

COUNTY COUNCIL MEETING

Thursday 15 December 2011

Question by Mike Harrison to

Bryan Sweetland, Cabinet Member for Environment, Highways & Waste

Having recently read with interest the Highways Transport Service Policy Statement (as amended September 2011) may I ask the following question:

1. How many new salt/grit bins have been put in place since the end of the last winter's appalling weather?
2. Just what new equipment has been issued to the Landowners and Farmers of Kent to assist in Keeping Kent Moving?
3. Can the Cabinet Member also clarify on behalf of many residents in Kent the real and legal situation with regard to residents/shopkeepers etc just where they stand when clearing snow and ice from their properties?

Answer

1. So far this year, we have placed 92 new salt bins across the County, 20 of which have been paid for through the Member Highway Fund. There are over 2200 salt bins throughout Kent.
2. KCC provide 183 snow ploughs to 174 farmers to fit to their own tractors. Some farmers provide more than one vehicle to plough multiple routes. We ensure farmers' equipment is serviced each year and any damaged equipment is repaired or replaced as necessary. Servicing is carried out during the summer and early autumn and has been completed for this year. KCC County Engineering Services are also available to make repairs during the winter season if required.
3. Last year the government issued a 'snow code' which is published on the direct gov website and our own website. The snow code explains how to avoid liability by using sensible means to clear snow from properties. It is not possible to guarantee that a resident will not sue another but the snow code goes some way toward addressing the concerns of Kent and other residents.
4. Shopkeepers and businesses, as opposed to the general public, are covered by public liability insurance for accidents to members of the public on their premises which may include parking areas, forecourts and the pavement itself. In addition they owe a duty of care under the Occupiers Liability Act 1984 to any visitors to their premises and also to their staff under Health and Safety legislation. It is clearly in their business interests to ensure safe access to their premises.

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Question by Susan Carey to

Mike Whiting, Cabinet Member for Education, Learning & Skills

Some public services have told their staff that they may not take leave immediately before, during or after the 2012 Olympics. As a result some parents have already asked schools for authorised leave to take their children on family holidays in term time.

Would the Cabinet Member tell us what guidance schools are being given on this matter?

Answer

Thank you to Susan for raising this question which relates specifically to children being taken out of school during the term time. Before answering what our advice to schools is, I would like to clarify three points.

Firstly, although leave is indeed being restricted for a number of professions, the [Kent 2012 Manager](#) has informed me there is no outright ban of annual leave amongst the emergency services. Most employers are seeking to ensure they have agreed proportions of teams in place at any one time, allowing for an agreed proportion of staff to be on pre-agreed leave.

The second factor I would wish to make Members aware of is our Penalty Notice Code of Conduct relating to attendance. Our code specifies that authorisation of requests from parents/carers for leave of absence for the purpose of a holiday in term time is at the discretion of the Headteacher in line with the school's attendance policy. If the headteacher declines the parent's request, or the parent does not notify the headteacher before taking the student out of school, and that student is missing for more than 10 sessions (5 school days), then the Headteacher would notify the Local Authority and a penalty notice could be issued to the parent.

Thirdly, although we would not wish to disadvantage any of the emergency services personnel, whom I am sure you will agree provide a most valuable service to the people of Kent, my role as Cabinet Member is to support children so they can reach their full academic potential. Taking a student out of school for more than a week, particularly when at secondary school, can have a negative impact on a student's learning. It can also be most unsettling to the class and teacher if there is a handful of students leaving the class each week to go on leave and then needing to catch up on their return.

Based on these facts, our assessment of the situation is that requests for leave of absence from school should not be that widespread. The advice I am giving to headteachers is to assess each requests on a case by case basis in line with their school's absence policy as outlined above.

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Question by Kit Smith, Chairman of the Student Journey Select Committee to

Mike Hill, Cabinet Member for Customer & Communities

In the next few weeks the BBC are hosting a Careers Fair on Facebook aimed at supporting young people into employment. Why is it Kent County Council Policy that Facebook cannot be used to communicate with the people of Kent?

Answer

It is not Council policy that Facebook cannot be used. Social media is very much a part of our communications strategy - in fact, it has been widely used during the past year, along with other social media tools such as Yammer and particularly Twitter, on which the council has almost 6,000 followers and regularly sends out information.

However it was decided in July temporarily to suspend the use of Facebook while we restructured our Communications and Engagement Directorate - mainly to ensure we have the right resource in place to respond to residents, rather than ignore their posts. In January, we will be issuing information to staff about how to use Facebook and other social media sites for engaging and communicating with the public.

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Thursday 15 December 2011

Question by Nigel Collor to

Brian Sweetland, Cabinet Member for Environment, Highways & Waste

Like me, the portfolio holder no doubt welcomes the announcement that the World Athletics Championships will be held in London in 2017 adding to what we all hope will be a very successful 2012 Olympic Games.

During the Olympics, travel in and through our county will be, well, 'different and changed', quite drastically for nearly three weeks plus a further period, to a lesser degree, for the Paralympics.

Does the portfolio holder agree with me that we need to ensure that there is minimal disruption to Kent's transport during the World Athletics Championships and that we need to send an early message to UK Athletics, the Mayor of London, the DfT and all other necessary parties that Kent will be expecting minimal disruption to its usual transport arrangements especially those affecting the high speed rail services between London St Pancras and the East Kent Coast?

Answer

Chairman - I certainly welcome the announcement that the World Athletics Championships will be held in London in 2017.

While it is too early to know the exact locations of the various venues to be used for this event, it is almost certain that the Olympic Stadium at Stratford will feature as the principal location for these Championships.

As the event falls well within the period of the new Integrated Kent Franchise for Kent's rail network, which will commence in April 2014, no decision has yet been made about the provision of a "Javelin" type service between St Pancras, Stratford and Ebbsfleet similar to that which will be provided for the Olympic Games next year.

Chairman, I completely agree with Mr Collor and can report that KCC officers have already met with officials at the Department for Transport to reinforce the key recommendations of our Rail Action Plan for Kent.

We will be pressing for the inclusion of an appropriate level of "Javelin" type High Speed rail services to East Kent in the new franchise period and this level of service must be maintained during the 2017 World Athletics Championships.

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Thursday 15 December 2011

Question by Carole Waters to

Brian Sweetland, Cabinet Member for Environment, Highways & Waste

Following the opening of the Household Waste Recycling Centre on Romney Marsh at New Romney, what impact has this new site made over its first six months of operation, particularly in respect of recycling?

Answer

Before this new household waste recycling centre was opened, Marsh residents had to travel a 40 mile round trip to the Ashford Site to recycle their waste.

KCC provided a weekend freighter service in a local car park, however, this was only able to receive waste for disposal rather than for recycling. The response from Marsh residents has been outstanding.

The new site is achieving all its targets, not only in terms of the quantity of waste recycling but importantly in terms of the recycling quality. The new site's recycling rate is 75% and in the first six months has diverted over 1200 tonnes of waste away from more expensive landfill and "energy from waste" processing. This has been achieved with the support of local residents.

In fact, the site provides for recycling of 20 different streams of recyclate.

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Thursday 15 December 2011

Question by Harold Craske to

Brian Sweetland, Cabinet Member for Environment, Highways & Waste

During a BBC Radio Kent interview on 28 October, the Leader stated that “he was not beholden to any particular route option for the Lower Thames Crossing”. Does the Cabinet Member for Environment, Highways and Waste share this view?

Answer

Chairman, I agree. We need an additional crossing that is affordable, that can be provided within five years and a crossing that will cause the least amount of environmental damage to the Kent countryside.

The severe congestion at the existing Dartford crossing is a major deterrent to economic growth in the Thames Gateway. The Government have recognised the clear need for an additional crossing of the river Thames and in his recent autumn statement, the Chancellor committed to building an additional crossing, although no indication was given to timescales.

Therefore KCC's priority is to ensure that additional capacity is provided as soon as possible and we will continue to nudge the DfT to speed up the assessment and planning process.

As Members will know, our transport strategy document for Kent is entitled Growth without Gridlock, yet too often at the Dartford Crossing we have complete Gridlock stifling Growth.

The Department for Transport will be undertaking an unbiased assessment of the three routes options in the New Year and the decision on a preferred route option rests with the Government rather than KCC.

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Question by Ian Chittenden to

Bryan Sweetland, Cabinet Member for Environment, Highways & Waste

Under the 'making it happen' section of the Kent Design Guide, section J5, Commencement of Works, the guide recommends to developers that they meet with representatives or inspection staff to take photographs of the site prior to commencement of works, so that any damage sustained to the existing highway can be assessed where necessary.

In 2007, following failure to repair substantial damage and repair to Moncktons Lane in Maidstone, following its use by developers as an access over a three year period, it was found that the developers could not be held responsible as no pre inspection had been carried out. Subsequent repairs have been at the tax payers' expense. I am pleased to say pre-inspections were carried out at my request prior to developments starting in Melrose Close and Pickering Street in Maidstone, and the developers can be held responsible.

Can the Cabinet Member for Environment, Highways and Waste please confirm that this procedure is now being carried out on new developments across Kent and how many inspections have been carried out and where?

Answer

Chairman - I can confirm that the practice specified in 'Making things happen' is being followed stringently across Kent by highway officers.

We currently have a total of 75 sites with inspection reports and photographic evidence of the highway condition prior to commencement of works on site. A list of these sites is available on request.

Chairman, rather than read out details of all the 75 locations now, I will arrange for Mr Chittenden to receive a written response to answer this part of his question.

COUNTY COUNCIL MEETING

Thursday 15 December 2011

Question by Steve Manion to

John Simmonds, Cabinet Member for Finance & Business Support

In these trying times of financial restraint is the Cabinet Member for Finance & Business Support able to bring some good news to this Council with regard to the KCC situation with the Icelandic Bank situation?

Can he please inform us all of just where we, the residents of Kent, stand at this time and maybe, just maybe, he can bring a little ray of sunshine into all the gloom and doom surrounding us all.

I am given to understand that coupled with some good news there might in fact be even more? Such as some interest on our monies?

Answer

Thank you to Mr Manion for his question and I welcome the opportunity to convey some good news to Members and the public at large.

On 28 October the Icelandic Supreme Court ruled that our wholesale deposits did meet the legal requirements of a deposit and therefore we will be preferred creditors thus confirming the April District Court verdict.

We were one of 125 local authorities affected by the Icelandic situation. We were always confident that we would recover a substantial proportion if not all of our deposits and this now looks likely to be the case. We have already received back £11m plus from our deposits with Heritable Bank and hope to receive shortly the first repayments from the other two banks.

It is timely to remind Members that at the time the deposits were made, the Icelandic Banks had a top rating and fitted our criteria for deposits which had been agreed by full council. It was not a reckless investment nor was it influenced by an excessive interest rate, indeed the average rate was less for example than we got from Barclays.

The Icelandic Banks had acquired good assets which is why we will be getting back most if not all the money put on deposit in Iceland and possibly some interest as well. Far too many critics were quick to put a 2011 perspective on a 2008 event. It is interesting that no one has criticised us for investing in RBS or HBOS who ran into far worse difficulties than the Icelanders and who had to be bailed out by the UK government, a burden from which we are all suffering. Perhaps these same critics might now be prepared to admit they were premature in making their doomsday judgment.

The total repayment will still take time but will undoubtedly help our cashflow over the coming difficult period. The repayment however will not have any significant effect on our budget proposals since we have been managing the cashflow situation to deal with the short term unavailability of these funds.

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Thursday 15 December 2011

Question by David Hirst to

Graham Gibbens, Cabinet Member for Adult Social Care & Public Health

In light of recent national reports about care for people in their homes, will the Cabinet Member for Adult Social Care & Public Health please update the Council on the situation in Kent?

Will he specifically confirm to the Council that proper measures are in place to ensure that vulnerable adults who receive care in their own homes are properly protected and their needs regularly and carefully assessed.

Answer

The safeguarding and protection of vulnerable adults continues to be of the highest priority for KCC and I take a special interest in this.

Of the estimated 170 registered home care providers, KCC contracts with about 120, supporting over 4000 individuals to receive care at home.

KCCs contract specification for domiciliary care covers aspects of dignity and human rights, for example, under the 'required outcomes' it requires evidence that the service user is:

- listened to and takes part in day to day discussions;
- shown respect and is not subject to any form of discrimination; and
- given the opportunity to follow their cultural and spiritual beliefs.

Contracted providers are responsible for delivering the quality of care within the specification. The importance of having a competent and knowledgeable care workforce is recognised by KCC, and is reflected in our contracts. To support providers KCC has identified key training needs, including dementia and adult protection and provided heavily subsidised training to the sector to support these crucial areas.

Client reviews, which are planned annually, are the key mechanism by which KCC ensures vulnerable adults receiving care in their own home are receiving quality care that meets their needs. Reviews are carried out by case managers and follow an outcome focused person-centred approach. This involves meeting with the service user and (where relevant) their relatives to ensure their care needs are met and their stated personal service outcomes are being achieved. The reviews are an opportunity for concerns about the service and/or the service provider to be raised and for follow-up action to be planned if poor practice is identified.

The individual opinion of people receiving a domiciliary care service is important and this is most usefully obtained in our assessments and reviews. Further, service satisfaction surveys are carried out and seek information directly from the users of the domiciliary service about the standard of care being received and give the opportunity to raise and address concerns. The most recent survey showed 60.1% of domiciliary care users funded by KCC are extremely or very satisfied with the service they receive. This is compared to 58 per cent in 2008-09 when the survey was last conducted.

With regards to safeguarding, the safeguarding system provides support where quality assurance mechanisms have highlighted potential abuse.

Within the Families and Social Care Directorate, safeguarding is fully embedded in the case management teams and currently they respond to about 2,300 Safeguarding alerts a year which come from a range of sources including families and other agencies such as police, health etc. The case managers are able to call upon specialist support from the Safeguard Co-ordinators. The quality of work is constantly monitored through a range of audits including audits which focus down on practice. The Head of Safeguarding who leads on the audits and quality assurance is managed independently from the operational Divisions ensuring that integrity of independence is maintained. There are regular reports to the Directorate Management Team on progress of safeguarding performance.

The Kent & Medway Safeguarding Vulnerable Adults Board has an overall role in ensuring that safeguarding is effective in Kent and that people know how to report abuse. The Board is also responsible for safeguarding training which is attended by all agencies including domiciliary agencies.

The Board will also examine Kent's response to such issues as the Care Quality Commission (CQC) Dignity and Nutrition Inspection Programme. As a result of a series of concerns identified at a Kent hospital which was part of this programme, CQC has worked intensively with the hospital to improve standards. As the regulator CQC has a role in ensuring standards are improved and to refer safeguarding concerns to the Local Authority.

KCC meets regularly with CQC to share concerns about issues such as these and there are currently ongoing enquiries into individual cases which are being undertaken by KCC through the case management teams and other mechanisms.

CQC has also recently heightened its focus on the quality of home care and announced a programme of intensive inspections.

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Thursday 15 December 2011

Question by Martin Vye to

Paul Carter, Leader of the Council

Will the Leader assure the Council that he sees the function of the proposed Cabinet Committees to be that of scrutiny and evaluation of performance of the Council's services as well as assisting in the development of policy by pre-scrutiny of Cabinet and Cabinet Members decisions?

Response

Yes, on the agreement that call-in to Cabinet Scrutiny will reduce substantially.

COUNTY COUNCIL MEETING

Thursday, 15 December 2011

Question by Leslie Christie to

Graham Gibbens, Cabinet Member for Adult Social Care and Public Health

In view of the Care Quality Commission's report on abuse of the elderly in hospitals and the report by the Equality and Human Rights Commission on abuse and treatment of the elderly in receipt of Domiciliary Care, what action is the Cabinet Member taking to ensure that his responsibilities for safeguarding the elderly in Kent are being effectively carried out?

Answer

As previously stated, the safeguarding and protection of vulnerable adults continues to be of the highest priority for KCC and I take a special interest in this. I meet with the Head of Adult Safeguarding on at least a 3 monthly basis to drill down into any safeguarding issues.

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Question by Dan Daley to

Kevin Lynes, Cabinet Member for Regeneration and Enterprise

In the recent severe gales in Scotland, most wind turbines needed to be switched off for their own safety. Several were damaged – and at least one blew up and caught fire. This poses the question yet again of the efficiency of this type of electricity generation.

Kent has several hundred miles of coastline and at least two major river estuaries with good strong tides. Recent advances in underwater tidal flow technology have been announced without the need for the building of expensive barrages or other costly infrastructure.

Would the Cabinet Member not agree that now is the time for Kent County Council to take the lead in looking seriously at this new technology with perhaps the possibility of investing in such for the benefit of both domestic and commercial users in providing long-term cheaper and clean electricity generation?

Answer

The opportunity for marine renewables around Kent has hitherto been focused on the development of offshore wind farms. This reflects the availability of shallow water sites within the Thames Estuary and around the Kent Coast. It has resulted in some of the worlds largest projects being developed in the Thanet Offshore Wind Farm and the London Array. KCC is working to further strengthen our relationship with this fast growing industry to realise the full economic benefits for Kent.

In terms of progressing tidal energy sources around the SE England Coast including the Thames Estuary, the most viable locations are known to be in the vicinity of the Isle of Wight and in the English Channel either side of Dover. I believe the former is now being considered as a location to test new devices. However, Dover is not perceived as a realistic option because of the extensive shipping traffic in the area.

Tidal energy technologies will continue to develop in the coming years and I would not rule out new opportunities to exploit tidal energy around the Kent coast in the future. KCC also leads an offshore renewables working group for Kent and Medway, who keep a watching brief over new marine energy technologies whilst remaining focused on offshore wind.

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15 December 2011

Question by John London to

Bryan Sweetland, Cabinet Member for Environment, Highways and Waste

Could the Cabinet Member for Environment, Highways and Waste please estimate the number of sewer vent pipes there are in my Division and say when they will next be painted.

Answer

Vent pipes are provided on certain foul water sewers to relieve the build up of gases. They are the responsibility and property of the relevant water company, either Southern or Thames Water. The County Council does not hold records for the location of vent pipes or details of their maintenance requirements.

I have therefore forwarded Mr London's question to Thames Water who have responsibility for the pipes in his area and will provide an update once the required information is available.