

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 3 December 2012.

PRESENT: Mr P B Carter (Chairman), Mr M C Dance, Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mr A J King, MBE, Mr J D Simmonds, Mr B J Sweetland, Mr M J Whiting and Mrs J Whittle

ALSO PRESENT:

Members: Mr J Kirby, Mrs E Tweed and Mr A Willicombe

Officers: Mr D Shipton (Head of Financial Strategy, BSS), Mr R Hallett (Head of Business Intelligence, BSS) and Mr R Fitzgerald (Performance Manager, BSS)

IN ATTENDANCE: Mr D Cockburn (Corporate Director of Business Strategy and Support), Mr M Austerberry (Corporate Director, Environment and Enterprise), Mrs A Beer (Corporate Director of Human Resources), Mr M Burrows, (Director of Consultation and Communications), Mr P Leeson (Corporate Director Education, Learning and Skills Directorate), Ms A Honey (Corporate Director, Customer and Communities), Mr A Ireland (Corporate Director, Families and Social Care), Ms M Peachey (Kent Director Of Public Health), Mr G Wild (Director of Governance and Law) and Mrs L Whitaker (Democratic Services)

### UNRESTRICTED ITEMS

#### 14. Apologies

No apologies were received.

#### 15. Minutes of the Meeting held on 15 October 2012

The minutes of the meeting held on 15 October 2012 were agreed and signed by the Chairman as a true record.

#### 16. Revenue and Capital Budgets, Key Activity and Risk Monitoring 2012-13

*(Item 5 – report by Mr J Simmonds, Cabinet Member for Finance and Business Support and Mr A Wood, Corporate Director of Finance and Procurement)*

Cabinet received a report of the above named Member and officer, the purpose of which was to provide the second full financial monitoring report of the 2012-13 financial year. Mr Simmonds introduced the report to cabinet and in particular referred to the following details contained within it, pertaining to the revenue budget:

- That the main themes within the report were positive and the underspend had risen in value from £5m at the last report to £6m currently
- This figure would be reduced in the future by 1.9 million as big society monies to this value had been set aside for the Kent Youth Employment Scheme and rolled forward on this budget, owing to spending restrictions that meant the money would not be utilised as planned until 2013/14.
- A pressure area, currently valued at approx £5m, was identified within Specialist Children's Services and lay particularly within the areas of fostering and residential services. The control measures and early intervention services introduced were

beginning to show results but these areas would continue to present challenges for the Council

- A further pressure estimated at £3m was identified in relation to those asylum seekers who were unaccompanied minors or had had 'Appeal Rights Exhausted' (ARE). The report to members assumed the same level of funding from central government as had been received in 2011/2012 but negotiations continued between KCC and the Government. The County Council was determined that the cost of care for these young people should not be met by the local tax payer and represented its views as such in all negotiations.
- Adult Social Care continued to show an underspend of 2.7m. Largely accredited to the increased demand nursing care and supported accommodation for older people and domiciliary care and residential care for people with learning disabilities having been offset by a lower than projected demand for direct payments, day care and older peoples residential care.
- Education, Learning and Skills reported an underspend of £3.6m, partly accredited to the unemployment programme income and the trading and psychology services. In addition Home to School Transport had started to show an underspend after changes to the policy at the start of the school year but the figures were still to be fully analysed. Any underspend would help to offset spending incurred as a result of the success of the freedom pass.
- Environment, Highways and Waste recorded an underspend in Waste of £1.95m and the annual tonnage sent to landfill had reduced, approximately 720,000 was now forecast against a budgeted figure of 730,000 tonnes.
- A forecasted shortfall in the Commercial Services contribution was recorded at £1.2m due to additional costs of restructuring and a re-phasing of the increased income target built into the current year budget, now expected to be achieved in 2013-14.
- Finance and Procurement reported savings were a result of the rephrasing of the Capital programme, absorption of cash flow on any new borrowing and the repayment of borrowing as it matured. There had also been a £690k underspend on the projected spend for settlement of insurance claims; this was partly attributed to the good work undertaken by Highways to make roads and pavements safer.
- Communities reported a small underspend of just under £1m secured through vacancy management control and some delay to the opening of further gateways.

In relation to the Capital budget Mr Simmonds reported the following:

- That there was currently a £9.2m underspend. This could largely be attributed to the following:
  - That £21m of rephrasing was planned, including the Broadband project currently underway
  - Funding variances of 12.1m
  - The forecasted future overspend on the A28 project [Although this was not money that would be found by the County Council as the project was funded elsewhere, it would continue to show on the budget.
  - 2013/14 would continue to present efficiency and other challenges for the authority.

The Corporate Director of Finance and Procurement additionally reported in response to comments and questions from the Leader of the County Council, Mr Paul Carter:

- That the £1.12m shift from last month, reported by Mr Simmonds was correct; however this was the first month in which the asylum seekers overspend had been included in the numbers. This meant that the 'real' shift was £4m and the direction of travel continued to be positive.
- That demand levels contained within the report were predicted to remain constant throughout the year with some variance for seasonal demand. This assumption was based on evidence collected throughout the first six months of reporting.

- Assumptions related to Specialist Children’s Services were also expected to remain constant throughout the year therefore should a reduction be achieved the overspend forecast would be reduced and in the last month since the report had been written this downward pattern had been identified.
- Following the production of the report, figures had changed slightly in some areas. There had been a slight increase in the numbers of elderly people requiring care services, but this was not a significant rise.

The Leader of the County Council requested that a full report on the subject of asylum seekers who were unaccompanied minors or who had had ‘All Rights Exhausted’ be produced for consideration at a future meeting of the Cabinet. This report should detail the issues and ongoing negotiations between KCC and other Local Authorities and Ministers in a way which would allow Members and the public to understand the complex issues at hand and the outcomes towards which the Council was working.

Following a request from the Leader of the County Council the Cabinet Member for Environment Highways and Waste, Mr Bryan Sweetland, reported the following information pertinent to the budget:

- That a decision had been taken to introduce, as a pilot Scheme, charges for road use by private companies known as the Kent Lane Rental Scheme. The scheme would charge companies who required access to roads such as utility companies, for the time that road use was disrupted for residents. The scheme was not motivated by income generation but rather efficiency of service, however where funds were secured via the scheme they would be ring-fenced for use on further congestion relief measures.

The Cabinet Member for Specialist Children’s Services, Mr Jenny Whittle further reported on the issues previously raised relating to the £3m net pressure related to those people seeking asylum who were unaccompanied children or ARE. She provided a précis of the situation; the Children’s Act required the Council to look after young people who leave care. These unaccompanied minors fell into that category and KCC was currently supporting one hundred in total. The Home Office had informed the Council that it need not provide for asylum seekers denied asylum but not removed from Britain, but legal advice was that the council’s statutory responsibilities were relevant in these circumstances. In effect the Children’s Act was the ultimate legal instrument in this circumstance and therefore the council would be at risk of legal challenge should it ignore it. She agreed that a full report to Cabinet would be useful and timely and informed members that evidence had already provided to the DfE select Committee and Joint Committee of Human Rights on the matter. The UK Border Agency was not able to cope at present with the number of applications it was processing; action should be taken by the government to address this.

The Leader of the County Council voiced concerns that this continued to go unresolved and hoped ministers would address the difficulties local authorities faced by acting responsibly and quickly. He reported that KCC had implemented all requests made by the Home Office but, despite this, had received no financial support in return. He further reiterated that the view of KCC was that the costs of supporting these young people should not be incurred by the council tax payers of Kent

## RECORD OF DECISION

<b>CABINET</b>	
<b>Revenue and Capital budgets, key Activity and Risk Monitoring</b>	
<b>3 December 2012</b>	
1.	That the forecast revenue and capital budget monitoring position for 2012-13 be noted
2.	That the residual pressures reported within the SCS portfolio and the management action to be delivered within the BSP&HR portfolio be noted

3.	That pending approval of the Kent Lane rental scheme by the dept of transport that surplus of funds b from the scheme be transferred to a new specific ear marked reserve and drawn down as expenditure is incurred in line with initiatives approved by a board set up to oversee the administration of the surplus revenues. The board is to include reps from each utility area (ie gas comms water and elec) and KCC further details are provided in section 1.1.3.2.2.d of annex 4.
4.	That the changes to the Capital programme as detailed in section 4.3 be agreed.
5.	That the Financial Health Indicators and prudential Indicators as reported in appendix 2 and 3 be noted
6.	That the directorate staffing levels as of the end of September 2012 be noted.
REASON	
1,2,5&6	In order that the Cabinet conducts its monitoring activities effectively.
3.	In order that the surplus funds from the KLRS can be fairly redistributed within the Highways policy agenda
4	In order that the Capital budget reflects the actuality of decisions taken????
ALTERNATIVE OPTIONS CONSIDERED	None.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

### 17. Decisions from Cabinet Scrutiny Committee - 24 October 2012

*(Item 6 – report by Mr Alex King, Deputy Leader of Kent County Council and Mr P Sass, Head of Democratic Services)*

Cabinet received a report of the member and officer named above the purpose of which was to set out the decisions reached by the Council’s Scrutiny Committee at it meeting of 24 October 2012.

Two decisions had been taken and were reported for consideration and both related to the Education, Learning and Skills department, therefore the Chairman, Leader of the County Council asked the Cabinet Member for Education Learning and Skills, Mr Mike Whiting to comment.

Mr Whiting referred to his responses contained within the report and additionally thanked the scrutiny Committee, Select Committees and Schools for the work that had been undertaken. In particular he noted the level of information considered by the Educational Attainment Select Committee and the welcome result of its analysis; an improvement in Key Stage 2 standards in 2012.

It was RESOLVED:

<b>CABINET</b>	
<b>Decisions from Scrutiny Committee – 24 October 2012</b>	
1.	That the decisions of the Scrutiny Committee and the Cabinet Member responses be noted
REASON	
1	In order that Cabinet conduct its monitoring activities effectively.
ALTERNATIVE OPTIONS	None.

CONSIDERED	
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

**18. Changes to the Local Formula Budget for Schools in Kent - 12/01963**

*(Item 7 – report by Mr Mike Whiting, Cabinet Member for Education learning and Skills and Mr P Leeson, Corporate Director of Education, Learning and Skills)*

Cabinet received a report of the above named member and officer the purpose of which was to provide an overview of the latest DfE School Funding Reforms and the challenges inherent in their implementation for the Local Authority and for schools. In addition to the reporting of statutory changes directed by the DfE the report sought agreement to the practical approaches to be taken to the implementation in Kent.

Mr Whiting introduced the report and in particular referred to the following information contained within it:

- That many of the changes that would occur were the result of Government direction and not of local choice
- That the number of indices had been reduced. Concern had been expressed to Government that this approach would not allow the highly sensitive deprivation targeting, which had occurred under the previous system, to continue.
- That the School Funding Forum had been consulted on the local choice elements within the report and had not objected to the approaches set out.

Following comments and questions from the Leader of the County Council, the Corporate Director of Education, learning and Skills, Mr Leeson clarified some of the potential consequences of the changes, he advised:

- That the change from the mosaic method of identifying deprivation and need to the new method represented a significant change and could result in significant funding changes for Schools
- That the message from Government was that the Minimum Funding Guarantee would continue beyond the next election.

The Cabinet Member for Regeneration and Economic Development, Mr Mark Dance, voiced his concerns that changing from the Mosaic system would lead to a loss of sensitivity within the data collected and that in particular the old system would differentiate between where a child lived and where it went to school which would no longer be the case. Mr Whiting concurred and reported that KCC and other local authorities had lobbied the Government on hearing of the changes but that concerns had not been addressed.

The Leader of the County Council also reiterated the concerns expressed.

Mr Leeson commended the recommendations contained within the report to Cabinet, which he claimed constituted a radical approach to accommodating changes imposed by Government with as little disruption to services as possible.

It was RESOLVED:

<p><b>CABINET</b>  <b>Changes to the Local Formula Budget for Schools in Kent</b>  <b>3 December 2012</b></p>
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1.	That the report and the impact that the changes will have for Kent schools and academies be noted;
2.	That the use of the Income Deprivation Affecting Children Index (IDACI) as the replacement for MOSAIC within the funding formula as detailed in Paragraphs 2.4 – 2.7 be agreed;
3.	That the new proposals for managing the pupil growth funding (previously known as rising rolls) as agreed by the Schools' Funding Forum on 12 October 2012 and detailed in Appendix 8, be agreed;
4.	That the approach to the setting of special school budgets summarised in Paragraph 4.6 be agreed. This has been previously agreed with the Schools' Funding Forum and Kent Association of Special Schools in order to minimise budget turbulence as far as is possible;
5.	That the approach supported by the Schools' Funding Forum for the transitional funding arrangements for Resourced Provision set out in Paragraph 4.9 of the report;
6.	That the approach supported by the Schools' Funding Forum for the transitional funding arrangements for High Needs SEN pupils in mainstream schools without a Resourced Provision, as set out in Paragraph 4.18 of the report, be agreed.
<b>REASON</b>	
1.	In order that the Cabinet be fully aware of potential impacts on schools and academies
2.	In order that monitoring of deprivation in childhood can continue as effectively as possible without the MOSAIC
3,4, 5 & 6	In order that funding changes are managed as effectively as possible
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	None.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.

### **19. Cabinet Response to Budget Consultation 2013/14**

*(Item 8 – report by Mr J Simmonds, Cabinet Member for Finance and Business Support and Andy Wood, Corporate Director, Finance and Procurement)*

*(During the item Mr Gibbens declared a personal non-pecuniary interest by virtue of his wife being a member of the Canterbury and Herne Bay Volunteer Bureaux, a voluntary sector organisation which could be impacted by changes to delivery of services)*

Cabinet received a report of the above named member and officer the purpose of which was to provide the proposed response from Cabinet to the 2013 /14 Budget Consultation.

Mr Simmonds introduced the report to Cabinet for consideration. In particular he referred to the following points within it:

- That the Chancellor, Mr Osborne, would make a statement on 5<sup>th</sup> December and Mr Pickles would further qualify that statement for local government on the 19<sup>th</sup> or 20<sup>th</sup> December. The budget proposals therefore would not be finalised until after these speeches.
- That the draft document was a living document and had undergone some changes since being consulted upon. One of these changes was as a result of the announcement of the continuation of the Council Tax Freeze Grant, which had now been guaranteed for two more years.
- Early intervention grant and LACSEG, the central staffing functions carried out by KCC had been adapted by Rt Hon Michael Gove MP. The result was likely to be a lower settlement.
- Costs of the consultation have been approx £38,000. Mr Simmonds defended the spend against some reported criticism and explained that a large proportion of this had been spent on the MORI workshops which had been invaluable in collecting opinions from a genuine cross section of the County's residents.

Mr Simmonds reported that themes from respondents to the consultation included:

- Council Tax – for the first time there was no appetite for raising council tax to meet other needs. In addition residents favoured the use of reserves to meet identified need as opposed to a raise in Council Tax.
- The need for service delivery to be efficient and effective.
- Support for vulnerable adults and children continued to be important to residents in Kent and the transformational approach that was being taken would be crucial in the delivery of these services.
- Community responsibility was emphasised by respondents when considering the future provision of non-statutory duties.
- A desire to see any move towards online communications coupled with support for the elderly in order that certain demographics were not disadvantaged in their relations with the council.

Matt Burrows, Director of Communications and Engagement, Customer and Communities and Dave Shipton, Head of Financial Strategy, BSS were in attendance and made a presentation, the purpose of which was to describe the methodology behind the consultation and to report the key themes within the responses. [A copy of the presentation is attached as appendix 1 to these minutes]

In response to questions received during and after the presentation, Cabinet heard the following information from officers:

- That MORI was a well established and highly regarded research body and its services had been commissioned by KCC to conduct independent workshops. MORI recruited residents to take part in workshops that reflected the demographics of the county.

The Leader of the County Council, Mr Paul Carter, made the following comments in response to the presentation and the information contained within the report:

- He commended the consultation document and felt that it had helped to secure a genuine dialogue with residents. Many of the themes were to be expected in difficult financial times.
- In addition the Leader argued that the communication policy on health reforms must be clear and simple to understand the respondents to the consultation were sceptical and this must be properly addressed. The council must make clear that services could be delivered more efficiently without standards of care being reduced. Indeed it was predicted that services would improve.
- He was disappointed by the low number of respondents but felt that all efforts had been made to maximise this figure

The Cabinet Member for Adult Social Care and Public Health, Mr Graham Gibbens reported that the responses which related to his portfolio, in particular Adult Social Care, acknowledged that change was required. However respondents were clear that top slicing services was not acceptable. He argued therefore that the transformation agenda was the only practical and acceptable way forward. Changes planned would allow the council to continue to protect the most vulnerable in our communities.

One consistent theme within the responses received was that young people in receipt of Adult Social Care services should contribute more towards those services. The Cabinet Member endorsed that principle and referred to the recommendations contained within the Dilnott report which were also in accordance with this view. He congratulated the Leader on work already carried out to push forward the findings of the Dilnott report and welcomed the County Council decision that its recommendations should be implemented by 2015. He argued that once the recommendations were in place the insurance sector would take up its place and contributions by working age adults to social care would increase.

He reminded those present that the transformation agenda would require investment in the infrastructure to provide care and services in people's own homes, for example in the community and voluntary sectors and less in residential care.

Finally he noted that respondents were sceptical about the integration of health and social care services. He confirmed that he was committed to the agenda and that he believed it was an area where joint working would allow efficiencies to be made without compromising services.

The Leader thanked Mr Gibbens for his comments and congratulated officers and members involved in the integration programme for the good work already completed.

The Cabinet Member for Customer and Communities, Mr Mike Hill addressed Cabinet; he was encouraged by the responses related to his portfolio in particular the acceptance of respondents that new ways of working and of delivering services, were needed. In particular respondents supported better and greater use of the voluntary sector and further provision of online services. These sentiments fit well with the approaches being taken to service delivery and to the customer strategy underway.

The Leader thanked Mr Hill and additionally noted that in the last financial year work procured by Kent businesses and the Kent voluntary and community sector had increased by 10%.

The Cabinet Member for Environment, Highways and Waste, Mr Bryan Sweetland was pleased that the consensus within the consultation results was to continue to deliver the services in his portfolio from within the council and felt that this was recognition of the investments made for road improvements under this administration.

He was further encouraged to see that there was support for the safe and sensible approach to street lighting which had been on the agenda for some time. He reminded members of the themes central to the debate which were the desire to cut Co2 and spending whilst maintaining resident safety. He assured members that while the environment, light pollution and costs would be considered it would not be at the expense of the safety of residents and this desire was reflected in the responses. The subject would be further discussed with residents in the New Year.

The Cabinet Member for Specialist Children's Services, Mrs Jenny Whittle, welcomed the messages received through the consultation which related to her portfolio. She urged a cautious attitude to the sometimes held view that additional investment would necessarily equal better services and argued that this was only one of many strategies for delivering quality services for residents, for example the work recently undertaken to produce a robust workforce strategy to decrease reliance on agency social workers.

Mrs Whittle continued to report that, In line with the comments made previously with regard to Adult Services, there was a desire within Children’s Services to deliver more services through the voluntary and community sector. Part of this process had been to move from grant based funding to the commissioning of services in order to monitor and maintain agreed standards. The work done to date towards this end had shown good results for residents.

The Cabinet Member for Education, Learning and Skills, Mr Mike Whiting, addressed Cabinet. He reported that the responses related to his portfolio were positive and welcomed the support that they implied for policies and approaches already being progressed, for example the devolvement of budgets to individual schools.

The Leader referred to the recommendations, he assured Cabinet Members, in relation to the first recommendation, that all possible avenues were being explored in order to reduce the impact of any Government announcements this month, on KCC.

It was RESOLVED:

<b>CABINET Cabinet response to Budget Consultation – 3 December 2012</b>	
1.	That the likely detrimental impact of announcements and consultations on funding arrangements be noted.
2.	That updated funding, and the impact on the 2013/14 budget, be included in the revised final draft budget proposals.
3.	That the revised final draft budget be amended to include the Executive response to the consultation feedback.
4.	That the revised final draft, as referred to in 3.k, be launched following the announcement of the provisional settlement later in December.
<b>REASON</b>	
1	In order that Cabinet is aware of any potential risks
2 3	In order that the budget proposals launched contain the most relevant information available without the need for further member decisions
4.	In order that as little delay as possible is incurred in releasing the draft budget after all relevant information is available to complete it.
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	A variety of alternatives were considered before the proposals were put forward for consultation and again on receipt of responses to the consultation. Those that appeared in the consultation had undergone much scrutiny by officers and portfolio holders.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.

## **20. Corporate Risk Register**

*(Item 9 – report by Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform and Mr D Cockburn, Corporate Director of Business Strategy and Support)*

Cabinet received a report of the above named member and officer which contained for consideration and comment the latest version of the Corporate Risk Register.

Cabinet Member for Business Strategy, Performance and Health Reform, Mr Roger Gough introduced the report to Cabinet. In particular he referred to the following information:

- That the Risk Register process had become significantly more rigorous and systematic in the past year.
- That the Corporate Risk Register for consideration was supported by division and departmental risk registers and therefore contained within this register were only those very significant or cross cutting risks which threatened the council as a whole.
- Indicators had been refreshed, removed and added. This was to help to ensure that only the most significant risks appeared.
- That the link between the Corporate Risk Register and the actions undertaken to mitigate those risks was made by the Performance and Evaluation Board and the Divisional and Departmental Business Plans. The register was intended to inform and protect KCC and was not produced for its own sake.

Mr Richard Hallett, Head of Business Intelligence for the BSS Directorate was in attendance to speak to the item; he had nothing further to add to the comments which Mr Gough had made and no further questions were received.

It was RESOLVED:

<b>CABINET Corporate Risk Register – 3 December 2012</b>	
1.	That the refreshed Corporate Risk Register be noted.
2.	That reporting of potential risks to the Corporate Director or Corporate Risk Manager be agreed.
<b>REASON</b>	
1	In order that Cabinet conduct its monitoring activities effectively.
2	In order that reporting lines are clearly agreed and all Members aware of their responsibility to report such issues.
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	None.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.

## **21. Report of the recent Select Committee on Domestic Violence**

*(Item 10 – Report by Mr M Hill, Cabinet Member for Customer and Communities and Amanda Honey, Corporate Director for Customer and Communities)*

Cabinet received a report of the Select Committee: Preventing and Responding to Domestic Violence and Abuse in Kent which sought approval for the recommendations contained within.

The Leader of the County Council, Mr Paul Carter, confirmed that the full County Council meeting of 13<sup>th</sup> December 2012 would also consider the report and recommendations.

The Cabinet Member for Customer and Communities, Mr Mike Hill introduced the report and welcomed its findings and recommendations especially timely, he argued, in light of the recent election of a Police Commissioner for Kent and Medway and the launch of KCC's new website focussed on issues and resolutions related to Domestic Violence.

The Chairman of the Select Committee Mr John Kirby and Select Committee members Mrs Tweed and Mr Willicombe were in attendance to speak to the report.

Mr Kirby spoke to the report and drew on particular issues within it, including:

- The varied profiles of both victims and perpetrators of Domestic abuse and therefore the necessary variety of solutions that might be employed.
- The concern of the Select Committee regarding the withdrawal of dedicated Domestic Abuse Liaison officers owing to budgetary constraints within the Police Force. He argued that this would have a negative affect on victims. However, as mentioned previously by the Mr Hill, the election of the Police Commissioner for Kent and Medway presented an opportunity to raise the profile of domestic violence and abuse and ensure partnership working to reduce its occurrences and impacts.
- That it was important to create partnership and multi agency working via GP's, A&E departments, One Stop Shops, etc and the will to do so was evident amongst stakeholders and other organisations.
- That cyclical domestic violence within families should be targeted and schools should, and were, educating children about what was normal within a relationship and what was not.
- Finally he thanked those members who had been involved in the Committee and officers for the support they had given and he hoped that the report produced would raise awareness and offer some solutions to a challenging problem.

Mrs Tweed also spoke to the report and drew on issues within; she reiterated some of the points made by Mr Kirby and additionally referred to the following:

- That Domestic Violence was a crime that isolated the victim and therefore efforts to lift the taboo were welcome in all forms.
- That subsections of domestic violence were touched on in the report but that more work should be done on honour killings and female genital mutilation. With regard to the latter crime the CPS had introduced a ten point plan to help improve reporting.
- That although the problem was diverse and wide spread, small changes in attitude and actions could make a difference and the recommendations in the report aimed to achieve that.

The Cabinet Member for Business Strategy, Performance and Health Reform, Roger Gough addressed Cabinet; he welcomed the report and representations made by members of the Select Committee and particularly the links identified between Domestic Violence and the Health Agenda. In the spirit of an integrated approach, work being lead by the probation service was underway to secure a joint fund between various stakeholders. He reported that the shadow Health and Wellbeing Board had discussed this and had also reflected on the need for multi agency working and he welcomed the Select Committee's approach in this respect also.

The Corporate Director of Customer and Communities spoke to the item, she reported that at the launch of the website referred to earlier by the Cabinet Member for Customer and Communities those present were reminded of the victims of domestic violence including the children and young people affected by violence in families. She reported that in order to recognise this, the website had an area dedicated to children and young people and this area would be developed with the input of these young people in the future.

The Leader of the County Council welcomed the report and recommendations. He agreed that the issue was a serious one and thanked the Select Committee for their careful consideration of it and the useful recommendations. He considered that it was important for the Council to not

only accept the recommendations but act on them. He asked that the report scheduled for County Council on 13 December start to address some of the practical ways in which the recommendations might be implemented and desired result delivered.

The Kent Director of Public Health, Ms Meredith Peachy reported that Community Services had committed to using some of the new Health Visitors for work in the Domestic Violence arena but numbers had yet to be confirmed. In addition she asked members to think about how success should be measured. It was important to remember that success might mean an increase in Domestic Violence owing to greater awareness and reporting. In particular she expected the One Stop Shop Services to be well used and to provide a more user friendly service for some victims than the police in the first instance.

The Cabinet Member for Adult Services and Social Care, Graham Gibbens referred to the section of the report entitled 'Breaking the Cycle' and stressed the importance of targets and indicators of success in achieving this. He hoped that the report would be considered by the Adult Safeguarding Board.

The Cabinet Member for Special Children's Services, Mrs Jenny Whittle put forward her thoughts, in particular she argued that

- Kroner House had begun to organically grow into a One Stop Shop Service and this work could be strengthened by the addition of a dedicated Domestic Violence and Abuse Specialist.
- Home Ante-natal visits had ceased some years ago and this she argued was to the detriment of Domestic Violence work. Visiting the home was an opportunity for Health Visitors to take a holistic view of a mothers needs.
- That men must not be forgotten as victims, nor must parents abused by adolescent children who are often suffering from undiagnosed or untreated mental health disorders.

Mr Alan Willicombe, Select Committee member, addressed Cabinet; he particularly referred to the following:

- He reiterated the importance of supporting all victims of Domestic Violence. He questioned the suitability of jointly provided services for men and women in light of the kinds of abuse that had occurred and suggested separate facilities or sessions for men and women.
- That the Select Committee had not been able to address some of the issues that came to light in as much detail as it would have liked owing to time constraints. He urged KCC to continue to further investigate this crucial area of work in the future.

Mr John Kirby, Chairman of the Select Committee provided closing comments to Cabinet, he reminded those present of the emotional, physical and financial costs of Domestic Violence. He urged the Council to act quickly in negotiations with the Police Commissioner before budgets were set. In conclusion he further supported statements made previously about the benefits of joint working and funding.

The Leader of the County Council, thanked all of those involved in the production of the excellent report that had been considered. He referred to the paper that would be considered on the 13<sup>th</sup> December 2012 at the County Council meeting and welcomed the opportunity to debate what would be done to reduce Domestic Violence in the County.

It was RESOLVED:

<b>CABINET</b>	
<b>Report of the recent Select Committee on Domestic Violence – 3 December 2012</b>	
1.	That the Select Committee be thanked.
2.	That witnesses and others that gave evidence to the Committee be

	thanked.
3.	That the recommendations be welcomed and considered by the next meeting of the County Council.
REASON	
1,2 & 3	In order that Cabinet maintain it overview of priorities for Kent and that all councillors have the opportunity to join the debate and find solutions to Domestic Violence.
ALTERNATIVE OPTIONS CONSIDERED	To not welcome the recommendations or discuss the report at County Council would not reflect the importance attached to this issue by Kent County Council.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

## **22. Quarterly Performance Report - Quarter 2**

*(Item 11 – report by Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform and Mr D Cockburn, Corporate Director of Business Strategy and Support)*

Cabinet received a report of the member and officer named above, the purpose of which was to provide updated information on key areas of the Council's performance for consideration and comment.

The Cabinet Member for Business Strategy, Performance and Health Reform, Mr Roger Gough, spoke to the report and in particular referred to the following:

- That further work continued to establish qualitative indicators within performance measuring and reporting.
- That where performance indicators were recorded as red, particularly where the direction of travel was not positive, a report would be considered by the Performance and Evaluation Board in order to explain the issues affecting performance and the actions being taken.
- That although the direction of travel for the year was positive, having shown improvement, considerable work would need to be undertaken in order to achieve similar performance results as last year.

The Leader of the County Council reiterated the importance of the rigour placed on the system of performance monitoring and management and reported that this was further engrained by a culture of peer comparison with other authorities.

Mr Richard Hallett, Head of Business Intelligence for the BSS Directorate was in attendance to speak to the item, he had nothing further to add to the comments which Mr Gough had made and no further questions were received.

Mr Hallett did draw Members attention to the recommendation seeking approval of a variation to a business plan target that was being sought. This variation, he explained, was sought to reflect changes to the national target for personal budgets which had been reduced from 100% to 70%.

The Leader of the County Council confirmed with officers that each divisional section of the performance report would be taken to the relevant Cabinet Committee for consideration and comment and reminded officers that the comments, ideas and requests received should be incorporated wherever possible.

The Cabinet Member for Specialist Children’s Services, Mrs Jenny Whittle addressed Cabinet; she reported that although the adoption target was still reported as ‘red’ there had in fact been a substantial increase in numbers of children placed with families. She illustrated this by comparing figures from 2011/12 when 67 children were placed with families and the first 7 months of 2012/13 where 80 children had already been placed with families. There was a delay in the reporting of figures owing to the time lag between children being placed and adoption orders being granted and therefore she expected to see the improvement in performance occurring now registered in the figures for 2013/14.

The Cabinet Member for Regeneration and Economic Development, Mr Mark Dance spoke to the item. He reported that the performance indicator which measured the ‘Number of gross jobs created in Kent and Medway through inward investment” was currently flagged as red but assured members that the work being carried out such as the Expansion East Kent, Regional Growth Fund, the forthcoming TIGER funding for North Kent and Thurrock and the Paramount development meant that the direction of travel was positive and the report would reflect those efforts in time. The Leader of the County Council thanked Mr Dance for his comments and suggested that a report be taken to a future meeting of the Economic Development Cabinet Committee in order to ensure that the path towards growth and jobs continued.

It was RESOLVED:

<b>CABINET Quarterly Performance Report – 3 December 2012</b>	
1.	That the variation to a Business plan, as detailed in the report, be agreed.
2.	That the quarterly performance information be noted.
<b>REASON</b>	
1	In order that the new national targets can be properly reflected locally.
2	In order that Cabinet conduct its monitoring activities effectively
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	The agreed change to the personal budgets target was imposed by national Government.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.

**23. Other items which the Chairman decides are relevant or urgent**  
(Item 12)No urgent items were heard.

**Motion to exclude the Press and Public.**

**Cabinet resolved that under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contained information that could lead to the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.**

**Exempt Items – Public minutes**

**24. Submission of the Final Business Case to DFE and Contract Award - St Augustine's Academy, Maidstone (12/01899)**

*(Item 13 – report by Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform and David Cockburn, Corporate Director of Business Strategy and Support)*

Cabinet received a report of the member and officer named above the purpose of which was to provide the final business case for the St Augustine's Academy project and seek approval of that business case and affordability position and agreement to enter into a contract with the preferred bidder.

Cabinet member for Business Strategy, Performance and Health Reform, Mr Gough introduced the report.

The Leader of the County Council was concerned that the financial implications of the decision, although contained within the section of the report entitled 'Risk profile', were not contained separately under a specific heading as well. He requested that in the future this always be the case in order to ensure financial rigour within the process. The Leader made clear that his comment referred also to the two reports to be heard at items 14 and 15.

It was RESOLVED:

**RECORD OF DECISION**

<b>CABINET</b>	
<b>Submission of the Final Business Case to DfE and Contract Award – St Augustine's Academy, Maidstone</b>	
1.	That the Final Business Case for the St Augustine Academy be submitted to EFA and DFE for final departmental approval and to the Treasury following the receipt of planning permission for further approval;
2.	That authority be delegated to the Director of Property and Infrastructure in consultation with Director of Governance and Law to agree final contractual terms, provided that no affordability gap occurs.
3.	That authority be delegated to the Director of Property and Infrastructure Support to enter into any necessary contracts/ agreements on behalf of the County Council, following approval to final contractual terms as set out in (para. 5.1.2) the report in relation to St Augustine Academy and the Future Schools Agreement.
4.	That authority be delegated to the Director of Property and Infrastructure Support to act as the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.
<b>REASON</b>	
1.	In order for work to progress approval from the EFA and DfE must have been secured
2.	In order that the process from the point of decision is not delayed
3.	In order that the process from the point of decision is not delayed

4.	In order that the process from the point of decision is not delayed
ALTERNATIVE OPTIONS CONSIDERED	None.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

**25. Submission of the Final Business Case to DFE and Contract Award - Duke of York's Royal Military School, Dover (12/01968)**

*(Item 14 – report by Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform and David Cockburn, Corporate Director of Business Strategy and Support)*

Cabinet received a report of the member and officer named above the purpose of which was to provide the final business case for the Duke of York's Royal Military School project and seek approval of that business case and affordability position and agreement to enter into a contract with the preferred bidder.

Cabinet member for Business Strategy, Performance and Health Reform, Mr Gough introduced the report.

The Leader had commented on the content of this report as part of the discussion contained in minute 24 of this document.

It was RESOLVED

**RECORD OF DECISION**

<b>CABINET</b>	
<b>Submission of the Final Business Case to DfE and Contract Award – Duke of York Military School, Dover</b>	
1.	That the Final Business Case for the Duke of York's Royal Military School be submitted to EFA and DFE for final departmental approval and to the Treasury following the receipt of planning permission for further approval;
2.	That authority be delegated to the Director of Property and Infrastructure in consultation with Director of Governance and Law to agree final contractual terms, provided that no affordability gap occurs.
3.	That authority be delegated to the Director of Property and Infrastructure Support to enter into any necessary contracts/ agreements on behalf of the County Council, following approval to final contractual terms as set out in (para. 5.1.2) the report in relation to Duke of York's Royal Military School
4.	That authority be delegated to the Director of Property and Infrastructure Support to act as the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.
<b>REASON</b>	
1.	In order for work to progress approval from the EFA and DfE must have been secured

2.	In order that the process from the point of decision is not delayed
3.	In order that the process from the point of decision is not delayed
4.	In order that the process from the point of decision is not delayed
ALTERNATIVE OPTIONS CONSIDERED	None.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

**26. Submission of the Final Business Case to DFE and Contract Award - The Knole Academy (12/01898)**

*(Item 15 – report by Mr R Gough, Cabinet Member for Business Strategy, Performance and Health Reform and David Cockburn, Corporate Director of Business Strategy and Support)*

Cabinet received a report of the member and officer named above the purpose of which was to provide the final business case for the Knole Academy project and seek approval of that business case and affordability position and agreement to enter into a contract with the preferred bidder.

Cabinet Member for Business Strategy, Performance and Health Reform, Mr Gough introduced the report.

The Leader had commented on the content of this report as part of the discussion contained in minute 24 of this document.

It was RESOLVED

**RECORD OF DECISION**

<b>CABINET</b>	
<b>Submission of the Final Business Case to DfE and Contract Award – The Knole Academy, Sevenoaks</b>	
1.	That the Final Business Case for Knole Academy be submitted to EFA and DFE for final departmental approval and to the Treasury following the receipt of planning permission for further approval;
2.	That authority be delegated to the Director of Property and Infrastructure in consultation with Director of Governance and Law to agree final contractual terms, provided that no affordability gap occurs.
3.	That authority be delegated to the Director of Property and Infrastructure Support to enter into any necessary contracts/ agreements on behalf of the County Council, following approval to final contractual terms as set out in (para. 5.1.2) the report in relation to the Knole Academy and the Future Schools Agreement.
4.	That authority be delegated to the Director of Property and Infrastructure Support to act as the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

REASON	
1.	In order for work to progress approval from the EFA and DfE must have been secured
2.	In order that the process from the point of decision is not delayed
3.	In order that the process from the point of decision is not delayed
4.	In order that the process from the point of decision is not delayed
ALTERNATIVE OPTIONS CONSIDERED	None.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.