

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held at Sessions House, County Hall, Maidstone on Monday, 4 December 2006.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr K A Ferrin, Mr G K Gibbens, Mr P M Hill, Mr A J King; Mr K G Lynes, Dr T R Robinson and Mr J D Simmonds.

OFFICERS: Mr P Gilroy, Chief Executive, Mr G Badman, Managing Director for Children, Families and Education; Miss A Honey, Managing Director, Communities, Mr O Mills, Managing Director for Adult Services; Ms L McMullan, Director of Finance; Miss M Peachey, Director of Public Health and Mr P Raine, Managing Director for Regeneration and Environment.

UNRESTRICTED ITEMS

1. Minutes of the Meeting held on 16 October 2006

The Minutes of the meeting held on 16 October 2006 were agreed as a true record.

2. Revenue and Capital Budgets - Key Activity and Risk Monitoring

(Item 2 – Report by Mr Nick Chard, Cabinet Member for Finance, Lynda McMullan, Director of Finance and Managing Directors)

(1) Mr Chard said that the KCC had received from the Audit Commission the maximum “four” rating for its use of resources and financial management. KCC was one of only three Councils to be awarded a ‘four’ which is the highest rating.

(2) Mr Chard highlighted the main areas of movement in the Revenue Budget since the report to Cabinet last month. There still remained a significant revenue pressure within the Adult Services budget but strong management action was beginning to take effect. The position on Asylum remained uncertain as new grant rules for 2006/07 had still not been issued. The position regarding Asylum payments for 2005/06 remained unresolved and negotiations continued with the DfES and the Home Office.

(3) Mr Lynes placed on record his congratulations to Kent Adult Services which had been awarded a “3 star rating” from the Commission for Social Care Inspection. KCC is only one of four of England’s 150 local authorities to have been awarded a ‘3’ star rating every year since the inspection system began.

(4) Following discussion, Cabinet placed on record its congratulations to the Corporate Finance Unit and Kent Adult Services for their achievements and noted the latest Revenue and Capital Budget position for 2005/06.

3. Budget 2007/08 and Medium Term Plan 2007/08 to 2009/10: Update on Provisional Local Government Settlement and Associated Matters.

(Item 3 – Report by Mr Nick Chard, Cabinet Member for Finance and Lynda McMullan, Director of Finance)

(1) The Chairman declared consideration of this item to be urgent on the grounds that it contained information provided by the Government on the Provisional Local Government

Settlement, which was not available at the time the agenda for this meeting was despatched.

(2) Mr Chard said that being a "floor" funded authority, Kent County Council did not benefit from the "supported borrowing" it received from Government. The net effect of the settlement therefore was that when inflation was factored in the grant increase in real terms was equivalent to a 5% cut. Mr Chard also spoke about a number of uncertainties related to the Dedicated Schools Grant and said that the overall impact of a number of changes had meant that the expected head room that the authority had, may well become negative. Mr Chard also said that it was disappointing to note that the publication of the report of the Lyons Inquiry had been delayed.

(3) Mr Carter spoke about the pressures placed on South East authorities as a result of Government policy to move more resources to authorities in the North.

(4) Following further detailed discussion, Cabinet agreed:-

- (i) to note the details of the provisional local government finance settlement, that it is unchanged from the pre-numbered figures of last year and consequently fails to address a number of concerns Kent had with the settlement;
- (ii) to note that the capital directions for all portfolios are awaited;
- (iii) to note that in line with the Constitution, a draft budget for 2007/08 would be published on 22 January 2007;
- (iv) the draft budget would be subject to the Cabinet Scrutiny process and the views of the Policy Overview Committees would be sought before presentation to Cabinet on 8 February 2007. At that time Cabinet would be able to take into account the final Government Grant Settlement and district council tax base information, in making a recommendation to the County Council on the budget and Council Tax on 22 February 2007;
- (v) to note the issues relating to the uncertainty as to the quantum of Dedicated Schools Grant;
- (vi) to note the developments with regard to the Lyons Inquiry and the likely delay in wider publication.

4. Kent Joint Municipal Waste Management Strategy

(Item 4 – Report by Mr Keith Ferrin, Cabinet Member for Environment, Transport and Waste and Mr Pete Raine, Managing Director for Environment and Regeneration)

(1) The aim of the Kent Joint Municipal Waste Management Strategy is to provide direction for the management of Kent's municipal waste for the next 20 years. The Strategy had been developed on behalf of the Kent Waste Forum, which included representatives from all the local authorities in Kent. The strategy does not cover the Medway area.

(2) Cabinet supported the Final Draft of the Strategy for approval at the meeting of the County Council on 14 December 2006.

5. Kent Highway Services – A 21st Century Service

(Item 5 – Report by Mr Keith Ferrin, Cabinet Member for Environment, Transport and Waste and Mr Pete Raine, Managing Director for Environment and Regeneration)

See Record of Decision on pages 5 – 6.

6. Results of Annual Performance Assessment of Children's Services for 2005/06

(Item 6 – Report by Mr John Simmonds, Cabinet Member for Education and School Improvement, Dr Tony Robinson, Cabinet Member for Children and Family Services and Mr Graham Badman, Strategic Director, Education and Libraries)

(1) This report summarised the outcomes of the 2005/06 Annual Performance of Children's Services undertaken by OfSTED and the Commission for Social Care Inspection.

(2) Mr Simmonds said that the report showed that almost all the children services provided by KCC could demonstrate how they were improving the achievement and wellbeing of children and young people. The weaknesses identified in last year's assessment had been addressed and this had led to improvements against a number of key indicators. The assessment letter said that the Council's Children and Young People's Plan had been well constructed and demonstrated that the Council had a clear and accurate view of its own strength and weaknesses. Mr Simmonds paid tribute to staff, particularly as the inspection had come about at the same time as the Directorate had been undergoing structural changes. Dr Robinson said the letter highlighted the areas to be included in a future Area Performance Assessment and the County Council would be focusing on these over the coming months.

(3) Mr Badman also paid tribute to staff, including all those who worked in schools. Whilst the report was extremely satisfying, it did comment on the need to raise improvements in Key Stage 2 results and the services for Looked After Children. He was confident that the strategies that the County Council had in place would address these by the time the next APA took place.

(4) Cabinet noted the contents of the report and placed on record its congratulations to all staff for the part they played in achieving such an excellent report.

7. Tackling Obesity – NHS Overview and Scrutiny Committee – Joint Select Committee

(Item 7 – Report of the Select Committee with a covering report by Mr Graham Gibbens, Cabinet Member for Public Health) (Mr Mark Fittock, Chairman of the Select Committee together with Mr Alan Chell, and Councillor Mrs Collins (Gravesham Borough Council) were present for this item)

(1) Mr Fittock placed on record his thanks to all Members of the Select Committee including those Members from District Councils and other partner organisations. He said that whilst the Select Committee had found that in Kent there are many areas of good practice, there was still much that needed to be done. The actions for the way forward were reflected in the recommendations, all of which had been agreed by the Select Committee. He said obesity was a matter which needed to be addressed on a number of fronts and KCC needed to do as much as it could to tackle the problems both in its leadership role and as an employer. Mr Fittock also placed on record his thanks to Mr David Turner who had supported the Select Committee in his role as Research Officer. This was endorsed by Mr Chell. Mr Chell said that increases in the rates of obesity were building future problems for the NHS. The Select Committee had therefore put forward recommendations on a number of issues which it was believed would go some way in

reducing levels of obesity. Councillor Collins said that she had welcomed the involvement of the district councils and other partners in the work of the Select Committee and said that she hoped sufficient funding would be available in order for the Select Committee's recommendations to be implemented in full.

(2) Mr Carter said that he welcomed the report and the involvement of the district councils and other partners. He said KCC took the health agenda seriously and much of what the Select Committee was saying had important links to the County Council's "Towards 2010" document. It was essential to develop the right health and lifestyle initiatives and strategies and to get these messages across in ways which were relevant and meaningful to people's lives. Mr Gibbens paid thanks to the work of the Select Committee and its partners and said that obesity was a major issue, not only in Kent but across the rest of the UK and western Europe.

(3) Following further discussion Cabinet:-

- (a) placed on record its thanks to the Joint Select Committee for producing a relevant and balanced document;
- (b) thanked the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee; and
- (c) supported the findings of the report and its recommendations.

8. Cabinet Scrutiny and Policy Overview Committees

(Item 8 – Report by Mr Peter Gilroy, Chief Executive)

(1) This report provided a summary of outcomes and progress on matters arising from the meeting of the Cabinet Scrutiny Committee held on 25 October 2006. The report also detailed the overall work programme for Select Committee Topic Reviews as agreed by the Policy Overview Committee.

Chairman 

Date ... 15/1/07

KENT COUNTY COUNCIL - RECORD OF A RECONSIDERED DECISION

DECISION TAKEN BY CABINET ON MONDAY 4 DECEMBER 2006 (following Reference back by the Cabinet Scrutiny Committee)

Kent Highway Services – A 21st Century Service

DECISION NO.

06/00898

Decision (taken at Cabinet on 16 October 2006)

Cabinet:-

- (a) agreed the County Council should not proceed with the acquisition and development of a site at a Whitfield and agreed that Kent Highway Services continue to deliver the operational service from two divisions based in super depots / offices at Wrotham and Ashford – subject to planning permission – and three satellite depots;
- (b) noted that as a result of not proceeding with Whitfield there would now be an unallocated budget and agreed this should be used to invest in a technology programme;
- (c) agreed that as a result of the investment in technology, and economies of scale arising from reducing to two divisional offices, KHS should be restructured to create staff efficiencies; and
- (d) the Managing Director for Environment and Regeneration be given delegated authority in consultation with the Cabinet Member for Environment, Highways and Waste to take forward and implement the management actions arising from these decisions.

The reasons for this decision are set out above and in the Cabinet report.

Reasons for Reference back by Cabinet Scrutiny Committee or County Council

At its meeting on 26 October 2006 the Cabinet Scrutiny Committee RESOLVED that:-

- (a) Mr Ferrin, Mr Raine and Mr Harrison-Mee be thanked for attending the meeting and answering Members' questions;
- (b) concern be expressed to the Cabinet Member for Environment, Highways and Waste at the lack of consultation with the wider KCC membership, District Councils and other partners about the further changes to the KHS structure proposed in the Cabinet report;
- (c) implementation of the decision be postponed pending reconsideration of the matter by

Cabinet on the grounds that that the report to Cabinet on 16 October did not contain sufficient information on which the decision could safely be based. Cabinet's reconsideration should be on the basis of a much more detailed report, which should include the following:-

- (i) consideration of the central HQ option for KHS (one of the two options recommended by external consultants in 2004);
- (ii) a detailed financial breakdown of capital and revenue costs (including IT costs and any additional costs to contractors which they might pass on to KCC) allowing a proper comparison to be made between the three-depot option, the two-depot option, and the Central Office option;
- (iii) a full risk assessment of the option recommended to Cabinet for approval in the new report;
- (iv) a full environmental impact assessment of the option recommended to Cabinet for approval in the new report.

Decision taken by Cabinet at its meeting on 4 December 2007

Cabinet at its meeting on 4 December 2006 had before it a comprehensive report which covered the concerns expressed by the Cabinet Scrutiny Committee.

Following detailed discussion Mr N J Chard proposed and Mr K A Ferrin seconded that the report, be agreed as follows:-

- (a) that Kent Highway Services should operate from two divisions (these being based at Ashford and Wrotham as per the decision taken by Cabinet at its meeting on 16 October 2006) ; and
- (b) that it be noted that the sites of these two depots were now owned by KCC and would be available for occupation in early 2008 (subject to planning permission). This new accommodation proposal would free up the capital funding to reinvest in the service to fund new technology to drive efficiencies, reduce annual overhead costs and improve customer satisfaction. And therefore all the decisions taken on these matters by Cabinet at its meeting on 16 October 2006 be re-affirmed.

Carried unanimously



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signed (Chief Executive)

date 11 December 2006