

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 10 December 2009.

PRESENT:

Mr J A Davies (Chairman)
Mr W A Hayton (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr D L Brazier, Mr R Brookbank, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr N J D Chard, Mr A R Chell, Mr I S Chittenden, Mr L Christie, Mrs P T Cole, Mr N J Collor, Mr G Cooke, Mr B R Cope, Mr H J Craske, Mr A D Crowther, Mr J Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr K A Ferrin, MBE, Mr G K Gibbens, Mr R W Gough, Mrs E Green, Mr M J Harrison, Mr C Hibberd, Mr P M Hill, OBE, Mr D A Hirst, Mrs S V Hohler, Mr P J Homewood, Mr G A Horne MBE, Mr E E C Hotson, Mr M J Jarvis, Mr A J King, MBE, Mr R E King, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J Ozog, Mr T Prater, Mr K Pugh, Mr W Richardson, Mr L B Ridings, Mr M Robertson, Mrs J A Rook, Mr A Sandhu, MBE, Mr J D Simmonds, Mr C P Smith, Mr K Smith, Mr M V Snelling, Mrs P A V Stockell, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J Wedgbury, Mr C T Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham and Mr A Willicombe

IN ATTENDANCE: Mr P Gilroy (Chief Executive), Mr G Wild (Director of Law and Governance) and Mr P Sass, Head of Democratic Services and Local Leadership

UNRESTRICTED ITEMS

1. Apologies for Absence

The Chief Executive reported apologies from the following Members:

Mr R Bayford
Mr A Bowles
Mr R Bullock, MBE
Mr P Carter
Mr R Frayne
Mr T Gates
Mr J Kirby
Mr S Manion
Mr R Parry
Mr R Pascoe
Mr J Scholes

2. Declarations of Interest

There were no declarations of personal or prejudicial interests by Members in respect of any item on the agenda.

3. Minutes of the meeting held on 15 October 2009 and if in order, to be approved as a correct record.

RESOLVED: that the Minutes of the meeting held on Thursday 15 October 2009 are correctly recorded and that they be signed by the Chairman.

4. Chairman's Announcements

(a) Death of Sir John Grugeon

The Chairman formally advised the Council of the death of Sir John Grugeon; former Conservative County Councillor for Ashford Rural West from 1967 to 1997 and the County Councillor for Tenterden from 1997 to 2001

Sir John was the Leader of the Council from 1973 to 1982; and Chairman of the County Council from 1989 to 1991 and again from 1997 to 1999. He was also the Chairman of the Police Authority from 1994 to 1998.

Knighthood in 1980 for services to local government, Sir John was also appointed Deputy Lieutenant for Kent in 1986.

Sir John's son Paul has confirmed that following the family-only funeral, but there will be a memorial service in the New Year.

The Council stood in silence as a mark of respect and passed a resolution in the following terms:

RESOLVED that this Council desires to record the sense of loss it feels on the death of Sir John Grugeon and extends to his family and friend its heartfelt sympathy to them in their sad bereavement.

(b) Academic Award for Miss Susan Carey

The Chairman announced that Susan Carey, Member for the Elham Valley Electoral Division, had been awarded a Post Graduate Diploma in Local Government Studies from London Southbank University, which she passed with a Distinction. This is the first such qualification for Councillors.

Miss Carey was sponsored by KCC for the course and South East Employers paid the fees.

The Chairman invited Miss Carey to the dais to formally receive her Award.

(c) Local Authority Regeneration Team of the Year Award

The Chairman announced that the Regeneration and Economy Division, within the Chief Executive's department, had been awarded the National Award for Local Authority Regeneration Team of the Year by the Regeneration and Renewal Magazine.

The team was also highly commended in the Regeneration Design Category for the Ashford Shared Space Project.

(d) Human Resources and Payroll Award

The Chairman announced that Kent County Council, the only public sector organisation to be shortlisted for the recent Pay Magazine's awards, had won the Integrated Human Resources and Payroll Team prize. The Pay Magazine is the largest trade publication in the industry.

(e) UK Teaching Awards

The Chairman formally congratulated Dan Walton, an advanced skills maths teacher at St. John's Catholic Comprehensive School in Gravesend, for being crowned "Teacher of the Year in a Secondary School" at the recent national Teaching Awards.

Four other Kent teachers and one Kent school also won regional awards held earlier in the year.

(f) Petitions

The Chairman announced the receipt of two petitions from Members:

The first petition had been submitted by Mrs Whittle on behalf of 150 residents in Stockbury, calling for KCC to invest in Broadband access to their village, which was handed formally to Mr Roger Gough, Cabinet Member for Corporate Support Services and Performance Management for investigation and response.

The second petition had also been submitted by Mrs Whittle on behalf of residents of Harrietsham in relation to the A20 speed limits review and the proposal to move the 60mph limit eastwards into the village, which was handed formally to Mr Nick Chard, Cabinet Member for Environment, Highways and Waste for investigation and response.

(g) Demonstration of the BT Meet Me Teleconferencing Service

The Chairman stated that there was a demonstration outside the Chamber for Members of the BT "Meet Me" Teleconferencing Service. This service allows a telephone conversation to be held with up to 40 people at the same time and can be accessed from any landline or mobile phone. If a Member initiates the call from County Hall, the service is free to use; if the service is accessed from a Member's home or a mobile, the Member will be charged for the service. However, there are opportunities for savings in time for Members in travelling to and from meetings.

(i) Support for our Armed Forces

The Chairman stated that he had received a letter from Brigadier Iain James at the Shorncliffe Barracks, expressing sincere thanks for the support offered by Kent County Council to servicemen and women, their families and dependents, during the last year.

The Brigadier had stated in his letter that this had been a hard year for the Army, describing the operation in Afghanistan as “intense” and the “human cost relentless”. On a more positive front, the letter stated that it was clear that the Army enjoyed a high public profile and public support and that the hard work must continue to seek to make soldiers’ lives better. The letter concluded by wishing all in the County Council a Happy Christmas and a Prosperous New Year.

The Chairman invited Members to remember this Christmas all members of the armed forces and their families, especially those who had sadly lost loved ones and also those currently in Afghanistan who are serving our Country at this difficult time. He added; “May we wish you all a Happy Christmas – you are in our thoughts and in our prayers”.

5. Questions

Under Procedure Rule 1.18, 8 questions were asked and replies were given. No questions remained unanswered at the end of the 30 minute period.

6. Report by Leader of the Council (Oral)

In the absence of the Leader, who was meeting with the Immigration Minister in London, the oral report was delivered by the Deputy Leader.

The Deputy Leader updated the Council on various matters since the last meeting of the County Council. Specifically, he referred to the recent publication by the Audit Commission of the league table for performance by local authorities in England. He stated that Kent County Council had been judged joint top among all county councils in England - it was one of only three county councils that are "performing excellently" and that, for the eighth year running, Kent County Council had scored the highest possible overall rating. KCC was also singled out for exceptional achievement. In the partnership assessment, Kent was awarded two exceptional accreditations for improving young peoples' education and skills, for providing job opportunities to match Kent's growing economy and for the Gateways. The Deputy Leader paid tribute to the leadership of the Authority by Paul Carter and Peter Gilroy and also congratulated the staff on their important roles in these achievements.

The Deputy Leader warned that there were tough times ahead for the public sector but that KCC was in good shape to face these challenges and that the key word for these challenging times was “innovation”, which KCC excelled at.

RESOLVED: that the oral report of the Deputy Leader be noted.

7. Proposed Amendments to the Constitution

The Chairman referred to the revised version of the Constitution that had been circulated to all Members, which set out a number of proposed amendments to this report following its consideration at the Selection and Member Services Committee on Friday 4 December 2009.

Mr A King moved, Mr K Lynes seconded the recommendations set out on page 11 of the Blue Book.

During the debate, Mrs Dean moved, Mr Prater seconded the following Amendment:

“That the Constitution be changed so that the Scrutiny Board is chaired by a member of the Opposition”.

The Chairman put the Amendment to the vote, when the voting was as follows:-

For – 10

Mr I Chittenden, Mr L Christie, Mr D Daley, Mrs T Dean, Mrs E Green, Mr G Koowaree, Mr R Lees, Mr T Prater, Mr M Robertson, Mr M Vye.

Abstain – 2

Mr R Manning, Mr C Smith.

Against – 59

Mrs A Allen, Mr M Angell, Mr D Brazier, Mr R Brookbank, Mr R Burgess, Mr C Capon, Miss S Carey, Mr N Chard, Mr A Chell, Mrs P Cole, Mr N Collor, Mr G Cooke, Mr B Cope, Mr H Craske, Mr A Crowther, Mr J Cubitt, Mrs V Dagger, Mr M Dance, Mr K Ferrin, Mr G Gibbens, Mr R Gough, Mr M Harrison, Mr C Hibberd, Mr M Hill, Mr D Hirst, Mrs S Hohler, Mr P Homewood, Mr G Horne, Mr E Hotson, Mr M Jarvis, Mr A J King, Mr R King, Mr J Kite, Mr P Lake, Mrs J Law, Mr J London, Mr R Long, Mr K Lynes, Mr A Marsh, Mr M Northey, Mr J Ozog, Mr K Pugh, Mr W Richardson, Mr L Ridings, Mrs J Rook, Mr A Sandhu, Mr J Simmonds, Mr K Smith, Mr M Snelling, Mrs P Stockell, Mr B Sweetland, Mr R Tolputt, Mrs E Tweed, Mr J Wedgbury, Mr C Wells, Mr M Whiting, Mrs J Whittle, Mr A Wickham, Mr A Willicombe.

Amendment lost

RESOLVED: that:

- (a) the consequential amendments to the Constitution as per the version recommended by the Selection and Member Services Committee on 9 December 2009, be approved;
- (b) the Protocol for the Councillor Call for Action as set out in Appendix 3 of the circulated report be approved;
- (c) the Protocol for the operation of the Crime and Disorder Committee as set out in Appendix 4 of the circulated report be approved;
- (d) the revised version of the Policy Framework at Appendix 5 in the circulated report be approved; and
- (e) the work being undertaken to refresh the protocols on the Overview and Scrutiny of Health across Kent and the Overview and Scrutiny Inter Authority Co-operation be noted.

8. Proposed Flood Risk Management Committee

Mr N Chard moved, Mr D Brazier seconded the recommendations contained on page 210 of the Blue Book, as follows:

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- (a) The establishment of a Flood Risk Management Committee with 7 Members on the basis of 6 Conservatives and 1 Liberal Democrat
- (b) Approval of the Committee's Terms of Reference, as set out in the appendix to the report (and appended to these Minutes).

Carried without a vote

9. Minutes for Information

Pursuant to Procedure Rules 1.10 and 1.23(4), the Minutes of the Planning Applications Committee meetings held on 6 October and 3 November 2009 were noted.

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Appendix

FLOOD RISK MANAGEMENT COMMITTEE

PROPOSED TERMS OF REFERENCE

7 Members

Conservative: 6; Liberal Democrat: 1.

This Committee is responsible for:-

- the preparation, monitoring and review (in conjunction with the Flood Risk Management Officer) of a strategic action plan for flood risk management in Kent taking into account KCC Select Committee recommendations, the Pitt Review and relevant requirements of the Flood and Water Bill (and Act in due course);
- reporting annually (and more often if necessary) to the Environment, Highways and Waste Policy Overview Committee and to the Cabinet Member for Environment, Highways and Waste;
- reviewing and responding to any consultation on the implementation of the Pitt Review and the future development of the Flood and Water Bill (and associated Act);
- receiving reports from the South East Regional Flood Defence Committee and responding as appropriate; and
- the investigation of water resource management issues in Kent.