Mr Gough spoke about the situation at Galley Hill where, on the evening of 10 April 2023, a chalk cliff collapsed on the northern side of Galley Hill Road in Swanscombe resulting in a major water leak. He said Kent Highways had taken control of the site and the road remained closed. The Council was working closely with Dartford Borough Council to ensure local communities and businesses were kept informed and a dedicated KCC webpage included information on diversion routes, changes to bus routes and points of contact for enquiries. He said it was a complex engineering issue which the Council was working hard to resolve, and the road was expected to remain closed for the foreseeable future. Mr Gough

recognised the major difficulties this caused for residents and businesses and said the Council would seek to ensure effective communication with residents and with Mr Harman as the local Member.

- (3) The Leader noted that although there had been two consecutive bank holiday weekends without the need for Operation Brock, it had been utilised over the Easter weekend and strong demand was expected at the Port of Dover and Eurotunnel for the Whitsun bank holiday weekend. Mr Gough said this was a reminder of the scale of the pressures the Council faced and noted that demand had returned to pre-pandemic levels. He said the Council continued to work closely with the Department for Transport and other government departments to address these issues and the implementation of the EU's Entry/Exit System.
- (4) Mr Gough said almost 26,000 pothole enquiries had been received during the last year and the amount received during December to March was over five times that of equivalent periods in the previous year. Since the beginning of April 2023, almost 5,000 potholes had been repaired and nearly 6,000 square metres of longer-term patching had been replaced. Although the Council would deploy the £6million in extra government funding announced in the budget there were severe limits to the Council's resources. He said he was pressing government, along with other Southeast Leaders, for further funding to address the severe situation on the county's roads. Mr Gough confirmed that a summer programme of resurfacing and surface treatments had commenced, and this would see investment of around £40million into the network in 2023/24 with a further £3million spent on footways and £4.5million capital investment into highway drainage renewals and repairs.
- (5) The Leader reported that on 30 March 2023 the Council received an allocation of over £12million from the local Electric Vehicle Infrastructure Fund to deliver charging infrastructure to 40% of households without off-street parking. The scheme, which ran to 2030, would build on the existing work KCC had been carrying out and was a fundamental step change in terms of scale and deployment. Mr Gough stressed that this was a difficult and challenging area.
- (6) The Leader turned to economic development and the ceasing of Local Enterprise Partnerships (LEPs) by March 2024. He said the Council, along with other local authorities, were working with the Southeast LEP to manage the transition.
- (7) On 19 April 2023 Mr Gough joined Mr Damien Collins MP and the Leader of Folkestone & Hythe District Council, in a positive meeting with Mr Andrew Bowie MP, regarding new nuclear technology at Dungeness.
- (8) Mr Gough commented on the importance of the Levelling Up and Regeneration Bill which was currently in report stage in the House of Lords. He said this was an area of importance, and concern, for the

Council in relation to the proposals to fund and deliver infrastructure and confirmed that a detailed response to the consultation would be submitted.

- (9) The Leader was pleased that Miss Carey and Members of the Environment and Transport Cabinet Committee had formed a task group for the Household Waste Recycling Centres Review. He recognised the difficulty of the issue and said the savings, included in the budget, reflected the severity of the financial position that the Council, like other comparable authorities, faced.
- (10) Mr Gough explained that the draft Special Educational Needs and Disabilities (SEND) Accelerated Progress Plan had been submitted to the Department for Education and their initial response was awaited. Mr Gough said the Ofsted Chief Inspector, Ms Amanda Spielman, made a positive visit to the Council in May 2023. He acknowledged that progress on improvements had only just begun, and a continued focus was required.
- (11) During May 2023 the Kent Youth Justice team participated in a Ministry of Justice sponsored thematic inspection by HM Inspectorate of Probation and Ofsted, the feedback of which, Mr Gough said, had been very positive.
- (12) Finally, the Leader said a positive Integrated Care Partnership development session took place in April 2023. He emphasised the importance of the Partnership in serving Kent residents better and addressing some of the biggest structural problems facing the Council. Building on the successful Kent Care Summit last year a further event would be held on 21 June 2023 in Margate.
- (13) The Leader of the Labour Group, Dr Sullivan, responded to the Leader's remarks. She said the situation at Galley Hill was having a significant impact on Gravesham and Northfleet residents and called for a resolution as quickly as possible. She also highlighted that there was concern for the security of numerous cliffs in Northfleet and around the Ebbsfleet area.
- (14) Dr Sullivan wished good luck to all the students that were taking summer exams, which for some would be their first public examination, and referred to the pressure and effects on the mental health of young people.
- (15) Dr Sullivan highlighted the importance of providing support to children with SEND to enable them to have opportunities and choices. She commented that opportunities were reducing due to travel and financial barriers, especially for those from deprived communities and families with special educational needs. Dr Sullivan said Members had a role in ensuring the strategies and policies of the Council were meeting the needs of its most vulnerable young people and condemned comments made by some Members at the recent SEND Sub-Committee. Dr Sullivan commented that the Accelerated Progress Plan had been submitted to government without the opportunity for scrutiny by Members or families.

- (16) Dr Sullivan congratulated those who were elected at the recent borough and district elections and sympathised with those who were not successful. She said the people of Kent had sent a clear message for investment in public services and the end of austerity. Dr Sullivan said if the public of Kent wished to put their trust in Labour, they would see a step change with new ideas. She said her group would prioritise Kent residents over commissioned profits and the time of commissioning and outsourcing would end.
- (17) Finally, Dr Sullivan commented on the Household Waste Recycling Centre Review and referred to a Member of the Conservative group who was taking action against the closure of one of the sites. She hoped that the consultation would not cost as much as previous consultations and commented that decisions regarding savings were a matter of choice.
- (18) Mr Lehmann, Leader of the Green and Independent Group, congratulated the Chairman and Vice-Chairman on their appointments.
- (19) Mr Lehmann congratulated those who had been successful in the recent elections and commented that Labour and the Liberal Democrats had doubled the number of seats in Kent in the past eight years. He said the Green Party had tripled the number of seats they took in Kent four years ago and every single district in Kent that elected Green Party seats in 2019 elected more in 2023. Mr Lehman hoped the Green Party would continue to grow particularly in consideration of recent news that there may be temperatures 1.5 degrees above pre-industrial levels at some point in the next five years. He noted that not a single G20 country had met the commitments of the Paris Agreement and the lack of action in the past decade would only make the coming decades more challenging.
- (20) Mr Lehmann turned to the Household Waste Recycling Centre Review and stated he felt it was a false economy to close any of the sites. He welcomed the opportunity to join the task group to present alternative suggestions but noted this was reliant on access to data. He said a limited set of options were presented at the recent Environment & Transport Cabinet Committee which did not include how sites which remained open would cope with additional waste. Mr Lehmann commented on the proposed saving of £1.5million and provided Members with some figures in respect of the Faversham area, which included the number of affected households who would lose their nearest recycling site, the additional miles of car journeys per week and the cost of additional petrol. He said if the Faversham site was closed, most journeys to Sittingbourne, as a result, would go through an Air Quality Management Area (AQMA) and Mr Lehmann estimated there would be an extra 123 tonnes of carbon. Mr Lehmann suggested that focusing on saving £1.5million could result in a further step towards breaching the 1.5 degrees limit and asked that an alternative saving be found.
- (21) Mr Hook, Leader of the Liberal Democrat Group, congratulated Canterbury Resident, Mr Hari Budha Magar, who on Friday 19 May 2023, reached the

summit of Mount Everest, 13 years after he lost both legs in Afghanistan. He was the first ever double above the knee amputee to reach the top of Mount Everest.

- (22) Mr Hook congratulated all those elected on 4th May 2023, sent commiserations to those who were not and recognised that there were many factors involved in elections and the results of which were not always a reflection on an individual. He said it was clear from the results that there was an appetite for a change in political direction and in his group's view it was time for a new parliament and a fresh mandate. He was pleased that across Kent 70 Liberal Democrats were elected to borough or district councils, up from 32 in 2019, and felt there was still room for growth. Mr Hook welcomed that several councils in Kent were now in no overall control and said his group's view was that a multi-party administration was better than single party. Mr Hook felt, like in Scotland and Northern Ireland, that England should have proportional representation for local government where the seats were based on the percentage of votes.
- (23) Mr Hook strongly welcomed comments made about local electric vehicle infrastructure and noted that EV charging for people who did not have off street parking was difficult. He hoped that the new funding would help with that and provide, for example, lamppost-based charging which existed in other parts of the country.
- (24) Mr Hook said his group remained concerned that Members were taking an active role in the SEND groups that had been set up and were particularly concerned that the safety valve required a financial constraint that may be unrealistic against the growing population and growing number of children.
- (25) As summer approached, Mr Hook said Operation Brock was a concern, as was the threat of more extensive European border controls and the cost that went with them.
- (26) Mr Hook turned to the Household Waste Recycling Centres Review and said in his group's view, the plan to close four sites was a mistake for reasons which were highlighted at the Environment and Transport Cabinet Committee on 23 May 2023. He said he felt that insufficient information had been provided to make the financial case, including in relation to business rates, redundancy costs and Air Quality Management Areas. He said more information was required to enable the Council to scrutinise both the financial and environmental aspects.
- (27) Finally, Mr Hook highlighted that June was Pride month and he hoped the Pride flag would fly again over County Hall as it had in previous years, and that Members would support Pride events in their area.
- (28) The Leader responded to comments made regarding Galley Hill and stressed the importance of keeping Members informed, particularly local Member Mr Harman.

- (29) Mr Gough thanked Dr Sullivan for her good wishes to all those taking their GCSEs and A levels in the coming weeks.
- (30) Mr Gough responded to Dr Sullivan's point regarding available resources and said he was under the impression that Labour's message recognised the national constraints. He said he thought, whoever was in power nationally, a strong case to government would always be sought regarding the need for resources, and that would remain should there be any national change of administration.
- (31) Mr Gough responded to comments made regarding SEND and said in terms of scrutiny, and in particular the Accelerated Progress Plan, there were two bodies which received and reviewed the plan, namely the SEND Sub-Committee and the Strategic Improvement and Assurance Board. Mr Gough believed that the Council's response to the service shortcomings experienced by several families in Kent, and the safety valve, were closely related, and involved ensuring that the right support for children was provided in the right place. He said the Council remained deeply committed to improvement of the service and confirmed that the SEND Sub-Committee and the Strategic Improvement and Assurance Board would scrutinise the work that was done.
- (32) In relation to the Household Waste Recycling Centres Review, the Leader acknowledged the comments that had been made, and the significant process of work to be undertaken, and welcomed, again, the formation of a task group to shape the nature of the consultation.
- (33) Mr Gough agreed with the points that had been made in relation to the Local Electric Vehicle Infrastructure Fund and reiterated that this was a complicated and difficult issue, not only in terms of adjudicating between the different interests of different residents, but also in relation to a continual change in technology.
- (34) Mr Gough thanked the Group Leaders for their fair and generous comments on the election results which recognised that individual councillors of whatever party or group put in an enormous amount of work and very often their fate was decided by something outside their control.
- (35) RESOLVED that the Leader's update be noted.

146. Kent and Medway Integrated Care Partnership Joint Committee - Terms of Reference

(Item 10)

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

“County Council agrees the amendment to the Integrated Care Partnership Joint Committee’s terms of reference as set out in Appendix 1 to the report.”

- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council agrees the amendment to the Integrated Care Partnership Joint Committee’s terms of reference as set out in Appendix 1 to the report.

147. Updates to Terms of Reference
(Item 11)

- (1) Mrs Binks proposed, and Mr Collor seconded the motion that
“The County Council:
 - a) Notes the report.
 - b) Endorses the recommendation of the Governance and Audit Committee and agrees the revised Terms of Reference for this Committee as set out in Appendix 1.
 - c) Endorses the recommendations of the Selection and Member Services Committee in relation to the Member Remuneration Panel and agrees the revised Terms of Reference for the Panel, as set out in Appendix 2.”
- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council:
 - a) Notes the report.
 - b) Endorses the recommendation of the Governance and Audit Committee and agrees the revised Terms of Reference for this Committee as set out in Appendix 1.
 - c) Endorses the recommendations of the Selection and Member Services Committee in relation to the Member Remuneration Panel and agrees the revised Terms of Reference for the Panel, as set out in Appendix 2.

148. Proportionality Report
(Item 12)

- (1) Mr Gough proposed, and Mr Oakford seconded the motion that
“The County Council is asked to:
 - a) Determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;

- b) Note that Selection and Member Services will make or confirm necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - c) Confirm the continued delegated authority to the Democratic Services Manager, in consultation with the four Group leaders to adjust the allocation of committee places in order to conform to overall proportionality requirements and manage membership arrangements in line with the details set out in this report.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council is asked to:
- a) Determine the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain bodies;
 - b) Note that Selection and Member Services will make or confirm necessary appointments to outside bodies, except for those which fall to be made by the Leader of the Council; and
 - c) Confirm the continued delegated authority to the Democratic Services Manager, in consultation with the four Group leaders to adjust the allocation of committee places in order to conform to overall proportionality requirements and manage membership arrangements in line with the details set out in this report.

149. Spending the Council's Money
(Item 13)

- (1) Mr Oakford proposed, and Mrs Binks seconded the motion that
- “County Council is asked to:
- i. Approve the revised Contract Standing Orders (“Spending the Council’s Money”) – as attached as Annex 2 and recommended by Governance & Audit Committee
 - ii. Approve revisions to the Constitution wording on contract standing orders – as attached as Annex 1.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that County Council is asked to:
- i. Approve the revised Contract Standing Orders (“Spending the Council’s Money”) – as attached as Annex 2 and recommended by Governance & Audit Committee
 - ii. Approve revisions to the Constitution wording on contract standing orders – as attached as Annex 1.