

COUNTY COUNCIL

Thursday 18 July 2013

**Question by Mike Harrison to
David Brazier, Cabinet Member for Transport & Environment**

At a time when there is much discussion about the proliferation of signage right across the county there is a growing campaign to reduce the number of directional, speed limits and points of interest signage. Whilst in principle I agree with much of this I cannot help but notice the ever growing number of illegal signs appearing at many of our major road junctions and roundabouts. These signs are mostly advertising raves or musical events or for sales of furniture and are firmly attached to the poles etc but are very seldom removed once the event or sale has passed.

Can we please seek clarification on the legality of this practice and is there any way we can get things brought under control?

Answer

Both Kent County Council and District Councils have complementary powers to remove unlawful signs from the highway. The District Councils' powers are better suited to dealing with flyposting and the County Council's powers can be used to tackle signs affixed to traffic lights, sign posts, lamp columns and stakes in the highway verge.

Kent County Council does take action on a risk and priority basis but attributing the signs to those responsible for placing them is often very difficult. KCC highway officers will remove signs in the highway if they represent a risk to infrastructure or road users. When persistent offenders are identified, they are written to to seek removal of the signs or to recover the cost of removal.

There has also been an increase in the placing of advertising on private land adjacent to the highway; these signs would be regulated by planning law applied by the District Councils. However, the majority of these signs are of a size and type that may qualify for deemed planning consent, meaning there is often little that the Districts can do to remove them.

COUNTY COUNCIL MEETING

18 July 2013

**Question by Roger Latchford to
Mark Dance, Cabinet Member for Economic Development**

East Kent Opportunities (EKO) is a Joint Venture (JV) between KCC and Thanet District Council (TDC) formed with the intention to develop the Manston Business Park, the primary aim of this JV when it was created was job creation in an area of high deprivation. Can I ask Mr Dance to give the Council an update on what progress has been made since the JV was formed, if Savilles are still the Agents and how much money has been paid for their service?

Answer

East Kent Opportunities was established as a Limited Liability Partnership four years ago. It brings together the assets and expertise and resources of Thanet District Council and Kent County Council as an equal partnership to help kick-start regeneration in the district. EKO maintains its original primary aims of job creation and the delivery of much needed new private and affordable family homes in Thanet.

The concept of EKO and how it promotes its landownership has been borne out of other KCC Joint Venture successes namely Kings Hill where, in conjunction with a private sector partner, a long term strategic and comprehensive approach to mixed use development has proven highly successful. The concept is based upon a long term partnership with a carefully planned delivery programme. Over the last 20 years Kings Hill has proven to be a highly successful venture returning a profit to the County Council which we have been able to reinvest. It is envisaged that it will continue to be so for a further 5-10 years until it is complete.

EKO's aspirations and role at Manston Business Park and Eurokent are centred upon the same broad principles of master planning, facilitation and physical provision of highway and service infrastructure. Its function compares to that of a private sector developer/landowner by de-risking, enhancing and conditioning development sites in readiness for future development. This encourages growth providing for an unmet latent demand for both new and/or expanding companies who have the ability to acquire land at Manston Business Park.

Notwithstanding the current difficult economic climate and general poor demand for commercial property, the Manston site has recently generated very positive interest. I am delighted to report recent land sales to both Cummins (existing tenant growing) and TCS/Rowe Atlantic (new company to Kent). This could ultimately result in some 60 new jobs. This is because Manston Business Park is superbly located, with recently improved/new road links and extremely competitive land values, thereby attractive to a wide range of both the local and incoming business community. Further prospects for lease and/or future freehold disposals of land are in the pipeline and are being further attracted for funding from our Expansion East Kent and Incubator funds.

Savills continue to be retained as EKO agents and their fees are based on land sales completed at Manston Business Park where they have been effective in introducing purchasers and providing marketing advice on both the recent land sales. Their fees have so far totalled £10k +VAT.

The Eurokent site is earmarked for a mixed use form of development with opportunities including major housing sites and commercial opportunities which will complement the wider Westwood Cross and residential areas. Eurokent, like Manston Business Park already has major infrastructure provided, affording the potential for immediate development once planning permission has been granted.

The next 12 months hold a great opportunity for EKO, with potential for Eurokent to deliver much needed family housing and Manston Business Park to support the growth of many more local businesses and jobs.

COUNTY COUNCIL MEETING

18 July 2013

**Question by Roger Truelove to
Mark Dance, Cabinet Member for Economic Development**

Does the Cabinet Member for Economic Development agree with me that a supply of migrant labour from Eastern Europe is essential to Kent Farmers, especially the Kent fruit farming industry?"

Answer

I am aware of current concerns within the horticulture sector regarding the future of the Seasonal Agricultural Workers Scheme which is due to close at the end of 2013.

At a national level, the Government has commissioned the Migration Advisory Committee to examine the impact on horticulture of closing the Seasonal Agricultural Workers Scheme.

In their recently published report, the Committee concluded that they had "found little evidence that, following the closure of the current scheme at the end of 2013, the supply of seasonal workers from Bulgaria and Romania and the A8 countries will decline in the short term". However they also anticipate that in the medium term, farmers are likely to experience increasing difficulties in sourcing the required level of seasonal labour from the EU (including the UK) labour market. They have suggested that a new source of seasonal labour is likely to be required to reduce uncertainty, encourage longer-term investment and mitigate against potential shrinkage of the sector.

I understand the Home Office is currently considering that Committee's recommendations before reaching a decision. Kent National Farmers' Union representatives have advised that the NFU are meeting with the Government ministers soon to discuss the need for a new scheme and expect a decision this month.

In addition, Kent County Council has commissioned a research report into the impact of the ending of transitional restrictions on A2 countries (Bulgaria and Romania). This is being facilitated by a multi-agency partnership and is due to report in October 2013.

In summary therefore, YES it is clear from colleagues in the sector that an Eastern European Workforce is essential to Kent Farmers. In the short term there will be little effect from the closure of the Scheme. There is more concern about the Medium Term. Thankfully that is being addressed by the Government and the NFU and more locally within our own commissioned research report.

COUNTY COUNCIL MEETING

18 July 2013

**Question by Chris Hoare to
Mark Dance, Cabinet Member for Economic Development**

Across the South East of England and during the recent Olympics section 106 agreements and key performance indicators were put in place to protect local jobs.

What is Kent County Councils policy on 106 agreements and key performance indicators to protect local jobs?

Answer

This is a mixture of questions.

There was no specific provision made in Kent regarding section 106 agreements for the 2012 Games. However, KCC led a partnership of organisations ensuring businesses took advantage of the opportunities offered by the Games. We successfully promoted the '*Compete For*' programme, which put suppliers in touch with purchasers via an electronic portal operated by the Olympic Development Authority. Over 5,000 Kent businesses registered, which was one of the highest figures in the UK. As a result 240 contracts were won by 160 Kent based companies. In addition, around 1,000 Kent companies took part in an associated training programme targeted at helping them to win contracts both during and beyond the 2012 Games. A report on the legacy of the Games and KCC's action plan outlining some major achievements is on our web site.

More generally, there are individual approaches related to both protecting and creating local jobs. These may be delivered by a number of options including:

- **Local Employment Partnerships** which are agreements put in place usually between major employers and Job Centre Plus to open up job opportunities for local people.
- **Planning conditions and obligations** associated with the grant of planning permission by Districts as the Local Planning Authorities for their area.
- **Policies of encouraging contractors** to employ local labour through local advertising, job fairs etc. There are also specific programmes in this respect such as 'Employ North Kent'.

Additionally **contractual obligations** may be used to secure local employment for specific projects. For example all recent Highways & Transportation contracts have specific clauses about using Small and Medium sized Enterprises wherever possible and the employment of apprentices and/or trainees.

A recent Enterprise contract, for the repair and maintenance of Kent's roads, included specific measures which put a percentage of the profit at risk if they are not met including:

- 3% of the workforce has to be apprentices
- 90% of the workforce shall be from a Kent postcode
- 95% of any subcontractors invoice are paid within 30 days

Other examples exist and I can furnish Mr Hoare with these if so desired.

Finally, colleagues in Property and Infrastructure are working with the Construction Industry Training Board and contractors to **use procurement to build the numbers of locally employed apprenticeships**. Also in the contract for the SCAPE framework (a national framework we are currently using), **Key Performance Indicators are laid down** about the minimum spend in the local economy and the minimum number of locally employed personnel.

COUNTY COUNCIL MEETING

18 July 2013

**Question by George Koowaree to
Graham Gibbens, Cabinet Member for Adult Social Services & Public Health**

“Each month of delay ‘costs’ approximately £1.5m of savings not achieved in 2013/14” (para. 10 (1) p.12 report to Scrutiny Committee on 17 April 2013).*

Would the Cabinet Member for Adult Social Services and Public Health provide the County Council with specific details of the KCC/Newton Europe (our efficiency partner) transformation savings during the past 3 months and whether this equates to at least £4.5m (or £1.5m per month)?

Footnote:

*Extract from Public Report ‘Appointment Of A Transformation And Efficiency Partner - Adult Social Care Transformation Programme’ (Decision number 13/00010), full report available from <http://kent590w3:9070/documents/s39681/Public%20report.pdf>

Answer

A small team of Newton Europe staff started working with KCC on 7th May. A month later the full team of 15 were in place. Since starting the team have been:

- Updating the financial modelling that will support service transformation
- Working with KCC staff in developing the proposed service changes by streamlining care pathways, optimising KCC processes and ensuring more efficient commissioning of external services.

The figure of £1.5m savings per month mentioned at Scrutiny Committee is Newton Europe’s forecast of average monthly savings that could be delivered once the programme is up and running. Transformational changes take time to plan and implement. There is a lead in time before the savings are seen, so there was never any expectation that Newton Europe would deliver £4.5m savings in the first 3 months of working in Kent.

As the programme gathers pace we will expect the level of savings made to increase month on month. The more changes, the greater the benefits – not just in terms of savings – but also improved outcomes for our service users.

It was true to say that each month of delay means £1.5m savings not made in 13/14. This is because getting the programme fully up and running has been delayed and the opportunity to make those savings in this financial year has been lost.

COUNTY COUNCIL

Thursday 18 July 2013

**Question by Mike Baldock to
David Brazier, Cabinet Member for Transport & Environment**

Given the proposals to build several thousand houses along the A249 corridor around Iwade and Kemsley and on Sheppey, and based on the fact - as established by the CPRE - that the majority of houses built in this area in the past ten years have been occupied by people moving into the area from London, many of whom still need to commute to London, there is no evidence to suggest that this pattern will significantly change, what steps have KCC taken to work with the relevant Government Departments to progress work on alleviating the horrendous delays - which are steadily getting worse - witnessed every morning and evening at the Stockbury Roundabout/Junction 5 of the M2?

Answer

Within Growth without Gridlock, our transport delivery plan for Kent, we have highlighted the need to improve capacity at the M2 Junction 5 and have been pressing the DfT to prioritise this. The requirement for this improvement also forms part of our response to the DfT's recent consultation on options for a new Lower Thames Crossing where we have identified a clear need for the upgrade of the A249 and junctions at either end (M2 J5 Stockbury and M20 J7) to provide an alternative link between the M2 and M20 relieving the A229 Bluebell Hill. At a more local level, improvements to this junction will be a high priority for CIL funding and a widening of the approaches has been identified as mitigation for a recently consented development, which will give some immediate relief. In the longer term, and linked to future development and growth at Kent Science Park, the possibility of creating a new junction onto the M2, east of J5 will be investigated.

COUNTY COUNCIL MEETING

18 July 2013

Question by Martin Vye to Paul Carter, Leader of the Council

In 2011 a Member stated that as the proposal for Locality Boards had been forged at a time when all District Councils had a Conservative administration, if there were any changes of administration following the May elections this could raise issues.*

Two years on, will the Leader advise the Council of any issues arising* from the results of the May 2013 County Council elections that caused him to put Locality Boards on hold; and will he also provide details of when he intends, as a priority, to reinstate and develop the Boards which are key to the Bold Steps Delivery Framework** especially in terms of 'influencing and shaping service delivery across a range of local services' and 'Community Budget governance arrangements'?

*Extract from Minutes of Corporate Policy Overview and Scrutiny Committee March 2011 <http://kent590w3:9070/ieListDocuments.aspx?CId=158&MID=3477>

**Delivery framework for 'Bold Steps for Kent' moved by The Leader and approved by County Council 21 July 2011
<http://kent590w3:9070/documents/s18182/Bold%20Steps%20for%20Kent%20Delivery%20Framework%20-%20Appendix%201.pdf>

Priority 1 District based Locality Boards will be an emerging local presence, influencing and shaping service delivery across a range of local services.

Priority 16 The Community Budget concept will have been adopted across a range of other priorities, with Locality Boards increasingly responsible for the oversight of performance and delivery of Community Budgets within their local area.

Milestone: Locality Boards integrated into Community Budget governance arrangements.

*A Member stated that as the proposal for Locality Boards had been forged at a time when all District Councils had a Conservative administration, if there were any changes of administration following the May elections this could raise issues. (Extract from Minutes of Corporate Policy Overview and Scrutiny Committee 31.03.2011).

Answer

Locality Boards were set up on the basis that there was no 'one size fits all' policy. They have since evolved in different shapes and forms across the County - with mixed success. One of the major objectives of Locality Boards was to ensure that district intelligence and input was shared with county members, and vice versa, to help shape local services and feed in to the executive of each authority.

Since the election in 2013, we are now in a position where some district/borough areas have no member representation from the Conservative administration at

County Hall. Clearly the Locality Board's link with the County Council administration is therefore lost. Based on the experience of the last few years and reflecting on the recent local government elections, Locality Boards need to change.

We have made it quite clear that district/county meetings can and will still take place across the county and can still be called Locality Boards. As was the case up until the election, these will be chaired by the district/borough Leader working with local County Council members, where there is a willingness of local County Council members to engage.

Where there is an ambition to continue, I have made it clear to District/Borough Leaders that officers and Cabinet Members will attend these meetings when invited, provided the item is of significant importance. In addition, to make sure that the County Council is connected with all 12 districts and boroughs, I will now be meeting with all the district leaders and chief executives, alongside the appointed lead senior officer from the County Council, to work up a list of priorities that have commonality of purpose between the councils. This approach was agreed at the Kent Leaders Group and accepted as a sensible and improved way forward.

COUNTY COUNCIL MEETING

18 July 2013

**Question by Rob Bird to
David Brazier, Cabinet Member for Transport and Environment**

Maidstone Borough Council Core Strategy proposes close to 1,000 new houses either side of the B2246 Hermitage Lane which will place considerable strain on the local road network, especially the Fountain Lane junction with A26 Tonbridge Road already operating at well over capacity.

At its meeting in October 2012 the Maidstone Joint Transportation Board unanimously agreed with the Chairman's proposal that the draft Integrated Transportation Strategy be rejected as 'not fit for purpose' and the proposed St Andrews Gyratory was strongly criticised by all parties. In the intervening 8 months no new proposals have been put forward by Kent Highways and local residents' properties continue to be blighted.

Would the Cabinet Member for Transport and Environment advise what steps Kent Highways are taking to assess all options for relieving traffic congestion in this area and when they propose to consult with local members and residents on the options?

Answer

The A26 Tonbridge Road/Fountain Lane junction suffers from significant peak period congestion, a high incidence of personal injury accidents and poor air quality. Regardless of local development pressures, KCC Highways and Transportation would therefore wish to implement a scheme of improvements to the layout and operation of this junction and reserves the right to do so when funding becomes available. Nevertheless, it is important to note that the St Andrews Road circulatory system is currently being promoted by the developer of the strategic housing site at Land East of Hermitage Lane and not the County Council.

I take very seriously the concerns raised about the circulatory system by local residents, which were articulated in their responses to the public consultation on the draft Maidstone Integrated Transport Strategy last year. Since that consultation closed in September 2012, officers within KCC Highways and Transportation have instructed the transport consultants working on behalf of the promoters of the strategic housing sites in North West Maidstone to conduct further technical work to review this proposal, together with the various alternative schemes of mitigation for the A26 Tonbridge Road/Fountain Lane junction suggested by the St Andrews Road Action Group and local Members.

The preliminary results of this work were presented to local County and Borough Council Members at two separate meetings during April and May of this year. The consultants reported that the alternative schemes would not provide sufficient additional highway capacity to mitigate the impact of the proposed residential developments on Hermitage Lane. It was also noted that they would not cater for the heavy pedestrian crossing movements in this area of Maidstone.

Croudace has not yet submitted a planning application for the proposed residential development at Land East of Hermitage Lane. Consequently, the County Council does not have access to the full Transport Assessment which will accompany this application and is not in a position to critically assess the modelling work that WSP has undertaken. These technical reports will be published on Maidstone Borough Council's planning portal for public consultation once the planning applications have been lodged and they must consider the impact of any mitigation measures on the local community, including the implications for air quality and pedestrian safety.

COUNTY COUNCIL MEETING

18 July 2013

**Question by Brian Clark to
Gary Cooke, Cabinet Member for Corporate and Democratic Services**

As a local resident I am aware of local fears that the terms of the 125 year lease due to be signed between KCC and Future Schools in South Maidstone are unfavourable given how much of the land will be considered for residential development, when a KCC Special Needs School at the site will be left with insufficient land to expand.

In light of the current localism agenda, would the Cabinet Member for Corporate and Democratic Services inform the Council what attempts are being made to engage with Five Acre Wood School and the North Loose Residents Association, representing 1100 residents, and what can be done to ensure that the interests of Five Acre Wood School, and the serious concerns of local residents, especially with regard to the likely increase in traffic and the potential loss of a historic farm site, shared by many groups beyond the Academy, are considered prior to signing?

Answer

Thank you Chairman and before responding to Mr Clark's question could I remind Council that I have a personal interest in that I am the KCC appointed governor at the Future Schools Trust, covering not only the New Line Learning Academy in Loose, but also the Cornwallis Academy in Linton and more recently the Tiger Primary Free School.

Chairman, the amount of land to be transferred to Future Schools Trust is governed by statute and subject to a legal agreement dating back to 2007. The process whereby schools became academies in 2007 was prescriptive and includes the 125 year period of the lease and all the land and assets deemed to be in "school use" at that time. There was and is no requirement for the schools to demonstrate any particular need for the land, only that the land which included the school farm was used by the school. I am advised that KCC is not able to withhold it's consent to the lease, and were it to do so that the Secretary of State would order the transfer of the site in line with legislation.

We do not as a matter of policy transfer any more land to schools becoming academies, than we are required to under the relevant statutes.

As far as consultation is concerned, there was a public consultation in 2007 when the formal decision to close the predecessor schools was taken and to establish the academies. As both New Line Learning and Cornwallis were completely rebuilt there would also have been the opportunity for public engagement through the planning process. Hence there was adequate opportunity for views to be taken into account at that time.

At this time no decisions have been taken to dispose of any parts of the academy site, although I am aware that there have been some discussions with a developer in

respect of the playing fields. Under the terms of the lease the Academy Trust is not able to dispose of any land without the consent of the freeholder, KCC. At the appropriate time, should KCC wish to proceed with any dispersal of land at the site a decision will be sought in accordance with the Council's constitution and the relevant property management protocols. If this were to result in proposals for development, then those proposals will be subject to planning processes where a range of local stakeholders and residents will have the opportunity to make comments on such proposals.

In relation to Five Acre Wood, I would say that as part of our Special School Review we are committed to address both the building suitability issues at the special school as well as its potential expansion. I can confirm that work is underway to ensure the future viability of the school and a number of options are under discussion. These discussions have and will continue to involve the special school with whom we have an excellent relationship and we will continue to keep the school fully up to date with developments related to the on-going site management issues. The school have been kept fully informed.

COUNTY COUNCIL MEETING

Thursday, 18 July 2013

**Question by Martin Whybrow to
Jenny Whittle, Cabinet Member for Specialist Children's Services**

Why did many Children's Centre staff only find out their jobs were at risk through Breakfast TV News and, given the vital role that they and their centres play in our local communities, is there no alternative way to save £1.5 million than through the hugely disappointing proposal to cut their numbers and hours?

Answer

Firstly, I would reassure Members that keeping staff informed is absolutely our priority. District Children's Centre Managers were told the proposals the day before the consultation started and began briefing staff. The consultation was then launched at 9am on 4 July with all staff being informed.

The media were given an embargoed press release to ensure that the consultation was as widely publicised as possible on the day it started, and there were some media reports on breakfast news that day. Unfortunately this meant that some staff who had not been able to be fully briefed the day before did hear details via the media which is regrettable.

I want to emphasise the value of the work undertaken by Children's Centre staff and appreciate this is a time of uncertainty for some of them. We will ensure that we continue to make staff aware of future developments at the earliest opportunity and are actively seeking their views as well of those of a wide range of stakeholders and users of the centres.

On a wider note, the Children's Centre consultation is part of the council's direction of travel as is clear from today's paper on whole council transformation. Children's services are about what we provide for children, not how many buildings we own, and we need to get away from the belief that if we have fewer buildings, we have fewer services. This applies across all KCC, and not just in Children's Services.

We have been absolutely clear on the fundamental points – the proposals could deliver £1.5m saving for taxpayers while maintaining county-wide service provision. We are proposing closures of buildings in areas that have relatively lower levels of need, that only deliver limited services or have nearby alternatives and we are focusing our resources on those where there is the greatest level of need. The Children's Commissioning team will be working closely with health representatives to ensure that health related services such as baby weigh-in clinics continue to be delivered in other community facilities, which is already the case in many areas across Kent. In addition, the increase in the number of health visitors across the county provides a real opportunity to engage with families who have been the hardest to engage, whether it be through children's centres, GPs or other public agencies.

Along with my Cabinet colleagues, I cannot overstate this – the council must get used to radical change, and quickly, if it is to meet the financial challenge. It is services, not buildings, that matter in ensuring that all families are able to access children's services through dedicated children's centres and a host of other community facilities.