

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, 14 July 2022.

PRESENT: Mrs L Game (Chairman), Mr G Cooke (Vice-Chairman), Mr N Baker, Mr M Baldock, Mr P V Barrington-King, Mr P Bartlett, Mr D Beaney, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Brady, Mr D L Brazier, Mr C Broadley, Mr S R Campkin, Mrs S Chandler, Mr I S Chittenden, Mr D Crow-Brown, Mr D S Daley, Mr M C Dance, Ms M Dawkins, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Mr P M Harman, 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 D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr O Richardson, Mr D Robey, 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 B J Sweetland, Mr R J Thomas, Mr D Watkins, Mr A Weatherhead, Mr S Webb and Ms L Wright

IN ATTENDANCE: Mrs K Goldsmith (Scrutiny Research Officer), Mrs A Taylor (Scrutiny Research Officer) and Mr B Watts (General Counsel)

IN VIRTUAL ATTENDANCE: Mr C Beart, Mr T Cannon, Mrs P Cole, Mr P Cole, Mr N Collor, Miss K Constantine, Mrs S Hohler, Mr R Love, Mrs M McArthur, Mr J Meade, Mr A Ridgers and Mr J Wright

UNRESTRICTED ITEMS

79. Apologies for Absence
(Item 1)

The General Counsel reported apologies for absence from Mr Andy Booth, Mrs Becki Bruneau, Miss Susan Carey, Sir Paul Carter, Mr Nick Chard, Mr Paul Cooper, Mrs Trudy Dean, Mr Harry Rayner, Mr Steve Manion and Mr Jan Ozog.

Members were advised that Mr Cameron Beart, Mr Tom Cannon, Mrs Penny Cole, Mr Perry Cole, Mr Nigel Collor, Miss Karen Constantine, Mrs Sarah Hohler, Mr Rory Love, Mrs Margot McArthur, Mr Jordan Meade, Mr Alan Ridgers and Mr John Wright were joining the meeting virtually.

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

There were no declarations of interest.

- 81. Minutes of the meeting held on 26 May 2022 and, if in order, to be approved as a correct record**
(Item 3)

RESOLVED that the updated version of the minutes of the meeting held on 26 May 2022 be approved as a correct record.

- 82. Corporate Parenting Panel - Minutes for noting**
(Item 4)

RESOLVED that the minutes of the meetings of the Corporate Parenting Panel held on 16 February 2022 and 13 April 2022 be noted.

- 83. Chairman's Announcements**
(Item 5)

Commonwealth Games

- (1) The Chairman referred to the Commonwealth Games in Birmingham and said she had recently attended one of The Queen's Baton Relay events in Dover. The Chairman explained the Queen's Baton Relay began on 7 October 2021, with Her Majesty The Queen placing her Message to the Commonwealth into the Baton. Since then, it had journeyed across the Commonwealth, visiting all 72 nations and territories. The Chairman said the Commonwealth Games brought nations together in a celebration of sport and was a testament to the hard work and dedication of all the athletes who had been selected to compete at the Games. The Chairman asked Members to join her in wishing everyone competing, especially those from Kent, all the very best for a successful Games.

Children's Services Outstanding Report

- (2) The Chairman paid tribute to the Council's Children's Services who had been rated Outstanding by Ofsted, following their inspection in May. She said Members would hear more about the report later in the meeting but wanted to take the opportunity to thank all the officers and frontline staff for taking the time to support the Ofsted team who conducted the inspection. The Chairman also thanked everyone in Children's Services for their commitment and dedication to supporting the young people of Kent, particularly after the very challenging period of the pandemic and the rising number of unaccompanied asylum-seeking children arriving in the county. The Chairman asked Members to join her in congratulating Children's Services on this fantastic, and well-deserved, recognition.

Kent County Show

- (3) The Chairman said she visited the Kent County Council Stand at the County Show on Friday and met with some of the Council's staff. She said the stand included a lot of activities for young people, including keyring making, spelling games, a giveaway of wildflower seeds to attract pollinators into your garden and giant Jenga. The Council's waste and recycling partner FCC Environment was on hand to answer questions on recycling and waste management. The Chairman asked Members to join her in thanking everyone involved in setting up the stand and everyone who worked on it over the weekend.

Respectful Debate

- (4) The Chairman referred to comments made at the last County Council meeting about a Member who was not present. The Chairman thanked Members who had a respectful and reasonable approach to debate and asked that this positive approach was maintained by all. The Chairman said she was keen that debates focussed on the issues that affected those who lived and worked in Kent and not other Members in the Chamber. The Chairman said it was her wish that meetings of this Council allowed for healthy debate and provided an environment where all views expressed, and those Members expressing them, were shown due consideration, courtesy, and respect. The Chairman invited the Member concerned to respond to the comments made.

84. Questions

(Item 6)

In accordance with Sections 14.15 to 14.22 of the Constitution, 12 questions were submitted by the deadline, 8 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 8, 10, 11 and 12 were not put in the time allocated but a written answer was provided.

85. Report by Leader of the Council (Oral)

(Item 7)

- (1) The Leader said there were items which he would not address in his report as they were later items on the agenda. He highlighted the recent Kent Children's Services Ofsted inspection as a major and positive development and said Headstart was a reminder of how the Council could make a real difference to the lives and prospects of Kent residents and young people.
- (2) Mr Gough referred to the disruption to residents, caused by a series of water leaks and failings in the Southern Water network, on the Isle of Sheppey. He said the Council's role, as a key partner in the Kent Resilience Forum (KRF), was to provide emergency planning support and protection to vulnerable residents. He said recent reports had suggested progress in restoring supply, but the major incident status remained. Mr Gough expressed his support to the people of the island, and said the Council's two

local Members, Mr Booth, and Mr Beart, had worked hard to support residents.

- (3) Mr Gough referred to the recent leadership events in central government and said he would focus on areas which he felt had relevance to the Council. He said the events had seen the end of a strong and cohesive ministerial team which had, through the Levelling Up white paper and subsequent bills, pursued a range of major policies including the devolution in county deals. Mr Gough said he was delighted that Kent MP, Mr Greg Clark, had been appointed caretaker Secretary of State for Levelling up, Housing and Communities, albeit only until September 2022. Mr Gough said there was uncertainty that related to other issues including the proposed Office for Local Government raised by Mr Michael Gove at the Local Government Association (LGA) Annual Conference.
- (4) Mr Gough said more local government funding was not a priority being set out by the leadership contenders. He said, as he had identified in previous reports to the Council, modest financial settlements would unlikely keep pace with the demographic and inflation, and other pressures would weigh on the Council's budgets. He said although 2021/22 saw the 22nd consecutive year of delivering within the Council's budget, the outlook and pressures remained relentless. The Council's approach was to manage those pressures as much as possible, to take difficult decisions where they were needed and to bring down the Council's cost base, particularly in terms of the Council's estate. Mr Gough said that since Russia's invasion of Ukraine, increases in actual and forecasted inflation had added an extra estimated £40million to the Council's revenue costs, and there were still greater impacts on the Council's capital budget. He hoped the Council would be updated further in the autumn and the Council would also be able to report on the development of its work on Special Educational Needs and Disabilities (SEND) where conversations continued with the Department for Education.
- (5) Mr Gough referred to the KCC Supported Bus Funding Review and highlighted the pressures that commercial operators across the county, and the country, were facing in terms of service reduction and how this had had a major effect on school transport. He said the Council was working with operators to see where services could be replaced in part or in whole, and where, long term, use of the Bus Service Improvement Plan (BSIP) funding may help in delivering services. Mr Gough said the Council recognised how difficult the situation was and said clear and timely information regarding further developments would be prioritised.
- (6) Mr Gough said the Council's partnership with the National Health Service (NHS) took a step forward on 1 July 2022 with the establishment of Integrated Care Systems across the country. He said, within this, the Integrated Care Partnership (ICP) brought together the NHS, local authorities, and other key partners to set the framework and long-term plans for health and care across Kent and Medway. Mr Gough said an Integrated Care Strategy was aimed to be developed by the end of the year to establish key priorities and help shape budgets and resource decisions.

- (7) Mr Gough referred to adult social care reform and said unless it was properly understood and resourced it would present severe risks to both provider markets and Council budgets. He said an announcement had been made that Section 18.3 of the Care Act 2014 would be implemented in a staged process starting with new entrants. He said the Council believed this was a welcome step and reflected what was discussed at Cabinet in April 2022 and the County Councils Network's position in pressing the case to government.
- (8) Mr Gough said Ukrainian families continued to arrive in Kent and there were now 3,782 applicants matched with 1,544 sponsors and over 2,000 of those applicants had arrived. He said Kent remained the area of the country with the largest number of sponsors and visas issued. He said although there was a strain on resources a lot of progress had been made, for example 'thank you' payments to hosts which had proved to be a complex process. Mr Gough said there were new and developing challenges, for example, the development of rematching systems and how breakdowns and ends of placements would be accommodated, along with school funding and the conditions for admitting unaccompanied minors. On top of this there was the interaction between Ukrainian schemes and other major initiatives such as the Afghan scheme and Adult Asylum Dispersal which were considered in-depth at Cabinet on 23 June 2022.
- (9) The Leader said the Operation Brock contraflow system was back in operation in preparation for a busy summer, with high booking numbers in both the Port of Dover and Eurotunnel. He said Operation Brock sought to contain a traffic management problem but could not represent a permanent solution. He said the delivery of a longer-term solution remained one of the Council's highest priorities and the Council continued to make the case to government both for the support of specific projects and the development of an approach that recognised the national as well as local significance of the issue.
- (10) The Leader concluded that it was most important that the Council retained a realistic and tough-minded approach to its finances to sustain the delivery of its services.
- (11) The Leader of the Labour Group, Dr Sullivan, responded. Dr Sullivan thanked officers for continuing to rise to the challenge of the Covid-19 pandemic and the arrangements in place to deal with the extreme heat. She noted that the pandemic had not gone away, and the health implications of heat were ever apparent. She encouraged Members to follow the Chairman's advice to drink and take a break when needed.
- (12) Dr Sullivan referred to the water issue on the Isle of Sheppey and said water and access to water was a human right. She noted that Scottish Water remained in public ownership and acknowledged the difficulties in holding private companies to account. She hoped there would be a speedy recovery to the situation especially before the impending heatwave which was due to hit the county at the end of the week.

- (13) Dr Sullivan referred to the recent leadership events within central government and said funding for local government did not appear to be a priority. Dr Sullivan referred to the former Secretary of State for the Department for Levelling Up, Housing and Communities' (DLUHC) speech at the LGA Annual Conference and commented on the competencies of the Secretary of State's predecessors and said she hoped that the Council's local government minister would work with local government and not against it.
- (14) Dr Sullivan commented on financial pressures prior to and following the pandemic and said it was unknown whether resilience may have been different if there had been a different decision regarding Brexit. Dr Sullivan said the inflammatory cost of materials would have a massive impact and she hoped the Leader would join her in asking HM Revenue & Customs to raise the fuel mileage limit to ensure the Council's staff were not short changed whilst getting around and doing their job.
- (15) Regarding adult social care reform and the fair cost of care, Dr Sullivan said it was good to meet with the County Network's spokesperson at the LGA Annual Conference. She welcomed the delay in Section 18.3 of the Care Act 2014 but hoped that local government would be fully funded given shortages in critical workforce and increased demographic demand. She said she hoped the Integrated Care Partnership would have a positive impact on local government and adult social care.
- (16) Dr Sullivan said, referring to Operation Brock, that a long-term solution to the problem was required.
- (17) Finally, Dr Sullivan said she hoped the next Leader of the Conservative Party would invest in local government, and that people would decide it was time to listen to new ideas at the next general election.
- (18) Mr Hook, Leader of the Liberal Democrats Group, said his group welcomed the pending change of prime minister. He said his group would like to thank the Kent MPs who contributed to the prime minister's exit and hoped that his successor would be better.
- (19) Mr Hook referred to Mr Gove's speech at the LGA Annual Conference and said there were parts which, in his view, should be of concern to the Council. Mr Hook said although Mr Gove praised mayors and combined mayors, he felt there was consensus amongst Members, that power in the hands of many elected representatives was wanted, not power in the hands of a single individual. Mr Hook said Mr Gove identified the need for more data to make comparisons between local authority areas and said meaningful data helped identify where potential was being fulfilled or squandered. He said international organisations produced comparison data between countries which helped drive change and reform where it was needed most. Mr Hook commented on Mr Gove's reference to net zero in his speech and said his group was not afraid to say why net zero mattered, and that it was about saving the future of children and inspiring everyone in Kent to make the necessary changes.

- (20) Mr Hook referred to the Supported Bus Funding Review and said many Kent families were faced with a school transport problem. He said parents transporting their children to school themselves would mean more congestion on the roads, more pollution, more cost to families and potential inconvenience to parents who needed to get to work. He also noted that drivers were harder to recruit, fees were more expensive and passenger numbers were down since the Covid-19 pandemic.
- (21) Mr Hook paid tribute to the staff working with Ukrainian refugees and to the Kent residents who were providing support. He said he welcomed anything that could be done to ensure the Council was providing the best support available for as many as possible.
- (22) Mr Hook said the return of Operation Brock at the start of the summer holidays would cause disruption to many Kent residents. He said the published reason for this was due to the large number of bookings for the school holidays at Dover and Eurotunnel, but Mr Hook said there had always been a holiday rush and Operation Brock had not always been needed. He said the people of Kent deserved a better explanation as well as a better system.
- (23) Mr Hook agreed with the Leader that the Council should be concerned about inflation. He said higher prices made the cost of living harder and this tended to fall hardest on the poorest. Mr Hook said in his division he had seen an increase in rental costs and the Council should do all it could to promote affordable and social housing.
- (24) Finally, Mr Hook paid tribute to his group's assistant, Ben Ackroyd, and wished him well in his new role.
- (25) Mr Stepto, Leader of the Green and Independent Group, said it had been interesting to watch the leadership events in central government and the cases put forward by the hopeful successors. He expressed disappointment that none of the leadership candidates had attended Sir Patrick Vallance's recent emergency briefing on the climate for MPs at a time when the country was experiencing some of the highest temperatures ever recorded.
- (26) Mr Stepto was positive about Mr Greg Clark's appointment as Secretary of State for the Department for Levelling Up, Housing and Communities (DLUHC) and hoped, if he continued in post after September, the Council would look forward to better cooperation with the department.
- (27) Regarding adult social care reform and fair cost of care Mr Stepto questioned whether funding would be sufficient to increase fees so providers could operate without cross subsidy, and whether councils would have sufficient capacity to operate the new system. Mr Stepto also questioned the effects of inflation on the Council's work and whether, as a result, the Council's activities would be curtailed, postponed, or cut.

- (28) Mr Stepto referred to Operation Brock and said he would be interested to learn what feedback there had been regarding any adverse effects local communities had and were experiencing.
- (29) Mr Stepto referring to the Supported Bus Funding Review said he was disappointed that funding for the 'Bus back better' project had been reduced and that it could not be used to support existing services. Mr Stepto said he had received emails from residents regarding their child's school transport and questioned where the mandate was for the cuts and what had happened to the manifesto promised to enrich the skills and education of the young and provide care for the elderly. He said there was now a situation where many children would not be able to get to their schools and elderly people would be isolated without a reliable bus service to reach town centres.
- (30) Mr Baldock expressed, on behalf of Swale Borough Council, huge and sincere thanks to Mr Gough and the Council's staff for their immediate and vital support in responding to the dreadful emergency on the Isle of Sheppey. He asked that the two councils continued to work together to hold Southern Water to account and to get an adequate assurance from them in respect of their future emergency planning.
- (31) The Leader thanked Mr Baldock for his remarks and commended the way the Council and Swale Borough Council, along with a range of partners through the Kent Resilience Forum, had worked together. He said what Kent residents on the Isle of Sheppey had experienced was unacceptable and the Council would work to ensure a recurrence did not occur.
- (32) The Leader responded to points made about government funding and said he thought it was important to acknowledge the large scale of financial support received from central government during the pandemic. Mr Gough questioned local government's place in the priorities of central government given other spending pressures such as the military and the National Health Service. Mr Gough said Mr Gove and his team were coherent and pro-local government and that Mr Gove raised an interesting question about the Office for Local Government.
- (33) Mr Gough agreed with Mr Hook on the merits of using data constructively and said the challenge was whether data was being used for sensible comparison. He said the Council was working to ensure that the right response in terms of the Council's data was understood.
- (34) Mr Gough responded to points made about Net Zero and said the Strategic Statement, agreed at the last County Council, included four key areas. One of those areas was the environmental challenge including not only net zero but also adaptation and biodiversity.
- (35) Mr Gough responded to points made about Operation Brock and reiterated it was not a solution to the problem. He said an underlying problem was the arrival of more vehicles, many of them HGVs, than could leave, and this was something that a traffic management system could not seek to mitigate.

He said the fundamental solution had to lie elsewhere and this was something that the administration would continue to pursue.

- (36) Mr Gough responded to points made about the Supported Bus Funding Review and said, as Mr Hook had indicated, there were a wide range of pressures on the sector which were not only experienced in Kent. He said the Council would seek to do all it could to find a resolution and commit honestly to what it could and couldn't do. He said long term it would be interesting to see how the Bus Service Improvement Plan (BSIP) funding would be used, if secured, to build back elements of the network and to develop it in a new and sustainable way.
- (37) Finally, Mr Gough responded to points made about adult social care reform and fair cost of care, and the County Councils Network's Report, and said the Council had been keen to argue that some of the changes should be approached in a more managed way, and he was pleased that the government had recognised that and responded.
- (38) RESOLVED that the Leader's update be noted.

86. Ofsted Inspection of Children's Services
(Item 8)

- (1) Mrs Chandler proposed, and Mr Ross seconded the motion that
- “County Council notes the content of the report and the significant work of all the staff who contributed to this very positive outcome.”
- (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 and the significant work of all the staff who contributed to this very positive outcome.

87. Review of the Headstart Programme
(Item 9)

- (1) Mrs Chandler proposed, and Mrs McArthur seconded the motion that
- “The County Council notes the success of the Headstart programme and the legacy of continued support for the mental wellbeing of children and young people in Kent.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council notes the success of the Headstart programme and the legacy of continued support for the mental wellbeing of children and young people in Kent.

88. Local Transport Plan 5 (LPT5) Update
(Item 10)

- (1) Mr Brazier proposed, and Mr Watkins seconded the motion that
“The County Council notes progress on development of Local Transport Plan 5, the draft ambition and outcomes developed and the remaining steps to developing a full draft plan for consultation.”
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the County Council notes progress on development of Local Transport Plan 5, the draft ambition and outcomes developed and the remaining steps to developing a full draft plan for consultation.

89. End of Year Performance Report - 2021/22
(Item 11)

- (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.

90. Annual Report on Urgent Decisions
(Item 12)

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

91. Pension Board - review of Terms of Reference
(Item 13)

- (1) Mr Thomas proposed, and Mr Oakford seconded the motion that
“The 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.

92. Motions for Time Limited Debate
(Item 14)

Motion for Time Limited Debate 1 – Devolved Government cross party working group

- (1) Mr Baldock proposed and Mr Hook seconded the following motion for time-limited debate:

“Kent County Council agrees to establish a cross-party working group to oversee a feasibility study into devolved government for Kent, based on an elected assembly with legislative powers similar to the powers of other devolved parliaments and assemblies.”

- (2) Following the debate, the Chairman put the substantive motion set out in paragraph 1 to the vote. The voting was as follows:

For (11)

Mr M Baldock, Mr D Beaney, Mr I Chittenden, Mr P M Harman, Mr M Hood, Mr A Hook, Rich Lehmann, Mr T L Shonk, Mr M J Sole, Mr P Stepto, Mr R G Streatfeild, MBE

Against (27)

Mr N Baker, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr D Brazier, Mr C Broadley, Mrs S Chandler, Mr D Crow-Brown, Mr M Dance, Mr M Dendor, Mr R W Gough, Mr P M Hill, OBE, Mr D Jeffrey, Mr J Kite, Mr J P McInroy, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr O Richardson, Mr D Robey, Mr D Ross, Mr A Sandhu, MBE, Mr B J Sweetland, Mr R J Thomas, Mr A Weatherhead, Mr S Webb

Abstain (7)

Mr A Brady, Ms M Dawkins, Ms K Grehan, Mr A R Hills, Mr S Holden, Mr A Kennedy, Dr L Sullivan

Motion lost.

Motion for Time Limited Debate 2 – Play Streets

- (1) Ms Grehan proposed, and Mr Brady seconded the following motion for time-limited debate:

“The County Council resolves:

- To undertake a feasibility study to assess the benefits and risks of implementing play schemes across the county;
- To assess whether or not the implementation of such a scheme could be cost-neutral, possibly through sponsorship by local businesses or through Member Grant funding; and
- On the proviso that the above conditions are met, the Executive should roll out a pilot scheme within the next 12 months.”

- (2) The Cabinet Member for Highways and Transport said he would be happy to work with the opposition groups and Highways Officers outside of the meeting to discuss the Play Streets proposal. This would require additional information and any scheme would need to be cost neutral.
- (3) RESOLVED that the motion be withdrawn following commitment from the Cabinet Member that further discussion would be had with a view to progressing this proposal.