

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 14 July 2016.

PRESENT:

Mr T Gates (Chairman)
Mr D L Brazier (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, Mrs P Brivio, 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, 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 G K Gibbens, Mr R W Gough, Mr P M Harman, Ms A Harrison, Mr M J Harrison, Mr M Heale, Mr P M Hill, OBE, Mr C P D Hoare, Mrs S V Hohler, Mr P J Homewood, Mr E E C Hotson, Mrs S Howes, Mr A J King, MBE, Mr J A Kite, MBE, 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, Mrs E D Rowbotham, Mr J E Scholes, 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 N S Thandi, Mr R Truelove, Mr M J Vye, Mrs C J Waters, Mr J N Wedgbury, Mrs J Whittle, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: Mr P Sass (Head of Democratic Services) and Mr B Watts (Interim General Counsel)

UNRESTRICTED ITEMS

14. Apologies for Absence

- (1) The Interim General Counsel reported apologies from Mr Brookbank, Mr Holden, Mr Koowaree, Mr Scobie and Mr Whybrow.
- (2) The Chairman welcomed Mr Sweetland back after his recent illness.

15. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda

None

16. Minutes of the meetings held on 19 May 2016 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meetings held on 19 May 2016 be approved as a correct record, subject to the amendment of typographical errors notified to the Head of Democratic Services and raised at the meeting.

17. Chairman's Announcements

(a) Ms Jane Cribbon

(1) The Chairman stated that it was with regret that he had to inform Members of the death of Ms Jane Cribbon on 10 June 2016, Ms Cribbon was the Labour Member for Gravesham East from 1997 – 2009 and re-elected 2013.

(2) A memorial service for Ms Cribbon had been held on 11th July 2016.

(3) Mrs Howes, Mr Caller, Mrs Allen, Mrs Wiltshire, Mr Vye and Mrs Whittle paid tribute to Ms Cribbon.

(b) Mr Bryan Cope

(3) The Chairman stated that it was with regret that he had to inform Members of the death of Bryan Cope. Mr Cope was the former Conservative Member for Dover West from 1997 until 2013 and an Honorary Alderman.

(5) Mr Cope's funeral had taken place on 30th June 2016.

(6) Mr Carter, Dr Eddy, Mr Daley and Mr Harrison paid tribute to Mr Cope.

(c) Mr Anthony (Tony) Gillham

(7) The Chairman stated that it was with regret that he also had to inform Members of the death of Mr Tony Gillham, on 10 June 2016. Mr Gillham was the former Conservative Member for Dartford South West from 1973 to 1985.

(8) Mr Gillham's funeral had taken place on 4 July 2016.

(9) Mrs Allen paid tribute to Mr Gillham.

(10) At the end of the tributes all Members stood in silence in memory of Ms Cribbon, Mr Cope and Mr Gillham.

(11) After the one minute silence the Chairman moved, the Vice-Chairman seconded and it was resolved unanimously that:

(12) This Council records the sense of loss it feels on the sad passing of Ms Cribbon, Mr Cope and Mr Gillham and extends to their families and friends our heartfelt sympathy to them in their sad bereavements.

(d) The Queen's Birthday Honours 2016

(13) The Chairman referred Members to the list of Honours Recipients from Kent in The Queen's Birthday Honours List, which was circulated at the meeting. He stated that on behalf of the County Council he had offered sincere congratulations to all of those Honours recipients.

(d) The Queen's Award for Voluntary Service 2016

(14) The Chairman stated that he was delighted to announce that Kent had two winners of The Queen's Award for Voluntary Service this year. They were, Kent Search and Rescue and Bredhurst Woodland Action Group.

(e) School and Energy Community Schemes

(15) The Chairman informed Members that, following the passing of the Motion on School and Energy Community Schemes at the last meeting of the County Council, he had written to the Minister and a copy of her reply was circulated for information.

(d) Petition – Ashurst Broadband

(16) The Chairman invited Mr Davies to present a petition from the residents of Ashurst requesting the County Council to utilise its Making Kent Quicker programme to ensure that BT provided a proper broadband service to all properties in the village.

(17) The Chairman invited Mr Dance, the Cabinet Member for Economic Development to collect the petition and to ensure that it was responded to in accordance with the Petition Scheme.

(e) Kent County Show

(18) The Chairman stated that he was delighted to announce that Kent County Council had won the Trade Stand Award in the large stand category at the Kent County Show. KCC's stand this year had been all about Getting Out and About In Kent this Summer, cycling, walking, horse riding in the Countryside, visiting our Country Parks and North Downs Way. It had also included Emporium Plus, part of Early Years, who were showing their marvellous digger toys and sandpit. Kentish cherries and giveaway seeds had also been very popular. He congratulated officers on this achievement.

18. Questions

In accordance with Procedure Rule 1.17(4), 7 questions were asked and replies given. A record of all questions put and answers given at the meeting was available [online](#) with the papers for this meeting.

19. Report by Leader of the Council (Oral)

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

(2) Mr Carter referred to events following the Brexit vote including the recent appointment of Mrs May as Prime Minister, changes she was making to her Cabinet, the post 16 Skills plan, devolution, and health and social care integration. Mr Carter was of the view that the Brexit vote had been an expression of the growing concern of ordinary people at the difficulty in getting school places, GP appointments and young people struggling to get on the employment ladder. He believed it to have been a protest vote against "Big Government" with voters feeling that Whitehall and Westminster were remote and out of touch with ordinary people. There was an

opportunity for Local Government to help Central Government with their new objectives to support ordinary people.

(3) Mr Carter referred to the speech made by the Prime Minister, when she was Home Secretary, at the Conservative Party Conference in October 2015 regarding the challenges to building a cohesive society presented by the scale of immigration and the pace of change. He referred to the rise in population by half a million people every year, according to last year's published figures, which represented a 1% growth in population. Infrastructure, transport, schools and health services were not keeping pace with this growth in population.

(4) Mr Carter made reference to the number of 16 - 18 year olds who were disenfranchised from the job market having left school without achieving 5 A to C grade GCSEs including English and maths and feeling failures with low self-esteem. He expressed the view that the educational establishment was too prescriptive with a one size fits all academic national curriculum. He believed that independent careers advice and guidance should be provided to 14 – 16 year olds, with real curriculum choices of applied vocational courses, which would enable young people to explore their full potential. He stated that the post 16 Skills Plan would help but it was still fixated in putting up barriers to employment and entry into apprenticeships until those young people had obtained 5 A to C grade GCSEs including English and maths. Many young people who may not be the academically able wanted a job and a wage and the current system was working against them.

(5) In relation to devolution in England, Mr Carter stated that there were massive opportunities to bring Central and Local Government closer to our communities if only Westminster would empower Local Government.

(6) Referring to health and social care integration through the Sustainable Transformation Plan, Mr Carter stated that Local Government had much to offer health partners in the delivery of effective and efficient services. He hoped that the role of Local Government would be strengthened allowing closer work with health partners, including sharing Local Government's experience of delivering effective and efficient services at much less cost.

(7) Mr Carter stated that there was now a Government that supported everyone living in our communities in Kent and across the Country.

(8) Mr Latchford, the Leader of the Opposition, started by saying how pleased he was with the referendum and the Brexit result. He referred to Brexit as the return of sovereignty and he was proud that it was UKIP led by Mr Farage that had achieved this position. He referred to the Leader's view of Mrs May's government and hoped that she would carry out the promises that she had made. He was delighted with the appointment of Mr Davis as Secretary of State for Exiting the European Union. He hoped that Mrs May would make sure that charity began at home. Also that that the armed forces received more resources and that service in the armed forces was recognised by all as an honourable career.

(9) In relation to the devolution issue Mr Latchford asked for an update from the Leader on his recent meeting with Greg Clark. Mr Latchford referred to the recent meeting of the Leader with the Leaders of Districts and the constructive talks on North, East and West Kent proposed clusters. Proposals for joint working in clusters

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would provide a focus on improving the efficiency and effectiveness of existing services and collaboration to minimise duplication and waste.

(10) Referring to the problems on the M25 the previous week, Mr Latchford stated that this demonstrated the need for a second Thames Crossing.

(11) In relation to the Davis report's recommendations for expanding aviation capacity, Mr Latchford expressed the hope that the new Prime Minister would once again consider the option of Manston as a cargo hub. He stated that Manston had excellent road access and that a freight hub would release slots at Gatwick and Heathrow.

(12) Mr Latchford congratulated Members who had been involved in the solution for Operation Stack with the granting of the contract to Balfour Beatty for the construction of a lorry park.

(13) In conclusion, Mr Latchford stated that the Prime Minister would inherit a very full in-tray with many urgent issues that needed to be resolved, including bringing Brexit to fruition.

(14) Mr Cowan, Leader of the Labour Group, referred to Brexit and reminded Members that that the United Kingdom had not yet commenced the Article 50 process.

(15) In relation to devolution, Mr Cowan stated that since the Brexit result devolution and single tier amalgamation had been put on the back burner. He believed that Leaders in Kent had also recognised this as was reflected in recommendation (b) to agenda item 8 later in the meeting. He considered that the new government would be overwhelmed with European constitutional issues over the next 4 years and devolution would be forgotten. As devolution had been the Leader's number one priority as Chairman of the County Council's Network (CCN), Mr Cowan asked for the Leader's view on the situation.

(16) Mr Cowan expressed the view that Local Authorities wanted to combine, in order to survive Central Government cuts and also to be able to ask for a devolution deal with devolved powers from Central Government. He considered that any devolved powers would be in the most difficult areas and the most potentially politically damaging, with Central Government in control of policy but not operation, with the potential for blame to be placed on Local Government.

(17) Mr Cowan referred to the new Prime Minister and questioned what would actually change. Mrs May had referred to being a one nation Prime Minister and that there was little hope of reaching a fiscal surplus by 2020. He suggested that this would mean more deep cuts for Local Authorities. He stated that the Prime Minister should be given the opportunity to prove herself, and that she should be challenged on how she was going to support Local Authorities across the Country. He referred to the Prime Minister indicating that she had a strong belief in social mobility and wanted a society that worked for everyone. She had also stated that she wanted to make big businesses more accountable by having consumers and workers represented on Boards and to make annual shareholders votes on corporate pay binding rather than merely advisory. He welcomed the proposed end to austerity and stated that he would wait to see if it actually happened.

(18) Mrs Dean, Leader of the Liberal Democrat Group, welcomed Mr Watts and congratulated him on his new position.

(19) Mrs Dean stated that the new Prime Minister had made a great start and referred to the ongoing establishment of her Cabinet, including the departure of Mr Gove and Mrs Morgan, which she believed to be of great assistance to the County Council. Mrs Dean expressed the view that Mr Gove had been an architect of breaking up the collegiate nature of education and Mrs Morgan had stated that Local Authorities would not be allowed to run academy trusts.

(20) Mrs Dean suggested that the Leader should be raising the issue of a compulsory dispersal scheme for unaccompanied asylum seekers at the earliest opportunity. She referred to the recent Local Government Association conference, which she had attended, and the disappointing conversations that she had had with other Local Authorities about this issue of dispersal. She had been astounded at the excuses given by other Local Authorities not to accept more than a handful of children, and gave examples of the views expressed.

(21) Mrs Dean expressed disappointment at the parallel drawn by the Leader between immigration and the problem of access to schools and to health provision in this country. She expressed the view that the cause was actually the withdrawal of government funding to local authorities.

(22) Regarding Devolution, Mrs Dean referred to the report later in the meeting and the proposals in East Kent for greater collaboration.

(23) In conclusion regarding Brexit, Mrs Dean considered it too early to say what the effect would be. She stated that she would have liked to have heard a commitment from all Leaders to the European residents who were here legally and working, being given a right to remain in recognition of their contribution to the wealth of this Country.

(24) The Chairman stated that in the absence of Mr Whybrow, the Leader of the Independents Group, Mr Harman had indicated prior to the meeting that he did not wish to respond to the Leader's update. However, Mr Harman sought permission from the Chairman during this item to raise a local health service matter. After consultation with the Monitoring Officer, the Chairman ruled that it was his view that the raising of this issue was not a response to the Leader's update as required by the Constitution.

(25) In replying to the other Leaders' comments, Mr Carter informed Members that he had not met with Mr Clark but that he had met with Mrs Morgan, who had addressed the CCN Executive. He confirmed that Mrs Morgan had said that Local Authorities could not form academy trusts. With the departure of Mrs Morgan from the office of Secretary of State for Education, Mr Carter stated that there was a need to influence and shape an appropriate education system for all young people.

(26) In relation to a compulsory dispersal system for unaccompanied asylum seekers, he had recently written to Mr Brokenshire, Minister for Security and Immigration, to suggest that there should be a time limit on the voluntary system prior

to a dispersal system being enforced, if necessary. This would enable Kent to reduce the number of unaccompanied asylum seekers down to three or four hundred plus the remaining 18+ year old that would have to remain in Kent whilst they went through the asylum process.

(27) Regarding devolution, Mr Carter was of the view that there would be empowering of local government by Westminster and Whitehall. He referred to the example of public health and the inroads made into influencing and shaping the health and social care interface. He reminded Members that Local Government had a massive agenda and spent 25% of the public purse every year. He referred to the expenditure on health and the potential influence that Local Government had via the Strategic Development Plan. He was optimistic that Kent would receive additional funding to integrate health and social care, through a well thought out Strategic Development Plan. He also referred to business rate retention and the fair funding review especially the importance of making sure that Kent got a significant re-distribution.

(28) In conclusion he stated that, with a new Cabinet under the leadership of the new Prime Minister he was looking forward to seeing who was going to fill the Cabinet positions. He referred to the renewed optimism across this country and in Local Government that it would be treated much more seriously. He hoped that the potential that Local Government had to help transform public service delivery would be recognised.

(29) The Leaders speech was noted.

20. Select Committee - Grammar Schools and Social Mobility

(1) Mr Gough moved and Mr Northey seconded the following motion:

“The County Council is asked to

6.1 Thank the Select Committee for its work and for producing a relevant and timely document.

6.2 Recognise the valuable contribution of the witnesses who provided evidence to the Select Committee.

6.3 Comment on and endorse the report and recommendations of the Select Committee.”

(2) Mrs Whittle, the Chairman of the Select Committee, clarified that recommendations 12 and 13 only applied to children who were offered a place in a Grammar School.

(3) The motion was agreed without a formal vote.

- (4) RESOLVED that
- (a) the Select Committee be thanked for its work and for producing a relevant and timely document;
 - (b) the valuable contribution of the witnesses who provided evidence to the Select Committee be recognised; and
 - (c) the report and recommendations of the Select Committee be noted

21. Devolution Position Statement

- (1) Mr Carter moved and Mr Simmonds seconded the following motion:

“County Council is asked to:

- a) NOTE the background and context to the national devolution agenda, including the impact of the Cities and Local Government Devolution Act 2016
- b) NOTE the position taken by Kent Leaders not to currently submit a devolution bid to the Government given the impact of the EU referendum result
- c) NOTE the ongoing work with partners across East, West and North Kent on devolution and better two-tier working at sub-county level
- d) NOTE the ongoing work stream to formalise the sub-county devolution work with West Kent District Councils through a joint committee under the Local Government Act 1972.”

- (2) The motion was agreed without a formal vote.

- (3) RESOLVED that:

- (a) the background and context to the national devolution agenda, including the impact of the Cities and Local Government Devolution Act 2016 be noted;
- (b) the position taken by Kent Leaders not to currently submit a devolution bid to the Government given the impact of the EU referendum result be noted;
- (c) the ongoing work with partners across East, West and North Kent on devolution and better two-tier working at sub-county level be noted; and
- (d) the ongoing work stream to formalise the sub-county devolution work with West Kent District Councils through a joint committee under the Local Government Act 1972 be noted.

22. Adoption of the Kent Minerals and Waste Local Plan 2013-30

- (1) Mr Brazier moved and Mr Balfour seconded the following motion:

“The County Council is recommended to:

- 1. Note the Main Modifications to the Kent Minerals and Waste Local Plan 2013- 30 (KMWLP) and the responses to their consultation;

2. Note the contents of the Inspector's Report and his conclusion that with the Main Modifications (Appendix 3), the Kent Minerals and Waste Local Plan is sound and legally compliant;

3. Note the minor non-material modifications made to the Kent Minerals and Waste Local Plan (Appendix 5); and

4. Adopt the Kent Minerals and Waste Local Plan, incorporating the Main Modifications and minor modifications (Appendix 1);

And to authorise the Corporate Director for Growth, Environment and Transport to:-

(i) make any further minor modifications which may be needed, such as formatting changes and typographical errors in order to publish the Development Plan; and

(ii) approve and publish the adoption statement and the Strategic Environmental Assessment Adoption Statement."

(2) Mr Balfour, as part of his seconding of this motion, asked that the Council's thanks be recorded to Mrs Thompson and her officers for their diligence and hard work over the past 7 years to produce the Plan and take it through the adoption process.

(3) The motion was agreed unanimously without a formal vote.

(4) RESOLVED that:

(a) the Main Modifications to the Kent Minerals and Waste Local Plan 2013- 30 (KMWLP) and the responses to their consultation be noted;

(b) the contents of the Inspector's Report and his conclusion that with the Main Modifications (Appendix 3), the Kent Minerals and Waste Local Plan is sound and legally compliant be noted;

(c) the minor non-material modifications made to the Kent Minerals and Waste Local Plan (Appendix 5) be noted; and

(d) the Kent Minerals and Waste Local Plan, incorporating the Main Modifications and minor modifications (Appendix 1) be adopted;

(e) the Corporate Director for Growth, Environment and Transport be given delegated authority to :-

(i) make any further minor modifications which may be needed, such as formatting changes and typographical errors in order to publish the Development Plan; and

(ii) approve and publish the adoption statement and the Strategic Environmental Assessment Adoption Statement.

23. Independent Person

- (1) Mr Cooke moved and Mr Carter seconded the following motion:

“The County Council is recommended to reappoint Michael George as the Independent Person for the Member Code of Conduct for the four year term 1 July 2016 to 30 June 2020.”

- (2) The motion was agreed without a formal vote.

- (3) RESOLVED that Michael George be reappointed as the Independent Person for the Member Code of Conduct for the four year term 1 July 2016 to 30 June 2020.