

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 20 October 2011.

PRESENT:

Mrs P A V Stockell (Chairman)

Mr R E King (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 E Brookbank, Mr R B Burgess, Miss S J Carey, Mr P B Carter, Mr N J D Chard, 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, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr J A Davies, 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 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 P Law, 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 T Prater, Mr K H Pugh, Mr L B Ridings, MBE, Mr M B Robertson, Mr A Sandhu, MBE, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr M V Snelling, Mr B J Sweetland, 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 and Mr A T Willicombe

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

UNRESTRICTED ITEMS

59. Apologies for Absence

The Managing Director reported apologies from the following Members:

Mr Capon
Mrs Dagger
Mr Ferrin
Mr Lees
Mrs Rook
Mr K Smith
Mr Tolputt

60. Declarations of Interest

(1) Mr Cowan declared a personal interest in item 7 on the agenda (Children's Services Improvement Plan) as he and his wife were registered foster carers for KCC.

(2) Mr Koowaree declared an interest in item 11 (Select Committee Topic Review Update – May 2005-June 2010) and specifically the Select Committee on Autism as his grandson was autistic.

(3) Mr Harrison, Mr R King and Mr Bowles declared an interest in Item 14 (Quarterly Report on Urgent Key Decisions) as Regional Flood Defence Committee Members in relation to the funding of the Sandwich Flood Defences.

61. Minutes of the meeting held on 21 July 2011 and if in order, to be approved as a correct record

Resolved: that the minutes of the meeting held on 21 July 2011 be approved as a correct record and signed by the Chairman.

62. Chairman's Announcements

(a) Charter Plus for Member Development

The Chairman announced that Kent County Council had achieved the Charter Plus award for Member Development from South East Employers. Kent is the first County Council to achieve this and only the second local authority in the South East to do so. The Chairman of South East Employers, Councillor Rory Love, presented the County Council with its certificate and award, which the Chairman received on behalf of the County Council.

(b) Death of Mr Gordon Bonner

The Chairman stated that it was with regret that she learnt of the death of Mr Gordon Bonner on Thursday 28 July 2011. Mr Bonner was the Conservative Member for Maidstone South West from 1985 to 1989.

Mr Hotson gave tribute to Mr Bonner.

(c) Death of Mr Edward Brice

The Chairman stated that it was with regret that she learnt of the death of Mr Edward Brice on Friday 29 July 2011. Mr Brice was the Conservative Member for Strood Rural No 2 Electoral Division from 1977 to 1981.

Mr A King gave tribute to Mr Brice.

At the end of the tributes, all Members stood in silence in memory of Mr Bonner and Mr Brice.

After the silence, it was moved by the Chairman, seconded by the Vice Chairman and:

Resolved unanimously: that this Council desires to record the sense of loss it feels on the sad passing of Mr Bonner and Mr Brice and extends to their families and friends our heartfelt sympathy to them in their sad bereavement.

(d) New Marlowe Theatre Development Trust

The Chairman announced that the County Council had been presented with an award in recognition of its help with the New Marlowe Theatre development project.

Unfortunately, Mr Peter Williams, Chairman of the New Marlowe Theatre Trust, was unable to be present at the meeting but the Award was displayed in the Chamber.

(e) Kent and Medway Fire and Rescue Authority information stand

The Chairman advised Members that she had given permission for representatives from the Kent and Medway Fire and Rescue Authority to set up a stand outside the Council Chamber to provide further information for Members on their Integrated Risk Management Plan, which sets out proposals for certain changes to the fire service in Kent and is the subject of public consultation. She encouraged Members to visit the stand to find out more about the proposals and how to respond to the consultation document.

(f) Retirement of Mary Cooper, Member Liaison Manager

The Chairman stated that Mary Cooper, Member Liaison Manager, would be retiring from KCC on 31 October 2011 after over 39 years' service, mainly working with Members. The Chairman spoke on behalf of all Members in wishing Mary a long, happy and healthy retirement and thanked her for her contribution to Kent County Council.

Mr A King, Mrs Dean and Mr Cowan gave tribute to Mary Cooper.

63. Questions

Under Procedure Rule 1.18 (4), 7 questions were asked and replies given.

64. Report by Leader of the Council (Oral)

(1) The Leader of the Council updated the County Council on events since the last meeting.

(2) He began by saying how proud he was to remain as Leader of the Council following the recent group election process and he looked forward to working hard to tackle the significant challenges that lay ahead for the Authority. He welcomed Patrick Leeson, Corporate Director of Education, Learning and Skills to his first meeting of the County Council and also looked forward to the return to the authority of Andrew Ireland, recently appointed Corporate Director of Families and Social Care. He stated that both Corporate Directors faced huge challenges ahead but he was confident that both would be successful in delivering the step change needed in their respective areas. In particular, he spoke about the significant opportunities that existed in relation to the delivery of health services once the Health and Social Care Bill was enacted. A 5% cost shunt from the acute sector would provide £6m to each District area in the County for spending on health services.

(3) The Leader stated that the restructuring of the County Council's senior management team had been completed, which would save some £700k on a recurring basis. He added that good progress was being made with the achievement of the revenue savings in the current year and that he expected the current revenue budget to balance. He also stated that good progress was being made on next year's budget proposals and that it was his intention to publish the budget proposals for consultation before Christmas.

(4) The Leader stated that he was looking forward to the debate later in the meeting on changing the County Council's governance arrangements and that, subject to the outcome of the discussion, he proposed that the Selection and Member Services Committee should be asked to consider the proposals in detail and make a series of recommendations to the next meeting of the County Council in December, with the new arrangements being in place for April 2012.

(5) Finally, the Leader gave a brief overview of the many strands of activity currently being undertaken by KCC that supported the Kent economy and added that he intended to ask the Chairman to ensure that the County Council was given an opportunity for a full debate at the next meeting in December on this vital overarching strategy.

65. Children's Services Improvement Plan - update

Mrs Whittle, Cabinet Member for Specialist Children's Services, delivered a short presentation on the report.

Mrs Whittle proposed, Mr Cooke seconded the recommendations to note:

- (a) the achievement of the August Improvement Notice Targets;
- (b) the very significant progress that has been made since the last presentation in May 2011; and
- (c) the Phase 2 Improvement Plan

Resolved: that the recommendations above be noted.

The Chairman thanked Malcolm Newsam for all the work he had undertaken in his role as Interim Corporate Director of Families and Social Care as this was his last County Council meeting and wished him every success for his future career.

66. Proposed Amendments to the Constitution (Appointment of governors to Academies and Terms of Reference of the Joint Police Appointments Committee)

Mr A King proposed, Mr Homewood seconded that the Council approve:

- (i) that the Terms of Reference of the Selection and Member Services Committee should be amended to enable the Governors Appointments Panel to appoint and remove Authority Governors to and from the Governing Body of Academies; and
- (ii) the adoption of the Terms of Reference for the Kent and Medway Joint Appointments Committee – Kent Police Authority for incorporation into the Constitution.

Resolved: that proposed amendments to the Constitution be approved.

67. Terms of Appointment of the Independent Members of the Standards Committee and Member Remuneration Panel

Mr Homewood proposed, Mr A King seconded that the Council approve the extension to the appointments of Mrs N Ahmed, OBE, DL, Mr P Gammon, MBE and Miss R MacCrone to the Standards Committee and Mrs L Frampton, Mrs F Leathers and Mrs E Tullberg to the Independent Remuneration Panel for a further 12 months from 1 November 2011 until 31 October 2012.

Resolved: that the extension of the appointment of the Independent Members of the Standards Committee and Independent Remuneration Panel be agreed.

68. Treasury Management Annual Review - 2010/11

Mr Simmonds proposed, Miss Carey seconded that the Council agree to note the Treasury Management Annual Review for 2010/11.

Resolved: that the review be noted.

69. Superannuation Fund Committee Annual Report

Mr Scholes proposed, Mr Marsh seconded that the Council agreed to note the Superannuation Fund Committee Annual report.

Resolved: that the report be noted.

70. Quarterly Report On Urgent Key Decisions

Mr Carter proposed, Mr A King seconded that the Council agreed to note the Quarterly Report on Urgent Key decisions.

Resolved: that the report be noted.

71. Minutes for Approval

Resolved: that the Minutes of the meeting of the Governance and Audit Committee held on 14 September 2011, be noted.

72. Minutes for Information

Pursuant to Procedure Rule 1.10 and 1.23(1), the minutes of the Planning Applications Committee meetings held on 26 July and 6 September 2011, the Regulation Committee meeting held on 7 September 2011 and the Superannuation Fund Committee meetings held on 1 July and 2 September 2011, were noted.

73. Proposed revisions to the governance arrangements at Kent County Council

(At the beginning of this item and because of the time elapsed, the Chairman proposed that all speeches on the remaining items be limited to three minutes, which was agreed to by the County Council).

Mr Carter proposed, Mr A King seconded that the Selection and Member Services Committee be asked to examine the proposals in more detail and make recommendations to the next meeting of the County Council.

Resolved: that the issue be referred to the December meeting of the County Council pending further examination by the Selection and Member Services Committee.

74. Select Committee Topic Review Update - May 2005-June 2010

Mr A King proposed, Mr Carter seconded the recommendation that the Council note the report and celebrate the impact and added value that the outcomes of the Select Committee reports provided for Kent residents.

Resolved: that the report be noted.

75. Motions for Time Limited Debate

Item 15 (i) –Time Limited Debate motion on Libraries

Mr I Chittenden proposed, Mr T Prater seconded:

“This Council notes that it has not closed libraries despite recent financial settlements and commits to keeping at least the current number of Kent libraries in future except where local communities themselves agree on a specific closure to meet their needs.”

Mr M Hill proposed, Mr A Sandhu seconded the following amendment; to delete all words after the word “commits” in the second line and substitute amended wording (underlined), so that the amended motion is as follows:

"This Council notes that it has not closed libraries despite recent financial settlements and commits to working with local communities to shape the library services they need".

The Chairman then put the Amendment to the vote, whereupon the number of votes cast was as follows:-

For (49)

Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Miss S Carey, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Davies, 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 K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr R Parry, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr M Snelling, Mr B Sweetland, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Against (10)

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Mr I Chittenden, Mr L Christie, Mr G Cowan, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson, Mr M Vye

Carried

There being no further amendments to the motion, the Chairman then put the substantive motion to the vote, whereupon the number of votes cast was as follows:-

For (49)

Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Miss S Carey, Mr P Carter, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Davies, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr C Hibberd, Mr M Hill, 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 K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr R Parry, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr M Snelling, Mr B Sweetland, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Abstain (7)

Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr G Koowaree, Mr M Robertson, Mr T Prater, Mr M Vye

Against (3)

Mr L Christie, Mr G Cowan, Mrs E Green

Carried

Resolved that: the Council notes that it has not closed libraries despite recent financial settlements and commits to working with local communities to shape the library services they need.

Item 15 (ii) –Time Limited Debate on Youth Services

Mr G Cowan proposed, Mrs E Green seconded:

“That this Council shares the disappointment of the people of Kent at KCC plans to slash the youth services budget and this Council’s shameful and short sighted proposals to close down 50% of all youth centres in all parts of the county. In common with the vast majority of enlightened people we believe the provision of youth centres in our towns and rural villages to be vital in providing worth while and healthy activities for young people especially at a time when society is seeking ways of steering our youngsters to respect their communities and act responsibly. Council notes that David Cameron chose to make his key note speech following the English riots from a youth club in his constituency and said that one way of providing guidance and moral leadership for youngsters was via our network of youth centres. We agree with the prime minister. This motion notes that the Conservative led Dover District Council has expressed its formal opposition to KCC's plans to close two of its youth centres at Linwood and Aylesham and calls on this administration to take note of the thousands of people across the county who have signed petitions and

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registered their objections to KCC plans and require them to abandon any downgrading of the county's youth centres."

After discussion, the Chairman put the motion to the vote, whereupon the number of votes cast was as follows:-

For (9)

Mr I Chittenden, Mr L Christie, Mr G Cowan, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr T Prater, Mr M Robertson, Mr M Vye

Abstain (1)

Mr D Daley

Against (47)

Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Miss S Carey, Mr P Carter, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr G Gibbens, Mr R Gough, Mr M Harrison, 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 K Lynes, Mr S Manion, Mr R Manning, Mr A Marsh, Mr M Northey, Mr R Parry, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Simmonds, Mr C Smith, Mr M Snelling, Mr B Sweetland, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe

Motion Lost