

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, 16 November 2023.

PRESENT: Mr G Cooke (Chairman), Mr B J Sweetland (Vice-Chairman), Mr N Baker, Mr M Baldock, Mr P V Barrington-King, Mr P Bartlett, Mr D Beaney, Mrs C Bell, Mr T Bond, Mr A Booth, Mr A Brady, Mr D L Brazier, Mrs B Bruneau, 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 P C Cooper, Mr M C Dance, Ms M Dawkins, Mrs T Dean, MBE, Mr M Dendor, Mr R W Gough, Ms S Hamilton, Peter Harman, Jenni Hawkins, Mr P M Hill, OBE, Mr A R Hills, 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 A Marsh, Mr J P McInroy, Ms J Meade, Mr J Meade, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mr C Passmore, Mr H Rayner, Mr O Richardson, Mr D Ross, Mr A Sandhu, MBE, Mr T L Shonk, Mr C Simkins, Mr M J Sole, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr D Watkins, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN ATTENDANCE: Mr B Watts (General Counsel)

IN VIRTUAL ATTENDANCE: Mrs A Beer (Deputy Chief Executive)

UNRESTRICTED ITEMS

177. Apologies for Absence
(Item 1)

The General Counsel reported apologies from Mrs Ros Binks, Mr Conrad Broadley, Mr Nigel Collor, Ms Karen Constantine, Mr Derek Crow-Brown, Mrs Lesley Game, Ms Kelly Grehan, Mrs Sarah Hohler, Mr Rory Love, Mrs Margot McArthur, Mr Jan Ozog, Mrs Shellina Prendergast, Mr Alan Ridgers, Mr David Robey and Mr Robert Thomas.

Mr Murphy reported apologies from Mr Steve Manion and Mr Stepto reported apologies from Mr Steven Campkin.

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

There were no declarations of interest.

179. Minutes of the meetings held on 21 September 2023 and, if in order, to be approved as a correct record
(Item 3)

Ms Hamilton advised that Mr Love's attendance at the Freedom of the County meeting on 21 September 2023 had been incorrectly recorded and he was present at the meeting.

RESOLVED, subject to the above amendment, that the minutes of the Freedom of the County and Ordinary County Council meetings held on 21 September 2023 be approved as a correct record.

180. Corporate Parenting Panel - July 2023 Minutes for noting
(Item 4)

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 26 July 2023 be noted.

181. Chairman's Announcements
(Item 5)

Mr Derek Smyth

- (1) The Chairman gave a warm welcome to the meeting to Mrs Norma Smyth.
- (2) With great sadness, the Chairman informed Members of the death of Mr Derek Smyth, former Member for Ashford South from 1998 to 2009 and again from 2013 to 2017. During his time at the Council, Mr Smyth served as Vice Chair of the Cabinet Scrutiny Committee as well as on the Ashford Local Board, Policy Overview Co-ordinating Committee, Corporate Policy Overview Committee, Audit Committee, Governance & Audit Committee, Pension Board, Policy & Resources Cabinet Committee and Property Sub Committee. Mr Smyth was appointed as an Honorary Alderman in 2017 for his service to the Council.
- (3) The Chairman invited Members to speak, and tributes were made by Dr Sullivan, Mr Gough, Mr Baldock, Mrs Dean, Miss Carey, Mr Holden, and Mr Bartlett.

Mr John Martyn Kent Tucker

- (4) With great sadness, the Chairman informed Members of the recent death of Mr John Martyn Kent Tucker, MBE, former Member for Sevenoaks North East from 1989 to 2005. Mr Tucker was Chairman of the Council between 2004 and 2005 and served on the Highways Advisory Board, Regulation Committee, Environment Planning and Transportation Committee, Police and Resources Property Group, Fire and Public Protection Committee and

the Kent and Medway Towns Fire Authority. Mr Tucker was appointed as an Honorary Alderman in 2012 for his service to the Council.

- (5) The Chairman advised that tributes for Mr Tucker would be taken at the Full Council meeting on 14 December.
- (6) The Chairman held a one-minute silence in memory of Mr Derek Smyth and Mr John Martyn Kent Tucker.

HMS Kent

- (7) The Chairman thanked Members for their support in HMS Kent receiving the Freedom of the County at the last meeting. The event was celebrated on Friday 22 September with a Parade through Maidstone followed by an inspection and a reception for the Ship's Company and their families at County Hall. The Parade included the Ship's Company, the Band of the Royal Marines and local Sea Cadets. The Chairman said it was wonderful to have such a celebratory event take place at County Hall and receiving the Freedom meant a great deal to HMS Kent and the Royal Navy.
- (8) The Chairman thanked those who made the day a success including colleagues at Maidstone Borough Council and Kent Police. The Chairman paid particular thanks to teams at the Council including Democratic Services, Security and Reception, and the Press Office. He gave a very special mention to Canon Peter Bruinvels who was an outstanding liaison with the Ship. The Chairman showed a short piece of video footage from the day.

Kent and Medway Civilian Military Partnership Board and Gold Status being Renewed

- (4) The Chairman was pleased to chair the recent Kent and Medway Civilian Military Partnership (K&MCMP) Board meeting and said the Council had been successful in retaining its MoD Employer Recognition Scheme gold status. The Employer Recognition Scheme Gold Award was the highest badge of honour for organisations which had signed the Armed Forces Covenant and demonstrated outstanding support for those who serve and have served.
- (5) The award was valid for five years and the Council was first awarded with the Gold award in 2018. Applications were reviewed by a central Committee chaired by a senior General and the Council was part of a very small cohort of Local Authorities in the UK to be validated.
- (6) The Chairman congratulated and paid tribute to all those concerned.

Democracy Week

- (7) The Chairman said that Democracy Week took place from 14 October to 20 October, during which the Chairman invited local schools into County Hall to learn more about how the Council was run.

Black History Month

- (8) The Chairman was pleased to support Black History Month in October and had attended events across the County to celebrate Black History Month and recognise the theme 'Saluting our Sisters' which celebrated the remarkable contributions from inspirational black women that had not only shaped history but continued to inspire change and future generations.

Corporate Parenting Christmas Appeal

- (9) The Chairman referred to the overwhelming success of the Appeal last year, supported by Local Kent charity, Young Lives Foundation and said the Council would be reaching out again to partners and businesses across Kent to help the Council reach its target of £20,000 to enable each young person to receive a £10 voucher. The Chairman showed a short video which highlighted the Appeal and encouraged Members to donate to this good cause.

Launch of the Poppy Appeal

- (10) The Chairman was delighted that the Launch of the Royal British Legion's Poppy Appeal returned to County Hall this year. The Royal British Legion representatives and veterans attended with Civic guests to formally launch this year's Poppy Appeal which raised much needed funds for the Royal British Legion, supporting the Armed Forces Community.

Launch of the Kent Association of Local Councils Community Awards

- (11) The Chairman was also pleased to launch the Kent Association of Local Councils (KALC) Community Awards with the high sheriff and the Mayor of Medway. The aim of the Community Awards Scheme was to acknowledge and recognise those that have made a significant contribution to their local community.

The King's Awards for Voluntary Service (KAVS)

- (12) The Chairman explained that The King's Awards for Voluntary Service aimed to recognise outstanding work by local volunteer groups to benefit communities. It was created in 2002 to celebrate Queen Elizabeth II's Golden Jubilee and, following his accession, His Majesty the King emphasised his desire to continue the Award.
- (13) The Chairman was delighted to announce that Kent had secured four winners of the first King's Award for Voluntary Service, following the official announcement made on The King's birthday, Tuesday 14 November. These were Academy FM Thanet, Child's Vision, SATEDA and

Sittingbourne Community Radio. He said this was a wonderful achievement and, on behalf of the Council, sent his warmest congratulations and very best wishes for their continued success.

182. Questions
(Item 6)

In accordance with Sections 14.15 to 14.22 of the Constitution, 14 questions were submitted by the deadline and 13 questions were put to the Executive as one questioner had given apologies. 10 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.

Questions 12, 13, 14 were not put in the time allocated but written answers were provided.

183. Report by Leader of the Council (Oral)
(Item 7)

- (1) The Leader opened his report by referring to the financial situation of the Council and said this would be discussed under item 8 - Securing Kent's Future. He highlighted that a recent report from the County Councils Network set out the widespread pressures faced by local authorities and identified Children's services as the biggest factor. The Leader said a letter from Southeastern Leaders had been sent to the Chancellor setting out the case for support and the Council had committed to two pathfinder projects, the Fostering Recruitment and Retention Programme and, if selected, a southeastern regional care cooperative. He said these were important long-term steps towards addressing some of the challenges in children's services.
- (2) Mr Gough turned to the issue of Unaccompanied Asylum Seeking Children (UASC). He said the Council awaited the outcome of judicial review proceedings against the Home Secretary and it remained a top priority of the Council to ensure that the National Transfer Scheme (NTS) was working effectively as soon as possible. In the last three months over 1,200 UASC were brought into or referred to the Council's care, a rate far higher than the NTS currently operated and this left huge pressures on reception, fostering, and accommodation capacity.
- (3) The Leader said asylum and migration issues remained a challenge for local government. Although the use of Afghan bridging hotels (of which there were three in Kent) had come to an end, the reallocation of dispersed asylum seekers along with continuing arrivals added to the pressure. Mr Gough said Kent district, county and unitary Leaders were carefully considering a joint response to the government's consultation on safe and legal routes for refugees.

- (4) The Leader expressed his gratitude for the exceptional work of officers as a result of Storm Ciaran. He explained that over the last year the Council's highways service responded to almost 35,000 pothole enquires, more than three times the level of the previous year. Under the pothole blitz programme, in operation since the summer, four and a half miles of patching works had been completed along with another mile of works programmed to be done by the end of this month. Mr Gough stressed that the Council continued to press government for further funding and was committed to securing the maximum value from its programmes to address the pressures on the Council's roads and assets.
- (5) With winter approaching, Mr Gough said the pressures on residents was increasing. He referred to the Helping Hands Scheme, the Financial Hardship Programme, and the Household Support Fund, and highlighted that in addition to these programmes, areas such as debt advice and better referral between agencies were being developed to support residents.
- (6) Mr Gough said the Council continued to support businesses in the county and was working with local Members of Parliament and partners in Dartford and Ashford to make the case for the return of Eurostar services in Kent. He was delighted to attend the opening of the link road at Panattoni Park in Aylesford and said it was tremendous that a company of Panattoni's scale of operations in the field of development and logistics was making such a significant commitment to Kent. He referred with concern to the proposed job cuts at Pfizer at Discovery Park and said Discovery Park was a site of exceptional strategic importance and potential for Kent. Mr Gough said the Kent and Medway Business Fund (KMBF) was being relaunched and continued to make an important contribution in supporting business in the county.
- (7) Following a long period of hard work and lobbying, the Department for Education had announced a proposed two school solution for secondary provision on the Isle of Sheppey involving the Leigh Academy Trust and EKC Schools Trust. Subject to consultation this should take effect by September 2024. Mr Gough paid tribute to Mr Love, Mrs Prendergast, officers, and local Members who had pushed hard for resolution and championed the needs of the island and Swale as a whole.
- (8) October saw the launch of Making Space for Nature, Kent and Medway's nature recovery strategy which aimed to draw on widespread partner and public participation to help tackle habitat loss, protect ecosystems and to ensure diversity and strength in the county's natural environment. He paid tribute to Miss Carey for her work in this area and elsewhere. Miss Carey had recently stood down as Kent's first dedicated Cabinet Member for Environment.
- (9) The Leader of the Labour Group, Dr Sullivan, thanked officers for their work in response to Storm Ciaran. She commented on the recent cabinet changes within central government and the Council and joined the Leader in

thanking Miss Carey for her dedication in her role as Cabinet Member for Environment.

- (10) Dr Sullivan welcomed the announcement for the proposed new schools on the Isle of Sheppey and congratulated all the staff involved. She commented on the work and time required to build the case with central government and felt there was a shared frustration with the Leader regarding this.
- (11) Dr Sullivan turned to family hubs and highlighted the need to empower officers who were working across services to help residents. Dr Sullivan questioned whether family hubs were appropriate for young people and teenagers and referred to the Family Hubs policy by Rt. Hon Dame Andrea Leadsom and the early years review – ‘The best start for life: a vision for the 1,001 critical days’. She questioned whether young people were being listened to and whether a service was being provided for them.
- (12) Regarding children with special educational needs and disabilities (SEND), Dr Sullivan commented that too many children were excluded from being able to develop in appropriate settings and that there were too few case workers to support a growing number of families.
- (13) Mr Lehmann, Leader of the Green and Independent Group, spoke about climate change. He said the summer saw record breaking heat across the globe and September was nearly one degree Celsius above the 1991-2020 average temperature for that month, and hotter than the average July during the years 2001–2010. He commented on the government’s approach to the climate emergency and referred to the new licence to extract oil from Rosebank which he said when burnt the 500 million barrels of oil extracted from this site would be the equivalent of running 56 coal-fired power stations for a year.
- (14) Mr Lehmann also commented on the changes that had taken place in the Cabinets of central government and the Council and referred to the appointment of the Foreign Secretary in relation to Brexit and Eurostar. He said Brexit and the selling of the UK Treasury’s stake in Eurostar were catastrophic decisions that had led to the county being deprived of its international rail stations for the past three years. Mr Lehmann hoped that the latest push to lobby for the resumption of services from Ashford and Ebbsfleet would be successful.
- (15) Mr Lehmann also welcomed the two new schools on the Isle of Sheppey, recognised the considerable part played by Swale Borough Council in the negotiations and noted the common purpose held across parties. Mr Lehmann highlighted, with concern, that a consultation document suggested that the capacity of the two new schools would be lower than at Oasis Academy. Given that many children on the Isle of Sheppey attend school in Sittingbourne, he asked for reassurance that these figures assumed that demand for the two new schools would be greater than the current demand for places at Oasis Academy.

- (16) Mr Lehmann echoed the Leader's gratitude to the Council's highways teams for their excellent response to Storm Ciaran.
- (17) Finally, Mr Lehmann referred to the situation in Gaza and said a ceasefire was needed for people to receive the sustained help they required.
- (18) Mr Hook, Leader of the Liberal Democrat Group, also expressed sympathy to everyone effected by the events in Gaza.
- (19) Mr Hook also paid tribute to the staff who had worked to minimise the damage caused by Storm Cirian and said it was the right decision to adjourn the Full Council meeting on 2 November. He commented, however, that most organisations in Kent had carried on with business as usual that day through remote working and he condemned the national legislation that did not allow local government to transact its business virtually.
- (20) Turning to UASC and fostering Mr Hook said that his group supported the investigations being made by the Council regarding a new children's home in Kent. He commented on the number of foster carers who were stopping fostering each year and questioned what actions the Council was taking to support them. Mr Hook said he welcomed some information on whether the rates of pay for foster carers had increased in line with inflation.
- (21) Mr Hook joined the Leader in welcoming The Kent & Medway Local Nature Recovery Strategy. He commented that the solution to the environmental problem required a local approach and, in addition to helping nature and wildlife, a resilient nature would provide the residents of Kent with protection against floods and droughts.
- (22) Mr Hook welcomed the announcement regarding the two new schools on the Isle of Sheppey and queried whether there was a lesson to be learnt in relation to the size of the school that was being disbanded, and questioned whether a school of that size could develop a real sense of community. He hoped that the two new smaller schools in Sheppey would have a better sense of community and better-quality outcomes.
- (23) Mr Hook referred to the changes that had recently taken place within the Council's Cabinet and commented that many Members of the Council opposed the potential closures of Household Waste Recycling Centres in Kent. He condemned the closures and said they would add to the cost of living and result in more damage to the environment and more fly tipping.
- (24) The Leader responded to some of the points that were made. Regarding the new schools on the Isle of Sheppey Mr Gough agreed with Mr Lehmann's comments about the Council and Swale Borough Council having a common purpose. He said the Council worked cross party on these matters and highlighted the importance of recognising that all parties sought the best outcomes for the children and young people within the Isle of Sheppey, Sittingbourne and across Swale. Mr Gough said the Council

should be proud, as its role in education was not as directive as it once was, that it was able to lobby and work with partners to contribute towards what he believed was a better outcome.

- (25) In relation to Mr Hook's comments about school size he said there had been a tendency for schools to get larger with most secondary schools having six forms of entry. Mr Gough recognised there were some challenges faced by very large schools and it was a case of finding the right balance. He said that the Council would continue to support new schools and consider the Commissioning Plan for Education Provision but the issue of what the appropriate size was would continue to arise.
- (26) The Leader responded to the points raised about foster carers. He said the Council faced the same pressures as other local authorities and had always ensured that payments to foster carers were in line with recommendations from the Department for Education. The Leader reiterated the Council's commitment to the Fostering Recruitment and Retention Programme to help address the pressures within children's services and highlighted the additional challenge the Council faced in terms of the number of other local authority young people placed in the county and the scale of UASC arrivals.
- (27) Responding to Dr Sullivan's remarks on SEND Mr Gough said extensive recruitment of case workers had been a significant and important focus. He stressed the importance for staff to be able to do their job effectively and, most importantly, that the experience of families going through the SEND process was improved.
- (28) In terms of Family Hubs Mr Gough agreed that 'The best start for life: a vision for the 1,001 critical days' was a good philosophy and an important document. He was pleased that the Council had the opportunity to be one of the Family Hub trailblazers and recognised the importance of support for young people. He reminded Members that the Council still maintained, and was committed to, a scale of support for young people that many other councils had ceased to provide.
- (29) RESOLVED that the Leader's report be noted.

184. Securing Kent's Future
(Item 8)

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

"Council is asked to:

- a) Note the Cabinet Report on Securing Kent's Future.
- b) Note Cabinet's agreement to all recommendations on 5 October 2023.
- c) Note, in particular, the points raised in the Cabinet report relating to KCC delivering the Best Value statutory duty, and the requirement for

- Best Value considerations to be evidenced in all service, policy, and budgetary decisions at all levels of the council.
- d) Note the four objectives outlined for Securing Kent's Future and the intention to develop Securing Kent's Future as the Strategic Business Plan 2024/25.
 - e) Agree that the Strategic Statement (Framing Kent's Future) is to be managed and interpreted in the context of Securing Kent's Future (Budget Recovery Strategy).
 - f) Agree to formalise the prioritisation of the 'New Models of Care' objective within the strategic statement, Framing Kent's Future as the council's primary objective to meet its Best Value duties."
- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council:
- a) Notes the Cabinet Report on Securing Kent's Future.
 - b) Notes Cabinet's agreement to all recommendations on 5 October 2023.
 - c) Notes, in particular, the points raised in the Cabinet report relating to KCC delivering the Best Value statutory duty, and the requirement for Best Value considerations to be evidenced in all service, policy, and budgetary decisions at all levels of the council.
 - d) Notes the four objectives outlined for Securing Kent's Future and the intention to develop Securing Kent's Future as the Strategic Business Plan 2024/25.
 - e) Agrees that the Strategic Statement (Framing Kent's Future) is to be managed and interpreted in the context of Securing Kent's Future (Budget Recovery Strategy).
 - f) Agrees to formalise the prioritisation of the 'New Models of Care' objective within the strategic statement, Framing Kent's Future as the council's primary objective to meet its Best Value duties.

The Labour Group, the Liberal Democrat Group and the Green and Independents Group asked that their votes against the recommendation be noted in the minutes.

185. Chief Executive Appointment
(Item 9)

- (1) Mr Gough proposed, and Mr Oakford seconded the motion that
- "County Council is asked to:
- 1. Agree the recommendation from Personnel Committee to appoint Amanda Beer to the post of Chief Executive Officer for a period of 18 months to enable the recruitment to the substantive post of Chief Executive Officer and any variance subject to mutual agreement.

2. Instruct the Monitoring Officer to advise on and propose changes to the Constitution to give effect to any changes agreed by this paper at this meeting.”
- (2) The Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council:
 1. Agree the recommendation from Personnel Committee to appoint Amanda Beer to the post of Chief Executive Officer for a period of 18 months to enable the recruitment to the substantive post of Chief Executive Officer and any variance subject to mutual agreement.
 2. Instruct the Monitoring Officer to advise on and propose changes to the Constitution to give effect to any changes agreed by this paper at this meeting.

The Labour Group asked that their votes against the recommendation be noted in the minutes. Rich Lehmann and Jenni Hawkins asked that their votes to abstain from the recommendation be noted in the minutes.

186. Flood Risk Management Committee - Terms of Reference Amendments
(Item 10)

This Item was taken after Item 8 and before Item 9.

- (1) Mr Hills proposed, and Mr Rayner seconded the motion that
“County Council is asked to agree that the:
 - a) name of the Kent Flood Risk Management Committee be changed to Kent Flood Risk and Water Management Committee; and
 - b) amendments to the Terms of Reference of the Kent Flood Risk Management Committee as set out in this report be made.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that County Council agrees the:
 - a) name of the Kent Flood Risk Management Committee be changed to Kent Flood Risk and Water Management Committee; and
 - b) amendments to the Terms of Reference of the Kent Flood Risk Management Committee as set out in this report be made.

187. Motions for Time Limited Debate
(Item 11)

Motion for Time Limited Debate 1 – Shoplifting in Kent

- (1) Mr Passmore proposed, and Mr Streatfeild seconded the following motion for time-limited debate:
- “a. This council acknowledges increasing levels of shoplifting in Kent and the financial, emotional and health impacts this may have on business owners and employees.
 - b. To recommend to the Executive that:
 - i. The Leader writes to the relevant agencies to ascertain the full extent of shoplifting in Kent, and its impact on businesses and employees.
 - ii. They consult with the Kent Community Safety Partnership to determine how best KCC could assist in signposting advice and guidance for business through the authority’s communication channels.
 - c. to recommend that the Kent & Medway Police and Crime Panel seeks further assurance from the Police and Crime Commissioner on the Police response to the issue of shoplifting.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1 to the vote and it was agreed unanimously.

Motion carried.

- (3) RESOLVED that:
- a. This council acknowledges increasing levels of shoplifting in Kent and the financial, emotional and health impacts this may have on business owners and employees.
 - b. To recommend to the Executive that:
 - i. The Leader writes to the relevant agencies to ascertain the full extent of shoplifting in Kent, and its impact on businesses and employees.
 - ii. They consult with the Kent Community Safety Partnership to determine how best KCC could assist in signposting advice and guidance for business through the authority’s communication channels.
 - c. to recommend that the Kent & Medway Police and Crime Panel seeks further assurance from the Police and Crime Commissioner on the Police response to the issue of shoplifting.

Motion for Time Limited Debate 2 – Member input for allocation of s106 Contributions

- (1) Jenni Hawkins proposed, and Mr Hood seconded the following motion for time-limited debate:

“This council resolves to:

Recommend to the Executive that it should update its initial response to the s106 Short Focused Inquiry and specifically it should:

1. Provide further information and financial data on developer contributions that cover the different forms of infrastructure that KCC is responsible for through regular emails to all Members, and organise additional All Member Briefings to advise of significant updates or developments on s106 or related infrastructure levy arrangements.
 2. Review and update the s106 management arrangements to ensure that Local Members are advised by KCC, at the earliest possible time, of proposals for new housing development in their divisions so that they can have a meaningful input into section 106 or related infrastructure levy agreements and funding allocation.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1 to the vote.

Motion lost.