

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 13 December 2012.

PRESENT:

Mr R E King (Chairman)
Mr E E C Hotson (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr R H Bird, Mr A H T Bowles, Mr D L Brazier, Mr J R Bullock, MBE, Mr R B Burgess, Mr C J Capon, MBE, Ms S J Carey, Mr P B Carter, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr G Cowan, Mr H J Craske, Mr A D Crowther, Mr J M Cubitt, Mrs V J Dagger, Mr M C Dance, Mr J A Davies, Mrs T Dean, Mr K A Ferrin, MBE, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr W A Hayton, Mr P M Hill, OBE, Mr D A Hirst, Ms A Hohler, Mrs S V Hohler, Mr M J Jarvis, Mr A J King, MBE, Mr J D Kirby, Mr J A Kite, MBE, Mr S J G Koowaree, Mr P W A Lake, Mrs J P Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr S C Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J M Ozog, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K H Pugh, Mr L B Ridings, MBE, Mrs J A Rook, Mr A Sandhu, MBE, Mr J E Scholes, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mrs C J Waters, Mr J N Wedgbury, Mr M J Whiting, Mrs J Whittle, Mr M A Wickham and Mr A T Willicombe

IN ATTENDANCE: Geoff Wild (Director of Governance and Law) and Peter Sass (Head of Democratic Services)

UNRESTRICTED ITEMS

175. Apologies for Absence

The Director of Governance and Law reported apologies for absence from the following Members:

Mr Robert Brookbank
Mr Dan Daley
Mr Charles Hibberd
Mr Peter Homewood
Mr Chris Wells

176. Declarations of Disclosable Pecuniary Interests or Other Significant Interests

(1) Mr Cowan declared an interest as a foster carer with his wife in any item on the agenda relating to Children's Services.

(2) Mrs Law made a declaration of interest in Item 10 (Appointment of Independent Remuneration Panel Members from 1 November 2012) in that one of the individuals was known to her.

(3) Mrs Whittle declared an interest in Item 8 (Bold Steps for Kent; Progress to Date and Next Steps) in that her husband had been the officer lead for Bold Steps and, as he was still an employee of Kent County Council, she declared an interest in Item 11 (Proposed Amendments to the Constitution) Appendix 2 Part 2 given that it related to personnel conditions.

(4) Mr Lake declared an interest as a Trustee of the Kent Community Foundation.

(5) Mr Wedgbury declared an interest in a question on the papers about the emergency services as the only serving member of the emergency services in the Chamber and the union representative for his branch from the trade union.

177. Minutes of the meeting held on 25 October 2012 and, if in order, to be approved as a correct record

(1) Mr Christie highlighted a typing error in paragraph 9 of the Leader's report Minute, which should read "mised" not "mislead".

(2) RESOLVED that, subject to the above typing error being corrected, the minutes of the meeting held on Thursday, 25 October 2012, be approved as a correct record and signed by the Chairman.

178. Chairman's Announcements

(1) The Chairman announced that it was with much regret that he had to inform Members of the sad death of Frank Marven, Conservative Member for Tollgate, on Friday 30 November 2012.

(2) Mr Marven was elected to KCC in 1985 and served until 1993. He was also a long standing Gravesend and Gravesham Councillor where he served for 37 years. Mr Marven was Mayor of Gravesham from 1982 to 1983 and he was vice president of the Gravesend Scouts Association, having been a lifelong member of the Scouts which he joined at the age of 11.

(3) The Chairman had been advised that the funeral service for Mr Marven would take place on Monday, 17 December 2012 at Medway Crematorium for family members only. All who knew Mr Marven were welcome to attend a Remembrance Service at 11am in St George's Church, Church Street, Gravesend, followed by a reception at 12.30pm in the Council Chamber at the Civic Centre, Civic Centre, Windmill Street, Gravesend, DA12 1AU. The family had requested no flowers but tributes could be made via donations to the Ellenor Lions Hospice. The donations should be sent via Lewis Solomon, Funeral Directors in Gravesend.

(4) Mr Sweetland, Mrs Dean and Mr Christie gave tributes to Mr Marven.

(5) At the end of the tributes, all Members stood in silence in memory of Mr Marven.

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

(7) RESOLVED unanimously that this Council desires to record the sense of loss it feels on the sad passing of Mr Marven and extends to his family and friends our heartfelt sympathy to them in their sad bereavement.

(b) Achievements for KCC Legal Services

(8) The Chairman stated that he was pleased to announce that the work of KCC's legal services team had been recognised with two major awards during the last couple of months.

(9) In October, Geoff Wild picked up the Legal Industry Pioneers Award at the Financial Times Innovative Lawyers Awards on behalf of Legal Services. These were highly prestigious awards researched by the Financial Times and which covered the entire legal profession in the UK and across Europe.

(10) In November, Geoff also picked up the General Counsel of the Year Award at the British Legal Awards 2012.

(11) Neither of these awards had previously been won by an organisation in the public sector.

(12) In winning these awards, Kent County Council had been recognised ahead of major law firms and multinational companies, transforming the perception of public sector lawyers and the work of the Council. The Chairman stated that it was tremendous that the FT and the panel of judges recognised the real innovation and talent that existed and thrived in the public sector. This was a great achievement for KCC Legal Services and for Geoff personally, something which he, the Chairman, thought should be applauded.

(c) Olympics 2012 DVD

(13) The Chairman had agreed to show a short DVD telling the story of the year 2012 in Kent in relation to the London 2012 Olympic and Paralympic Games.

(14) He stated that this DVD would remind the Council of the enormous commitment and energy shown by so many people in Kent, and the impact that the Games had in Kent. He stated that there were of course key projects and programmes being put in place to drive the Games' legacy in terms of volunteering, sport, tourism, schools, the arts and other sectors but above all, one of the most significant outcomes in Kent had been the forging of new and stronger partnerships created as a consequence of the Games. This would be the real lasting legacy of 2012.

(d) Honorary Alderman

(15) The Chairman announced that he would adjourn the meeting sometime between 12.30pm and 12.45pm to enable the additional meeting for the Honorary Alderman to take place immediately before the lunch interval.

(e) Chairman's lunch

(16) The Chairman announced that he had extended an invitation to all staff to join him for a festive reception in the Atrium at Invicta House at 1pm. He hoped that all Members would assist him in wishing staff a Merry Christmas, and thank them for all their efforts on our behalf in 2012.

179. Questions

Under Procedure Rule 1.17 (4), 7 questions were asked and responses given.

180. Report by Leader of the Council (Oral)

(1) The Leader stated that Bold Steps for Kent set out the objectives for the county at length and the report later on the agenda detailed the substantive progress made in stormy, challenging times and particularly the enormous ask from central government placed upon local government in removing 30% of the county's base funding.

(2) He stated that it was the Council's intention to freeze council tax next year again despite less government money and rising demand for the third consecutive year. He stated that this was dependant on the Government not playing games on formula grant allocation, LACSEG (Local Authority Central Spend Equivalent Grant) and the Early Intervention Grant. In relation to finance he added finally that the finance team had negotiated the return to date of £38m of the Icelandic money with total recovery expected in the medium term.

(3) Returning to Bold Steps the Leader stated that the Council had certainly delivered on the four 'P's – productivity, procurement, partnership and prevention. He stated that the whole organisation has responded magnificently to the challenge of increasing productivity with fewer staff. Staffing numbers had been reduced by 1,500 and saved council tax payers some £50m every year, and the procurement unit had just reported savings of £6.5m.

(4) The Leader stated that the property unit was well on its way to reducing property holding costs by some £10m and to delivering capital receipts over the medium term of £80-90m which would keep the corporate overheads and costs down enabling the delivery of quality front line services against rising demand and freeze council tax for households in Kent.

(5) In relation to front line services, starting with the Administration's top priority, Children's Services, the Leader stated that he eagerly awaited the report from OFSTED who in the weeks leading up to the Council meeting had conducted a rigorous ten day, unannounced inspection of Children's Safeguarding in Kent. Massive efforts had been made to transform and enhance safeguarding practices in Kent.

(6) The Leader stated that in education the county's young people had delivered the best ever results for 16 years. He said that it was enormously significant and important that Foundation and Key Stage 1 attainment had exceeded the national average for the first time, and it was also significant that the attainment gap for

young people on the Free School Meal register was narrowing. He stated that Key Stage 4 results continued to significantly outstrip the national average.

(7) Turning to another of the Council's top priorities, Supporting Kent Business, the Leader stated that there had been enormous success in delivery as the activity report in Bold Steps for Kent portrayed with the £55m Regional Growth Fund to support the economy in the Thames Gateway and East Kent making KCC the envy of authorities up and down the country. He stated that securing the future of Discovery Park and creating 1000 jobs to date was another example; that setting an environment conducive to business growth had been the Council's aim and that massive progress had been made towards achieving this.

(8) The Leader stated that in the Highways function improvements had been made, not just in pothole repair but substantial road maintenance going on across the county. The new contractor, Enterprise, was delivering an excellent value for money service and they were well prepared for the winter ahead.

(9) In summing up the Leader said that he would focus on adult social care, public health communities when he talked about progress on Bold Steps for Kent, under the 'prevention and partnership' badge. He thanked the staff and wished them all a happy Christmas and peaceful and fruitful new year.

(10) Mrs Dean added her congratulations to the senior management team for the solid progress report on Bold Steps for Kent. She also paid tribute to the staff who she said were exceeding targets against an extremely difficult background and in a situation where, for obvious reasons, morale was not at its best, that staff had paid for the success of the Council with wage freezes and staff cuts.

(11) She said she was rather disappointed Mr Carter had not started his report by congratulating Ann Barnes on her appointment as the new Police and Crime Commissioner who she wished well in a very demanding post, as she was sure all Members did.

(12) In terms of Bold Steps for Kent Mrs Dean said she had reviewed the original and the three major issues and themes of its purpose. The first theme was Rebuilding the Economy, some of the successes of which Mr Carter had raised. Mrs Dean wanted to return to the basics, those of creating jobs. She stated that indicators showed that job creation by the Council was actually running at 2000 less than in the 12 months previous to May this year. This seemed to indicate that although the Council was doing well in terms of recruiting apprenticeships in terms of jobs in the market it was not doing so well.

(13) The second theme was that of Reducing Disadvantage. Mrs Dean stated that although progress had been made in some respects there were many indicators that were actually working in the opposite direction, Members had heard earlier in the meeting of the underperformance of Kent schools for the fourth year in succession. She said that this was accompanied by the issuing of SEN statements within 26 weeks, the indicator for which was red; Children's Social Services, 4 of the 6 indicators were currently red; and the achievement gap for free school meals at Key Stage 4 was red. Mrs Dean listed several other indicators that were also still red and stated that many of our achievements were still underachieved

(14) Mr Cowan congratulated the Chairman on the DVD shown earlier in the meeting. He said that it was right to take on board the greatness of the Games and the Paralympics but that he was not so sure about the legacy and how much the county would get out of it; the Open Golf at Sandwich had left little in its wake and he hoped this would not be the case with the Olympics.

(15) He also offered his congratulations to all staff, from the bottom to the top, for the services they provided and the warm welcome and the help they give Members to fulfil their role despite the cuts across the Council.

(16) Mr Cowan turned to the budget consultation and expressed his thanks to those who had taken the time to respond. He said that he thought it was the most important budget the Council would debate for many a year. He said that to cut £18m from the adult social care budget due to a growing population who are living longer and the need to reduce budgets while still providing a sustainable service through transformation was a big decision and if these cuts could not be made to work, and Mr Cowan did not believe it could, the Council would pay dearly for this mistake. He spoke of the cuts to the Looked After Children's (LAC) budget of £5.3m and the Children's Services budget of £3m and said that cuts like this were hitting the most vulnerable the hardest.

(17) Finally Mr Cowan spoke about education stating that the Leader always focussed on the good news and refused to admit when there was anything bad to report. The Scrutiny Committee had congratulated everybody on the achievements that had been made but that no one could escape that 140th out of 150 was not good.

(18) In his response the Leader stated that he was glad that Mrs Dean had recognised many of the successes he had mentioned in his speech and he was sure she would be interested to know he had sent a personal letter to Ms Barnes congratulating her on her appointment and how he looked forward to the County Council working with her.

(19) He stated that, in response to job creation, he looked forward to assessing the new unemployment figures that had just been published and what it would mean for Kent. He also touched on partnership working on the troubled families agenda, something he wanted to dwell more on in the Bold Steps for Kent item on the agenda. The Leader stated that in relation to education there was no complacency. He said there was a need to reflect again, looking at disadvantage, on the enormous challenge our schools faced, particularly in the east of the county.

(20) In response to Mr Cowan the Leader stated that everybody recognised that the pound in everybody's pocket was shrinking and the Council would do everything it could to give a third continuous year of council tax freeze.

181. New Governance Arrangements for Kent County Council - 8 Months Review

(1) Mr A King proposed that the views expressed by the County Council in the interactive voting session would help with the continuing development and refinement

of the new governance arrangements. Mr Bowles seconded and reserved his right to speak.

(2) The interactive voting system did not work as intended and so voting was suspended. A debate followed and although the general consensus was that the new governance arrangements were working well and were a move in the right direction, there was still room for improvement.

(3) Following the debate, it was:-

RESOLVED: that the Selection and Member Services Committee be asked to consider any further changes to the new governance arrangements that might be required and make recommendations as appropriate to the County Council.

182. Bold Steps for Kent: Progress to Date and Next Steps

(1) Mr Carter moved, Mr A King seconded that the County Council note Bold Steps for Kent: Progress to Date and Next Steps.

(2) Following a debate it was:-

RESOLVED that the report be noted.

183. Select Committee: Preventing and Responding to Domestic Violence and Abuse in Kent

(1) Mr Hill proposed, Mr Kirby seconded that the Select Committee be thanked for its work and for producing a relevant and balanced document; that the witnesses and others who provided evidence and made valuable contributions to the Select Committee be thanked; and that the County Council approve the recommendations of the Select Committee.

(2) Ms Luscombe, Chief Executive of K-DASH (Kent Domestic Abuse Supported Help) made a short presentation to Members.

(3) Following a debate it was:-

RESOLVED that these recommendations be agreed.

184. Appointment of Independent Remuneration Panel Members from 1 November 2012

(1) Mr A King proposed, Mr Bowles seconded that the County Council appoint Mrs Sharon Addis, Mr John Ogden and Mr Stephen Wiggett as the new members of the new Independent Remuneration Panel for a four year term, from 1 November 2012 to 31 October 2016.

(2) RESOLVED that this recommendation be approved and the new Members be appointed.

185. Proposed Amendments to the Constitution

(1) Mr Carter proposed, Mr A King seconded that the County Council approve the proposed changes to the Property Management Protocol and Personnel Management Rules as appended to this report.

(2) RESOLVED that this recommendation be approved.

186. Dissolution of the East Kent Joint Scrutiny Committee

(1) Mr A King proposed, Mr Bowles seconded that the County Council agree that the East Kent Joint Scrutiny Committee be dissolved with immediate effect.

(2) RESOLVED that this recommendation be agreed.

187. Motion for Time Limited Debate

(1) Mr Prater proposed, Mr Chittenden seconded that:

This Council is alarmed at some of the proposals put forward for streetlight removals or permanent disconnections across the County, and equally alarmed that the removals or permanent disconnections are being reported to Joint Transportation Boards for noting, rather than for agreement or rejection.

This Council agrees:

- to halt the proposed removal programme until meaningful consultation on each individual scheme is held;
- any streetlights proposed to be removed or permanently disconnected as part of an energy reduction programme should be subject to consultation with District, Borough, City, Town and/or Parish Councils as appropriate in advance; and
- each removal scheme should proceed only with agreement of the appropriate areas Joint Transportation Board or equivalent.

(2) Mr Sweetland proposed, Mr Brazier seconded the following amendment:

Delete the words after "This Council in the first line and substitute the following:

"supports the Environment, Highways and Waste Policy and Overview Scrutiny Committee Member recommendations (agreed by all members including the Liberal Democrat spokesman) held on 22 November 2011, that part night lighting should be introduced in Kent and up to 5000 of the 118,000 street columns should be removed.

This Council will note the assurance given by the EHW Cabinet Member at that meeting, that Kent Highways and Transportation engineers will only proceed with the recommendations after discussions with District and Parish Council representatives at the relevant Joint Transportation Boards and that part night lighting or column removal will only be introduced if it is clear that safety will not be compromised."

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

For (47)

Mrs A Allen, Mr M Angell, Mr R Bayford, Mr A Bowles, Mr D Brazier, Mr R Bullock, Miss S Carey, Mr P Carter, Mr N Collor, Mr G Cooke, Mr B Cope, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr M Hill, Mr D Hirst, Ms A Hohler, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mr R Manning, Mr M Northey, Mr J Ozog, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Scholes, Mr J Simmonds, Mr C Smith, Mr K Smith, Mrs P Stockell, Mr B Sweetland, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Willicombe

Abstain (3)

Mr R Bird, Mr G Koowaree, Mr T Prater

Against (5)

Mr I Chittenden, Mr L Christie, Mr G Cowan, Mrs T Dean, Mr M Vye

Carried

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

For (47)

Mrs A Allen, Mr M Angell, Mr R Bayford, Mr A Bowles, Mr D Brazier, Mr R Bullock, Miss S Carey, Mr P Carter, Mr N Collor, Mr G Cooke, Mr B Cope, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr K Ferrin, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr W Hayton, Mr M Hill, Mr D Hirst, Ms A Hohler, Mr E Hotson, Mr M Jarvis, Mr A King, Mr J Kirby, Mr J Kite, Mr R Manning, Mr M Northey, Mr J Ozog, Mr K Pugh, Mr L Ridings, Mr A Sandhu, Mr J Scholes, Mr J Simmonds, Mr C Smith, Mr K Smith, Mrs P Stockell, Mr B Sweetland, Mrs E Tweed, Mrs C Waters, Mr J Wedgbury, Mr M Whiting, Mrs J Whittle, Mr A Willicombe

Against (8)

Mr R Bird, Mr I Chittenden, Mr L Christie, Mr G Cowan, Mrs T Dean, Mr G Koowaree, Mr T Prater, Mr M Vye

Carried

(5) RESOLVED that:

- (a) The Council supports the Environment, Highways and Waste Policy and Overview Scrutiny Committee Member recommendations (agreed by all members including the Liberal Democrat spokesman) held on 22 November 2011, that part night lighting should be introduced in Kent and up to 5000 of the 118,000 street columns should be removed.

- (b) The Council notes the assurance given by the EHW Cabinet Member at that meeting, that Kent Highways and Transportation engineers will only proceed with the recommendations after discussions with District and Parish Council representatives at the relevant Joint Transportation Boards and that part night lighting or column removal will only be introduced if it is clear that safety will not be compromised.

188. Minutes for Information

Pursuant to Procedure Rule 1.10(8) and 1.23(4), the minutes of the Planning Applications Committee meeting held on 6 November 2012 and the Superannuation Fund Committee meetings held 31 August and 16 November 2012, were noted.