

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 11 December 2014.

PRESENT:

Mr P J Homewood (Chairman)
Mr M J Harrison (Vice-Chairman)

Mrs A D Allen, MBE, Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr R H Bird, Mr H Birkby, Mr N J Bond, Mr A H T Bowles, Mr D L Brazier, Mrs P Brivio, Mr R E Brookbank, Mr L Burgess, Mr C W Caller, Miss S J Carey, Mr P B Carter, CBE, Mr N J D Chard, Mr I S Chittenden, Mr B E Clark, Mrs P T Cole, Mr G Cooke, Mr G Cowan, Mrs M E Crabtree, Ms C J Cribbon, Mr A D Crowther, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mr J A Davies, Mrs T Dean, MBE, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G K Gibbens, Mr R W Gough, Ms A Harrison, Mr P M Hill, OBE, Mr C P D Hoare, Mrs S V Hohler, Mr S Holden, Mr E E C Hotson, Mrs S Howes, Mr A J King, MBE, Mr J A Kite, MBE, Mr S J G Koowaree, Mr R A Latchford, OBE, Mr R L H Long, TD, Mr G Lymer, Mr B E MacDowall, Mr T A Maddison, Mr S C Manion, Mr R A Marsh, Mr F McKenna, Mr B Neaves, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr R J Parry, Mr C R Pearman, Mr L B Ridings, MBE, Mr J E Scholes, Mr W Scobie, Mr T L Shonk, Mr C Simkins, Mr J D Simmonds, MBE, Mr C P Smith, Mr D Smyth, Mrs P A V Stockell, Mr B J Sweetland, Mr A Terry, Mr R Truelove, Mr M J Vye, Mr J N Wedgbury, Mrs J Whittle, Mr M E Whybrow, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: David Cockburn (Corporate Director Strategic & Corporate Services), Peter Sass (Head of Democratic Services) and Denise Fitch (Democratic Services Manager (Council))

UNRESTRICTED ITEMS

45. Apologies for Absence

The Head of Democratic Services reported apologies from Mr D Baker, Mr P Harman, Mr M Heale, Mrs E Rowbotham and Mr N Thandi.

46. Declarations of Disclosable Pecuniary Interests or Other Significant Interests

(1) Mr G Cowan declared an interest in that both he and his wife were foster carers for Kent County Council.

(2) Mr M Baldock declared that he had recently purchased 10 Wises Lane, Sittingbourne and would amend his recorded Disclosable Pecuniary Interests accordingly.

47. Minutes of the meeting held on 23 October 2014 and, if in order, to be approved as a correct record

RESOLVED that the Minutes of the meeting held on 23 October 2014 be approved as a correct record.

48. Chairman's Announcements

(a) Reduction in the voting age

The Chairman informed the Council that he had received an acknowledgement on behalf of the Prime Minister to his letter setting out the motion passed at the last County Council meeting on reducing the voting age. He undertook to inform Members when he received a full response.

(b) Office Visits

The Chairman stated that following the refurbishment to the first floor of Invicta House he and the Vice-Chairman had visited the teams. They both enjoyed the visit immensely and were now planning to visit many teams and offices across the County.

Ms Birch, the Registration and Nationality Manager, had shown them around Archbishop's Palace and he had been surprised to see so many different teams working within the building. Ms Birch would also be showing him around the register repository in Tunbridge Wells in January. The Vice-Chairman had also visited Brenchley House with Mr Gibbens at the beginning of this week, to see the work being carried out by the social care teams.

The Chairman had found these visits interesting and informative and planned many more for the New Year. He encouraged as many Members as possible to visit the different teams and various staff working across the County to see the fantastic services and frontline support that the County Council was delivering.

(c) Royal Mail's Delivery Office Visit

The Chairman stated that he had visited Royal Mail's Delivery Office in Maidstone to pass on Christmas wishes and encouragement during their busiest time of the year. He had been shown around the office by Delivery Office Manager, Steve Nelson. He had been pleased to meet many of the post office staff who went out in all weathers, and to see first-hand the effort put into delivering for the people and businesses of Kent during the run-up to Christmas.

(d) Royal Visits

The Chairman made the Council aware that there had been the following 10 Royal Visits to the County in the last six months:

HRH Duke of Kent – 3
HRH The Princess Royal – 2
HRH Duchess of Cornwall – 1

HRH Prince Henry of Wales– 1
HRH Duke of Gloucester – 2
HRH The Countess of Wessex – 1

(e) Variation of order of agenda items

The Chairman stated that in order to facilitate the more effective conduct of today's business he proposed to swap the order of items 7 & 8 on the agenda and he drew Members' attention to the version of the Outcomes Framework circulated separately.

(f) Eynsford Concert Band

The Chairman was pleased to announce that the Eynsford Concert Band had won the 2014 National Concert Band Symposium in a competition featuring some of the finest wind ensembles in the country. The band was celebrating forty years since its foundation. It attracted players from all over the south east, worked to support instrumental music particularly amongst Kent young people, and raised substantial funds for charity each year.

He had attended a spectacular concert at the Pamoja Hall, Sevenoaks staged by the band with the band of the Grenadier Guards.

(g) Honorary Alderman

The Chairman reminded Members that the additional meeting for the Honorary Aldermen would take place at 12.30pm or on the rising of the County Council whichever was the later.

(h) Carols

The Chairman invited all Members to join him for lunch with carols in the Atrium, Invicta House at 1.00 pm.

49. Questions

In accordance with Procedure Rule 1.17(4), eight questions were asked and replies given, these are attached as an appendix to the minutes. Questions 9 and 10 were not asked because the time limit for this item had been reached.

50. Report by Leader of the Council (Oral)

(1) The Leader updated the County Council on events since the previous meeting.

(2) Mr Carter referred to the announcement in the Autumn Statement that the government would commit £17m of capital funding for flood defences around Tonbridge and Yalding. He stated that he had always made it absolutely clear that Kent County Council would underwrite the match funding from government, and had been consistent in expressing the expectation that this would include support through parish councils, borough councils, European funding and local enterprise partnerships (LEPs). A Flood Funding Forum had been established to work with

partners at parish and borough level, and with the business communities to help fund the £17m.

(3) Mr Carter confirmed that there had also been plans for a LEP Round 2 Growth Fund bid for an additional £2.4m to help support the flood defence funding shortfall. In addition the Environment Agency was pursuing the next European funding round to see whether it was possible to attract, with partners in Europe, a substantial sum of money for these flood defences.

(4) Mr Carter expressed disappointment that, in the Autumn Statement, the government had postponed the LEP Round 2 Growth Fund. A significant amount of work had been carried out by business colleagues, officers and district and borough colleagues to produce a package of schemes for the LEP Growth Fund Round 2. He had written to Greg Clark MP expressing disappointment about this delay. He referred to the £15bn capital that had been passported to the Highways Agency to build tunnels under Stonehenge. He expressed the view that this funding could have been used to empower localism through local government and significant business partners.

(5) Mr Carter referred to the good progress being made in delivering "Facing the Challenge" and in producing the medium term financial plan which set out creative and innovative ways of making £12m of saving without impeding delivery or cutting any front line service. The medium term financial plan would be shared through the cabinet committees in January 2015.

(6) Mr Carter referred to the identification of £400-500k to retain around 70 community wardens. He also mentioned the work of Newton Europe on their risk and reward contract on re-engineering adult social services and on their work to deliver greater efficiencies in children's and preventative children's services'.

(7) Mr Carter stated that he had met with potential providers of back office functions. In the New Year there would important decisions to be taken on commissioning these services. He referred to the valuable work being undertaken by the Commissioning Advisory Board to ensure that the very best providers either in-house or external were commissioned.

(8) Mr Latchford, the Leader of the Opposition, expressed disappointment at Thanet District and Kent County Council's decisions regarding Manston Airport and the impact on job opportunities in Kent.

(9) Mr Latchford congratulated the Cabinet Member for Community Services on his decision regarding community wardens following the public consultation and referred to the motion for time limited debate later in the meeting.

(10) Regarding the Commissioning Strategy, Mr Latchford expressed his appreciation for the opportunity for his group to be party to the document. Although his group had very strong reservations about this strategy, they recognised the importance of ensuring that all outsourcing had the appropriate safeguards. He congratulated Mr Hotson, as Chairman of the Commissioning Advisory Board, on the work to progress this complex issue.

(11) Mr Latchford referred to the £17m from the government for flood defences which required match funding and the assurance given by the Leader. He mentioned the £600m the UK spent on overseas aid for flood defences.

(12) Mr Latchford expressed disappointment about the announcement relating to the LEP, a lot of hard work had gone into an excellent round 2 bid and he hoped that this work would not be wasted.

(13) Mr Cowan, Leader of the Labour Group, referred to the £17m match funding required for flood defence works in Tonbridge and Yalding. He questioned whether, as the County Council was planning increase its Council tax by 1.99% in 2015-16, it could legally ask parish councils in the area for additional Council Tax funding.

(14) In relation to funding referred to on the South East LEP website, Mr Carter addressed the Council on a point of explanation. He stated that this was round 1 funding. There had been an expectation that there would be an invitation to submit bids for round 2 which would have delivered another £55m into Kent.

(15) Mr Cowan expressed disappointment that the proposed dualling of the A2 from Lydden to Whitfield in Dover would not be going forward. He asked the Leader to inform the Council of the process by which the Kent priorities for LEP bids were established including the level of consultation with local members, district councils and MPs. He suggested that there should be a more open process for determining the allocation of local funds from regional growth fund money.

(16) Mr Cowan referred to the decision regarding the community wardens following the six-week consultation and thanked Mr Hill. He compared this to the consultation on the commissioning of the Youth Service and the response concerns raised about switching off street lights at night.

(17) Mrs Dean, Leader of the Liberal Democrat Group, welcomed the reversal on community wardens and reminded Members that just over a year ago the community warden service had been reconfigured and now covered a larger geographical area. She referred to the possible use of other "uniform" services, such as country park wardens, police community support officers and parking enforcement officers from the borough councils to see if by working together, they could enhance the community warden service.

(18) Mrs Dean referred to the Commissioning Advisory Board and stated that, although Members had been given a great deal of information, they did not have any control over or detail of the process. Decisions would be made on the Kent Library Trust after Christmas and she set out the level of detail that she hoped would be considered at the next meeting of the Advisory Board.

(19) Regarding the LEP regional growth fund she asked Mr Carter when he had heard about the withdrawal of round 2 funding. She also referred to the possible need to increase the robustness of the governance and decision making process of the South East LEP and the possibility that with some of the larger projects local authorities may be required to fund them up front and to be reimbursed by government on a quarterly or half-yearly basis.

(20) Mrs Dean referred to the issue of flooding and stated that neither Maidstone nor Tunbridge & Malling Borough Councils had been asked at the time of Mr Carter's statement about contributing to a precept.

(21) Mr Whybrow, Leader of the Independents Group, stated that he was delighted to see community wardens get a reprieve and expressed concern about how the savings for this would be found.

(22) Mr Whybrow referred to the Outcomes Framework and the budget situation and stated that he would like to see some of the Office for Budget Responsibility statements and the LGA's "graph of doom" featuring in the County Council's information to the public.

(23) Mr Whybrow queried why the County Council had to match fund £17m for flood defences when there was clear evidence that £34m was needed in total.

(24) Regarding the Transformation Programme, Mr Whybrow expressed unease about KCC's increasing involvement in the corporate world. He stated that his concerns had been heightened by events over the past week as well as by a draft external auditor's report. He questioned whether the County Council had the necessary corporate skills or expertise.

(25) In replying to the other group leaders' responses, Mr Carter stated that on the funding for flood amelioration, prior to the events last Christmas the Yalding scheme was low on the priority order and the chances of funding were minimal. He explained that only a very small number of schemes achieved 100% funding. He had worked very closely with Sir John Stanley to make sure that the Yalding scheme was placed higher on the list and in order to do so had to commit to finding 50% match funding. He reiterated that he had consistently stated that contributions would be needed towards the £17m match funding. He pointed out that other areas of the county would also like flood defence funding so it was unfair to expect all Kent Council Tax payers to match fund the Yalding works.

(26) Regarding the delay in the round 2 LEP funding and the comments made on the governance arrangements. Mr Carter stated that, despite the lack of clarity at national level on the governance process for LEPs, he had been as open as possible. Mr Carter stated that he considered KCC and the administration to be exceedingly open. In relation to the Commissioning Advisory Board although procurement had to be a long protracted process, the aim was to be as open and transparent and share what was sensible and intelligent at the appropriate times with Members in order to make well informed decisions.

51. Facing the Challenge: Draft Corporate Outcomes Framework for KCC

(1) Mr Carter moved and Mr Simmonds seconded the following recommendation as set out on page 53 in the report:

"The County Council is asked to agree the following:

- The draft Corporate Outcomes Framework at Appendix 1 is approved for consultation."

(2) Following a debate the Chairman put the motion set out in paragraph (1) above to the vote and the votes cast were as follows:

For (67)

Mrs A Allen, Mr M Angell, Mr M Baldock, Mr M Balfour, Mr R Bird, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr R Brookbank, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr G Koowaree, Mr R Latchford, Mr R Long, Mr G Lymer, Mr B MacDowall, Mr S Manion, Mr A Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr A Terry, Mr M Vye, Mr J Wedgbury, Mrs J Whittle, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire.

Against (11)

Mrs P Brivio, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Ms A Harrison, Ms S Howes, Mr T Maddison, Mr W Scobie, Mr D Smyth, Mr R Truelove.

Abstain (0)

Motion carried

(3) RESOLVED that the draft Corporate Outcomes Framework at Appendix 1 to the report be approved for consultation.

52. Facing the Challenge: Commissioning Framework

(1) Mr Carter moved and Mr Simmonds seconded the following recommendations as set out on page 27 of the report:

“The County Council is asked to agree the following:

- The Commissioning Framework in Appendix 1 is adopted by the County Council and becomes part of the Council’s Policy Framework;
- The principles proposed within the Framework are taken forward and embedded across KCC by Directorates and Change Portfolios as appropriate.”

(2) Following a debate the Chairman put the motion set out in paragraph (1) above to the vote and the votes cast were as follows:

For (51)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr A Bowles, Mr D Brazier, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr A King, Mr J Kite, Mr G Koowaree, Mr R

Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr R Parry, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs P Stockell, Mr B Sweetland, Mr M Vye, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire.

Against (17)

Mr M Baldock, Mr N Bond, Mrs P Brivio, Mr L Burgess, Mr C Caller, Mr G Cowan, Ms J Cribbon, Dr M Eddy, Ms A Harrison, Ms S Howes, Mr B MacDowall, Mr F McKenna, Mr T Maddison, Mr W Scobie, Mr T Shonk, Mr D Smyth, Mr R Truelove.

Abstain (7)

Mr H Birkby, Mr A Crowther, Mr J Elenor, Mr C Hoare, Mr R Latchford, Mr B Neaves, Mr A Terry,

Motion carried

(3) RESOLVED that:

- a) the Commissioning Framework in Appendix 1 be adopted by the County Council and becomes part of the Council's Policy Framework;
- b) the principles proposed within the Framework be taken forward and embedded across KCC by Directorates and Change Portfolios as appropriate.

53. Motion for Time Limited Debate

(1) Mr Baldock moved and Mr Burgess seconded the following motion:

"This Council applauds the sterling work of our community wardens, and recognises the huge benefits that they bring to the communities that they serve. This Council further acknowledges that the social value they bring to those communities far outweighs the financial costs to the County Council. Consequently, we believe Kent County Council should continue to champion this scheme, publicise its achievements, and consider ways of promoting the concept to other councils.

To this end, this Council pledges its full support to our team of community wardens, and will ensure that they continue to be able to provide such a constructive role in our communities."

(2) Mr Hill moved and Mrs Hohler seconded the followed amended motion.

"This Council applauds the sterling work of our community wardens, and recognises the huge benefits that they bring to the communities that they serve. This Council further acknowledges that the social value they bring to those communities far outweighs the financial costs to the County Council. Consequently, we believe Kent County Council should continue to champion this scheme, publicise its achievements, and consider ways of promoting the concept to other councils.

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To this end, this Council pledges its full support to our team of community wardens, and **welcomes the Administration's proposals which** will ensure that they continue to be able to provide such a constructive role in our communities."

(3) The amendment was accepted by the proposer and seconder of the original motion without the need for a vote, and the County Council then debated the substantive motion as set out in paragraph (2) above.

(4) The procedural motion "that the question be put" was moved and duly seconded by Members who had not spoken in the debate. This procedural motion was agreed without a recorded vote.

(5) The Chairman put the substantive motion as set out in paragraph 2 above which was agreed without a recorded vote.

(6) RESOLVED that this Council applauds the sterling work of our Community Wardens, and recognises the huge benefits that they bring to the communities that they serve. This Council further acknowledges that the social value they bring to those communities far outweighs the financial costs to the County Council. Consequently, we believe Kent County Council should continue to champion this scheme, publicise its achievements, and consider ways of promoting the concept to other councils.

To this end, this Council pledges its full support to our team of community wardens, and welcomes the Administration's proposals, which will ensure that they continue to be able to provide such a constructive role in our communities.