

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, 15 December 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, Mr C Beart, Mrs R Binks, Mr T Bond, Mr A Booth, Mr A Brady, Mr D L Brazier, Mr C Broadley, Miss S J Carey, Sir Paul Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Ms K Constantine, Mr D Crow-Brown, Mr M C Dance, Ms M Dawkins, Mr M Dendor, Mr R W Gough, Ms K Grehan, Peter Harman, Mr P M Hill, OBE, Mr S Holden, Mr M A J Hood, Mr A J Hook, Mrs S Hudson, Mr D Jeffrey, Mr J A Kite, MBE, Rich Lehmann, Mr R C Love, OBE, Mr R A Marsh, Mr J P McInroy, Mr J Meade, Mr D Murphy, Mr P J Oakford, Mrs L Parfitt-Reid, Mrs S Prendergast, Mr H Rayner, Mr O Richardson, Mr D Robey, Mr A Sandhu, MBE, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr B J Sweetland, Mr R J Thomas, Mr D Watkins, Mr S Webb and Ms L Wright

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

IN VIRTUAL ATTENDANCE: Mr T Cannon, Mr P Cole, Mr N Collor, Mrs T Dean, Ms S Hamilton, Mr A R Hills, Mrs S V Hohler, Mr D Ross, Mr C Simkins and Mr J Wright

UNRESTRICTED ITEMS

107. Apologies for Absence *(Item 1)*

The General Counsel reported apologies for absence from Mrs Clair Bell, Ms Becki Bruneau, Mr Steve Campkin, Mr Paul Cooper, Mr Dan Daley, Mr Andrew Kennedy, Mr Steve Manion, Mrs Margot McArthur, Ms Jackie Meade, Mr Alan Ridgers, Mr Mike Sole and Mr Trevor Shonk.

Members were advised that Mr Tom Cannon, Mr Perry Cole, Mr Nigel Collor, Mrs Trudy Dean, Ms Sarah Hamilton, Mr Tony Hills, Mrs Sarah Hohler, Mr Dirk Ross, Mr Charlie Simkins and Mr John Wright had given their formal apologies and were joining the meeting virtually.

The General Counsel advised that Mr Murphy would be joining the meeting late.

Dr Sullivan reported apologies for absence from Mr Barry Lewis and advised that Ms Kelly Grehan would be joining the meeting late.

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

Mr Streatfeild declared an interest under Item 11 – *SEND Transformation and Ofsted Revisit* – as a family member was in receipt of an Education, Health, and Care Plan (EHCP).

Mr Bartlett, Mr Gough, and Mrs Chandler declared an interest under Item 10 – *Kent & Medway Interim Care Strategy* – as they were members of the Integrated Care Partnership Board.

Dr Sullivan declared an interest under Item 10 – *Kent & Medway Interim Care Strategy* – as her husband was a member of the Integrated Care Partnership Board.

109. Minutes
(Item 3)

- (1) The Chairman invited Mr Holden to respond to references made at the County Council meeting on 20 October 2022 regarding the foundation of Kent's Plan Bee pollinator action plan.
- (2) RESOLVED that the minutes of the meeting held on 20 October 2022 be approved as a correct record.
- (3) RESOLVED that the minutes of the meeting held on 14 July 2022 be corrected to include the following revised minute for Item 91 - *Pension Board – review of Terms of Reference*:

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

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

"The County Council agree the revised Kent Local Pension Board Terms of Reference"
- (2) Following the debate, the Chairman put the motion set out in paragraph 1.
- (3) RESOLVED that the Kent Local Pension Board Terms of Reference be agreed.

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

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 26 October 2022 be noted.

111. Chairman's Announcements
(Item 5)

Mr George Koowaree

- (1) The Chairman referred to her announcement at the County Council meeting on 20 October 2022 of the sad passing of Mr George Koowaree. The Chairman said Mr Koowaree had been the Member for Ashford East from May 2004 to May 2021. In addition to his time at Kent County Council, Mr Koowaree represented North Willesborough at Ashford Borough Council and was also Mayor of Ashford in 1996 and 2016. Mr Koowaree was made an Alderman by the Council in March 2022.
- (2) Tributes were made by Mr Stepto, Mr Hook, Dr Sullivan, Mr Bartlett, and Mr Gough.

Mr Adrian Crowther

- (3) The Chairman, with great sadness and regret, informed Members of the passing of Mr Adrian Crowther, former Member for Sheppey from May 2005 to May 2017. During his time at Kent County Council, Mr Crowther served on the Adult Social Care and Health Cabinet Committee, Communities Cabinet Committee, Education Cabinet Committee, Health Overview & Scrutiny, Kent & Medway Joint NHS Overview & Scrutiny, Regulation Committee and Superannuation Fund Committee. Mr Crowther also represented Minster Cliffs at Swale Borough Council from 2000 to 2007 and again from 2008 to 2019, serving as Mayor from 2009 to 2010.
- (4) Tributes were made by Mr Booth, Mr Hook, Dr Sullivan, and Mr Baldock.

Admiral The Lord Boyce

- (5) The Chairman, with great sadness and regret, informed Members of the sad passing of the Admiral of the Fleet, The Lord Boyce KG GCB OBE DL. Lord Boyce also held the historic post of Lord Warden of the Cinque Ports.
- (1) The Chairman held a one-minute silence in memory of Mr Koowaree, Mr Crowther, Lord Boyce, and for those who lost their lives in recent tragedies in the English Channel and Yorkshire.

John Downton Exhibition

- (2) The Chairman informed Members that The John Downton Award entries were on display in the Exhibition Hall in County Hall. The John Downton

Award for Young Artists was an annual exhibition which encouraged and celebrated the creativity of Kent's young artists. It was open to students aged 11 to 18 from schools and colleges across Kent. The exhibition ran until 8 February 2023 and the Chairman encouraged Members to take an opportunity to view the wonderful artwork produced by local students.

Letter from The King

- (8) The Chairman reminded Members that, following the sad passing of Queen Elizabeth II in September, she wrote to His Majesty King Charles III to offer condolences on behalf of the Council. The Chairman was pleased to advise that a response had been received to that letter and Members were welcome to view it should they wish to.

112. Questions *(Item 6)*

In accordance with Sections 14.15 to 14.22 of the Constitution, 11 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.

As Mr Lewis, Mr Sole and Ms Meade were not present during this item a written answer to their questions has been provided.

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

- (1) The Leader opened his report by expressing his sadness and regret for the tragic incident in the English Channel on 14 December 2022 when a migrant boat capsized. Mr Gough thanked and paid tribute to the individuals and organisations involved in recovering people from the water. He said the Council was working with the National Health Service (NHS) and other partners to establish wrap around care, and explained that those recovered from the water who were believed to be Unaccompanied Asylum-Seeking Children (UASC), Integrated Children's Services had established placements.
- (2) Mr Gough welcomed Mr Lehmann as Leader of the Green and Independents Group and paid tribute to his predecessor, Mr Stepto.
- (3) The Leader clarified that he would not address some key topics in his report, such as the Special Educational Needs and Disability (SEND) Transformation and the Integrated Care Strategy, as they were later items on the agenda.
- (4) The Leader reflected on the events that had occurred in 2022 and how they had shaped the Council's core activity. He said inflation and labour

shortages had pushed longstanding budgetary pressures for the Council into a critical phase and explained that the most recent financial monitoring report to Cabinet on 1 December 2022 had projected a revenue overspend of £60million. Mr Gough said that it was in that context that he and the Leader of Hampshire had written to government ministers in November 2022. The Leader acknowledged that the Autumn Statement was significantly better than expected, and it was particularly welcome to see local government, and in particular social care, prioritised. However, Mr Gough emphasised that the Council would still need to take some difficult decisions in future budgets and although the immediate crisis had eased, the longer-term pressures remained.

- (5) Mr Gough referred to the growing risks and challenges faced by the Council, including inflation, slow growth, an aging population, a significant energy transition and an overhang of property and infrastructure that required renewal, and recognised these were also national and international problems. He said the latest Corporate Risk Register would be brought to both Cabinet and Governance & Audit Committee in early 2023 to highlight these concerns, consider the Council's capacity in addressing them, and to understand the associated risks and their management.
- (6) Mr Gough highlighted the positive reinstatement of the Chief Executive role within the Council and said, in his view, the Strategic Reset Programme should be applied more rigorously and comprehensively as part of the Council's efforts to tackle the challenges it faced. Mr Gough emphasised the need for a comprehensive long-term approach to put budgets on a sustainable footing and to preserve and enhance the Council's role as a strategic authority. Mr Gough explained that the Levelling Up White Paper, published in February 2022, set out many key visions for local government.
- (7) The Leader referred to Mr Gordon Brown's recent commission on the UK's political system and said he hoped that the common ground between this and the Levelling Up White Paper presaged a change to the centralised system. Mr Gough noted that devolution deals were now spreading from metro areas to counties.
- (8) Mr Gough reflected on migration schemes and events and said the Council's UASC scheme, and its agreement with the Home Office, had worked well, however he noted that pressure from the large number of arrivals was reflected in the government's growing reliance on hotels. Mr Gough acknowledged the achievement of the Homes for Ukraine Scheme and believed the Council's uplift of support for hosts had had a positive effect. Mr Gough said the recent government announcement on the future of the scheme saw a welcomed element of continuity, as well as support in addressing potential homelessness issues.
- (9) Mr Gough turned to the Council's response to the cost-of-living crisis over the winter and said this had included school holiday food vouchers for the October half term and Christmas break, energy related vouchers for measures such as boiler repairs, the launch of the Kent Money Advice Hub

at the end of November 2022, and an energy voucher scheme which would be launched on 9 January 2023.

- (10) Mr Gough noted that Operation Brock was in the process of being reinstated and the Council would continue to work on achieving a comprehensive solution.
- (11) Finally, the Leader expressed his best wishes to Members for a merry Christmas and a good year ahead.
- (12) The Leader of the Labour Group, Dr Sullivan, responded to the Leader's remarks. She shared her condolences for those who had lost their lives in the English Channel and expressed gratitude to those involved in the rescue operation.
- (13) Dr Sullivan commented on the financial situation within local government and the challenges and pressures, such as soaring inflation and labour shortages, that the Council faced. Dr Sullivan referred to a lack of investment in public services, the negative consequences of that on the market, and increased demand. She commented on savings being made through workers' pay and pension and noted the negative effect of that on recruitment and retention within public services.
- (14) Dr Sullivan said she had been interested to read Mr Gordon Brown's report on the UK political system which she said referred to devolution of power and not centralisation of power.
- (15) Mr Hook, Leader of the Liberal Democrats Group, commented on the recent spread of winter colds and snow and its effect on travel and childcare arrangements, and referred to the importance of conserving the natural beauty of Kent. Mr Hook considered the people of Kent who were struggling to pay bills, feeling cold, or who did not have enough food. He said there was an urgent task to help those at risk of homelessness over the winter months and suggested that government could introduce an emergency ban on repossessions and evictions for the winter. He noted the government had previously committed to a ban on 'no-fault evictions' but that had not yet been delivered.
- (16) Mr Hook referred to the tragic incident in the English Channel and said it was felt by various groups and organisations that if dangerous crossings continued then tragedies would continue. He said part of addressing that involved making faster decisions on the backlog of asylum cases which had grown since 2016, upholding international law, and providing safe and legal routes for people who wanted to apply for refuge in this country.
- (17) Mr Hook turned to Carers Rights Day on 23 November 2022 and highlighted that carers, who juggled work and caring responsibilities, were being hit particularly hard by soaring bills. He noted that Carer's Allowance remained the lowest benefit of its time and carers had not been included in the government's £650 cost of living payment in 2022.

- (18) Mr Hook welcomed the government's reinstatement of the fracking ban and Mr Gordon Brown's report on the UK political system. He said his party was committed to decentralisation and he hoped this would be backed, not just by past prime ministers, but by those in Office.
- (19) Mr Lehmann, Leader of the Green and Independent Group, also expressed his regret for the tragic event in the English Channel and thanked the coastguards for their excellent work. He said the incident may have been avoided if an immigration system was in place that provided safe and legal routes for asylum seekers to arrive in the United Kingdom.
- (20) Mr Lehmann paid tribute to his predecessor, Mr Paul Stepto, and thanked him for his guidance over the last eighteen months and his consistently calm presence.
- (21) Mr Lehmann turned to the financial position of the Council and shared the Leader's cautious sense of relief regarding the Autumn Statement but noted there were grave implications for non-statutory services. Mr Lehmann said a County Council's Network survey had revealed a likelihood that Councils would have to scale back their actions on climate change. He explained that since the last County Council meeting COP27 had taken place where it had been determined unlikely that global warming would be limited to 1.5 degrees Celsius.
- (22) Mr Lehmann said he had recently attended parish council meetings where the cost-of-living crisis had been considered as part of determining parish precepts for the coming year. Mr Lehmann commented on the likelihood that the Council would increase the Council Tax rate and the effect this would have on residents.
- (23) Mr Lehmann said he was pleased that Mr Gough and the Leader of Hampshire County Council had written jointly to government ministers regarding their Councils' financial position and commented on the financial pressures that would continue for the Council.
- (24) Mr Lehmann said it was likely that the return of Operation Brock would add to journey times for drivers across East Kent and hoped that the disruption would be minimal compared to the Spring and Summer months in 2022. Mr Lehmann expressed his concern that the forthcoming EU Entry Exit System (EES) would significantly increase border processing times, and lead to delays for holidaymakers exacerbated by the continued absence of Eurostar from Kent's international rail stations. He feared that without a concerted effort from government to negotiate a softer border with the EU nations, or significant investment in processing capacity on both sides of the English Channel, the result would be many years of travel misery during holiday periods.
- (25) The Leader responded to several points made by the Opposition Leaders and said he felt the Group Leaders were in agreement that the model of

funding in local government was insufficient. Mr Gough explained this had persisted under governments for many years and was an argument that the Administration had pushed. He said the funding of demand led services through property tax was not sustainable and the Council's expenditure pressures had grown ahead of its revenues for many years.

- (26) Mr Gough responded to Dr Sullivan's comments about scaling back prevention and increased demand and said priority had been given to protecting preventive services, in particular Early Help. Mr Gough emphasised that difficult choices had to be made but stressed that the Council was very conscious of the importance of protecting preventative services and had not made choices against prevention.
- (27) Mr Gough agreed with Mr Hook regarding consideration for those who were struggling to pay bills and referred to the debate at the last County Council meeting in relation to the cost-of-living crisis and work going forward. He said that a coordinated communication approach undertaken throughout the winter sought to address several areas and the relaunch of Kent Together would ensure that people were aware of the help and support that was available.
- (28) Mr Gough agreed with Mr Lehmann that the Entry Exist System (EES) was a major concern, and the Administration would continue to engage with the Transport Secretary.
- (29) Mr Gough turned to decentralisation and referred to the Levelling Up White Paper which included an analysis of the problems of centralisation and fragmentation of funding streams. He noted that consistency was addressed, to a degree, in some of the devolution deals, and that shift in direction was a positive development which the Leader hoped would continue in the year to come.

RESOLVED that the Leader's update be noted.

114. Reconnect Update
(Item 8)

- (1) Mrs Chandler proposed, and Mr Dance 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.

115. Governance & Audit - Chairman's Annual Report
(Item 9)

- (1) Mrs Binks proposed, and Mr Rayner 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.

116. Kent & Medway Interim Care Strategy

(Item 10)

- (1) Mr Gough proposed, and Mr Meade seconded the motion that
“The County Council notes the Kent and Medway Interim Integrated Care Strategy.”
- (2) Following the debate, Mr Baldock proposed the following amendment:
“The County Council notes the Kent and Medway Interim Integrated Care Strategy with some reservations.”
- (3) The Chairman put the amendment set out in paragraph 2 to the vote.

Amendment lost.

- (4) The Chairman put the substantive motion set out in paragraph 1.
- (5) RESOLVED that the County Council notes the Kent and Medway Interim Integrated Care Strategy.

The Labour Group asked that their abstentions be noted in the minutes.

117. SEND Transformation and Ofsted Revisit

(Item 11)

- (1) Mr Love proposed, and Mrs Chandler seconded the motion that
“The County Council notes the content of the report and the actions already underway in addressing the areas of weakness identified in the SEND revisit and to prepare to meet the challenge of addressing the High Needs Funding deficit.”
- (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 actions already underway in addressing the areas of weakness identified in the SEND revisit and to prepare to meet the challenge of addressing the High Needs Funding deficit.

The Liberal Democrats Group and Labour Group asked that their abstentions be noted in the minutes.

118. Motions for Time Limited Debate
(Item 12)

Motion for Time Limited Debate 1 – Impact Assessments

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

“County Council resolves that the Executive is asked to;

- Undertake appropriate assessments which take account of rural deprivation, environment and climate change and also socio-economic factors as part of the formal Executive decision process, in addition to the established Equality Impact Assessment process; and
- ensure the relevant assessments are explicitly referenced in and accessible alongside Executive Decision documentation.

- (2) Following the debate, the Chairman put the motion set out in paragraph 1 to the vote.

Motion lost.

Motion for Time Limited Debate 2 – Special educational needs and disability (SEND) provision in Kent

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

“The County Council resolves;

- a) To recommend to the Executive that relevant policies and strategies be amended to reflect that early intervention and support for children with SEND is likely to save KCC long term care and support costs and that this be prioritised accordingly as part of service and budget planning.
- b) To call on the Executive to prioritise necessary investment in SEND provision to meet the increasing demand of the ever-growing numbers of children in Kent with SEND.
- c) To recommend to the Executive that the parental travel allowance and travel training for young people with SEND should be better promoted to increase take up.
- d) To welcome and endorse the Scrutiny Committee decision to set up a SEND focused Scrutiny Sub-Committee”

- (2) Following the debate, Mr Gough proposed, and Mr Love seconded the following amendment:

The County Council resolves;

- a) To recommend to the Executive that relevant policies and strategies be amended to reflect that early intervention and support for children with SEND is likely to save KCC long term care and support costs and that this be prioritised accordingly as part of service and budget planning, as set out in paragraph 9.4 of Agenda Item 11.
 - b) To call on the Executive to prioritise necessary investment in the full range of SEND provision, whether mainstream or special school, to meet the needs of all the increasing demand of the ever-growing numbers of children in Kent with SEND in accordance with the approach of right support, right place, right time.
 - c) To recommend to the Executive that parents' and young people's right to request the parental travel allowance and travel training for young people with SEND should be ~~better~~ further promoted to increase take up, thereby empowering young people to take steps towards independence and greater control over their own lives.
 - d) To welcome ~~and endorse~~ the single point of focus for reporting on SEND matter provided by the Scrutiny Committee decision to set up a SEND focused Scrutiny Sub-Committee.
- (3) The Chairman put the amendment set out in paragraph 2 and it was agreed unanimously.

Amendment carried.

- (4) Mr Baldock proposed, and Mr Webb seconded that the motion set out in paragraph 2 be put to the vote.
- (5) The Chairman put the substantive motion set out in paragraph 2 and it was agreed unanimously.

Motion carried.

RESOLVED that the County Council resolves;

- a) To recommend to the Executive that relevant policies and strategies be amended to reflect that early intervention and support for children with SEND is likely to save KCC long term care and support costs and that this be prioritised accordingly as part of service and budget planning, as set out in paragraph 9.4 of Agenda Item 11.
- b) To call on the Executive to prioritise necessary investment in the full range of SEND provision, whether mainstream or special school, to meet the needs of all children in Kent with SEND in accordance with the approach of right support, right place, right time.
- c) To recommend to the Executive that parents' and young people's right to request the parental travel allowance and travel training for young people

with SEND should be further promoted to increase take up, thereby empowering young people to take steps towards independence and greater control over their own lives.

- d) To welcome the single point of focus for reporting on SEND matter provided by the Scrutiny Committee decision to set up a SEND focused Scrutiny Sub-Committee.

Motion for Time Limited Debate 3 – Submitted by the Labour Group

The Chairman informed Members that this motion had been rejected in accordance with the Council's constitution.