

21 May 2008

KENT COUNTY COUNCIL

CABINET SCRUTINY COMMITTEE

MINUTES of the meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Wednesday, 21 May 2008.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Mr A H T Bowles, Miss S J Carey, Mr B R Cope, Mr G Cowan, Mr C Hart, Mr G A Horne MBE, Mr E E C Hotson, Mr C J Law, Mr M J Northey, Mr R J E Parker (for Mr R Truelove), Mr J D Simmonds, Mrs P A V Stockell (for Mr R E King) and Mr M J Vye (for Mrs T Dean).

APOLOGIES: Mr A R Bassam and Mr J E Scholes

ALSO PRESENT: Mr J R Bullock MBE (for Item 72 – Kent Concessionary Travel Scheme)

IN ATTENDANCE: Mr P Sass, Head of Democratic Services and Local Leadership.

UNRESTRICTED ITEMS

67. Declarations of Interest

(1) Mr Vye declared a personal interest in Item 72 (Kent Concessionary Travel Scheme), as he was a recipient of a concessionary travel pass.

(2) Miss Carey, Dr Eddy, Mr Cowan, Mr Hart and Mr Vye declared personal interests in Item 73 (Joint Working Arrangements with the four East Kent District Councils), as being elected Members of one of the four District authorities concerned.

68. Minutes – 23 April 2008

(Item A3)

(1) The Committee was pleased to note the thanks expressed by the trustees of the Allington Baptist Church for the Committee's willingness to hear their point of view (in relation to the proposed disposal of the Leafy Lane site off the A20) and for the Committee's findings.

(2) RESOLVED that the Minutes of the meeting held on 23 April 2008 are correctly recorded and that they be signed by the Chairman.

69. Action taken on Committee's Recommendations

(Item A4)

RESOLVED that the action taken on the Committee's recommendations be noted.

70. Informal Member Group on Budgetary Issues – 7 May 2008

(Item A5)

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(1) The Committee noted that the Corporate Policy Overview Committee and the Informal Member Group on Budgetary Issues had been asked to monitor the activities of Commercial Services in relation to the objectives and targets contained within their business plan, together with issues relating to customer satisfaction and value for money.

(2) Mr Sass undertook to supply copies of the papers submitted to the May meeting of the Informal Member Group on Budgetary Issues to all Members of the Cabinet Scrutiny Committee relating to Commercial Services and the definition of strategic management.

(3) RESOLVED that the notes of the Informal Member Group on Budgetary Issues, held on 7 May 2008, be noted and the recommendations to Governance and Audit Committee on the Commercial Services item be endorsed.

71. Wingfield Bank, Northfleet – Declaration of Land Surplus to Highways Requirements
(Item C1)

(1) The Committee welcomed Mr K A Ferrin, Cabinet Member for Environment, Highways and Waste; Mr G Mee, Director of Kent Highways Services; Mr J Farmer, Regeneration and Projects Manager, Environment and Regeneration; Mr M Austerberry, Director of Property; and Mr Colin Meredith (Northfleet Action Group), to the meeting.

(2) At the invitation of the Chairman, Mr Meredith began his presentation by describing briefly the development history of the area, during which he expressed regret at the gradual loss over the years of natural open space for local people to enjoy. He asked that the Council should do all in its power to ensure that such a local amenity area was provided for residents.

(3) In response to Mr Meredith's opening remarks and a number of questions and comments from Members, Mr Ferrin stated that the only decision he was proposing to take was whether the land in question was surplus to highways requirements. He added that he was not being asked to decide on the future use of the land, which was ultimately a planning matter for determination by Gravesham Borough Council. Mr Ferrin also stated that, if the land in question was to be used as a local amenity area in the future, it would still have to be declared surplus to highways requirements to enable that to happen.

(4) In response to a question from Mr Parker, Mr Ferrin stated that, once the decision to declare the land surplus to highways requirements was confirmed, the matter would be passed to the Property Group to deal with. It was noted that the report to the Cabinet Member seeking approval of this decision made reference to the fact that the proposed developer of the site either side of the existing highways land had expressed an interest in purchasing the land. Mr Mee confirmed that, once surplus, the land in question would be disposed of via Property Group.

(5) In response to a question from the Chairman about possible alternative uses of the land in question, the Director of Property stated that the existing highways land bisects two other areas of land privately owned by the same person, who is also the

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proposed developer of the land and who wishes to purchase and incorporate into the development, the existing highways land. Accordingly, the land in question is only surplus to highways requirements in relation to the proposed development. In commercial terms, it is likely that the developer would be willing to pay a reasonable price for the land, and the Council had held discussions in this context. However, the future utilisation of the land in question could not be settled without a formal declaration that it was surplus to highways requirements and carrying out consultation.

(6) Mr Parker expressed his gratitude that the opportunity for the land being utilised for other purposes than being incorporated into the proposed development was not totally lost.

(7) Mr Meredith presented a petition to the Chairman from local residents about the future utilisation of the land in question, which the Chairman thanked him for.

(8) RESOLVED that:-

- (a) Mr Ferrin, Mr Mee, Mr Farmer, Mr Austerberry and Mr Meredith be thanked for attending the meeting to answer Members' questions;
- (b) the Committee supports the decision of the Cabinet Member for Environment, Highways and Waste, that the land at Wingfield Bank, Northfleet, should be declared surplus to highways requirements;
- (c) the Chairman of the Committee will write to the Cabinet Member for Finance enclosing a copy of the petition presented to him by Mr Colin Meredith of the Northfleet Action Group, and ask him to advise the petitioners what the process will be now in terms of the disposal of this land, including the proposed consultation process.

72. Kent Concessionary Travel Scheme for the Over 60's and People with Disabilities
(Item D2)

(1) The Committee welcomed Mr K A Ferrin, Cabinet Member for Environment, Highways and Waste and Mr James Cook, Public Transport Team Leader, Kent Highways Services, to the meeting.

(2) With the permission of the Chairman, Mr Bullock addressed the Committee. Mr Bullock stated that he regretted the way in which this decision had been taken, particularly in relation to the lack of prior consultation with District and Borough Councils. He also mentioned that the initial report to the Cabinet contained a recommendation that was to note, so anyone reading the Cabinet report would not have known that such a decision was going to be made. Mr Bullock did, however, refer to a letter sent subsequent to the Cabinet meeting by the Leader to District and Borough Leaders, expressing regret for the lack of advanced notice of the decision.

(3) In response to a number of questions from Mr Bullock, Mr Ferrin stated that the Cabinet had decided to act when it did following a large number of enquiries from concerned elderly and disabled residents, some of whom said that they had been advised by District and Borough Council officers to contact KCC. Mr Ferrin stated

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that, ideally, the decision would not have been made without prior consultation with District and Borough Councils but the decisive action taken by the Cabinet was done to help allay residents' concerns.

(4) Mr Simmonds stated that the Cabinet's decision to provide financial support for a 9.00 am start could hamper the negotiations between District/Borough Councils and the Government in relation to the under-funding of the national scheme. Mr Ferrin responded that he had no wish to hamper negotiations and would liaise with District Council colleagues and the bus companies about the best way of implementing the earlier start time for the scheme. Mr Ferrin also stated that he would decide on the most appropriate way to distribute the additional £120,000 after consulting with District and Borough Councils. He also confirmed that the £120,000 was an estimate of the additional cost for the remainder of the current financial year and that the Cabinet was committed to covering the entire cost of the 9.00am start, whatever those costs happened to be.

(5) In response to a question from Mrs Stockell about funding for future years, Mr Ferrin stated that the Cabinet was committed to funding the earlier scheme start in future years and will be considering the position for 2009/10 onwards as part of the budget setting process, which would commence in the autumn of this year.

(6) In response to a question from Mr Bullock, Mr Ferrin stated that he did not accept that the financial information in the report was inaccurate; he said that the information was provided by the Council's consultants and that some of the District and Borough Councils might have a different interpretation of the position.

(7) In response to a question from Mr Law, Mr Ferrin accepted that more work needed to be undertaken with the bus companies to market their services.

(8) RESOLVED that:-

- (a) Mr Ferrin and Mr Cook be thanked for attending the meeting to answer Members questions;
- (b) the Committee welcomes the Cabinet's initiative to allow pass holders to travel free between 9.00 am and 9.30 am;
- (c) the Committee would support active consultation commencing as soon as possible with District and Borough Council Leaders with regard to the proposed implementation of the Cabinet's decision;
- (d) the Committee agrees to reconsider the matter when any significant changes are proposed to the national scheme.

73. Joint Working Arrangements with Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council
(Item D1)

(1) The Committee welcomed Mr P B Carter, Leader of the Council, and Mr G Wild, Director of Law and Governance to the meeting for this item.

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(2) The Chairman began by asking the Leader to state what the proposed joint arrangements would add apart from a further tier of local government in Kent. Mr Carter responded that, by working more closely together, local residents in Kent would benefit from services that were better planned, procured and targeted and that opportunities existed for greater efficiencies to be found without affecting the quality of services for local people. The Chairman also asked the Leader to comment on the distinction between the proposed joint working arrangements and a number of existing joint working arrangements, such as the local joint transport boards and the Local Strategic Partnership. The Leader responded that both of these bodies had important roles to play that were quite distinct from each other and from the proposed joint working arrangements between KCC and the four East Kent Districts.

(3) In response to a question from Mr Horne, the Leader confirmed that there was nothing to prevent the Joint Committees from seeking to co-opt representatives from other agencies, such as health, fire and the police, if it was relevant to their deliberations.

(4) In response to a question from Mr Smyth about the proposed scrutiny arrangements, the Leader confirmed that all five authorities would appoint Members to the Joint Scrutiny Committee even if the subject under discussion only pertained to two or three of the five authorities. He also stated that, in time, the Joint Scrutiny Committee would be able to develop pre-decision and policy overview roles.

At approximately 1.00 pm, the Committee adjourned for a 30 minute break, whereupon the Leader had to depart for another engagement. Mr Wild returned to the meeting at 1.30 pm to continue answering Members' questions.

(5) In response to a question from Mr Hart, Mr Wild stated that Shepway District Council was already involved in delivering services jointly with Dover District Council and that it was appropriate for Shepway District Council to be involved in the joint arrangements.

(6) In response to a question from Mr Parker, Mr Wild confirmed that each authority would bear its own costs for participating in the joint arrangements, including the scrutiny aspects. With regard to joint working per se, Mr Wild confirmed that the approval of the Joint Committee was not required for any new jointly-delivered or procured services.

(7) RESOLVED that:-

- (a) Mr Carter and Mr Wild be thanked for attending the meeting to answer Members' questions;
- (b) the Committee notes the current position and asks the Leader to keep the Committee updated with regard to the development of the Joint Working arrangements in the four East Kent District Councils.