

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held at Sessions House, County Hall, Maidstone on Monday, 12 May 2008.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr M C Dance, Mr K A Ferrin, Mr G K Gibbens, Mr R W Gough, Mr M Hill, Mr A J King and Mr K G Lynes. Mrs A Allen was also present.

OFFICERS: Mr P Gilroy, Chief Executive; Ms A Honey, Managing Director, Communities, Ms L McMullan, Director of Finance, Mr O Mills, Managing Director for Adult Social Services, Mr A Wilkinson, Managing Director for Environment and Regeneration and Ms M Peachey, Director of Public Health. Dr I Craig was present on behalf of the Managing Director for Children Families and Education.

UNRESTRICTED ITEMS

1. Minutes of the Meeting held on 14 April 2008
(Item 2)

The Minutes of the meeting held on 14 April 2008 were agreed as a true record.

2. Collaboration between Essex and Kent Police
(Item 3)

Mrs Ann Barnes, Chairman of the Kent Police Authority, Mr Robert Chambers, Chairman of the Essex Police Authority, Mr Mike Fuller, Chief Constable for Kent and Mr Roger Baker, Chief Constable for Essex were present for this item.

(1) Mrs Barnes said that against a background of possible Government imposed mergers, the Kent and Essex Police forces had since January 2007 been looking in detail at the opportunities for greater collaboration in order to bring about greater efficiencies and the better use of resources. This work was not about merging but looking at strengthening existing services in a collaborative way and therefore negating the need to merge. Mr Fuller said that he and Mr Baker remained directly responsible for their respective forces and to their respective police authorities. However, through the shared use of resources (including procurement) and the shared use of specialist staff and equipment the Kent and Essex forces had been working in closer collaboration on a number of cross-force operational matters. In addition, the two forces are working towards harmonising procedures around HR and IT/Communications.

(2) There are a number of key issues which the two forces working together had to address and many of the detailed issues had been dealt with through the establishment of a joint Statutory Committee which has specifically looked at issues of governance. Mrs Barnes said the advice of the Home Office had been sought on issues around governance but little had been forthcoming so the two police authorities were taking matters forward very much on their own. There had also been a number of organisational support reviews designed to challenge existing practice and look at alternative ways of service delivery. This had resulted in four core work streams being developed related to air support; marine; ports and ANPR (automatic number plate recognition) and road policing. To support this work a number of memoranda of understanding had been

developed.

(3) This joint collaborative work had already produced a number of successes and these were detailed during the course of the presentation. It was said that whilst there is a clear commitment from both Chief Officer teams and the Police Authorities to take this work forward, the development of these collaboration initiatives did not in any way preclude ongoing work with others.

(4) Both Mrs Barnes and Mr Chambers acknowledged that this initiative may be seen as an example of how police authorities can work together and promoted as such by the government. Each authority also recognised that there was no guarantee against renewed attempts to merge forces. The Kent and Essex approach was based on demonstrating that strong collaboration between two separate forces/authorities was possible and could be extremely effective. Mr Hill said how much he welcomed this innovation and Mr Gilroy spoke about the opportunities this gave for significant savings through joint purchasing and procurement.

(5) Mr Carter concluded discussion by saying that he very much welcomed the presentation which had been given and said he wanted the County Council to play its part in this innovative collaboration. Mr Carter also invited Mrs Barnes and Mr Fuller to attend future a meeting of Cabinet (on a date to be agreed) in order to give a briefing on the latest policing position in Kent.

3. Revenue and Capital Budget Monitoring Exception Report

(Item 4 – Report by Mr Nick Chard, Cabinet Member for Finance, and Ms Lynda McMullan, Director of Finance)

(1) This Exception report highlighted the main movements since the Monitoring Exception report presented to Cabinet at its meeting in April 2008. Mr Chard said that there was currently a projected underspend of some £9m on the Revenue Budget although this excluded the overspend on the Asylum Service which was currently £3.805m. Lynda McMullan said that the County Council's accounts were currently being audited but that the external auditors had already said that the Council's internal processes were amongst the best that they had seen.

(2) On the issue of recouping asylum costs, Mr Gilroy said that this work was now being co-ordinated directly by the LGA and Mr Carter briefed Cabinet on a further meeting which was planned with Ministers in the near future at which it was hoped this matter would finally be resolved.

(3) Cabinet noted the latest forecast Revenue and Capital Budget Monitoring position for 2007/08 and noted the changes to the Capital Cash Limit as reported in Section 3.1 of the Cabinet report.

4. Ashford's Future –Proposed Formalisation of the Ashford's Future Partnership and the Related Incorporation of a Special Purpose Vehicle

(Item 5 – Report by Mr Roger Gough, Cabinet Member for Regeneration and Supporting Independence and Mr Adam Wilkinson, Managing Director for Environment and Regeneration)

(1) This report advised Cabinet of the proposal for formalising and restructuring the Ashford's Future Delivery Board. The report also detailed the work which was currently in progress on developing a Special Purpose Vehicle as a key new element in the delivery structure for Ashford's Future in delivering growth to Ashford. Mr Gough said that this was an interim report and a fuller

examination of the proposals and implications for KCC would be made to the June meeting of Cabinet.

(2) Cabinet noted progress on the revised arrangements for Ashford's Future and that a further report would be submitted to its meeting in June seeking approval of the terms of the Ashford's Future programme for development and the Special Purpose Vehicle Business Plan. In the meantime, Managing Directors were requested to consider the implications for their service areas of the proposed Special Purpose Vehicle and Programme for Development.

5. Kent Thameside Delivery Board: Review and Future Direction

(Item 6 – Report by Mr Roger Gough, Cabinet Member for Regeneration and Supporting Independence and Mr Adam Wilkinson, Managing Director for Environment and Regeneration)

(Mr Mike Bodkin, Head of Urban Regeneration was present for this item)

(1) This report proposed a review of the partnership arrangements in Kent Thameside and discussed the implications for the County Council. Mr Bodkin said that it was essential to demonstrate to Government that this matter was moving forward and that mechanisms had been put in place which were fit for purpose. Although much of the delivery would be undertaken by the private sector, KCC would continue to play an active role in the work of the Kent Thameside Delivery Board. It was therefore essential that the County Council played a full role in the restructuring of the current delivery arrangements in Kent Thameside.

(2) Following discussion, Cabinet:-

(a) endorsed the way ahead for KCC in Kent Thameside as set out in the Cabinet report; and

(b) authorised the Cabinet Member for Regeneration and Supporting Independence and the Managing Director for Environment and Regeneration to negotiate with partners and agree the way ahead for the Kent Thameside Delivery Board that meet KCC's strategic objectives.

6. Establishing Joint Working Arrangements with Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council

(Item 7 – Report by Mr Paul Carter, Leader of the County Council and Mr Peter Gilroy, Chief Executive)

(1) The signing of the Kent Commitment recognised the opportunities that existed for the County Council and the District Councils to work closer together in order to integrate functions which improved the effectiveness and efficiency of services and how they are developed. In particular, the Commitment recognised the work of East Kent in developing a cluster model and it was agreed that Canterbury City Council, Dover District Council, Shepway District Council, Thanet District Council and the County Council would continue to work together in order to consider and identify opportunities for greater integration and the potential to share a range of public facing services. In order to carry forward these objectives, it would first be necessary to establish a framework which gave legal authority for the four districts and the County Council to work jointly together.

(2) Mr Carter said this report was simply about establishing a possible framework and it would be up to the County Council to decide at a later date what might be put into this framework.

(3) Following discussion, Cabinet:

- (a) approved the establishment of a joint committee comprising Canterbury City Council, Dover District Council, Kent County Council, Shepway District Council and Thanet District Council, to be known as the East Kent (Joint Arrangements) Committee, with effect from 1 June 2008;
- (b) approved the terms of the Operating Arrangements for the East Kent (Joint Arrangements) Committee as set out in Appendix 1 of the Cabinet report;
- (c) approved the delegation of functions to the East Kent (Joint Arrangements) Committee as set out in paragraph 3 of the Cabinet report and Schedule A of the East Kent (Joint Arrangements) Committee Operating Arrangements;

and agreed that that the County Council with the Agreement of the Cabinet should

- (d) appoint the Leader and Deputy Leader from time to time as the two nominated members of the Council in accordance with the East Kent (Joint Arrangement) Committee Operating Arrangements, with the Chief Executive authorised to effect such substitutions in consultation with the Leader as referred to in 2(e) below;
- (e) authorise all other members of the Cabinet to act as substitutes for the Leader and the Deputy Leader as mentioned in the East Kent (Joint Arrangements) Committee Operating Arrangements;

the County Council in relation to the East Kent (Joint Scrutiny) Committee (f) should approve the establishment of a joint scrutiny committee comprising Canterbury City Council, Dover District Council, Kent County Council, Shepway District Council and Thanet District Council, to be known as the East Kent (Joint Scrutiny) Committee;

- (g) approve the East Kent (Joint Scrutiny) Committee Operating Arrangements as set out in Appendix 2 of the Cabinet report;
- (h) approve the terms of reference for the East Kent (Joint Scrutiny) Committee as set out in the East Kent (Joint Scrutiny) Committee Operating Arrangements;
- (i) appoint 3 Members to serve on the East Kent Joint Scrutiny Committee in accordance with the East Kent (Joint Scrutiny) Committee Operating Arrangements;
- (j) That Cabinet agrees to the County Council being recommended to pass the resolutions set out in 3(a)-3(e) above;

3. Cabinet and Council note that the implementation of these recommendations will result in the likely need to make consequential changes to the County Council's Constitution. Such changes that are required will be published and implemented in accordance with Article 15 (Review and Revision of the Constitution) sub-paragraph 15.2.

7. Kent Concessionary Travel Scheme for Over 60's and Disabled

(Item 8 – Report by Mr Keith Ferrin, Cabinet Member for Environment, Highways and Waste and Mr Geoff Mead, Director, Kent Highways Services)

(1) This report provided an update on the Kent and Medway Concessionary Travel Scheme for Over 60's and Disabled People since the Government had indicated that this scheme would become a County Council responsibility in future years.

(2) In introducing this report Mr Ferrin referred to two communications which had been received, one on behalf of Maidstone Borough Council and one on behalf of Tunbridge Wells Borough Council but he did not feel either changed the purpose of the report.

(3) The Kent Concessionary Travel Scheme is operated jointly by the District Councils, Medway Council and the County Council. Whilst responsibility for this scheme rests with the District Councils, who are termed Travel Concession Authorities the County Council takes an active co-ordinating role in order for Kent residents to get the most out of their pass. There are currently some 260,000 pass holders in Kent and the scheme costs some £17.25m (08/09 prices). These costs are met by the Districts and Medway with financial assistance from Government through the Revenue Support Grant Mechanism. The County Council provides £30,000 per annum towards the cost of administering the scheme.

(4) As of April 2008 the scheme was expanded to enable free travel on bus services across England. The funding responsibility was also changed from the District issuing the pass to the District in which the journey began. As a consequence, many of the Travel Concession Authorities across the country put back the start of the scheme to 9.30 am in order to try and reduce costs. Faced with increasing travel and uncertainties over levels of future funding, all the Kent districts, except Medway amended the time from which passes are valid from 9.00 am to 9.30 am. Medway Council decided to return to a 9.00 am start in February 2008. Mr Ferrin said that this had resulted in a situation, where for example some pass holders living in rural areas may have to pay a fare on a service before 9.30 am or wait until the next service which might not run for several hours. Pass holders have therefore continued to lobby for the scheme to be put back to a 9.00 am start. The additional annual cost of allowing pass holders to travel for free between 9.00 am and 9.30 am has been estimated at some £150,000 per annum and there may also be on top of that claims from bus operators as services are changed to cater for demand.

(5) During the course of discussion, Mr Chard said that he felt strongly about this issue and the County Council in its leadership role should take a positive decision. He therefore proposed and Mr A J King seconded that as from Monday, 30 June 2008 the County Council should fund the cost of allowing pass holders to travel for free from 9.00 am and 9.30 am by providing £120k from the forecast underspend for 2007/08. Future years provision should be considered as part of the Council's normal budget build.

(6) During the course of discussion, several Members of Cabinet spoke in support of the proposal and Mr Carter said that he welcomed this move.

(7) Following further discussion, Cabinet agreed that as from Monday, 30 June 2008 the cost of allowing pass holders to travel for free between 9.00 am and 9.30am be funded by providing £120k from the forecast underspend for 2007/08. Future years provision would be considered as part of the Council's normal budget build.

8. Decisions from Cabinet Scrutiny Committee – 23 April 2008

(Item 9 – Report by Head of Democratic Services and Local Leadership)

This report set out the Decisions from the Cabinet Scrutiny Committee held on 26 March 2008 and invited responses from Cabinet.

(a) Annual Unit Business Plans

Cabinet noted that the following Unit Business Plans would be selected for detailed scrutiny later in the year.

- Kent Highways Services
- Children's Services (Clusters)
- Communications and Media Centre
- Direct Payments (part of Adult Social Services)

(b) Proposed Disposal of Land Fronting the A20 in Allington

Mr Chard said that he had met with Mr Wilkinson a representative of the Baptist Church and discussions were ongoing with the intention of working towards a satisfactory resolution.

(c) Proposed Outsourcing of Delivery Services Beyond the Boundaries of Kent

Mr Chard said that he was very pleased with the comments made by the Scrutiny Committee in commending the Director of Commercial Services for achieving increased income for the Council, helping to keep the cost of council tax down.