

KENT COUNTY COUNCIL

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Thursday, 9 June 2016.

PRESENT: Mr J E Scholes (Vice-Chairman), Mr H Birkby, Mr G Cowan, Mrs T Dean, MBE, Mr M Heale (Substitute for Mr R A Latchford, OBE), Mr E E C Hotson, Mr A J King, MBE, Mr R A Marsh (Substitute for Mr R J Parry), Mrs P A V Stockell and Mr R Truelove

ALSO PRESENT: Mr M A C Balfour, Mr R H Bird, Mr M C Dance, Mr G K Gibbens, Mr M J Harrison and Mr M J Vye

IN ATTENDANCE: Ms M Anthony (Commissioning and Development Manager), Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mrs E Harrison (Economic Development Manager), Mr T Harwood (Resilience and Emergencies Manager), Mr A Ireland (Corporate Director Social Care, Health and Wellbeing), Mr P Lightowler (Head of Public Transport), Mr P Sass (Head of Democratic Services), Mr D Smith (Director of Economic Development), Mrs K Stewart (Director of Environment Planning and Enforcement), Mr A Tait (Democratic Services Officer), Mr M Tant (Flood Risk Manager) and Mrs A Taylor (Scrutiny Research Officer)

UNRESTRICTED ITEMS

102. Vice Chairman in the Chair

(Item)

In the absence of the Chairman, the Vice-Chairman, Mr Scholes assumed the Chair for the meeting.

103. Minutes of the meeting held on 19 April 2016

(Item A4)

RESOLVED that the minutes of the meeting held on 19 April 2016 were an accurate record and that they be signed by the Chairman.

104. Select Committee Work Programme

(Item A5)

(1) The Scrutiny Committee received 'bids' for three Select Committee topics to be completed by March 2017.

Emergency Financial Assistance

(2) Mr Vye presented Emergency Financial Assistance and explained that the emphasis of his proposal was not on the Kent Support and Assistance Service but rather prompted by the Joseph Rowntree Foundation report on the extent and causes

of destitution in the UK, which showed that destitution was increasing. The definition of destitution, as used in the Joseph Rowntree report, was:

If they or their children lacked two or more of these six essentials over the past month because they could not afford them; shelter, food, heating, lighting, clothing and footwear or basic toiletries or their income was so extremely low they were unable to purchase these essentials for themselves.

(3) The report concluded that at a point during 2015, 1.25million people were in a state of destitution. Destitution had an effect on services provided by KCC; it was a major contributor to domestic violence, poor educational attainment and poor mental health. Mr Vye cited some of the causes of destitution: lack of affordable housing, lack of support for vulnerable people, poor debt management options, low wages and poor quality/intermittent employment. Mr Vye was proposing a Select Committee to look at the following:

- The scale and causes of destitution in Kent,
- The nature and extent of other emergency assistance including counselling, to people who find themselves in destitution,
- Whether better co-ordination of this assistance is desirable and achievable,
- And whether KCC can take a lead in this co-ordination

(4) It was not suggested that KCC should become a major provider of financial assistance; however, KCC had a role as a facilitator and a leader and had strong relationships with the voluntary sector. Mr Vye referred to the December 2014 report to the Adult Social Care and Health Cabinet Committee, which found that there were gaps and overlap in the assistance available.

(5) Mr Gibbens confirmed that he appreciated the concern expressed by Mr Vye; however the issues raised had been and continued to be given considerable focus. Supporting vulnerable people was the top priority of the Cabinet Member. The Cabinet Committee had undertaken work in the area and in addition the Policy and Resources Cabinet Committee had also discussed issues around welfare reform. There was a strong focus on ensuring that the voluntary sector was properly supported and the Council had a strong record in this. It was not considered to be the appropriate time to conduct this Select Committee.

(6) Mr Ireland expressed concerns about 'mission creep' away from core business; many of the issues were not the direct responsibility of the County Council as a provider and commissioner of services. Reservations were expressed about expectations of such a review, which was looking into areas that, in the main, were the responsibility of other agencies. Mrs Anthony confirmed that there were a range of services in Kent; KCC was working with over 500 organisations in Kent to support vulnerable families. The scope of the proposed review was enormous and there were concerns over whether the review would deliver what it was hoped to.

Digital Exclusion

(7) Mr Bird presented the bid for a Select Committee on Digital Exclusion and explained that this proposal was not about the roll out of high speed broadband. It was accepted that in Kent everyone had potential access to digital services but there were difficulties around affordability, lack of understanding, lack of trust/confidence

and lack of perceived need. 10% of Kent residents were digitally excluded. It was considered that those who were digitally excluded were socially and economically disadvantaged. An example was given of consumer tariffs for gas and electricity; the best tariffs could be found online with prices up to 25% cheaper online. Another example was given of a long distance rail ticket, which was £200 cheaper online. Elderly people were being encouraged to live independently and Mr Bird gave an example of the support provided by family members doing online shopping for them. Referring to primary school children being required to use the internet for their homework, families did not all have internet or a computer in their homes. It was suggested that these families use the library; however this was not practical for all families. KCC had completed a thorough review into social mobility in the school system; however this review had not addressed the issue of school children without access to the internet at home. Education was needed through voluntary organisations and District Councils via a co-ordinated county wide approach to ensure that residents understood the internet, felt confident using it, saw the need to use it and could afford to do so.

(8) Mr Dance responded to Mr Bird's proposal, some good points had been raised. In relation to young people with access to superfast broadband, the council had worked hard to ensure that superfast broadband was available in as much of the county as possible. A lot of work had been done to ensure that internet access was available in the libraries with buddy systems in libraries. Mr Dance offered a briefing to all members of the County Council to discuss the issues around internet access. Mrs Harrison stated that Mr Bird had identified an important subject, over the last 5 years KCC had undertaken a range of initiatives to ensure people were online using digital technologies. The work undertaken by KCC had been seen as outstanding nationally and all KCC libraries had access to free wifi in addition to the training courses run alongside the volunteer buddying system. Free computer courses were offered by the adult education centres and courses were also available nationally through a number of national organisations. There was also a prolific availability of free wifi in Kent. A number of policy changes were on the horizon, with a UK digital strategy expected later in the year covering the next 5 years. It was not considered to be the most appropriate time for this Select Committee to undertake its work.

(9) A Member commented that the proposal was not about the availability of high-speed broadband but about those residents who did not have access to the internet in their own home, the difference between children who had access to a computer versus a child without a computer was widening. It was understood that 25% of people attending the Citizen's Advice Bureaux (CAB) for assistance did not have access to the internet.

(10) Mrs Harrison explained that work was underway focussing on increasing the number of people getting online in libraries as well as a national programme which the Council was part of relating to increasing skills and knowledge to allow people to get online.

(11) Another Member commented that, in his area, there were many young people who did not have access to the internet and because libraries were time restricted it was not always practical to use computers in libraries. The officer explained that there were a large number of wifi spots throughout Kent and an increasing number of people were using smart phones and tablets to access the internet. The Member did

not consider that the families he was referring to would have the income to purchase smart phones and tablets so a library was the only option available.

Bus Transport in Kent and its Public Subsidy

(12) Mr Sweetland presented Bus Transport in Kent and its Public Subsidy on behalf of Mr Brazier who was unable to attend the meeting. Mr Sweetland summarised the information contained within the Select Committee topic proposal form in the Scrutiny Committee agenda. Since the local bus service was deregulated 30 years ago it was hoped that increasing competition would improve services and reduce fares. However, commercial bus operators would only run services which were profitable therefore many communities in Kent would have no services unless they were subsidised by the public transport authority, Kent County Council. Mr Sweetland stated the proposed terms of reference as set out in the topic review form.

(13) Mr Balfour supported this select committee, budgets were being constrained and it was essential to look for the best service available in Kent in relation to subsidised buses and bus routes. Of particular interest was KCC's support to the community bus sector, which had been extremely successful in Kent. Mrs Cooper also supported the proposed Select Committee; it would be helpful to increase understanding of the bus market in Kent of which only 3% was subsidised by KCC.

(14) In response to a Member's question it was confirmed that the Terms of Reference were not final, they would be agreed by the Select Committee and should consider all areas.

(15) Members then discussed how each Select Committee proposal would benefit Kent and how much influence KCC had in relation to each proposal. Members also discussed the timing of each proposed review and which was the most appropriate review to undertake at this time.

(16) The Chairman asked for a show of hands for each Member's top priority Select Committee Topic. The Select Committee on Bus Transport in Kent and its Public Subsidy received the majority of votes and would be established with a view to reporting to County Council in March 2017. A Member asked that the other two select committee proposals be considered post May 2017 when the Select Committee work programme was re-considered.

RESOLVED that the Select Committee on Bus Transport in Kent and its public subsidy be established to report to County Council in March 2017.

105. Flood Risk Management Committee Annual Report

(Item A6)

(1) Mr Harrison introduced his report, which set out clear and concise coverage of the committee's work over the past year. Previous comments from the Scrutiny Committee about not including the minutes of the Flood Risk Management Committee had been taken on board.

(2) Mr Tant explained that one of the key themes addressed by the committee related to sustainable drainage, its provision in new development and the ongoing issue of its adoption and maintenance. The committee had noted the government's recent

changes relating to the provision of subsidised draining and the government's new role in providing oversight for technical input to planning applications. There was disappointment that there was no formal adoption and maintenance mechanism and the committee continued to monitor the progress.

(3) Mr Harwood explained that the Kent Flood Risk Management Committee had not only provided an oversight role but had brought together key partners from KCC, the District Councils, Environment Agency, Kent Association of Local Councils and Kent and Medway Fire and Rescue Service. Some 70,000 households were on the Environment Agency flood alert system in Kent and a Flood Warden training event was due to be held on 23 July at Lenham Village Hall. Kent Resilience Forum had agreed to deliver a wide area coastal flooding exercise, as originally proposed by KCC, which would be held between 27-29 September. An all-Member briefing was being held, on 27 July, with speakers from the Environment Agency and KCC which will cover Elected Member roles and responsibilities within the forthcoming coastal flooding exercise.

(4) Mr Tait confirmed that the Committee wrote to the Government Minister about sustainable drainage and the next meeting on 18 July would be held in Yalding Village Hall as guests of Yalding Parish Council. Southern Water had been invited to attend, and the deterioration of pumping stations would be discussed amongst other relevant issues. The Committee was also due to tour the previously flooded area.

(5) Mr Harrison expressed disappointment that not all 12 District Councils sent a representative to the Flood Risk Management Committee. Members commented that it was encouraging to see the improvements year on year in the work of the Flood Risk Management Committee. It was suggested that twin hatted Members be approached to improve attendance from the districts at the Committee.

RESOLVED that the Scrutiny Committee note the report of the Kent Flood Risk Management Committee with thanks.

106. Proposed establishment of a Kent Utilities Engagement Sub-Committee (Item A7)

(1) Mr Balfour introduced the report and explained that the proposal was to form a sub-committee of Scrutiny to improve the perceived disconnect between the development industry and the utility businesses. The County Council had no authority to summon the utility companies to a meeting, but there was opportunity to assist and work together. KCC did have the authority to 'call to account' the regulators. The sub-committee would work in partnership with the utilities and development industry to bring forward ways of doing things better to enable a more efficient use of resources and money within the county.

(2) There were concerns about the sub-committee and its Membership being drawn from the main Scrutiny Committee and why the utilities companies would attend a sub-committee rather than the main Scrutiny Committee. It was suggested that the appropriate Cabinet Committee might be a better place to discharge this function.

(3) A Member asked whether the Cabinet Member had had a dialogue with the utilities companies confirming that they would engage with a sub-committee. It was also considered that an annual report be made to the County Council. It was

suggested that the role be discharged by the Scrutiny Committee, reporting to County Council and being reviewed in 12 months' time to consider whether the role should be discharged differently.

(4) Mr Balfour responded by agreeing that it was not easy to gain confidence with the utilities companies so that they would engage and discuss. It was important to support the fragile relationships which had been built up so far and not put off any discussions with the utility companies further up the chain. It was not suggested that members of the sub-committee be limited to the main Scrutiny Committee, although they could be, but to draw membership from the whole council to gain expertise. The sub-committee would then report back to the main committee. A Member asked for clarification on the membership of the sub-committee and it was confirmed that the sub-committee would be drawn from the whole council.

(5) A Member asked whether relationships were being developed with regulators as well as developers, discussions were being held with the developers to determine where there were difficulties and once this information was available relationships with the regulators would be built on. Contacts through the districts and the developers group were currently being mapped.

(6) Members queried why the group was being set up and the Cabinet Member confirmed that there was a demand for a group to be formed in a way which did not mar the good relationships which had been built up already. Mrs Stewart confirmed that work had been undertaken with Kent Developers Group and the districts to identify whether there were barriers and it had shown that there were often difficulties in the investment planning stage or the connection stage there was often a mismatch of timings. The sub-committee would be extremely helpful in identifying where there were barriers to enable this information to be put to the regulators.

(7) A Member queried whether the Sub-Committee would have to be held in closed session to maximise benefit from the group, Mr Balfour agreed that there was a concern that a formal webcast meeting may result in a counterproductive meeting, the intention was to ensure a balance between having authority and communication behind the scenes. Mr Sass confirmed that whether the group was the full Scrutiny Committee or a Sub-Committee the usual rules around exemptions would apply. It was preferable to discuss as much in open sessions as possible but there were exemption rules around commercial sensitive data for example that might require closed sessions.

(8) A Member suggested that the Commissioning Advisory Board (CAB) might be an appropriate arena in which to discharge this function. It was also considered that this should be postponed until after the County Council elections in May 2017. Another Member considered that the CAB would not be an appropriate group for discussion with the utility companies. It was necessary for the meeting to be informal; a Sub-Committee would have no powers of decision but would get information and allow for further discussion with the utility companies. Mr Balfour agreed that the CAB was not a suitable arena for these discussions, the proposal contained within the Scrutiny Committee paper was the preferable option, it was difficult to know how successful it would be without trying the Sub-Committee and review the process in the future.

(9) A Member expressed the view that the Sub-Committee should report to the Environment and Transport Cabinet Committee rather than the Scrutiny Committee

to make it less formal. The Member did not feel he could support the proposal within the agenda papers.

(10) Another Member was pleased that the Membership could be drawn from all 84 Members of the Council depending on knowledge and experience; including an Independent Member and that the Sub-Committee should report on an annual basis to the Scrutiny Committee. Mrs Stewart confirmed that the utilities companies welcomed the opportunity to be involved in this Sub-Committee.

(11) Mr Sass confirmed that the Chairman, Mr Parry's view was that the Sub-Committee would be more appropriate than the main committee to ensure that the group was not too large, Mr Parry was also keen to extend an invitation to the Independents Group, which is why the proposed membership was 5:1:1:1:1.

(12) Mr Cowan proposed that the Sub-Committee be drawn from all 84 Members of the Council to ensure people with knowledge and experience in the field of utilities. The 9 members were to be made up of 5 Conservatives, 1 UKIP, 1 Labour, 1 Liberal Democrat and 1 Independent.

(13) This was seconded by Mr Birkby and the proposed was carried.

RESOLVED that the Scrutiny Committee establish the Kent Utilities Engagement Sub-Committee with nine Members drawn from all 84 Members of the County Council. The nine member Sub-Committee is to be made up of 5 Conservatives, 1 UKIP, 1 Labour, 1 Liberal Democrat and 1 Independent member.