

**COUNTY COUNCIL**

**Thursday 29 March 2012**

**Question by Mike Harrison to**

**Bryan Sweetland, Cabinet Member for Environment, Highways and Waste**

Climate Change or What? Snow in Mumbai in January? One can only hope that Mr Sweetland's counterpart in Mumbai had the same support and expertise as he had here in Kent from our excellent KHS Team when we had an overnight fall of snow of up to 10 to 15 cm right across the county on 4 February. Here in Kent to the best of my knowledge ALL of our major highways and major routes were kept clear and Kent's traffic was able to keep moving. Within 24 hours I am told that most of Kent's secondary routes were also treated and even more of Kent's traffic was on the move. It would appear that the Grand winter Plan worked and that we (KHS) had the right amount and kind of equipment along with sufficient stockpiles of salt/grit to do the job.

My question to Mr Sweetland is that this was and is the last of the Big Snows for this winter and, on that basis, it may well be that he might well have an underspend on his emergency Winter Roads budget. If that does prove to be the case, may I make a plea on behalf of all Members and residents of Kent that at least some of that surplus can be used to refresh ALL of the Lines and Signs throughout the county?

**Answer**

The recent winter emergency that Mr Harrison refers to commenced on Saturday 4 February and concluded on Friday 10 February 2012.

KCC and Enterprise staff worked very hard to keep roads and where possible footways cleared.

During that week 12 primary runs and 9 secondary runs were carried out and approximately 6000 tonnes of salt were used.

Local plans prepared in consultation with district and parish councils were put into operation and priority was given to clearing agreed town centres, shopping centres, routes to secondary schools and other important areas.

Enterprise crews were put onto 12 hour shifts over the weekend to ensure continuity of service. They also deployed additional crews, and plant to keep footways and other areas clear which added to our costs. Many salt bins were also refilled during the week. The total final additional costs of these activities and materials relating to the snow emergency are estimated to be in the region of £700,000.

In addition our 153 farmers ploughed routes as agreed and were vital in keeping rural areas clear. The total cost of all this activity is in the region of £60,000 but I'm sure members will agree it was money well spent.

On the subject of funding for signs and lines, as Mr Harrison will know, there is no longer a separate signs and lines budget line as this now forms part of the overall highway maintenance budget. However, we have completed a great deal of signing and lining work in 2011/12 across the county, with the focus being on safety critical work mainly at junctions, mini roundabouts and pedestrian crossings.

**COUNTY COUNCIL**

**Thursday 29 March 2012**

**Question by Tim Prater to**

**Roger Gough, Cabinet Member for Business Strategy, Performance & Health Reform**

Given the Information Commissioner's concerns about Kent County Council's awareness of its responsibilities under the Freedom of Information Act, the Regulations, and the undertaking with the Information Commissioner's Office recently signed by the Cabinet Member for Business Strategy, Performance & Health Reform; can the Cabinet Member please say what additional resources and training, at what additional cost, are to be provided to meet those undertakings with the ICO; and when will these resources be in place to ensure we meet our undertaking, avoid formal action by the ICO and clearly demonstrate to Kent's citizens this council has embraced the culture of openness and transparency the legislation seeks to promote?

**Answer**

KCC has been making positive steps to embrace the culture of openness and transparency for some time by publishing a variety of information online, for example, expenditure over £500 (including costs, supplier and transaction information), senior management remuneration which includes CMT and Directors, the Kent Scheme salary structures and councillor allowances and expenses.

However, the Information Commissioner has raised concerns about the issue of timeliness in handling requests under FOI. It must be emphasised that this arose from statistics published on our website; the ICO had not received any actual complaints about timeliness.

The volume of FOIs we receive has grown steadily over the last few years; we dealt with 504 requests in 2005, but 1,539 requests in 2010. The figure for 2011 was 1,821. Meanwhile the cost of compliance has risen in step; the estimated total cost of dealing with requests, which includes staff time and on costs, has increased from £244,675 in 2005 to £444,675 in 2010.

The average number of requests for a County Council was 696 in 2009 and 957 in 2010. For KCC the figures were 1,450 for 2009 and 1,539 for 2010. Even allowing for differences in population, this suggests that our volume of requests is high.

When comparing this to other unitary/metropolitan/county councils and London boroughs, we do seem to get a much greater volume. For these authorities combined, the average number of requests received is almost half the number KCC receives (258 in 2005 and 858 in 2010).

We are seeking to address the ICO's concerns, and indeed work in this area was already under way. This has focused on seven steps to boost compliance with the Freedom of Information Act (and other related legislation) while making that compliance easier and more cost efficient. These measures include ensuring senior management responsibility for Directorates' timely response to FOI requests and an increasingly proactive approach to the publication of information.

In addition, Caroline Dodge (the Information Resilience & Transparency Team Leader) has been tasked to provide an additional report as a matter of urgency, identifying any weaknesses and failings in the current system for handling requests for information and whether or not the addition of extra staff in the IR&T Team will bring about the step change that is required, both in putting in place the "seven steps" and in improving FOI response times. The report will seek to address the following issues:

- what staff resources (skills, grades, costs, etc) would be appropriate
- what measurable and tangible difference such staff would make to KCC's compliance and resilience in this area
- how their performance would be measured and offset against their additional cost
- how work levels have increased since the current staff were first appointed under the old devolved arrangements.

Once this work is concluded, it will be possible to establish what additional expenditure, if any, is needed. Cabinet and CMT take the issue of transparency extremely seriously.

**COUNTY COUNCIL**

**Thursday 29 March 2012**

**Question by Richard Parry to**

**Bryan Sweetland, Cabinet Member for Environment, Highways and Waste**

Would the Cabinet Member for Environment Highways and Waste identify how well, or otherwise, KHS's preparations for adverse weather this winter had proved to be in practice when coping with the weekend snow fall earlier this year?

In his answer it would be very useful if the Cabinet Member would identify how KCC worked with Partner organisations and what activities these Partners undertook.

Additionally are there changes which will be incorporated into our Winter Preparation Plans as a result of this year's experiences?

**Answer**

I refer Mr Parry to the answer I gave Mr Harrison a few moments ago, which I think has answered the first part of his question.

As for working with partners, I would say that Parish councils played an important coordination role in Kent's rural areas. The one tonne salt/sand mix bags that we supplied to many of them in the autumn were again well received.

The arrangements with our district council colleagues worked well, with all districts working to pre-agreed plans to clear shopping areas, town centres and other busy pedestrian routes.

I have already mentioned that Kent's farmers also played an important role, clearing smaller roads.

For the first time, this year we worked in partnership with Southeast trains by filling salt bins at key railway stations across the county so that station forecourts could be kept clear of snow and ice.

The new Highways Management Centre also proved its worth during the bad weather and I must praise Donna Terry and her team for Keeping Kent moving throughout the very high winds followed by snow.

Our Highway Operations team will continue to improve the winter service and therefore this summer a review will be made of our policies and plans to take into account lessons learnt from this winter. The Winter Plan will also be reviewed at a future EHW Cabinet Committee.

The review will also take into account new Government guidance to local authorities in respect of salt usage, spread rates, and other factors that will enhance the service.

**COUNTY COUNCIL**

**Thursday 29 March 2012**

**Question by Leslie Christie to**

**Mike Whiting, Cabinet Member for Education, Learning and Skills**

Under current DfE guidance what would be, in the Cabinet Member for Education, Learning and Skills best judgement, the capital cost a) in total and b) to Kent County Council of providing 2 FE of selective secondary provision for boys and 2 FE of selective secondary provision for girls in the Sevenoaks South area.

**Answer**

Based on the assumption that two 2FE schools were co-located as part of a 4FE campus the capital cost of a new build solution is estimated to be £13-£15 million. This is based upon BB98 DFE guidelines, current market rates and includes an allowance for abnormalities. This does not provide for costs associated with land acquisition. The cost however would reduce significantly if rather than a new build solution a refurbishment solution was possible.

**COUNTY COUNCIL MEETING**

**Thursday 29 March 2012**

**Question by George Koowaree to**

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

For more than 2 months (since 23 January 2012) I have been asking a relatively simple request\* – to be provided with details of the number of KCC funded clients in residential & nursing homes with details of those homes; will the Cabinet Member for Adult Social Care and Public Health give his personal assurance that KCC does know where all our clients are living even if KCC cannot provide me with the details and please inform me what the problems are preventing KCC from providing the information, when these will be sorted and when I will finally be provided with the details I have requested?

**Answer**

Thank you for your request for information, which I was first informed about last Friday. This information can be readily produced and I am of course happy to share it.

In summary, as of the week 5th - 11th March, KCC funded placements for 3233 older people and people with physical disabilities in 312 residential and nursing homes in Kent. Additionally KCC funded a further 178 placements in 154 homes outside Kent, where Kent residents have chosen to be in a home that, typically, is closer to their children.

I have arranged for officers to provide you with a full list, including details of all the homes, in writing today. I trust this will fulfil your request and I am happy to discuss it further if you would like.

**COUNTY COUNCIL MEETING**

**Thursday 23 March 2012**

**Question by Ian Chittenden to**

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

Given KCC should have regular care management reviews and contractual inspection visits to all residential and nursing homes with KCC funded residents; will the Cabinet Member inform the Council what went wrong to leave 24 KCC funded elderly residents at serious risk of harm in two Kent homes – The Oast in Maidstone\* (with 11 KCC funded residents) and The Gables in Wrotham\*\* (with 13 KCC funded residents) and what measure he has put in place to safeguard all KCC 's vulnerable adults in residential & nursing homes to ensure no one will be placed at such risk again?

\*The Oast – received four warning notices for urgent improvements following Care Quality Commission (CQC) inspection in January 2012 relating to breaches of:

1. regulations relating to care and welfare of people - including unsupervised for long periods of time with no mental stimulation, a lack of activities
2. meeting nutritional needs – including risk of inadequate nutrition and hydration
3. safety and suitability of premises – including maintenance not up to date, and parts of the home in need of urgent improvements
4. assessing and monitoring the quality of service provision – including care plans and risk assessments not up to date, and were sometimes found to be contradictory

A report published in October 2011 found major concerns over the quantity and quality of food and drink being provided to residents, a lack of privacy, and out-of-date care plans.

<http://www.cqc.org.uk/media/cqc-warns-oast-maidstone-it-failing-protect-safety-and-welfare-people>

\*\* The Gables – shut on 20 March 2012 following a string of alleged planning breaches and negative inspections:

- a number of reports by the CQC highlight health and safety concerns.
- the most damning, published in September 2011, found improvements were needed in every area

<http://www.cqc.org.uk/directory/1-140937060>

**Answer**

Members will know that I take KCC's safeguarding responsibilities very seriously. We work closely with the Police, Health and the Care Quality Commission, to ensure that the vulnerable and elderly are well cared for. We collate ongoing information on homes from multiple sources such as reviews, case manager and contractual



monitoring visits as well as feedback from residents and their families to maintain an up to date picture on the care that homes are providing. Where concerns are raised we act immediately and risk assess the best way to safeguard residents. In doing this we take into account that for the residents of such units the placement is "their home" and that emergency closure and forced moves can be very traumatic. Consequently, where it is safe to do so, the preferred option may be to work with the home to raise standards while not making any new placements.

With both the homes mentioned, it was KCC that first raised and acted on the safeguarding concerns. The subsequent CQC reports (mentioned in the written question) were part of the ongoing multi-agency process to monitor if sufficient progress was being made.

In the case of The Oast, progress is being made and the situation remains closely monitored. In the case of The Gables, progress was not sufficient and the home was closed. This happened in a planned way with all residents moving to new homes of their choice, with the full involvement of their families.

**COUNTY COUNCIL MEETING**

**Thursday 29 March 2012**

**Question by Trudy Dean to**

**Bryan Sweetland, Cabinet Member for Environment, Highways and Waste**

Can the Cabinet Member for Environment, Highways and Waste please say how many voluntary organisations/charities in Kent have:

- a) lost all of their 3<sup>rd</sup> party recycling credits
- b) retained fifty percent (50%) of their 3<sup>rd</sup> party recycling credits
- c) retained all (100%) of their 3<sup>rd</sup> party recycling credits

and describe the basis or the criteria used to allocate those voluntary organisations into one of the categories detailed?

**Answer**

Chairman, the answer to

- a) is 49;
- b) is 5; and
- c) is 51

and 'the criteria or basis used to allocate those voluntary organisations into the categories detailed' is informed by:

Section 52 of the Environmental Protection Act 1990

The Environmental Protection (Waste Recycling Payments) (England) Regulations 2006

The National DEFRA Guidance on the Third Party Recycling Credit Scheme 2006

And all these documents are published on the web and available in the public domain.

**COUNTY COUNCIL**

**Thursday 29 March 2012**

**Question by Elizabeth Green to**

**Roger Gough, Cabinet Member for Business Strategy, Performance & Health Reform**

Would the Cabinet Member for Education, Learning and Skills please inform us what the current proposals are for the Newington infant School site in Ramsgate, as this site has been derelict for several years.

**Answer**

The Newington infant school site is being disposed of in two parts:

1. Use on a Kent-wide housing PFI scheme
2. Disposal (for the remainder of the site)

The housing which is due to be developed on the site through the PFI project, will be extra care housing for older people from Thanet. The housing is being procured as part of a KCC project in partnership with five district councils. This part of the site was due to be handed over to the contractor to demolish the school building and start the construction of the housing at the end of 2011, however as a consequence of a central government review the project procurement has been delayed. The planning application for the housing is now due to be submitted in Autumn 2012 with the site being handed over to a contractor to start work in Spring 2013.

The disposal of the remainder will be marketed on an unrestricted basis. Initial feasibility work has just started with a view to commence marketing as soon as possible. In the meantime, the site is secured and maintenance is carried out, though these needs are minimal.