

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 1 April 2010.

PRESENT:

Mr J A Davies (Chairman)
Mr W A Hayton (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr D L Brazier, Mr R Brookbank, Mr J R Bullock, MBE, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr K A Ferrin, MBE, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr P M Hill, OBE, Mr D A Hirst, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne MBE, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, MBE, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K Pugh, Mr W Richardson, Mr L B Ridings, Mr M Robertson, Mr A Sandhu, MBE, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mr M V Snelling, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr C T Wells, Mr M Whiting, Mrs J Whittle and Mr A Willicombe

IN ATTENDANCE: Peter Gilroy (Chief Executive), Geoff Wild (Director of Law and Governance) and Peter Sass (Head of Democratic Services and Local Leadership)

UNRESTRICTED ITEMS

1. Apologies for Absence

The Chief Executive reported apologies from the following Members:

Mr Frayne
Mr Hibberd
Mr R King
Mr Ozog
Mrs Rook
Mr Wickham

2. Declarations of Interest

The following Members declared personal interests and remained in the meeting during consideration of the relevant items:

Mrs Whittle – in item 8 (Revised Kent Scheme Pay Structure and Appraisal) as her husband is employed by Kent County Council.

Mr Lynes – in item 7 (Comprehensive Area Assessment) as he works for the Audit Commission as a Member peer on CAA inspections in other authorities.

Mr Hirst – in item 11 (Active Lives Now – The future of Adult Social Care in Kent 2010-2013) as he has an interest in a family business relating to care in the home, but none of these business interests were in Kent.

Mr Brookbank – in item 11 (Active Lives Now – The future of Adult Social Care in Kent 2010-2013) as he is Chairman of Darenth Valley Age Concern

Mr Craske – in item 11 (Active Lives Now – The future of Adult Social Care in Kent 2010-2013) as he is a trustee and executive member of Northfleet Age Concern.

Mrs Allen - in item 11 (Active Lives Now – The future of Adult Social Care in Kent 2010-2013) as she is the Chairman of Trustees of Dartford Age Concern.

Mrs Stockell – in item 11 (Active Lives Now – The future of Adult Social Care in Kent 2010-2013) as she is a foundation governor of the Kent and Medway Mental Health Trust.

Mr Willicombe – in item 12 (Safeguarding Children in Kent) as he is a trustee of young carers in Kent.

3. Minutes of the meeting held on 18 February 2010 and if in order, to be approved as a correct record.

RESOLVED: that the minutes of the meeting held on 18 February 2010, are correctly recorded and that they be signed by the Chairman.

Mr Christie offered his apologies to the County Council for failing to declare a personal interest in item 7 on the agenda for the previous meeting (Medium Term Plan 2010/13 and Budget and Council Tax setting for 2010/11), as his wife was Chairman of the Management Committee of Gravesham Citizen's Advice Bureaux. The Chairman reassured the County Council that, because Mr Christie had only declared a personal interest, albeit retrospectively, his participation in the debate and votes on the budget item would not have been affected.

4. Chairman's Announcements

(a) Today's agenda

The Chairman advised Members that the agenda was likely to be a demanding but varied and interesting one and that the cooperation of all Members in getting through the business of the day as effectively as possible would be appreciated.

In that regard, the Chairman moved, the Vice Chairman seconded the suspension of Procedure Rule 1.30, to limit the length of all speeches to 3 minutes (instead of 5 minutes), with the exception of the Leader's Oral report, where the length of speeches will be in accordance with the Constitution.

Carried without a vote

(b) Young County Council of the Year

The Chairman stated that two of our young employees, Daniel Vokes from the Supporting Independence team, and Tom Marsh from the Sports Leisure & Olympics team, represented KCC at the recent Young Authority of the Year competition, they produced a really positive result by winning 'Young County Council of the Year'.

Competing against 39 other local authorities, Tom and Daniel gave two presentations to an audience of 100 people: one being three minutes in length without notes, and the other six minutes in duration following the submission of a 900 word paper.

In the County Council section, they defeated 18 other teams including Essex, Dorset, Surrey, Hertfordshire, Devon and East Sussex. They also finished third in the overall 'Local Authority of the Year' category.

Both young people are within the Communities Directorate and were selected from Kent County Council's Greenhouse programme, which develops young talent within the authority.

The Chairman stated that he was delighted that both Tom and Daniel were present at the meeting and he invited them to the dais to formally receive their certificate.

(c) Improvement and Efficiency South East Awards

The Chairman announced that Kent County Council had won 3 individual awards in the recent Improvement and Efficiency South East Awards, as follows:

- Peter Bole – Head of ICT Commissioning – who won the "Working Together" Award: for the most impressive programme of shared working with other public sector organizations, local businesses and national organizations.
- Kevin Lynes – who won the "Local Hero" Award: for the work of an individual in local government who has delivered an outstanding contribution to the community
- Peter Gilroy – who won the Award given by the Chairman of Improvement and Efficiency South East – for the individual who has made an outstanding contribution to local government and the work of Improvement and Efficiency South East.

The Chairman congratulated all three recipients on their awards.

(d) Last meeting for Peter Gilroy, Chief Executive

The Chairman stated that this was the last County Council meeting for Peter Gilroy, who has served Kent County Council since 1991 as follows:

- 1 April 1991 he was appointed as Senior Assistant Director (Operations) – (later Director of Operations) for Kent County Council Social services

- 19 January 1998 he became Strategic Director of Social Services for KCC
- 6 May 2005 he became Chief Executive

The Chairman stated that it had been a pleasure to work with a senior manager who cared so passionately about his work and the staff he worked with; was innovative; always pursued excellence in everything he did; and was an excellent ambassador for Kent. The Chairman invited Mr Carter, Mrs Dean, Mr Christie, Mr Ferrin and Mr Lake to give their tributes. Mr Gilroy responded to the tributes, saying that he had thoroughly enjoyed the journey that he had led KCC on over a number of years and thanked all Members and Officers for the support that they had given him.

There was a standing ovation for Mr Gilroy.

(e) One minute silence for soldiers

The Chairman stated that, during his year of Office, it was sad to record that over 100 of our service personnel had been killed in Afghanistan bringing the total to 278. Some of those from our armed forces were from Kent and the Chairman extended his sincere condolences to all those bereaved and thanked all our serving personnel in the services for their professionalism and dedication in serving our Queen and Country.

The County Council stood in silence in remembrance of those fallen.

5. Questions

Under Procedure Rule 1.18, 7 questions were asked and replies given.

6. Report by Leader of the Council (Oral)

The Leader updated the County Council on various matters since the last meeting of the County Council. Specifically, he mentioned the recent Rail Summit, where the benefits of the new High Speed One service was celebrated, but he advised the County Council that there were also some dis-benefits to travellers in some parts of the County and that he would continue to press South East trains hard to effect changes to the timetable for non-High Speed One services.

The Leader mentioned the impending blitz on pot-holes across the County, now that the severe winter weather was over; he welcomed the competition that this would provide for Ringway and gave credit to the staff in the Kent Highways Service for their hard work in specifying the work and getting it to tender in such a relatively short period of time.

Finally, the Leader commented on the forthcoming Parliamentary Election, stating that the concept of Total Place had been embraced by the Conservatives and that there were massive opportunities for saving millions of pounds through increased efficiencies in public sector spend.

7. Comprehensive Area Assessment

The Chairman welcomed and introduced Claire Bryce-Smith, Audit Commission CAA Lead for the Kent and Medway area, who gave a presentation on the position with regard to CAA in Kent.

Ms Bryce-Smith responded to a number of questions from Members.

The Chairman thanked Ms Bryce-Smith for her presentation and for attending the meeting and responding to Members' questions.

8. Revised Kent Scheme Pay Structure and Appraisal

(1) Mr R W Gough moved, Mr P B Carter seconded the approval of the proposed pay structure and appraisal model, as described in the report.

(2) The Chairman put the Motion to the vote, where the voting was as follows:

FOR - 60

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr D L Brazier, Mr R E Brookbank, Mr J R Bullock, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J M Cubitt, Mrs V J Dagger, Mr M C Dance, Mr G K Gibbens, Mr R W Gough, Mr D A Hirst, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, Mr J D Kirby, Mr J A Kite, Mr P W A Lake, Mrs J P Law, Mr J F London, Mr R L H Long, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr R J Parry, Mr R A Pascoe, Mr K H Pugh, Mr W L Richardson, Mr L B Ridings, Mr A Sandhu, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mr M V Snelling, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr J N Wedgbury, Mr C T Wells, Mr M J Whiting, Mr A T Willicombe

ABSTAIN – 1

Mrs J Whittle

AGAINST – 10

Mr I S Chittenden, Mr L Christie, Mr D S Daley, Mrs T Dean, Mrs E Green, Mr S J G Koowaree, Mr R J Lees, Mr T Prater, Mr M B Robertson, Mr M J Vye

Carried

9. Appointment of the Group Managing Director

(1) Mr Carter moved, Mr A King seconded that:

(a) the recommendation of the Personnel Committee to appoint Katherine Kerswell as the Council's Group Managing Director be endorsed; and

(b) Mr Gilroy's existing contract as Chief Executive be formally extended by five days to 13 May 2010 on existing terms and conditions and that the Personnel Committee be requested to consider proposals for the execution of the statutory responsibilities of the Head of Paid Service on an interim basis during the period

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between Mr Gilroy's contract ending and Katherine Kerswell's contract commencing, and make a recommendation to the County Council at its meeting on 13 May 2010.

Agreed unanimously

10. Statutory and Proper Officers of Kent County Council

(1) The Chairman referred to the amended version of this report, circulated to all Members on Friday 26 March, which replaced the version contained in the Blue Book.

(2) At the request of the Chairman, Mr Wild addressed the meeting and explained the key differences between the two reports.

(3) Mr Carter moved, Mr A King seconded the designation of individual officers as statutory and proper officers of the Kent County Council as set out in the table to the amended report, which had been circulated separately.

Agreed

At this stage in the meeting, the Chairman stated that he wished to vary the order of items on the agenda, to enable item 14 (Minutes of the Governance and Audit Committee) and item 15 (Minutes for information) to be considered at this stage.

11. Minutes for Approval - Governance and Audit Committee - 1 December 2009

RESOLVED: that, pursuant to Procedure Rule 1.23 (3) the Minutes of the Governance and Audit Committee meeting held on 1 December 2009 be noted.

12. Minutes for Information

Pursuant to Procedure Rules 1.10 and 1.23(4), the Minutes of the Planning Applications Committee meetings held on 8 December 2009, 21 January and 17 February 2010; the Minutes of the Regulation Committee meeting held on 26 January 2010; and the Minutes of the Electoral and Boundary Review Committee meeting held on 8 March 2010, were noted.

13. Kent Invicta Awards

The Chairman presented two Kent Invicta Awards to Amanda Cottrell and Hilary Lister.

14. Active Lives Now: The Future of Adult Social Care in Kent 2010-2013

(1) The Chairman welcomed a number of service users and carers, who had contributed to the development of the Active Lives Now strategy and were present at the meeting, as follows:

Priscilla McBean
Pat Still
Haris Patel and carer (Jane Yuill)
Peter and Jenny Onley
Sue Colley

(2) Mr Oliver Mills, Managing Director Kent Adult Social Services, gave a presentation on the Active Lives Now strategy.

(3) Following questions to Mr Mills, a number of the service users and carers made contributions to the debate, which was warmly welcomed by all Members.

(4) Mr Gibbens moved, Mr Angell seconded that the Active Lives Now strategy be endorsed.

Agreed unanimously

15. Safeguarding Children in Kent: Defending and Developing the Service

(1) The Chairman welcomed David Worlock, Independent Chairman of the Kent Safeguarding Board to the meeting, together with Peter Thomason, an independent social work consultant and Martyn Ayre from the Chief Executive's Directorate, who co-authored the report.

(2) The Chairman referred to the comments and views of the Children, Families and Education Vulnerable Children Policy Overview and Scrutiny Committee and the Cabinet, which had been tabled for Members' information.

(3) Mr Peter Gilroy, Chief Executive, gave a presentation of the key outcomes of the review, commissioned by the County Council in December 2008, of the arrangements in Kent for protecting vulnerable children.

(4) Following a number of questions and a debate, Mrs Hohler moved, Mrs Allen seconded the following Motion:

(a) that the contents of the report be noted that the recommendations be accepted;

(b) the County Council agrees to express its sincere gratitude to Mr Gilroy and his team for the extensive work carried out in producing this valuable report and to all of the staff involved in providing essential care to vulnerable children.

Agreed unanimously

16. Motion for Time Limited Debate

(1) As the time was approaching 4.25pm, the Chairman proposed, the Vice Chairman seconded that the meeting be extended until 5:00 pm to allow time for the item for Time Limited Debate.

Mrs A D Allen, Mr A H T Bowles, Mr R B Burgess, Mr I S Chittenden, Mr L Christie, Mr A D Crowther, Mr J M Cubitt, Mrs T Dean, Mr K A Ferrin, Mrs E Green, Mr W A Hayton, Mr S J G Koowaree, Mr J F London, Mr S Manion, Mr R J Parry, Mr T Prater, Mr M B Robertson, Mr K Smith, Mrs P A V Stockell, Mrs E M Tweed, Mr M J Vye

ABSTAIN -4:

Mrs J P Law, Mr W L Richardson, Mr B J Sweetland, Mr M J Whiting

AGAINST - 39:

Mr M J Angell, Mr D L Brazier, Mr R E Brookbank, Mr J R Bullock, Mr C J Capon, Miss S J Carey, Mr P B Carter, Mr N J D Chard, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mrs V J Dagger, Mr G K Gibbens, Mr R W Gough, Mr M J Harrison, Mr P M Hill, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne, Mr A J King, Mr J D Kirby, Mr J A Kite, Mr R L H Long, Mr K G Lynes, Mr R A Marsh, Mr M J Northey, Mr R A Pascoe, Mr K H Pugh, Mr L B Ridings, Mr A Sandhu, Mr J E Scholes, Mr C P Smith, Mr M V Snelling, Mr R Tolputt, Mr J N Wedgbury, Mr C T Wells, Mrs J Whittle

Lost

(2) Mr Prater moved, Mrs Dean seconded the following Motion:

1. Kent County Council, believing in accountability to the taxpayer, notes the recent campaigns by the Taxpayers Alliance and George Osborne MP to ensure greater disclosure to the public of what their money is being spent on.
2. Council also notes the recent move by the London Mayor to publish online details of all GLA expenditure over £1000, detailing all payments for goods and services.
3. Council believes that the publication of all Council items of revenue expenditure of £1,000 and above; and capital expenditure of £10,000 and above will improve transparency and therefore accountability.
4. Therefore, Council resolves to instruct the Director of Finance to bring forward proposals, compiled from existing data and at the lowest possible cost, to publish online from 1 July 2010, details on all such items of Council expenditure on a monthly basis within three months of the transaction.

(3) In accordance with Procedure Rule 1.35 (1), Mr Christie moved, Mr Vye seconded that "the question be put". During the voting on this procedural motion, the Chairman closed the meeting as the time had reached 4.30pm. The vote on the procedural motion was not completed. There was no vote on Mr Prater's motion.