

# KENT COUNTY COUNCIL

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MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 12 May 2011.

## PRESENT:

Mrs P A V Stockell (Chairman)

Mr R E King (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, 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 G Cowan, Mr H J Craske, Mr A D Crowther, Mr J M Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mr J A Davies, Mr K A Ferrin, MBE, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr W A Hayton, Mr C Hibberd, Mr P M Hill, OBE, Mr D A Hirst, Ms A Hohler, Mrs S V Hohler, Mr P J Homewood, Mr M J Jarvis, Mr A J King, MBE, Mr R E King, Mr J D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J P 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 J M Ozog, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K H Pugh, Mr L B Ridings, MBE, Mr M B Robertson, Mr A Sandhu, MBE, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mr M V Snelling, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mrs C J Waters, Mr J N Wedgbury, Mr C T Wells, Mr M J Whiting, Mrs J Whittle, Mr M A Wickham, Mr A T Willicombe

IN ATTENDANCE: Katherine Kerswell, Managing Director, Geoff Wild, Director of Governance & Law and Peter Sass, Head of Democratic Services.

## UNRESTRICTED ITEMS

### 24. Election of Chairman

(Mr W Hayton, the present Chairman, presided for this item)

(1) Mr P Carter moved, Mr L Ridings seconded:

That Mrs P A V Stockell be elected Chairman of the County Council

Carried without a vote

(2) Mrs Stockell thereupon took the Chair, made her Declaration of Acceptance of Office and returned thanks for her election.

(3) Mrs Stockell then paid tribute to Mr Hayton and thanked him for the manner in which he had carried out his duties as Chairman of the Council from May 2010 to the present day.

(4) Mr Hayton responded in suitable terms.

## **25. Election of Vice Chairman**

(1) Mr G Gibbens moved, Mrs S Hohler seconded:

That Mr R E King be appointed Vice Chairman of the Council

Carried without a vote

(2) Mr R King thereupon made his Declaration of Acceptance of Office and returned thanks for his appointment.

## **26. Apologies for Absence**

The Managing Director reported apologies from the following Members:

Mr Bayford  
Mrs Dean  
Mrs Rook  
Mr Scholes  
Mr Hotson

## **27. Declarations of Interest**

(1) Mrs Whittle declared a personal interest in item 9 (Removal of Senior Officer Medical Insurance), as her husband who was an employee of the County Council was a beneficiary of the scheme.

(2) Mr Cowan declared a personal interest in item 11 (*Putting Children First – Kent's Safeguarding and Looked After Children Improvement Plan*) as he and his wife were registered foster carers.

(3) Mr Sweetland declared a personal interest in item 11 (*Putting Children First – Kent's Safeguarding and Looked After Children Improvement Plan*) as he was a non-executive director of Kent Community Health NHS Trust.

## **28. Minutes of the meeting held on 6 April 2011, if in order, to be approved as a correct record**

Resolved: that the minutes of the meeting held on 6 April 2011 be approved as a correct record and signed by the Chairman.

## **29. Chairman's Announcements**

(a) **QUEST – The UK Quality Scheme for the Sport and Leisure Industry**

The Chairman stated that QUEST was the UK Quality Scheme for the Sport and Leisure Industry.

The KCC Sport, Leisure and Olympics service had undergone an external assessment, which covered interviews with staff, customers and partners; documentary review and comparison with other services. QUEST looks at leadership, management, staff deployment and engagement, marketing, research and

community engagement, planning, partnerships, people management and development, customer relations and health and safety management.

The KCC Sport, Leisure and Olympics service scored 96%, which is the highest score ever achieved by a County, district or city council in the UK in the 12 years of the scheme. Currently, 1,004 organisations are involved in QUEST, covering the public, commercial, private and third sectors.

The Chairman stated that it was her great pleasure to present the QUEST certificate to the Cabinet Member for Customer and Communities, Mr Mike Hill OBE.

(b) **Today's agenda**

The Chairman stated that she intended to take item 11, on the Children's Services Improvement Plan immediately after item 8, the Leader's oral report.

**30. Questions**

Under Procedure Rule 1.18 (4), 2 Questions were asked and responses given.

**31. Report by Leader of the Council (Oral)**

The Leader updated the County Council on events since the last meeting in April. In particular, he spoke about the opening of the Turner Contemporary Gallery in Margate on time and on budget and that he wished the Centre every success and offered his thanks and congratulations to Mike Hill, Cabinet Member for Customer and Communities, Amanda Honey, Corporate Director of Customer and Communities and her team on delivering the project. With regard to the implementation of Change to Keep Succeeding, Mr Carter stated that good progress had been made in appointing to the new senior positions within the Authority and he paid tribute to the excellent work being done by the interim managers. Mr Carter mentioned the preliminary 2010/11 outturn report and a large underspend for the County Council and paid tribute to all concerned for managing their budgets so well. He praised the team responsible for ensuring swift and lasting progress on the implementation of the Children's Services Improvement Plan.

(At this stage, the Chairman stated that the County Council would consider item 11)

**32. Putting Children First: Kent Safeguarding and Looked After Children Improvement Plan**

(1) At the commencement of this item, Mr Malcolm Newsam, Interim Corporate Director, Families and Social Care, gave a wide-ranging presentation about the improvement journey and responded to a number of questions and comments from Members.

(2) Mrs Whittle moved, Mr Lake seconded the recommendation on page 24 of the agenda.

(3) After a full debate, it was:

Resolved: that (1) the Kent Safeguarding and Looked After Children Improvement Plan be endorsed and the progress on implementing the plan be noted; and (2) a further report be made to the County Council in 6 months' time, i.e. December 2011.

### **33. Removal of Senior Officer Medical Insurance**

(1) Mr Gough moved, Mr Pugh seconded the recommendation on page 8 of the agenda. In doing so, Mr Gough also moved an amendment in relation to the announcement from the Chancellor of the Exchequer on 23 March 2011 that the amounts at which business mileage can be reimbursed without incurring a taxable benefit had increased from 40p to 45p per mile for the first 10,000 miles where employees provided their own car. He recommended that the County Council agree to apply this increase to all staff with immediate effect i.e. from 1 May 2011 and he explained the financial implications of this amendment to the County Council.

(2) In response to a question from Mr Prater, the Chairman indicated that she had decided to accept the amendment on the basis that it related to the terms and conditions of staff.

Resolved: that (1) the County Council approves the withdrawal of the Senior Officer Medical Insurance (SOMI) Scheme and agrees that it ceases operation, including ongoing commitments, by the end of this financial year; and (2) the increase in the rate at which business mileage can be reimbursed without incurring a taxable benefit from 40p to 45p per mile for the first 10,000 miles be applied to all staff with immediate effect, i.e. 1 May 2011.

### **34. Annual Report of the Independent Remuneration Panel**

(1) The Chairman welcomed Mrs Leathers, Chairman of the Independent Remuneration Panel to the meeting.

(2) The Chairman moved, the Vice Chairman seconded, the recommendations on page 14 of the agenda, as follows:

- a. To formally adopt the Members' Allowances Scheme for 2011/12, subject to the County Council's determination of the remaining recommendations;
- b. To agree the quantum of the reduction in cost of the Members' Allowances Scheme, as part of the County Council's cost-saving exercise for 2011/12
- c. To agree to apply the increase in the Approved Mileage Allowance Payment (AMAP) from 40p to 45p per mile for the first 10,000 miles of business travel in the tax year with immediate effect;
- d. To amend the Members' Allowances Scheme to include the provision contained in Regulation 13 of the 2003 Regulations in relation to Members electing to forgo their entitlement (or any part of it) to allowances; and that the time limit for the submission of claims for dependent carers', travelling and subsistence and co-optees' allowances, in accordance with Regulation 14 of the 2003 Regulations, should be four months from the date of the relevant duty

(3) In relation to recommendation (b) above, Mr Carter moved, Mr King seconded the following amendment:

- A reduction in the cost of SRAs as a result of the reduction in the number of Deputy Cabinet Member positions from 12 to 10. In addition, two Deputy Cabinet Members will share one SRA. This delivers savings of £39.9k
  - A reduction in the number of Policy Overview and Scrutiny Committees by one, which will deliver a saving of £7.7k
  - A reduction in the basic allowance by 1.5%. This will affect all Members and deliver £16.4k
  - A reduction in the remaining SRAs by 2.66%. This will deliver £16k.
- TOTAL £80K**

(4) The Chairman put this amendment to the vote, whereupon the votes cast were as follows:

For (66)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Bullock, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr R Pascoe, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Against (6)

Mr I Chittenden, Mr G Cowan, Mr D Daley, Mr T Prater, Mr M Robertson, Mr M Vye

*Carried*

(5) The Chairman stated that this had now become the substantive motion.

(6) Mr Vye moved, Mr Prater seconded the following amendment:

- In line with the Independent Remuneration Panel's feeling that the "... saving proposal agreed by the Selection and Member Services Committee emanates from a reduction in the cost of support officers rather than a reduction in the basic allowance and SRAs and feel that this emphasis would be reversed". (Para 10 (iii), p. 13.), to set and agree the quantum reduction in cost of the Members' Allowances Scheme, as part of the County Council's cost-saving exercise from 2011/12
- A reduction in the SRAs as a result of the reduction in the number of Deputy Cabinet Members positions from 12 to 10. In addition two Deputy Cabinet Members will share one SRA. This delivers savings of £39.9K
- A reduction in the number of Policy Overview and Scrutiny Committees by one, which will deliver £ 7.7K

- A reduction in the basic allowance by 8%. This will affect all Members and deliver £84K
  - A reduction in the remaining SRAs by 2.66%. This will deliver £16K
- Total £147.6K**

(7) The Chairman put this amendment to the vote, whereupon the votes cast were as follows:

For (7)

Mr I Chittenden, Mr L Christie, Mr G Cowan, Mr D Daley, Mr T Prater, Mr M Robertson, Mr M Vye

Against (66)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Bullock, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mrs J Law, Mr R Lees, Mr J London, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr R Pascoe, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

*Lost*

(8) Mr Christie moved, Mr Cowan seconded the following amendment:

- County Council agrees with the sentiment expressed by the Panel in paragraph 10(iii) of the Report and agrees that in addition to the £80,000 savings envisaged in paragraph 8 of the Report the remaining £120,000 be saved by:-
- Reducing the Member's Basic Allowance to £12,000 – thus saving a further £67,600
- Reducing the remaining Special Responsibility Allowances by a further 5% - thus saving a further £30,400
- Reducing the Members' Information Technology Budget by £20,000, and
- Reducing the Chairman's Budget by £2,000.
- In doing this it will mean no further addition is necessary to the Administration's planned 1500 job losses.

(9) The Chairman put this amendment to the vote, whereupon the votes cast were as follows:

For (7)

Mr I Chittenden, Mr L Christie, Mr G Cowan, Mr D Daley, Mr T Prater, Mr M Robertson, Mr M Vye

Against (66)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Bullock, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mr J London, Mrs J Law, Mr R Lees, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr R Pascoe, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr M Snelling, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

*Lost*

(10) There being no further amendments, the Chairman put the substantive motion to the vote, where the votes cast were as follows:

For (66)

Mrs A Allen, Mr M Angell, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Bullock, Mr R Burgess, Mr C Capon, Miss S Carey, Mr P Carter, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, Mr D Hirst, Ms A Hohler, Mrs S Hohler, Mr P Homewood, Mr M Jarvis, Mr A King, Mr R King, Mr J Kirby, Mr J Kite, Mr P Lake, Mr J London, Mrs J Law, Mr R Lees, Mr K Lynes, Mr R Manning, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr R Parry, Mr R Pascoe, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr K Smith, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Against (7)

Mr I Chittenden, Mr L Christie, Mr G Cowan, Mr D Daley, Mr T Prater, Mr M Robertson, Mr M Vye

*Carried*

Resolved: that

- (i) the Members' Allowances Scheme for 2011/12 be formally adopted, subject to the effect of the following decisions;
- (ii) The total cost of the Members' Allowances Scheme in 2011/12 be reduced as follows:
  - A reduction in the cost of SRAs as a result of the reduction in the number of Deputy Cabinet Member positions from 12 to 10. In addition, two Deputy Cabinet Members will share one SRA. This delivers savings of £39.9k

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- A reduction in the number of Policy Overview and Scrutiny Committees by one, which will deliver a saving of £7.7k
  - A reduction in the basic allowance by 1.5%. This will affect all Members and deliver £16.4k
  - A reduction in the remaining SRAs by 2.66%. This will deliver £16k.
- TOTAL £80K**

(iii) the increase in the Approved Mileage Allowance Payment (AMAP) from 40p to 45p per mile for the first 10,000 miles of business travel in the tax year be applied for Members with immediate effect, i.e. 1 May 2011; and

(iv) the Members' Allowances Scheme be amended to include the provision contained in Regulation 13 of the 2003 Regulations in relation to Members electing to forgo their entitlement (or any part of it) to allowances; and that the time limit for the submission of claims for dependent carers', travelling and subsistence and co-optees' allowances, in accordance with Regulation 14 of the 2003 Regulations, should be four months from the date of the relevant duty.

### **35. Quarterly Report On Urgent Key Decisions**

(1) Mr Carter moved, Mr A King seconded that the report on page 85 of the agenda be noted.

Resolved: that the County Council notes the necessity to take an urgent key decision on the procurement of a managed peripatetic Children's Assessment Service in East/Mid/West Kent.

### **36. Minutes for Approval – Governance and Audit Committee**

Resolved: that the minutes of the meeting of the Governance and Audit Committee on 16 March 2011 be noted.

### **37. Minutes for Information**

Pursuant to Procedure Rule 1.10 and 1.23(1), the minutes of the Planning Applications Committee meeting held on 12 April 2011 were noted.