



Summons to and
Agenda for a
Meeting on
Thursday 16 December
2010
At **10.00 am**



DEMOCRATIC SERVICES
SESSIONS HOUSE
MAIDSTONE

Tuesday, 7 December 2010

To: All Members of the County Council

Please attend the meeting of the County Council in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 16 December 2010 at **10.00 am** to deal with the following business. **The meeting is scheduled to end by 4.30 pm.**

Webcasting Notice

Please note: this meeting will be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

By entering the meeting room you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured then you should make the Clerk of the meeting aware.

A G E N D A

1. Introduction/Webcasting
2. Apologies for Absence
3. Declarations of Interest
4. Minutes of the meeting held on 14 October 2010 and, if in order, to be approved as a correct record. **(Pages 1 - 8)**
5. Chairman's Announcements
6. Questions **(Pages 9 - 16)**
7. Report by Leader of the Council (Oral)
8. Select Committee on Renewable Energy in Kent **(Pages 17 - 28)**
9. Bold Steps for Kent: The Medium Term Plan to 2014/15 **(Pages 29 - 46)**
10. Change to keep succeeding (to follow) **(Pages 47 - 54)**
11. Select Committee on Extended Services **(Pages 55 - 68)**
12. Petition Scheme Review **(Pages 69 - 92)**

13. Proposed Changes to the Constitution **(Pages 93 - 96)**
- (i) The Leader's oral report
 - (ii) Proposed changes to the Constitution in relation to the absence of a Member
 - (iii) Proposed changes to the Terms of Reference of the Personnel Committee
14. Travel Scheme for Officers (to follow)
15. Petition Scheme Debates **(Pages 97 - 116)**
- (i) The Limes – care home for older people
 - (ii) Blackburn Lodge, Sheerness
 - (iii) Bowles Lodge, Hawkhurst
 - (iv) Mobile Advertising Boards ("A" Frames) in Maidstone
- (Note:- This item will begin immediately after the lunch interval, with the agenda being varied if required)*
16. Report on Urgent Key Decisions in the previous quarter **(Pages 117 - 118)**
- (i) Proposed new Primary School on the Goat Lees Estate, Ashford – selection of preferred bidder
17. Treasury Management Six Month Review 2010-2011 **(Pages 119 - 128)**
18. Minutes for Approval - Governance and Audit Committee **(Pages 129 - 138)**
15 September and 30 November 2010
19. Minutes for Information **(Pages 139 - 170)**
- (a) Planning Applications Committee – 27 July, 7 September, 12 October and 2 November 2010;
 - (b) Regulation Committee – 9 September 2010; and
 - (c) Superannuation Fund Committee – 20 August and 19 November 2010



Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

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 October 2010.

PRESENT:

Mr W A Hayton (Chairman)
Mrs P A V Stockell (Vice-Chairman)

Mrs A D Allen, Mr M J Angell, Mr R W Bayford, Mr A H T Bowles, Mr D L Brazier, Mr R Brookbank, Mr J R Bullock, MBE, Mr R B Burgess, Mr C J Capon, Miss S J Carey, Mr P B Carter, 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 M Cubitt, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mrs T Dean, Mr J A Davies, Mr K A Ferrin, MBE, Mr T Gates, 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 D Kirby, Mr J A Kite, Mr S J G Koowaree, Mr P W A Lake, Mrs J P Law, Mr R J Lees, Mr J F London, Mr R L H Long, TD, Mr K G Lynes, Mr S Manion, Mr R F Manning, Mr R A Marsh, Mr M J Northey, Mr J M Ozog, Mr R J Parry, Mr R A Pascoe, Mr T Prater, Mr K H Pugh, Mr L B Ridings, Mr M B Robertson, Mrs J A Rook, Mr J E Scholes, Mr J D Simmonds, Mr K Smith, Mr M V Snelling, Mr B J Sweetland, Mr R Tolputt, Mrs E M Tweed, Mr M J Vye, Mr J N Wedgbury, Mrs J Whittle, Mr M A Wickham and Mr A T Willicombe

IN ATTENDANCE: Katherine Kerswell (Group Managing Director) and Peter Sass (Head of Democratic Services and Local Leadership)

UNRESTRICTED ITEMS

1. Introduction/webcasting

The Chairman stated that the meeting was being webcast live to the Internet and that if any member of the public did not wish to be filmed, they should let one of the officers know immediately.

The Chairman also stated that, for anyone speaking on any of the agenda items, it was important to use the microphones so that the viewers on the webcast and others in the Chamber could hear the debate.

The Chairman asked anyone with a mobile device such as a blackberry to turn it off as it could affect the audio systems in the Chamber. Finally, he advised everyone present where the nearest fire exit was in the event of a fire alarm.

2. Apologies for Absence

The Group Managing Director reported apologies from the following Members:

Mr Chris Smith

Mr Roger Frayne
Mr Willie Richardson
Mr Avtar Sandhu MBE
Mr Chris Wells
Mr Mike Whiting

The Chairman advised Members that both Mr Frayne and Mr Richardson were both very unwell and that he had sent messages of support and good wishes to both Members on behalf of the County Council.

3. Declarations of Interest

The following personal interests were declared by Members:

Mr Ridings, who was a Member of the Kent Safeguarding Children's Board and the Kent Children's Trust.

Mr Lynes, who had occasionally worked for South East Employers as a regional assessor but had had nothing to do with KCC's application for the Member Development Charter.

Mr Manion, who had signed the petitions for Sampson Court and the A256.

Mrs Stockell, who was a member of the Executive Committee at South East Employers but had had nothing to do with KCC's application for the Member Development Charter.

Mr Crowther, who was a member of the Kent Children's Trust.

Mr Parry, who had been lobbied to sign the petitions on today's agenda.

Mr Sweetland, who was a non-executive Director of the West Kent Primary Care Trust.

4. Minutes of the meeting held on 22 July 2010 and if in order, to be approved as a correct record.

Resolved: that the minutes of the meeting held on 22 July 2010 be approved as a correct record and signed by the Chairman.

5. Chairman's Announcements

1. Mr Roy Wayling Ford

The Chairman informed the County Council with sadness and regret of the death on 9 October 2010, of Mr Roy Ford, the Labour Member for the Margate Central electoral division from 1993 to 2005. He advised that the funeral was taking place on Friday 15 October at 11.15am at St John's Church, Margate.

After tributes from a number of Members, all present stood in silence in memory of Mr Ford and the County Council passed a resolution in the following terms:

Resolved unanimously: that this Council desires to record the sense of loss it feels on the death of Mr Roy Ford and extends to his family and friends its heartfelt sympathy to them in their sad bereavement.

2. Chief Constable's Commendation for senior KCC lawyer Karina Vickerman

The Chairman advised Members that Karina Vickerman, Senior Legal Officer within KCC Legal Services, had been awarded a Chief Constable's Commendation in relation to a joint prosecution with Kent Police.

The commendation was recommended as a result of work Karina did with Kent Police's financial unit on a trade mark case, which led to £3.3million Confiscation Order.

The Chairman stated that, unfortunately, Karina could not be present today, but he met with her earlier in the week: she said that she was delighted about her award and the County Council agreed to offer their sincere thanks and congratulations to Karina on her achievement.

3. Award for the preservation of windmills

The Chairman stated that he had been advised by Mr Brazier that he attended Cranbrook Windmill on 17 September in his role as Heritage Champion and received an award on behalf of Kent County Council from The Society for the Protection of Ancient Buildings in recognition of its conservation work in respect of all eight of its windmills. The award consisted of a certificate and was displayed in the Chamber during the meeting.

4. New Chief Executive of the Connexions Service

The Chairman stated that he was pleased to introduce the new Chief Executive of the Kent and Medway Connexions Service, Mr Sean Kearns, who was present at the meeting. The Chairman added that Mr Kearns would be present for the lunch so that Members may have the opportunity of meeting him.

5. Commonwealth Games

The Chairman stated that there were a number of athletes with Kent connections who were competing and doing exceptionally well at the Commonwealth Games in Delhi – too many to mention, but there had been some medal success for Kent-based competitors and the County Council offered their sincere congratulations to all of the competitors in the Games.

6. South East Employers' Member Development Charter

The Chairman stated that he was delighted to advise Members that Kent County Council had been awarded the South East Employers' Member Development Charter following many months of hard work by both Members and Officers. The Chairman offered his particular thanks and congratulations to Mary Cooper, Member Liaison Manager, and Coral Ingleton, Learning and Development Manager, for their work on the award submission and preparation for the inspection, which took place approximately 3 weeks ago.

The Chairman then introduced the Chairman of South East Employers, Councillor Rory Love, who spoke about what was involved in being awarded the Charter and then made the formal presentation of the Award to the Chairman.

(In accordance with Council Procedure Rule 1.11, the Chairman proposed to vary the order of the agenda in order to take item 8 at this point, whilst Councillor Love was present. This was agreed).

6. South East Employers' Member Development Charter

(1) Mr A J King moved, Mr A H T Bowles seconded the recommendation on page 12 of the Blue Book.

(2) In moving the recommendations, Mr King praised the dedication of Members and Officers in achieving the Charter and stated that KCC's Member Development function was well-placed to serve all Members well in the light of the impending responsibilities under the Localism Bill.

(3) After further discussion, it was Resolved: that

(1) the County Council agree to take forward the suggested areas for improvement and asks the Member Development Informal Member Group to prepare and implement an action plan for further improvement once the formal Charter report is received from South East Employers; and

(2) The County Council place on record its sincere thanks to Mary Cooper, Member Liaison Manager and Coral Ingleton, Learning and Development Manager, for the hard work and dedication in helping KCC to achieve this award.

7. Questions

Under Procedure Rule 1.18 (4), 8 questions were asked and replies given.

8. Report by Leader of the Council (Oral)

(1) The Leader updated the County Council on various matters since the last meeting in July 2010. Specifically, he mentioned the huge challenge that local government would face following the Comprehensive Spending Review announcement due on 20 October and the significant impact this would have on the funding of services. He described the various measures needed to ensure that the County Council was best placed to respond to this challenge; including reducing cost pressures, ensuring commissioning and procurement was as efficient and effective as possible, maximising income, and eliminating waste and inefficiency. He also mentioned the proposed senior officer restructuring that had been endorsed by the Cabinet earlier that week and was due to go out to consultation in the next few days; this was a crucial part of ensuring that the organisation was fit for the future.

(2) He also mentioned the launch for consultation of the County Council's new medium term strategic plan, Bold Steps for Kent, which was due to be adopted by the County Council on 16 December. He said that this would pave the way for KCC to

grow and develop its services in the light of the CSR and other factors, such as new legislation on education and health.

9. Towards 2010 - Closedown Report

(1) Mr P Carter moved, Mr A King seconded the recommendations on page 14 of the Blue Book.

(2) Following a detailed debate covering many aspects of the report, it was:

Resolved: that the Towards 2010 Closedown report be approved and the excellent progress noted.

10. Annual Performance Report - 2009/10

(1) Mr R Gough moved, Mr B Sweetland seconded the recommendations on page 312 of the Blue Book.

(2) Following a detailed debate covering many aspects of the report, it was:

Resolved: that (1) the Annual Performance Report and the achievements outlined therein be noted; and

(2) Sue Garton and Richard Fitzgerald be thanked for their hard work on this report.

11. Kent Safeguarding Children's Board Annual Report 2009/10 and Business Plan 2010-13

(1) The Chairman introduced David Worlock, Chairman of the Kent Safeguarding Children Board and introduced the report.

(2) Mrs S Hohler moved, Mr L Ridings seconded the recommendations on page 351 of the Blue Book.

(3) After discussion, it was

Resolved: that the achievements, strategic aims and objectives of the Kent Safeguarding Children Board (KSCB) as outlined in the Annual Report 2009/10 and the Business Plan 2010/13 be received and endorsed.

12. Progress Report in response to Safeguarding Children in Kent: Defending and Developing the Service

(1) The Chairman stated that the action plan referred to in paragraph 2 (1) (vii) on page 414 of the Blue Book was not circulated with the agenda papers in error. He added that copies were made available to all Members on Monday of the week of the meeting and spare copies were available from officers if required.

(2) Mrs S Hohler moved, Mr L Ridings seconded the recommendations on pages 420 and 421 of the Blue Book.

(3) After discussion, it was:

Resolved: that (1) the progress made in implementing the recommendations of the Safeguarding Children in Kent report, be noted; and

(2) the issues that have arisen from the unannounced inspection and the actions to address them be noted.

(In accordance with Council Procedure Rule 1.11, the Chairman proposed to vary the order of the agenda in order to take item 13 at this point, so as not to keep the petitioners waiting any longer beyond the estimated start time of their item. This was agreed).

13. Petition Scheme debates

(1) The Chairman advised that, in accordance with Appendix 4 Part 2 of the Constitution, he had consented to this part of the meeting being filmed by the Kent Messenger Group.

(2) The Chairman advised that the County Council had received four petitions that met the criteria for a debate at the County Council meeting, in accordance with the Petition Scheme adopted in July 2010. He explained that three of the petitions related to the proposed closure of the Manorbrooke, Cornfields and Sampson Court older person's homes and that there would be a combined debate on those three petitions. The fourth petition related to a highways matter in the Dover District, which would be dealt with as a separate debate.

Proposed closure of the Manorbrooke, Cornfields and Sampson Court care homes for older people

(3) The following individuals addressed the County Council meeting on the various petitions:

1. Mrs Yvette Knight – the lead petitioner for the Manorbrooke petition.
2. Mrs Penny Cole – the local Member for the Manorbrooke petition.
3. Councillor Wendy Bowman, Whitfield Parish Council – the lead petitioner for the Cornfields petition.
4. Mr Bryan Cope – the local Member for the Cornfields petition.
5. Mrs Hubble – the lead petitioner for the Sampson Court petition.
6. Mrs Julie Rook – the local Member for the Sampson Court petition.

(4) The Chairman then opened the debate to the floor and a number of other Members spoke on the petitions.

(5) In accordance with Council Procedure Rule 1.12 (2), the Chairman moved, the Vice Chairman seconded and it was:

Resolved: that the meeting be extended to no later than 5.00pm

(6) The Chairman then invited the Cabinet Member for Adult Social Services, Graham Gibbens, to respond to the debate and describe how he intended to take the petitioners' concerns forward. Mr Gibbens began by thanking the petitioners and Members for addressing the meeting on this important topic and stated that he

completely understood the effect that the consultation process was having on residents and their family and friends. Mr Gibbens also stressed that this consultation exercise was not primarily about money. He spoke about the way in which care was provided for older people in the future would change, with particular reference to the increasing number of 85+ year olds and people suffering from dementia and that the aim was to support, encourage and help people to remain in their own homes for as long as possible. He stressed on several occasions that this was an ongoing consultation exercise and that no decisions had been taken. However, if a closure eventually took place, it would not happen until alternative arrangements were available and this would apply equally for residential care, respite care and day care. He also reassured the petitioners that no residents would be out of pocket; so if a resident wanted to remain with their friends but this meant moving to a higher cost home, this additional funding would not fall upon the resident. Mr Gibbens also stated that the idea floated by Mrs Rook that Sampson Court could be run as a social enterprise company by the local community was being actively investigated and that he would be happy to meet with Mrs Rook and others to explore this further. Finally, Mr Gibbens stated that he was appreciative of all of the speakers' contributions, especially the petitioners and that he was encouraged by the massive interest shown, which was helpful to him. He assured the meeting that the views expressed by the petitioners and other speakers would be borne out in any decisions that are taken in the future.

Request for the re-opening of right turns off the A256 from Sandwich towards Dover

(7) The following individuals addressed the County Council on the petition:

1. Councillor M Ovenden, Eythorne Parish Council and Lady Julia Pender, a Tilmanstone parishioner – the lead petitioners.
2. Mr S Manion – the local Member for the petition

(8) The Chairman then opened the debate to the floor and a number of other Members spoke on the petition.

(9) The Chairman then invited the Cabinet Member for Environment, Highways and Waste, Mr N Chard, to respond to the debate and describe how he intended to take the petitioners' concerns forward. Mr Chard began by stating that he had listened with interest to the debate and that he would consider carefully to the real concerns that the community had about the road closures. In particular, he stated that it was vitally important to support and promote the rural economy in Kent. He also stated that he needed to balance the additional inconvenience of travelling an extra 1-2 miles, with the issue of safety. He highlight the County Council's achievement under Target 59 of the 'Towards 2010' report, where KCC had worked together with the police and other partners to reduce the number of deaths and serious casualties from road accidents. He also mentioned the letter dated 9 April 2008 from Her Majesty's Coroner for Kent, which had been circulated with the agenda, in which it was stated that the Coroner would be making a report under Rule 43 of the Coroners' Rules 1984. A Rule 43 report was made where, in the opinion of the Coroner, action could be taken by the relevant authorities to prevent similar fatalities. Mr Chard concluded by saying that he would not make a decision on this matter today, but would take into account all of the information available to him,

together with the comments made during the debate by the petitioners and Members before coming to a decision in due course.

14. Treasury Management Annual Review

(1) The Chairman stated that, as the extended time for the meeting had now been reached, this item, which contained recommendations by a Cabinet Member, was deemed to be approved in accordance with Council Procedure Rule 1.12 (2). Accordingly, it was:

Resolved: that the Treasury Management Annual Review be formally approved.

15. Reporting of Urgent Key Decisions taken in the Previous Quarter

(1) The Chairman stated that, as the extended time for the meeting had now been reached, this item, which contained recommendations by a Cabinet Member, was deemed to be approved in accordance with Council Procedure Rule 1.12 (2). Accordingly, it was:

Resolved: that the report detailing the two urgent key decisions that were taken in the last quarter, as described in the report, be noted.

16. Minutes for Approval - Governance and Audit Committee - 15 September 2010

(1) The Chairman stated that, as the extended time for the meeting had now been reached, these minutes would be placed on the agenda for the next meeting for approval.

17. Minutes for Information

(1) The Chairman stated that, as the extended time for the meeting had now been reached, these minutes would be placed on the agenda for the next meeting for information.

COUNTY COUNCIL MEETING**Thursday, 16 December 2010****Question by Mr Mike Harrison****To Mr Mike Hill, Cabinet Member for Community Services**

Will the Cabinet Member for Community Services please explain to myself and fellow Members the “ask us once” scheme. We heard it mentioned in our last full Council in one of the reports and I have been trying to find out more about it since. From what I can gather it sounds like a really first class idea and I am very concerned that not enough publicity has been given to this project.

Answer

Tell Us Once is a cross-government programme led by the Department for Work and Pensions, aimed at people being able to inform the authorities just once of a birth, death or change of address. KCC was approached in 2008 to be a ‘pathfinder’ partner for the bereavement reporting service and since November 2008 we have been delivering this in conjunction with the Gateway team, the Registrar's service and five of the Kent Districts. The success of the ‘pathfinders’ in Kent and other pilot areas means this service is now being rolled out across the UK. In September of this year KCC extended the bereavement reporting service to all Kent residents, and were the first county area in the country to do this.

Registering a death is a statutory requirement and therefore we can be certain that every person is given access to the ‘Tell us Once’ service’. Customers accessing the service are asked what organisations from a pre set list they would like the DWP to notify and the whole process takes only 10-15 minutes to complete.

COUNTY COUNCIL MEETING

Thursday, 16 December 2010

Question by Mr Jim Wedgbury

To Mrs Sarah Hohler, Cabinet Member for Children, Families and Education

Do you agree with me that the huge number of children outside Kent taking the Kent Test shows we have the best education mix in the country?

Answer

We have an excellent mix of schools in Kent and I am not surprised that we have so many applications for our schools from out-of-county children.

Of the 2,411 applications received this year for out-of-county children, 1837 expressed a preference for a grammar school. Another 260 applications expressed a preference for a High School, 165 applications expressed a preference for a wide-ability and/or faith school and finally 149 applications were received by schools now holding 'academy' status.

These statistics reflect that Kent's secondary schools are a credit to the County Council. Pupils achieve GCSE results above the national average. This year, 56.4% of Kent's students achieved 5A*-C including English and Maths. This compares to 53.1% nationally showing why we have reason to be proud of our schools and the mix that we have.

COUNTY COUNCIL MEETING

Thursday, 16 December 2010

Question by Mr Leslie Christie

To Mrs Sarah Hohler, Cabinet Member for Children, Families and Education

To be answered by Mr Carter, Leader of the Council

Is the Cabinet Member now in a position to tell the people of Kent what is the financial cost and implications for Kent County Council and the taxpayers of Kent of this Government's decision to abandon the Building Schools for the Future Programme?

What steps, if any, is KCC taking to recover this cost and has legal action been considered?

Answer

We played by the rules of the previous government and set-up the vehicles to deliver the Building School for the Future programme in exactly the way we were asked to by senior civil servants, accepting that BSF was an expensive procurement vehicle.

After the Building Schools for the Future programme was stopped by the new government, Kent County Council and the taxpayers of Kent were exposed to claims by the contractors that were going to build the second wave of schools to the tune of potentially £10million of liabilities.

Kent County Council has lodged an application for a Judicial Review and we are still considering our legal position.

Negotiations with the lead contractors, the Secretary of State and the Department for Education, on behalf of those schools in Gravesham and Thanet, are on-going to find a way forward which avoids litigation.

COUNTY COUNCIL MEETING

Thursday, 16 December 2010

Question by Mr Martin Vye

To Mrs Sarah Hohler, Cabinet Member for Children, Families and Education

In the light of the serious shortcomings in Kent's services which resulted in children being placed at risk, as detailed within the Ofsted Report on Safeguarding of Children in Kent, will the Cabinet Member for Children Families and Education:

- a) explain why the recommendations of the Peter Gilroy report debated at County Council in April 2010 were not implemented, and
- b) will she initiate research into best practice, in terms of effectiveness and cost, in other authorities, for example the Hackney model, and report back to this Council, in its role as corporate parent for children in care in Kent?

Answer

- a) Mr Vye, as Vice-Chairman of the Children's Champions Board, will be aware that the Chief Executive's review and report were discussed and approved at that cross-party Board's meetings on 12th February 2009 and **every** subsequent meeting thereafter. Members were advised at one particular meeting in September 2009 that the Chief Executive's review found 'that child protection practice in Kent was fundamentally safe'. The recommendations were discussed and put in context by the social workers who attended the meetings. After April 2010, the Director of Children's Social Services, the Managing Director and the Cabinet Member all provided updates on the implementation of the recommendations.

Furthermore, on 14th October 2010, I presented to the County Council a report in response to the Chief Executive's 'Safeguarding Children in Kent: Defending and Developing the Service' report, which was debated at the County Council on 1st April 2010. This report fully addresses the progress made against the recommendations and the Chairman of the Kent Safeguarding Children's Board was also there as several of the recommendations were for that Board. Records show Mr Vye attended the October debate. Further monthly updates on progress are provided at each Cabinet meeting; the next taking place on 10th January 2011.

- b) As far as best practice is concerned, Gary Cooke and I visited the Social Services Team in Hackney on 11th March 2010 and invited Helen Davies, Director of the Specialist Children's Services Group, to join us to see what lessons could be learned for Kent. On my instruction, officers from ISG and Children's Social Services have already had a conference call with their counterparts in Lincolnshire to discuss the ICS system and which amendments to our system are advisable. Following these preparatory discussions, I plan to visit Lincolnshire with an ISG Officer and a practising Social Worker.

These are just two examples of actions which I have taken. I have also spoken with my opposite number in other South East authorities, many of whom have been facing similar challenges.

Finally, as part of our improvement plan currently under discussion with government ministers, we will be using outside advisers to help us turn the service around as soon as possible.

COUNTY COUNCIL MEETING

Thursday, 16 December 2010

Question by Mr Malcolm Robertson

To Mr Nick Chard, Cabinet Member for Environment, Highways and Waste

In order to improve community consultation on the highways budget in future years, will the Cabinet Member for Environment, Highways and Waste take in hand the development of the role of the Highways Community Liaison Officers, in order to facilitate annual meetings between them, local parish councils and residents' associations, and local county and district members, in order to establish priorities for highways spending in their area?

Answer

Kent Highway Services through its Community Operations team has established positive liaison links with Parish Councils and KCC Members. Many close working relationships have been built over the last year. I am keen to progress these further and to build upon community links.

Currently the formal process is via the Joint Transportation Board which includes County and District members with representation from the Kent Association of Local Councils.

KHS is reshaping its service delivery through the "Future Highways" project. As part of this major initiative we are reviewing the whole area of community engagement, and your request will be considered by this work. I am confident we will be able to progress local involvement with the highway service in future across a wide range of community groups.

COUNTY COUNCIL MEETING

Thursday 16th December 2010

Question by Mr George Koowaree

To Mr Nick Chard, Cabinet Member for Highways, Environment and Waste

Will the Cabinet Member for Highways, Environment and Waste look into the removal of the bus gate in Beaver Road Ashford as the report of the Ashford Transport Forum (held on 26th November 2010) minute on page 8 paragraph 6.5 suggests there is no monitoring or enforcement being done.

Answer

Beaver Road bus gate is an essential part of the Ashford bus route highway infrastructure and the Quality Bus Partnership agreement with the operator Stagecoach. It is served by 7 buses per hour all day on the A-line and B-line in both directions on Mondays to Saturdays (that is, 14 buses per hour in total).

Beaver Road is quite constrained, and the removal of the bus gate would open this road to all traffic wishing to access South Ashford to and from the town centre and station. At present all non-bus traffic is routed via Romney Marsh Road and Norman Road without any apparent problem. The additional traffic resulting from the removal of the bus gate would cause significant congestion as well as adding costs to the bus operation and reducing its reliability.

It is therefore important that the bus gate remains in situ. More effective enforcement is however needed, and we are investigating electronic ways of doing this since it is a low priority for the Police.

COUNTY COUNCIL MEETING

Thursday 16th December 2010

Question by Mrs Elizabeth Green

To Mr Paul Carter, Leader of the County Council

Will the Leader of the Council please explain why the Ofsted Report on the Inspection of Safeguarding and Looked After Children Services in Kent is not on the agenda for the Council Meeting of 16th December 2010. Does he not accept that all County Councillors as Corporate Parents should have the earliest possible opportunity to comment on and offer constructive suggestions for the way ahead following this damning report?

Answer

I understand the point you are making. As you know, the report has already been to public Cabinet and will also go to the Safeguarding Board, Children's Champion Board and relevant POSCs. I will also be taking a substantive part of my Leader's report to talk about this item today and this gives opposition leaders an opportunity to respond. We are now obviously focusing on the recovery plan and held a very constructive meeting with the DfE on Tuesday of this week.

I particularly want to have an opportunity for all Members to attend a full briefing and discussion session on the OfSTED report, probably as an extended Children's Champion Board on a date in January when the vast majority of Members can attend and our two new senior interim appointments can discuss their initial findings.

On the grounds of consistency, I have also established that previous CPA, JAR, CQC reports, etc, have not been on the agenda of the full county council (other than be mentioned during the Leader's report).

By: Mr Nick Chard, Cabinet Member for Environment, Highways and Waste

To: County Council – 16 December 2010

Subject: **Select Committee: Renewable Energy in Kent**

Summary: To comment on and endorse the report of the Select Committee on Renewable Energy in Kent

1. Introduction

The Environment, Highways and Waste Policy Overview and Scrutiny Committee proposed the establishment of a Select Committee to look at issues relating to renewable energy and the implications for Kent. This was agreed by the Scrutiny Board at its meeting on 16th October 2009.

2. Select Committee

2.1 Membership

The Chairman of the Select Committee was Mr Keith Ferrin, other members being Mr Charles Hibberd, Mr David Hirst, Mr Richard King, Mr Tim Prater, Mr Chris Smith, Mrs Paulina Stockell and Mrs Elizabeth Tweed.

2.2 Terms of Reference

The Select Committee formally agreed its Terms of Reference on 26th January 2010 and these were:

- To determine existing and emerging national and local policies and strategies with regard to renewable energy and their effect on Kent.
- To establish a baseline position and future projections for Kent with regard to energy requirements, generation and distribution including the contribution from renewable energy.
- To identify key challenges as well as opportunities in relation to renewable energy in Kent.
- To identify and explore the views of suppliers and consumers in relation to renewable energy.
- Having considered the above, to make recommendations which will contribute to increased energy efficiency, energy security and prosperity for Kent residents and businesses as well as supporting the national transition to a low-carbon future.

2.3 Evidence

The Committee obtained information from a variety of sources to inform their research including oral and written evidence from a range of stakeholders. An invitation was extended to community groups and members of the public to comment

and energy-related information was gathered from a number of schools via questionnaire.

2.4 *Timescale*

The Select Committee conducted formal hearings, meetings and visits between 31st March and 24th June and agreed its draft report on 31st August. The Select Committee met with Cabinet Members and Directorate representatives on 7th October 2010 to receive comments on the report and its recommendations before it was finalised.

3. **The Report**

3.1 A copy of the Executive Summary and recommendations is attached as Appendix 1. The full report will be available on the council website or a hard copy can be obtained by request to the Overview, Scrutiny and Localism Team (overviewandscrutiny@kent.gov.uk or 01622 694269).

4. **Conclusion**

4.1 I would like to congratulate the Select Committee on completing this challenging piece of work. I would also like to thank all those witnesses who gave evidence to the Select Committee.

4.2 The report was presented to Cabinet on 29th November by Mr Keith Ferrin, Chairman of the Select Committee. The Deputy Leader congratulated the Committee in particular for the practical suggestions emanating from the work and anticipated a useful debate at County Council.

5. **Recommendations**

5.1 The Select Committee report and its recommendations be endorsed by the County Council.

5.2 The Select Committee be thanked for an excellent report on a challenging topic.

5.3 The witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee be thanked.

Background Information: *None*

Mr Nick Chard
Cabinet Member for Environment, Highways and Waste

RENEWABLE ENERGY IN KENT

Select Committee Report – Executive
Summary

2010

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Chairman's Foreword

Until the early 18th century virtually all the energy used by mankind came from renewable resources. Between them water, wind, wood and muscle provided the power for home and industry. The age of fossil fuels began as the population grew and the industrial revolution gathered force. Renewable energy could no longer keep pace with demand and the intermittent nature of many renewable energy sources became more and more of a problem. Three hundred years later these same issues are with us once again as the availability of fossil fuels declines and worries about what we now call energy security increase.

So far as electricity is concerned, a bigger and smarter grid can mitigate the problems to some extent; but it is not a cost free option and as the proportion of renewable generation increases we will inevitably see a time when overall generating capacity has to increase to meet the same level of demand. Even today 1 megawatt of wind energy cannot fully replace 1 megawatt of energy derived from fossil fuels, principally because it cannot be switched on and off as demand varies because it is dependent on how strongly the wind blows or the sun shines.

There is clear public support for renewable energy in Kent. If this is to be maintained it is vital that the case for it is not overstated. The Committee's view is that renewable energy resources are a useful addition to the energy mix available to help meet the problems of future energy security. They are not at present a panacea enabling us to meet all future energy requirements. Most forms of renewable energy are not at present intrinsically cheaper than more conventional fuels; if anything the reverse is true, but this is likely to change as the supply of fossil fuels inevitably declines and renewable energy technology improves.

In 2009 Kent County Council spent just under £24 million on buying energy. It is clear to us that this figure could be reduced substantially over the next few years by adopting a judicious mixture of improvements in energy efficiency and the exploitation of the subsidies available for the use of renewable energy. The county would simultaneously benefit from clear environmental improvements. The same is true for industry and households in Kent.

The availability of good advice is vital to such a goal; but it is unusually hard to come by in this field. Too many of those offering advice see themselves as prophets of good practice or have a pecuniary interest in the technology they advocate. Therefore we believe that building KCC's in house knowledge-base and that of the county as a whole is vital to achieving success.

Just as certainly we now face the prospect of very real financial penalties if we fail to reduce our environmental impact.

In the Committee's view the County Council now has a rare opportunity to exploit a situation in which financial, environmental and service considerations all point in the same direction. We would be foolish not to take it.

May I thank all those who gave evidence to the Committee. Without them there could have been no report.

Keith Ferrin.

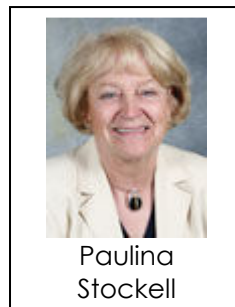
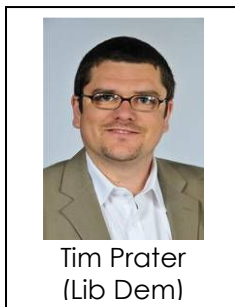
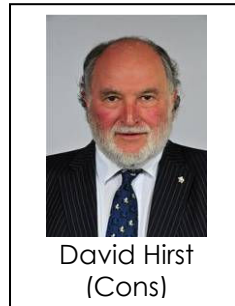
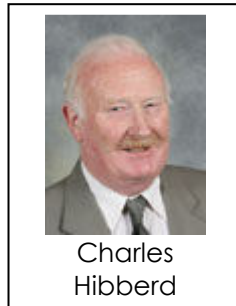
Chairman, Renewable Energy Select Committee

I EXECUTIVE SUMMARY

1.1 Committee membership

The Select Committee comprised eight Members of the County Council; seven Conservative and one Liberal Democrat.

Kent County Council Members (County Councillors):



1.2 Terms of Reference

- To determine existing and emerging national and local policies and strategies with regard to renewable energy and their effect on Kent.
- To establish a baseline position and future projections for Kent with regard to energy requirements, generation and distribution including the contribution from renewable energy.
- To identify key challenges as well as opportunities in relation to renewable energy in Kent.
- To identify and explore the views of suppliers and consumers in relation to renewable energy.
- Having considered the above, to make recommendations which will contribute to increased energy efficiency, energy security and prosperity for Kent residents and businesses as well as supporting the national transition to a low-carbon future.

1.3 Definition of Renewable Energy

1.3.1 Renewable energy, which is replenished by natural processes as it is used, is defined by the EU as energy from: 'non-fossil energy sources (wind, solar, geothermal, wave, tidal, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases).'¹

1.4 Evidence gathering

1.4.1 The Select Committee trialled an alternative format for its evidence gathering and following initial desk research, approached a number of organisations for written evidence. Whilst awaiting responses, the Research Officer sought informal advice and information from KCC Officers. After studying the written material submitted, the Committee invited community groups and members of the public to give their views in writing, interviewed a number of individuals in person, carried out visits, attended conferences and circulated a questionnaire to Kent schools.

1.4.2 A list of the witnesses who submitted written evidence is shown as Appendix 2. A list of witnesses attending hearings is at Appendix 3. Details of visits carried out are at Appendix 4 and results of the schools questionnaire, which received 47 responses, are at Appendix 5.

1.5 Reasons for establishing the Select Committee

1.5.1 The Select Committee was established by the Environment, Highways and Waste Policy Overview Committee following suggestions put forward by Dr Linda Davies, Director of Environment and Waste and Mr David Brazier, Council Member.

1.5.2 The review has considered:-

- Data on energy generation, consumption and distribution;
- The role of energy efficiency and renewable energy in increasing security of energy supply and reducing harmful carbon emissions;
- Kent's capacity for different types of renewable technology and factors affecting its development;
- The opportunities arising from the development of a new industry.

1.6 Key findings

1.6.1 For Kent to gain maximum benefit from the transition to a low-carbon economy, it must welcome new ideas and technologies and encourage investment. It can do this by creating a favourable planning and regulatory environment; ensuring the right infrastructure is in place; that businesses are

¹ EU Directive 2001/77/EC amended and subsequently repealed by Directives 2003/30/EC and 2009/28/EC

sustainable as well as geared up and ready to play their part and that people with the right skills are 'grown' locally.

1.6.2 In April 2010, the government's introduction of a Feed-in Tariff to incentivise small-scale (up to 5MW) renewable electricity generation meant that technologies which were already desirable on environmental and energy security grounds became economically attractive. A change in legislation on the local authority sale of surplus electricity to the grid means that local authorities as well as communities and residents can make immediate savings on energy bills; earn income from long-term investment in clean energy supplies and contribute to national targets for carbon reduction and renewable energy generation.

1.6.3 Being energy efficient, and reducing the amount of energy we use is no longer a choice but a necessity. Energy efficiency alone, however, will not be enough to make the deep cuts in carbon emissions that are required and renewable, or other low-carbon energy schemes will be required in order that Kent County Council does not incur penalties.

1.6.4 There are clear advantages to Kent County Council 'leading by example' with its own activities and operations, and assisting others in Kent to contribute and to benefit. KCC Commercial Services is well placed to develop further its expertise and services in this field.

1.6.5 Very substantial cost savings are possible, using a combination of behaviour change, building adaptation and energy efficiency as shown by the example of St Peter's Church of England Primary School Aylesford.

1.6.6 Kent is rich in community groups and individuals who are passionate about the environment and keen to pursue ideas for low-carbon living and greater energy self-sufficiency. With a small amount of support to get projects 'off the ground', such groups can be enabled to grow and thrive thus creating local resilience to a changing climate; greater community cohesion; and a network for sharing energy saving ideas and best practice across the county.

1.6.7 As well as being ideally located to exploit renewable energy from the sun, wind and perhaps in future, the tides, Kent is lucky to have large areas of unmanaged, or undermanaged woodland that can be brought back into coppice-management in order to achieve sustainable local supplies of wood fuel. There are multiple benefits to be gained from coppice-management such as increased biodiversity, rural employment, improved access to the countryside and a reduced need for imported wood fuel.

1.6.8 The decarbonisation of transport will require continued advances in vehicle technology, but perhaps more importantly, a cultural shift in the way people view their cars, and the journeys they make. KCC can, by its actions, help to pave the way for future changes.

1.6.9 The successor to KCC's 'Towards 2010' strategy document: 'Bold Steps for Kent' – will focus on growth in the Kent economy, tackling disadvantage and inspiring communities. The Select Committee believes that all three of these aims will be underpinned by the successful transition to a low-carbon economy in Kent and the recommendations of this committee will seek to support them.

1.7 Recommendations

1. That KCC works with Kent District and Borough Councils and others to agree a Low Carbon and Renewable Energy Strategy for Kent to enable the uptake of the most appropriate low carbon technologies. (page 107)
2. That a Member Champion for Low-Carbon and Renewable Energy is appointed to promote the implementation of the Strategy and report back to Cabinet and the Cabinet Climate Change Working Group on progress. (page 107)
3. That KCC develops the existing expertise within KCC and Commercial Services (LASER) and builds capacity in order to ensure that the Council has access to sound, unbiased advice when taking energy efficiency and renewable energy schemes forward. (page 69)
4. That KCC sets up new delivery mechanisms as appropriate in order to take advantage of emerging opportunities, allied to but separate from LASER, e.g. Energy Services Company (ESCO). (page 69)
5. That KCC capitalises on opportunities in its own estate, and works with local authorities, energy network companies, landowners and prospective investors to ensure that a proactive approach is taken to the identification of sites for renewable energy schemes in the county, in order to encourage and enable investment. (page 107)
6. That KCC reconfigures the Energy and Water Investment Fund, with a longer payback period, to enable continued provision of capital funding for energy efficiency measures in the estate and to allow for the longer-term investment required for the installation of renewable energy systems. (page 66)
7. That KCC facilitates access to emerging financial mechanisms, such as the new Green Deal and the Green Investment Bank, whereby schools, businesses and householders in Kent can take advantage of loan funding to pay for the installation of renewable energy and energy efficiency systems on suitable properties, with repayments and term set to achieve a net saving in

energy costs for the property and a reasonable rate of return over the period of the loan to investors (on a 'Pay as you Save' basis). (page 71)

8. That KCC substantially drives down energy consumption in its estate. Each Directorate should be required to take action to improve energy efficiency and encourage behavioural and other changes; Building User Groups should have 'energy usage and energy efficiency' as an agenda item at every meeting. (page 28)

9. That KCC implements an immediate review of its properties to assess their suitability and develop strategies for the installation of renewable technologies, particularly photovoltaic (PV) panels, and encourages District and Borough Councils, housing providers, emergency services, health institutions and other targeted businesses to do the same in their estates, taking advantage of current incentives, in order to reduce energy costs; generate income and catalyse the acceptance of renewable technologies in the wider community. (page 63)

10. That KCC uses energy display devices in prominent locations on its estate to encourage energy efficient behaviour (including where renewable energy installations are put in place, to increase awareness of the technology, the energy generation and the carbon-savings). (page 76)

11. That KCC lobbies the Department for Education to require schools to work with KCC to fulfil its CRC commitments and creates a direct incentive for schools to drive down their energy use and carbon emissions, using a range of behavioural, energy efficiency and renewable energy options. (page 34)

12. That KCC works with public agencies and approved suppliers, to provide a package of advice and support to schools, to enable them to benefit from energy efficiency work and renewable energy installations, at no net cost to the school or to KCC. (page 69)

13. That, provided currently agreed procurement criteria are met, KCC considers giving preference, for the procurement of goods and services, to businesses who obtain accreditation through the South East Carbon Hub. (page 110)

14. That KCC lobbies government, on planning issues, to:

- promote developments with a mixed heat demand suitable for district heating systems, which should be incorporated wherever possible.
- relax planning control for domestic renewable energy installations on listed buildings and properties affecting conservations areas where this does not detract from heritage objectives. (page 86)

15. That KCC consults with District, Borough and other councils in Kent to determine what is needed to assist local authority planners and developers in

making planning decisions relating to renewable energy applications, e.g. training, or an interactive planning tool. (page 86)

16. That KCC supports low-carbon community groups in the county by facilitating access to existing support and providing small grants of up to £5000 for advice or to assist with feasibility studies. (page 71)

17. That KCC, working with District and Borough Councils ensures that Kent communities, including schools, businesses and households have access to clear and current information on energy efficiency and renewable energy opportunities, taking into account the Feed-in Tariff and any subsequent incentives. (page 77)

18. That KCC should work with organisations such as the Forestry Commission and Natural England, to invest in the sustainable production of wood fuel, through the regeneration of coppicing in Kent, by:

- Providing marketing expertise.
- Encouraging apprenticeships for young people wishing to enter the industry.
- Investigating the provision of a number of collection/chipping/distribution facilities, possibly based at recycling centres
- Ensuring that, where possible, newly designed KCC buildings include biomass boilers. (page 56)

19. That, in view of the need for the UK to have a long term, sustainable mix of power supplies and due to the intermittent nature of some renewable energy sources, KCC presses for the provision of new generation low carbon power stations so that there is adequate back up capacity to cope with demand peaks, providing security of supply. (page 91)

20. That KCC works with others, including District and Borough Councils, Network Rail and supermarkets, to assess the viability of establishing a network of public electric vehicle charging points in Kent. (page 99)

21. That KCC regularly surveys its own vehicles, and business journeys to: identify (and review) work patterns in order to minimise business mileage and to prepare for the availability and purchase of electric vehicles, where appropriate. (page 100)

22. That KCC adopts a policy of limiting its vehicles, except those attending emergencies, to a maximum speed of 56mph (90kph) in order to achieve greater fuel efficiency, in line with best commercial practice. (page 100)

ACKNOWLEDGEMENTS

The Select Committee would like to thank the KCC Officers, individuals and organisations who gave up their time to assist with this review. This includes those who have attended hearings, submitted written evidence, provided informal advice, hosted visits or completed questionnaire surveys. Thanks are also due to individuals whose offers to host visits could not be taken up due to time constraints.

All the information received, whether or not it has been included in the final report, has contributed to the Select Committee's knowledge and appreciation of the issues.

Particular thanks are due to Neil Hilkené and Carolyn McKenzie who acted as Lead Officers for the Review and to Mr David Brazier who provided a report on his Study Tour to Austria.

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By: Paul Carter, Leader of the Council
To: County Council
Date: 16 December 2010
Subject: Bold Steps for Kent: The Medium Term Plan to 2014/15
Classification: Unrestricted

Summary: Invites Members to approve Bold Steps for Kent: The Medium Term Plan to 2014/15.

Introduction

1. Bold Steps for Kent is the proposed new four year medium term plan for Kent County Council (KCC). As the strategic statement it is required to go before County Council for 'approval and debate' under Appendix 3 (Policy Framework) of the KCC Constitution. Bold Steps for Kent was considered by Cabinet on the 29 November 2010. Cabinet endorsed the document, subsequent to some minor refinements, and agreed to recommend approval of Bold Steps for Kent to County Council.

Relevant priority outcomes

2. As the new four year plan and strategic statement for Kent County Council, Bold Steps for Kent sets out this administrations ambitions and priorities for the medium term. These are centred on three aims of 'helping the Kent economy to grow', 'putting the citizen in control' and 'tackling disadvantage'.

3. In response to the financial and policy environment facing local government, Bold Steps for Kent is necessarily very different from the previous four/five year plans and strategic statements approved by the County Council. Underpinning Bold Steps for Kent is a desire to move to a new way of working as one council, which places joint service delivery with public service partners across Kent at its heart; which embeds the principle of subsidiarity in Kent by putting localism into action; and which creates a more dynamic, productive and cost efficient mixed economy of service provision which seeks to increase opportunities for the voluntary sector and social enterprises in the delivery of public services.

4. It is important to consider Bold Steps for Kent alongside the report of the Group Managing Director, *Change to Keep Succeeding* and the restructure proposals within that report that aims to re-shape the organisation so that it is able to deliver the agenda set out in Bold Steps for Kent.

Financial Implications

5. Central to Bold Steps for Kent is the need to respond to the challenging financial climate faced by local government and the need to save £340million from the KCC

budget over the next four years. Almost inevitably there will be financial implications resulting from this new approach to service delivery which aims to reduce cost, whilst some specific commitments will require funding (i.e. the proposal to establish a Big Society Fund). It is too soon to judge the exact financial implications arising from Bold Steps for Kent, but financial implications will be considered by Cabinet, County Council and Committees through the Authority's decision making framework as specific policy options and service changes are developed and proposed.

Legal Implications

6. There are no identifiable legal implications arising directly from the publication of Bold Steps for Kent. Legal implications from specific policy options and services changes that emerge as a result of Bold Steps for Kent will be reported in the normal way during the decision making process for each.

Consultation and Communication

7. The key consultation events for Bold Steps for Kent included:

- A report to each Policy Overview & Scrutiny Committee inviting comment on the themes and priorities identified for Bold Steps for Kent pre-launch of the consultation draft.
- E-mail alert to all staff.
- Distribution of the consultation draft to all Kent Local Authorities, including all District, Town and Parish Councils.
- Distribution of the consultation draft to all Kent Members of Parliament.
- Distribution to private and public sector partners.
- Publication on the KCC website.
- Media coverage that drew residents' attention to the document and the opportunity to respond to the draft online.

8. Emerging key themes and priorities for Bold Steps for Kent were considered by each Policy Overview & Scrutiny Committee (POSCs) pre-publication of the consultation draft in the September 2010 round of meetings. Appendix A sets the issues raised by Members and a response to each, including where Bold Steps for Kent changed as a result of Member comment or where the issue raised is dealt with in the content.

9. The public and partner consultation exercise has proved very worthwhile. Bold Steps for Kent was open for public and partner consultation from the 18 October 2010 until Friday 12th November (4 weeks). A total of 103 consultation responses were received, 22% of the responses were from residents, 23% from voluntary and community organisations, 9% from other public authorities, 22% from Parish/Town Councils and 1% from private enterprises. An analysis and summary of key issues from all consultation responses is set out in Appendix B to this report.

10. All comments received have been considered. Overall, the vast majority of the comments demonstrated support for the priorities, themes and approach set out in Bold Steps for Kent, and a clear understanding as to 'why' KCC was adopting such an approach at this time. Inevitably, responses demonstrated a diverse range of opinion as to what should be the priorities for the County Council, and it is not possible to accommodate every view expressed, but efforts have been made to

balance responses based on the weight of argument and the importance of the case made.

Delivery and Monitoring:

11. The intention is to embed Bold Steps for Kent into the day-to-day working of the organisation. As such, delivery will be built into directorate business plans, as well as personal indicators for members of the Corporate Management Team, with monitoring and reporting through existing arrangements such as the Core Monitoring Report and the Annual Report. There will, of course, be a requirement to develop both quantitative and qualitative indicators to measure the progress against priorities and actions in Bold Steps for Kent not already covered through existing monitoring or reporting arrangements. Moreover, given the centrality of *Unlocking Kent's Potential* (KCC's regeneration framework) to Bold Steps for Kent, the actions and commitments emanating from associated strategies derived from the regeneration framework will also be built into the monitoring arrangements.

12. Recommendation 3 from the Cabinet Scrutiny committee meeting of 20th October 2010 was for the "*Cabinet Member for Corporate Support Services and Performance Management to ensure that members are fully involved in the formulation of the targets that will comprise Bold Steps for Kent*". It is intended to take a separate paper to all Policy Overview & Scrutiny Committees following consideration of Bold Steps for Kent by County Council, to engage all Members in developing appropriate measures and indicators used in monitoring delivery of Bold Steps for Kent, following a similar process adopted for *Towards 2010*.

Customer Impact Assessment

13. A customer impact assessment (CIA) has been prepared for Bold Steps for Kent has and has been approved by Directorate Equality Lead officers and the Corporate Diversity Team.

Recommendation:

14. Members are asked to:

- a) Note the recommendation from Cabinet to approve Bold Steps for Kent: The Medium Term Plan to 2014/15.
- b) Approve Bold Steps for Kent: The Medium Term Plan to 2014/15.

Appendices:

Appendix A: Bold Steps for Kent: Emerging Themes and Priorities – Response to Member comments raised through September POSC Meetings

Appendix B: Bold Steps for Kent: Analysis and Summary of Key Issues from Consultation Responses

Background Documents:

Change to Keep Succeeding: The transformation of the Council's operating framework, Report of Group Managing Director to KCC Cabinet, 11 October 2010

Bold Steps for Kent: Medium Term Plan to 2014/15 – Consultation Draft
Bold Steps for Kent: Customer Impact Assessment
Bold Steps for Kent: Consultation Responses

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Bold Steps for Kent: Emerging Themes and Priorities

Response to Member comments raised through September POSC Meetings

Concern about commitment to Free Schools in emerging priorities and theme:

- **Response:** The explicit commitment of supporting parents who wish to establish Free Schools is now a broader commitment to “support quality and choice from a diverse range of providers”. This may well include Free Schools where there is a desire to create them and approval is granted by the Secretary of State, but now reflects that education provision will be provided by a mixed economy of providers, of which Free Schools may be one education provider amongst many, that KCC must maintain effective working relationships with.

Focus on commissioning/downplaying service delivery role:

- **Response:** Bold Steps for Kent envisages a greater mixed economy of providers delivering public services, including increased use of the voluntary and social enterprise sector. The document is explicit in stating that KCC will be focused on commissioning services from providers who can best deliver the greatest value for money on behalf of Kent taxpayers, irrespective of whether providers are from the public - including in-house - voluntary or the private sectors.

Examine whether Children Social Services and Adult Social Services should be structured to work better as a means to support all vulnerable people:

- **Response:** Bold Steps for Kent makes a specific commitment to restructure adult and children social services so that it provides a more integrated and resilient service – and it is in a better position to serve the interests of vulnerable adults and children in Kent.

Need to define what the Big Society is and what it means:

- **Response:** Two specific sections defining the Big Society have been included in Bold Steps for Kent. P.30 attempts to define the Big Society as it has been interpreted by KCC going forward in the short-medium term – together with examples of how the Big Society agenda is already in operation in Kent (p.32). As the Government begins to firm up its Big Society agenda - including through policies, projects and services approaches (starting with the Big Society Green Paper due before the end of the year) the definition of Big Society approach may develop further, but in the meantime the statements made in Bold Steps for Kent represent a foundation for delivering the Big Society in Kent.

Assessment speed and thoroughness where assessments overlap or are dependent on other assessment processes – including those of other public service agencies:

- **Response:** Bold Steps for Kent now makes an explicit commitment to move to a single initial assessment framework in order to reduce duplication and speed up assessment and access to specialist assessment for Kent residents. It also makes a specific commitment to simplify and rationalise assessment processes shared with

other public bodies to reduce delay and provide a more integrated and seamless service.

Specific focus on climate change needs to be included in the document:

- **Response:** By embedding the Regeneration Framework as the delivery mechanism of Bold Steps for Kent – the Kent Environment Strategy becomes a key delivery mechanism for the document. Bold Steps for Kent explicitly reflects this under the section 'Meeting the Climate Challenge'.

Fit for purpose chapter – emerging priorities don't fit well together – some are customer focussed some are staff focussed:

- **Response:** Following Member comments it was decided to remove the proposed 'Fit for Purpose' chapter with the remaining customer/resident focussed priorities moved to the 'Putting the Citizen in Control' chapter. The staff focussed priorities have been removed within the main body of the document, and are now captured by the publication of the Design Principles within the Appendix.

Needs to be section/paragraph on 'enjoying life:

- **Response:** A paragraph on continuing to focus on high quality of life for residents has been added to the document.

Specific commitment to Broadband development should be included:

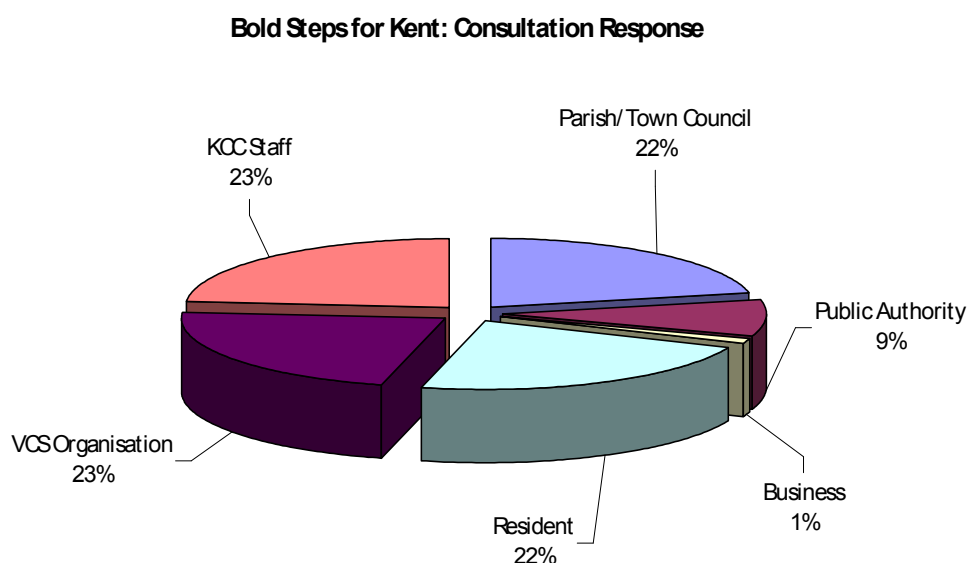
- **Response:** A specific commitment to facilitate access to high-speed broadband infrastructure has been included in the 'Driving Economic Prosperity' chapter of Bold Steps for Kent.

Bold Steps for Kent: Analysis and Summary of Key Issues from Consultation Responses

1. Background:

1.1 Bold Steps for Kent was put out for consultation for six weeks, from 18th October to 12th November 2010. Hardcopies of the document were sent out to key partners, and the document was made available on the public website, as a main item on the front page.

1.2 We received 103 responses from a variety of stakeholders:



Pie chart showing breakdown of respondent groups

2. Overall reaction to the plan:

2.1 On the whole, there was strong support for the overall vision set out in Bold Steps for Kent and acceptance of the need for change in how KCC delivers services. A number of respondents, however, highlighted specific areas where they either had concern about an approach, or wanted to make a suggestion to develop the concept further.

- 27 respondents specifically emphasised their support for the vision of the document, and the three ambitions. Six respondents specifically expressed dissatisfaction with an element of the document. However, these typically referred to a specific issue/service rather than the vision of the overall document.
- Some respondents highlighted the difficulty of the timeframe to respond and felt that more time would have been helpful.
- A number of respondents wanted further detail about the practical arrangements for delivering the 'Bold Steps for Kent' vision – particularly in relation to 'Big Society' and how we will work with the Voluntary and Community Sector.

“Bold Steps in essence is a strategy of broad parameters, an ethos, and a modus operandi. I embrace its purpose, direction and overall concept of where Kent is and where it should go. It is a broad vision and a philosophy of aims and objectives that creates a system for values and tenets that key people and organisations can relate to.”

Parish Council

“The Authority broadly welcomes the aims, tone and most importantly, content of ‘Bold Steps’, the three strategic aims – growing economy, citizen empowerment and tackling disadvantage – all resonate and are congruent with the strategic agenda for policing and community safety. Notwithstanding some of the immense challenges facing us over the next few years, the draft does strike an appropriately positive tone in acknowledging the substantial opportunities and imperative created by the new public sector and financial realities.”

Kent Police Authority

“It is quite typical of Kent to be one of the first Councils off the mark to produce a corporate plan in response to the dynamic duo and ‘Big society’, and the document overall is very good.”

Resident

3. General themes in the responses:

Big Society:

3.1 Many respondents focused on the ‘big society’ themes. In general, there was a lot of praise of the vision of KCC’s role in supporting Big Society, and the commitments that are set out in the document, however there were also a number of responses who had further detailed questions about how it would work. Some respondents used the consultation to highlight (their) work they feel already falls within the Bold Steps for Kent’s approach to Big society.

3.2 There was a great deal of interest in the practical arrangements for the Big Society agenda in Kent, and largely a lot of support for KCC’s approach. However, there were a few questions about how KCC’s relationship with the VCS would be changed and the capacity of the sector to respond to this new role.

3.3 There were a few requests for further reference to volunteering and its importance in delivering the Big Society.

“The ‘Big Society’ is the source of confusion for many. It needs greater clarification and THIS DOCUMENT DOES THIS in the content of Kent.”

Parish Council

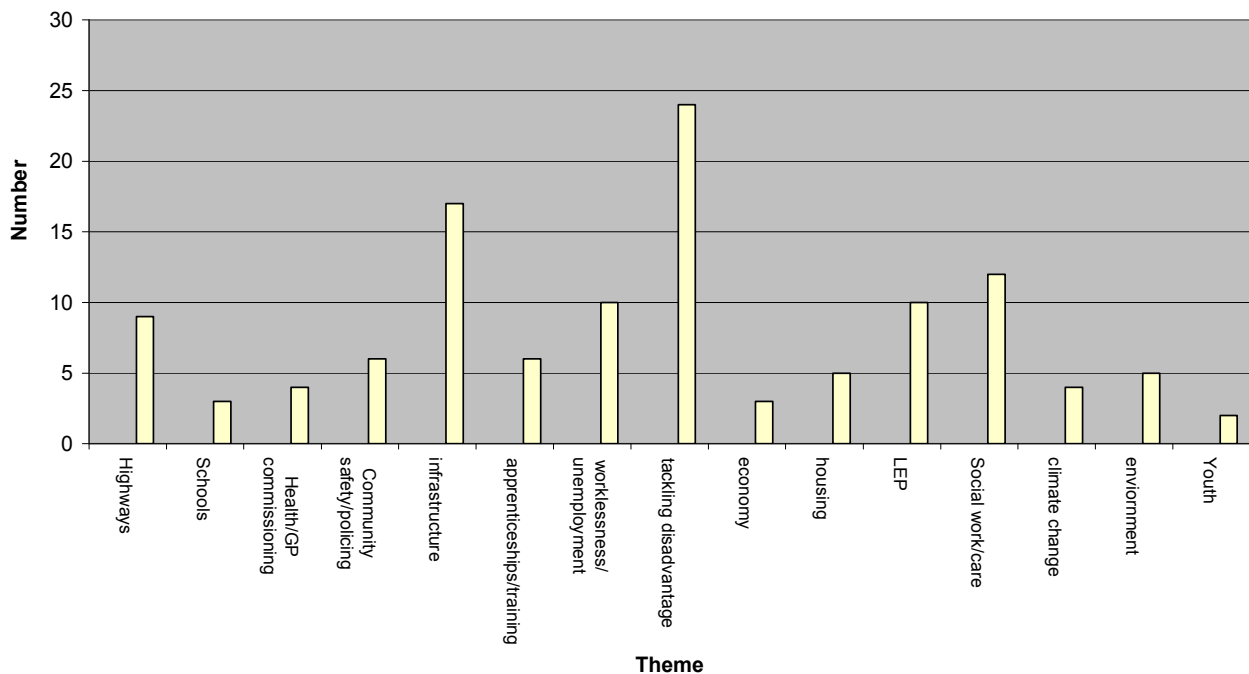
“A right to bid process for any organisations or indeed KCC staff wishing to run their own project from a voluntary perspective is a positive route to take.”

Resident

“The establishment of a Big Society Fund has the potential to support the development of a socially responsible economy and I welcome this and would like to know more on how this fund will be applied to support a vibrant social enterprise and voluntary sector economy.”

VCS

Areas referenced in responses



Locality Based Commissioning:

3,4 There was a strong appetite for locality based commissioning and the approach set out in Bold Steps was warmly welcomed – particularly from Parish and District partners. It was felt that this approach offered many positive benefits to the delivery of public services for local communities.

“The Council strongly supports the concept of monies being pooled into a single commissioning pot, drawing budgets from locally democratically accountable councils and government departments and agencies and spent locally on agreed priorities. Joint commissioning should lead to a better targeting of scarce resources, more joined up service delivery and less duplication as organisational boundaries are increasingly blurred in the design and delivery of services by partners”.

Partner

Specific topics:

3.5 Most respondents gave sector specific responses focusing on key areas of interest such as issues for their local area, or those related to their own expertise/ job. This is a summary of the key issues covered, with a selection of comments that reflect this view:

- **Tackling Disadvantage:** There were a large number of comments that emphasises the importance of supporting the vulnerable and welcomed the commitments to this in Bold Steps. Some respondents focused on specific groups or examples. There were a few that expressed concerns about the impact of the budget cuts on these groups.

“It is good to see the strong level of support given to social work in this document. There is clearly an understanding of our need to support our weaker fellow citizens, and respect for the people who do that. Thank you.”

Resident

- **Parishes:** A theme that emerged from a number of respondents (particularly from Parish councils) was a request for further references to Parishes and their role in this vision – particularly with regard to the commissioning and delivery of public services.
- The **Local enterprise Partnership:** There was strong support for the Kent/Essex partnership from a wide range of respondents.
- **Apprenticeships:** There was a positive response to Bold Steps’ commitment to Apprenticeships and the Kent Success programme in particular.
- **Transport and infrastructure:** Many respondents highlighted specific issues relating to transport in Kent and there was a request for further reference to transport networks.

“The document has no ‘bus or rail section. Increasing rural poverty and unemployment will isolate people, and they will need their buses, post-buses and community taxis. The freeing of government overview now has given Kent a chance to manage its roads, buses and trains for the benefit of Kent, without having to take account of the overriding need of London”

Resident

- **Gateways:** A number of respondents welcomed the commitment to the roll out of the Gateway model, however a few raised concerns - in terms of how well all residents’ needs are met, and where these are located. (Given the nature of the comments, some of this may be down to miscommunication of what the Gateway concept entails)

- **Implementation:** A few requests from residents asked very specific questions about what the document means for them and the services they receive.

“For those of us who just want local government to provide services, it is difficult to understand what it is all about.... If it can't do basic stuff which is required by law, what is the point of trying to do a load of stuff which is not?”

Resident

- **Communication/engagement:** There was interest in the decisions about how cuts are made, and services are delivered, and a general appetite for further communication in relation to this. Parish councils, and other partners were particularly keen to be involved in future decision making about their areas.

“We note that KCC wants to pick up messages from government to ‘just get on with it’. As a small parish using some KCC services directly for the roads in the parish and for all its residents in some form (NHS, Police, waste management, libraries/gateway etc) we need to be able to stay up-to-date with how and what services are being provided and in what form.”

Parish Council

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4. Key Issues from Consultation Responses

<u>Category</u>	<u>Resident/Organisation</u>	<u>Key issue to note:</u>
Resident	Resident	Don't forget the private sector and the benefits they can offer
	Resident	Pay community businesses the same as big businesses
	Resident	Confused by graphic choice, focus on European links, doesn't like LEP. Interested in transport, planning and support for social services.
	Resident	Fully focused on the case for youth services, and preventative work
	Resident	General comment
	Resident	Welfare reform - request for personal budgets to be rolled out
	Resident	Concerns that not enough about how cuts will be made
	Resident	Specific questions about wheelchair transport
	Resident	General comment
	Resident	Relates specifically to the need for a youth service and not targeted service
	Resident	Comments on decentralisation, LEP, need to focus on strengths and weaknesses
	Resident	Specific comments re: transport and infrastructure
	Resident	Document too long and too difficult to understand
	Resident	Personal complaint re: social services issue
	Resident	Too hard to respond to such detail effectively
	Resident	Personal issue
	Resident	Specific suggestion about communities taking over district database
	Resident	List of comments related to KCC sport service
	Resident	General comment
	Resident	Request for specific info related to deaf people
	Resident	Requests for further detail
	Resident	Request for specific info related to deaf people
	Resident	Parking/highways issues
Parish	Pembury Parish Council	General comment

<u>Category</u>	<u>Resident/Organisation</u>	<u>Key issue to note:</u>
	Coxheath Parish Council	Welcome the focus on enhancing rural economy and principle of subsidiarity
	Headcorn Parish Council	Strong support. Concern about lack of references to Parishes
	Mereworth Parish Council	Support for overall doc, feels there are a no of assumptions
	Langdon Parish Council	General comment
	Seal Parish Council	Concern about gateway model, TIF
	Hadlow Parish Council	Offer of facilities to support Big society
	Addington Parish Council	Strong focus on volunteering
	West Malling Parish Council	Concern about Gateway model
	Leybourne Parish Council	Request for more practical details about how it will work, who will provide what
	Sellindge Parish Council	Channel corridor comments specifically. Against proposed lorry park
	Benendent Parish Coucnil	General comment
	Queenborough Town Council	Support for regeneration aims, in particular those affecting Queenborough
	Wingham Parish Council	General comment
	New Romney Town Council	Want to be consulted and delegated powers for everything related to New Romney
	Ditton Parish Council	General comment
	Minister-on-Sea Parish Council	Concerns about locality based commissioning
	Sturry Parish Council	Support for TIF
	Chevening Parish Council	Comments about Kent County Council management
	Whitfield Parish Council	General comment
	Aylesham Parish Council	Concern that approach should not lead to wholesale outsourcing of services
	Westwell Parish Council	General comment
	Sevenoaks Town Council	More emphasis on West Kent, more refs needed to transport, support for LEP
Partner	Connexions Kent and Medway	Issues relating to apprenticeships qualification requirements
	Kent Police Authority	Commitment to supporting BSK in partnership work - particularly PBB and self financing LG

Category	Resident/Organisation	Key issue to note:
	Environment Agency	Generally supportive and commitment to work together on areas of mutual interest in light of financial challenges facing public sector.
	Natural England	General support for overall aims and placing the Environment Strategy at the heart of Bold Steps for Kent.
	Eastern and Coastal Kent NHS	Suggestions regarding public health and not placing blame on individuals
	Gravesham Borough Council	Too long, request for further clarification on self sufficiency
	Canterbury City Council	Governance issues, support for LEP, Gateway, further clarification wanted on self financing and TIF
	Thanet District Council	Support for Kent Forum, argument for co-location with District Council services
	Swale Borough Council	Supportive of approach and three ambitions set out in Bold Steps for Kent, particular support for Locality Boards and Local Enterprise Partnership.
Private	Hugh Lowe Farms	Food security, stronger statements on green economy - particular issues with one sentence
VCS	North West Kent Carers Support Service	Concerns about value for money agenda for VCS, need for focus on heterogeneous nature instead
	Carers First	Technical questions about how commitments will be delivered. Capacity/support etc.
	Community Action South & East Kent	Questions about transparency and communication
	The Kent CYP VCS Forum	Comments about the practicalities of contract arrangements with VCS
	KCFN	Concern about expectations and capacity of VCS. Raising need for partnership and looking forward to future relationship
	Maidstone and Malling Carers Project	Welcomes new relationship but concern over practicalities of how the existing VCS will be engaged. Particularly welcomes Big Society Fund
	Kent Link	Needs more recognition of carers and the role they play in supporting the vulnerable. Concern over association between tackling disadvantage as dependency/burden
	Action with Communities in Rural Kent	Covers a large variety of opinions
	Kent Community Care Association	Strongly welcome BSK, particular focus on rural issues. Suggestion about the need to 'rural proof' decisions
	Sustainability Actions	General comment
	Kent Community Action Network (CAN)	General comment
		Raising points about practicalities

Category	Resident/Organisation	Key issue to note:
	Royal National Institute for the Blind (RNIB)	Issues relating to the barriers for people with disabilities into work and welfare reform.
	Every Family Matters - CIC	Concerns flagged about implications of budget pressures.
	Volunteer Centre Thanet	Highlighting their life coaching work and link to Big Society
	Swale Council for Voluntary Service & Volunteer Centre	Queries re: practicalities
	Maidstone Volunteer Centre	Focus on queries about the practicalities of how new relationship with VCS will be achieved
	Enterprising Opportunities CIC	Strong focus on volunteering
	Voluntary Action Maidstone	Concerns over VCS capacity etc
	Epilepsy HERE	Strong focus on volunteering, older people forums
	Cruse Bereavement Care	Suggestions related to sector specific issues
	Maidstone Deaf Pub	Highlighting their need for funding support
	Community Action South East - Shepway & Dover	Request for information about what it will mean for specific group
	Kent & Medway Citizens Advice	Gives detail of their services
KCC	Kent Arts Development Unit	Highlighting how they can support BSK aims
	Gypsy and Traveller Unit & Kent Supported Employment	Strong support, and detail about how ADU supports BSK aims
	Kent Libraries & Archives	Would like more detail about how decisions re: commissioning services are made. Clear interest in alternative approaches. More info about plans to engage with staff
	Regeneration & Economy Division	Focused specifically on literacy & reading and relationship with Big Society ' The Kent Approach'
	CFE, Learning Group	Request for more practical information, need to balance on rural economy, and other key areas to consider re: economy. Skills inequalities. Strong support for the Big Society fund
	Quality and Standards Team, KCC Community Safety and Regulatory Services	Concerns about the concept of putting the citizen in control. Feels there are gaps: focus on outcomes, personal responsibility, advocacy for the vulnerable. Questions about practical delivery
	Kent Downs AONB	General comment
	KCC Staff	Summary of how Kent downs supports BSK, wants more specific recognition of KD AONB
		Information systems, safeguarding issues

Category	Resident/Organisation	Key messages to note:
	Kent Partnership Team, KCC	Focuses on links with Vision for Kent and formatting
	Kent Supporting People Team, KCC	Focuses on how SP fits the vision, concerns about equitable treatment in LBC, wants more ref to SP
	KASS System Support & Projects Team, KCC	KASS data reporting comments
	KCC Staff	Comments on the practicalities, and diversity in particular
	Kent Volunteers, KCC	Relates specifically to volunteering and the KV team
	KCC Staff	Further reference to ASS
	KCC Staff	Focus on climate change, wants more emphasis on this
	KCC Staff	General comment
	KCC Staff	Comment about restructure and Bold Steps for Kent
	KCC Staff	Request for more references to Children's Centres
	KCC Staff	Specific suggestion for income generation for Highways
	KCC Staff	Specific suggestion for housing related issues
	KCC Staff	Wants further reference to the environment
	KCC Staff	Sports focus and commissioning comments
	KCC Staff	Comments related to CFE issues
	KCC Staff	Comments specific to KASS case management issues, Swale

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**CORPORATE DIRECTOR
Education, Learning & Skills**

Director of School Improvement & Standards	Director of Specialist School Services	Director of School Resources
<p>Early years and Childcare</p> <p>Standards and School Improvement</p> <ul style="list-style-type: none"> ▪ Primary School Improvement ▪ Secondary school improvement ▪ Special school improvement <p>14-19 Entitlement</p> <p>Careers guidance</p> <p>Connexions</p>	<p>Association of Schools</p> <p>Information and support for parents</p> <p>Financial Awards</p> <p>Admissions & Transport Commissioning</p> <p>Attendance and Behaviour</p> <p>Assessment of Learners with Additional Needs</p> <p>Planning & Provision</p> <p>Educational Psychology</p> <p>SEN, health assessment and transition planning</p> <p>Specialist services</p>	<p>Governor Services</p> <p>Development of vehicle to cover:</p> <ul style="list-style-type: none"> ▪ Property ▪ Personnel ▪ Traded services ▪ Continuous professional development ▪ School improvement service ▪ Finance advice ▪ Other support services to schools <p>Note – scope to market other specialist services</p> <p>Relationship to Director of Service Improvement</p>

Note - Links with the 12 district teams, locality boards and the Children’s Trust (joint commissioning with partners to support vulnerable young people)

Please note: The headings listed below the 1st and 2nd tier Director posts are intended to be indicative of the functions contained within that division and directorate.

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**CORPORATE DIRECTOR
Families & Social Care
(DCS & DASS)**

Director of Strategic Commissioning	Director of Specialist Children’s Services	Director of Older People & Physical Disability	Director of Learning Disability & Mental Health
Children’s Health Commissioning Children’s Social Care Commissioning Adult Social Care (Strategic Commissioning OP / PD & LD & MH) Contracts & Procurement Planning & Market Shaping Quality assurance of health and social care (Adults and Children)	Children’s Services West Kent (Initial duty and assessment, child protection and long term care, prevention including children’s centres) Children’s Services East Kent (ditto) Children’s Services Mid Kent (ditto) Corporate Parenting (includes, including adoption and fostering, Unaccompanied Asylum Seeking Children and care leavers) Links with the 12 district teams, locality boards and the Children’s Trust (joint commissioning with partners to support vulnerable young people) Children and Young People Disability Services	Assessment & Enablement Coordination Older People’s Provision - Modernisation	Assessment and related activity Learning Disability provision VPN Manager Transition support to Directorate Development team (commissioning & back office) Development team to create social enterprises for people with learning disabilities Relationship to Director of Service Improvement

Strategic Safeguarding (Adults and Children) – Direct report to Corporate Director

Please note: The headings listed below the 1st and 2nd tier Director posts are intended to be indicative of the functions contained within that division and directorate.

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CORPORATE DIRECTOR Customer and Communities		
Director of Service Improvement Need close links to Director of Business Support	Director of Customer Services	Director of Communication, Consultation and Community Engagement
Re-engineering and “change” resource for all services Delivering new models for externalising service delivery, e.g. outsourcing/ mutuals / social enterprises (“Gateway” process) Locality Delivery Team development Margate Task Force Community budgets Supporting Independence Welfare reform Kent Supported Employment Building Social Capital (SILK) Big Society Volunteering Workplace Transformation (specification) Youth Service Youth Offending Service KDAAT Supporting People	Gateway Delivery Contact Centre Health watch Libraries & Archives Registrars & Coroners Arts & Kent Film Office Sport, Leisure & Olympics Community Learning & Skills Adult Learning Adult Apprenticeships Community Safety Trading Standards/ Kent Scientific Services Emergency Planning Public Rights of Way/Country Parks	Engagement / public involvement Community Liaison Improvement and Engagement (equality in service delivery) Business partners- Directorate communications Internal Communication/Engagement Communications and media relations Social Marketing

Please note: The headings listed below the 1st and 2nd tier Director posts are intended to be indicative of the functions contained within that division and directorate.

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FINAL PROPOSAL

**CORPORATE DIRECTOR
Business Strategy & Support and Deputy Managing Director**

Director of Governance and Law (Monitoring Officer)	Director of Business Strategy	Corporate Director of Finance & Procurement (Chief Financial Officer - S151)	Director of Property and Infrastructure Support	Corporate Director of Human Resources	Director of Information and Communication Technology
Information resilience and transparency Corporate data protection Democratic Services Member Services Legal Services Elections	Strategy & policy Europe / International Economic Development Performance Management & Monitoring Business Intelligence & service review Partnership support External Funding Cabinet Office	Financial Services Financial Management Business partners - Directorate Finance Head of Procurement Strategic Finance Audit & Risk	Capital & infrastructure support Business partners Directorate – Property Estates management & property operations Strategic Asset Management/Rationalisation Property Enterprise Fund	HR Business operations HR Employment Strategy Business partners Directorate – HR Business support Health and Safety Organisation development (including embedded – learning and workforce development)	ICT commissioning ICT operations Business partners - Directorate ICT Enterprise Architecture ICT Infrastructure Service Support Business Solutions ICT Security Kent Connects

Please note: The headings listed below the 1st and 2nd tier Director posts are intended to be indicative of the functions contained within that division and directorate.

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By: Mr M Hill, Cabinet Member for Communities
Mrs S V Hohler, Cabinet Member for Children, Families and Education.

To: County Council – 16 December 2010

Subject: **SELECT COMMITTEE: EXTENDED SERVICES**

Summary: To comment on and endorse the report of the Select Committee on Extended Services.

Introduction

1. The Cabinet Member for Children, Families and Education, and the Cabinet Member for Communities, proposed a select committee to look at issues relating to the provision of extended services. This was agreed by the Policy Overview Coordinating Committee at its meeting on 16 October 2009.

Select Committee Process

Membership

2. The Select Committee commenced its work in March 2010. The Chairman of the Select Committee was Mr R Burgess. Other members of the Committee were Mrs A Allen, Mr A Chell, Mrs J Law, Mr R Parry, Mr K Pugh, Mr K Smith and Mr M Vye.

Terms of Reference

3. The Terms of Reference for this Select Committee Topic Review were to:-
- I. Identify aspects of the extended services programme in Kent that are proving to have the greatest impact and benefit for the community, and that are most likely to be sustainable in the future.
 - II. Explore ways - if any – in which collaboration and partnership working between all organisations involved in providing extended services in Kent can be improved.
 - III. Investigate any obstacles and challenges to the progress of extended services and the development of the concept of the “school that never sleeps”, particularly those that may prevent closer partnership working and could threaten sustainability. To identify possible solutions to overcome these challenges.
 - IV. Analyse whether resources for extended services within Kent County Council, and across schools and other partner organisations, are deployed in the most efficient and effective manner.
 - V. Make recommendations, after having gathered evidence and information throughout the review.

Evidence

4. The Committee used a number of evidence sources to inform its investigations, including oral and written evidence from a wide range of stakeholders, and evidence and information from three visits.

Report

5. A copy of the Executive Summary and recommendations is attached as Appendix 1. The full report is available on request to the Democratic Services and Local Leadership Unit. (overviewandscrutiny@kent.gov.uk or 01622 694269).

Conclusion

6. (1) We would like to congratulate the Select Committee on completing this very challenging piece of work. We would also like to thank all those witnesses who gave evidence to the Select Committee.

(2) The report was presented to Cabinet on 29 November 2010 by Mr R Burgess, Chairman of the Select Committee, and Mr M Vye. The Deputy Leader welcomed the report, and a constructive debate took place. It was suggested that by working with schools and partner organisations through Local Children Trust Boards, it would be possible to identify models to deliver extended services to children, young people and local communities in Kent.

4. Recommendations

We recommend that:-

(a) the Select Committee report be endorsed by the County Council and in view of the current budgetary and restructuring proposals its recommendations be noted for further consideration;

(b) the Select Committee be thanked for a useful report on a complex and challenging issue; and

(c) the witnesses and others who provided evidence and made valuable contributions to the work of the Select Committee be thanked.

Background Information: *None*

Mr M Hill, Cabinet Member for Communities

Mrs S V Hohler, Cabinet Member for Children, Families and Education.

Extended Services Select Committee Report

“Something to give, something to gain”



September 2010



Foreword



It has been a privilege and pleasure to be part of a select committee looking at the provision of extended services.

A challenging and ambitious task was set, even more so in the present climate, of looking at best practice and recommending ways how this can be carried out across Kent in the wider community without an undue burden on the tax payer. The funding from Government set aside for Extended Services finishes in March 2011, and it falls on local authorities, local communities and local schools to continue the much needed provision.

It was essential that we looked at present provision and at the obstacles that prevented the community from participating in events. In this time we had the opportunity to visit many schools and communities across Kent and have seen many examples of best practice.

We heard from many experts in their own field, headteachers, providers, and members of the community, young and not so young. All their views and opinions are collated here.

Looking at what was available and what was needed, together with best practice examples, we looked at ways to increase provision and take up. This would involve raising aspirations, and engaging with the harder to reach community. Some recommendations are harder to achieve in this climate of difficult choices, but I fully believe that the work we have done will help the people of Kent to participate in the wider community and take the benefits that this brings.

The fact that participation in extra curricular activities raises the attainment and self esteem of a child is a very important part of our recommendations, and we feel that this should be at the focal point of all schools when setting their budget.

We would like to thank everyone - young people, providers, school staff, officers of Kent County Council and the research officer, all of whom contributed to the important recommendations in this report.

On a personal note I would like to thank my fellow County Council Members who have participated, with me, in this challenging but enjoyable task. I look forward to revisiting it in a year to see the progress made on the recommendations.

A handwritten signature in black ink, appearing to read 'R Burgess', with a long, sweeping underline that extends to the right.

Mr Robert Burgess, Chairman of the Extended Services Select Committee

1. Executive Summary

1.1. Committee Membership

1.1.1. The Committee membership consists of eight Members of Kent County Council (KCC): seven Members of the Conservative Party and one Member of the Liberal Democrat Party.

			
Mrs Ann Allen Conservative	Mr Robert Burgess Conservative Chairman	Mr Alan Chell Conservative	Mrs Jean Law Conservative
			
Mr Richard Parry Conservative	Mr Ken Pugh Conservative	Mr Kit Smith Conservative	Mr Martin Vye Liberal Democrat

1.2. Scene Setting

1.2.1. The concept of “Extended Services”, formerly known as “Extended Schools”, was introduced by the Government as a key method of delivering the outcomes of the “Every Child Matters” agenda. Extended Services involve closer collaboration between schools, local authorities and other local service providers in an effort to offer the community a range of integrated services. These are aimed at improving attainment, health and wellbeing, engagement with learning, as well as enhancing access to a wide range of services and facilities for the local community.

1.2.2. All schools are expected to provide access to the “core offer” of Extended Services by September 2010. Importantly for this review, they are expected to provide community access to facilities, including adult and family learning, ICT and sports, where this is required by the community and where their facilities are of a suitable standard.

1.2.3. The ambition of wider community use of schools is also shared by the Total Place initiative, in which Kent County Council is taking part. Total Place considers how a ‘whole area’ approach to use of public resources can lead to improved services at lower cost. As part of this approach, we would like to explore the concept of the “school that never sleeps”.

1.2.4. In Kent, almost all schools currently meet the standards of the Government’s core offer. However, given the present financial climate, it is crucial to identify those aspects of the programme that are proving most beneficial to the community, and that can be sustainable in the future. It is also important to consider whether partnership working between all the agencies involved in providing extended services in Kent could be enhanced to enable these aspects of the programme to be sustained or expanded.

1.3. Terms of Reference

1.3.1. The terms of reference of this review were as follows:

- I. To identify aspects of the extended services programme in Kent that are proving to have the greatest impact and benefit for the community, and that are most likely to be sustainable in the future.
- II. To explore ways - if any – in which collaboration and partnership working between all organisations involved in providing extended services in Kent can be improved.
- III. To investigate any obstacles and challenges to the progress of extended services and the development of the concept of the “school that never sleeps”, particularly those that may prevent closer partnership working and could threaten sustainability. To identify possible solutions to overcome these challenges.
- IV. To analyse whether resources for extended services within Kent County Council, and across schools and other partner organisations, are deployed in the most efficient and effective manner.
- V. For the Extended Services Select Committee to make recommendations after having gathered evidence and information throughout the review.

1.3.2. The more detailed scope of the review includes:

- I. To identify aspects of the extended services programme in Kent that are proving to have the greatest impact and benefit for the community, and that are most likely to be sustainable in the future.

- a. Investigate extended services approaches across the County that are proving to be most efficient and beneficial, in particular in relation to learning and attainment for children and young people, and to the core offer element of “community access to facilities, including adult and family learning, ICT and sports facilities”.
 - b. Explore extended services schemes which are more likely to be sustainable into the future.
- II. To explore ways - if any – in which collaboration and partnership working between all agencies involved in providing extended services in Kent can be improved.
 - a. Identify the extent to which services, such as the Youth Service, Adult Education and the Libraries Service, are currently delivered in school sites in Kent.
 - b. Consider whether schools in Kent could act as portals for access to wider public services.
 - c. Clarify commissioning roles and relationships between schools, the Local Authority and other commissioning bodies.
 - d. Investigate whether partnership working between all agencies involved in providing extended services in Kent, including organisations in the voluntary sector, can be enhanced.
 - e. If closer collaboration is possible, look into ways to achieve it.
- III. To investigate any obstacles and challenges to the progress of extended services and the development of the concept of the “school that never sleeps”, particularly those that may prevent closer partnership working and could threaten sustainability. To identify possible solutions to overcome these challenges.
 - a. Examine whether legal, economic, operational or social blockages and challenges prevent the full development and effectiveness of the extended services programme and “the school that never sleeps” concept.
 - b. If such obstacles exist, identify possible solutions.
- IV. To analyse whether resources for extended services within Kent County Council, and across schools and other partner organisations, are deployed in the most efficient and effective manner.
 - a. Identify the resources that Kent County Council and partner organisations will have available to them, particularly after March 2011, to provide effective extended services.

- b. Consider whether these resources can be deployed in a more efficient and effective way, and whether they can ensure the sustainability of extended services provision.
 - c. Investigate whether other resources, such as commercial sponsorship, could be used to provide extended services in a more efficient and effective manner.
- V. For the Extended Services Select Committee to make recommendations after having gathered evidence and information during the review.

1.4. Recommendations

Recommendation 1

The Leader of Kent County Council should write to, and meet, both the Secretary of State for Education and the Secretary of State for Communities and Local Government to promote an extended services ethos and a stronger recognition at national level that extended services are an essential component of a world class education.

KCC Managing Directors of the Children, Families and Education Directorate and the Communities Directorate should also write to, and meet, senior officers in the Department for Education and to the Department for Communities and Local Government respectively, to promote an extended services ethos and a stronger recognition at national level that extended services are an essential component of a world class education (please refer to Chapter 3, Sections 3.1 and 3.2).

Recommendation 2

The Children, Families and Education Directorate and the Communities Directorate in KCC should be closely involved in helping schools to organise six county-wide roadshows to promote extended services and to urge the development of consortia in an effort to provide more efficient, effective and sustainable extended services.

The roadshows should take place throughout the year 2011, and may be organised in conjunction with existing events which will involve key extended services stakeholders, such as schools, parents, governing bodies and extended services providers.

KCC Cabinet Members for Education and for Communities are encouraged to continue to champion extended services, and to deliver speeches emphasising the importance and the benefits of these services (Chapter 3, Sections 3.1 and 3.2)

Recommendation 3

The Kent Children's Trust should put greater emphasis on extended services in the priorities and outcomes of the new Children and Young People's Plan, to reflect the numerous benefits extended services bring to children and young people in Kent's vision for the future.

One key outcome that the new Plan should include is to ensure that local consortia are formed throughout the County to provide more efficient and effective extended services. The model of extended services consortium adopted may vary, ranging from a social enterprise, a model delivered wholly or in part by private businesses or a traded service where schools and partners can buy discrete packages of support or consultancy (Chapter 3, Sections 3.1 and 3.2, Chapter 4, Section 4.3).

Recommendation 4

Representatives of schools' governing bodies and headteachers in newly formed consortia in Kent are strongly encouraged to undertake extended services training. The training should provide support to develop extended services provision, should offer guidance to undertake the Quality in Extended Services accreditation scheme, and should highlight the numerous benefits that extended services bring for schools and for the wider community (Chapter 3, Section 3.3).

Recommendation 5

KCC's Education and Communities Directorates should produce a DVD providing information and guidance about extended services, and emphasising the benefits of these services.

All governors of primary, secondary and special schools in Kent are strongly encouraged to view this DVD in an effort to encourage more extended service provision in the County (Chapter 3, Section 3.3).

Recommendation 6

The Managing Director of KCC's Children, Families and Education Directorate should write to Ofsted and urge the organisation to retain "community cohesion" as one of the focus areas for inspection in its revised assessment framework (Chapter 3, Section 3.4).

Recommendation 7

Primary, secondary and special schools, together with all organisations and agencies providing extended services in the County, should form local consortia to offer more efficient, effective and sustainable extended services to their communities.

The Select Committee recommends that each consortium funds one post for an Extended Services Consortium Coordinator to manage extended services provision in the consortium. The model adopted to run each consortium may vary, depending on the needs and priorities of the community.

The Extended Services Team should give high priority to supporting schools and other organisations to identify suitable Extended Services Consortium Coordinators for appointment, and in setting up consortia across the County by August 2011 (Chapter 4, Sections 4.1, 4.2 and 4.3).

Recommendation 8

The Children, Families and Education Directorate should employ, for a period of one year at most, ideally four Extended Schools Development Managers, to provide Extended Services Consortium Coordinators with initial strategic guidance and support, and to ensure that newly formed consortia can operate in a sustainable manner (Chapter 4, Sections 4.2 and 4.3).

Recommendation 9

One of the first tasks of each, newly appointed Extended Services Consortium Coordinator should be to organise a genuine and comprehensive consultation with the local community to identify extended services needs and to plan provision accordingly in the consortium. Extended Services Consortium Coordinators are strongly encouraged to share existing good practice to plan effective extended services provision.

The newly appointed Extended Services Consortium Coordinators should also deal with any legal and operational issues, such as safeguarding and caretaking in the evenings, which may prevent the smooth provision of extended services (Chapter 4, Section 4.4).

Recommendation 10

The Kent Youth Service should ensure that Community Youth Tutors spend the agreed proportion of their time in schools and in the wider community, in order to ensure that all Kent youth can benefit from their service (Chapter 4, Section 4.5).

Recommendation 11

The Extended Services Consortium Coordinators should ensure that the transport available in each consortium is shared and is used for extended services purposes. The Coordinators are also encouraged to produce timetables for extended services transport, and to organise training for minibus drivers, if needed (Chapter 5, Sections 5.1 and 5.2).

Recommendation 12

KCC should extend the use of the Kent Freedom Pass to include all 16 to 19 year olds in full-time secondary education or non-advanced Further Education (Chapter 5, Section 5.3).

Recommendation 13

KCC should seek to persuade rail travel operators in Kent to incorporate off-peak rail travel into the Kent Freedom Pass, enabling more young people to access extended services facilities (Chapter 5, Section 5.3).

Recommendation 14

KCC's Education and Communities Directorates should provide £50,000 for each Kent District for the financial year starting in April 2011 to support newly formed consortia and to strengthen existing extended service provision in the County's local communities. This District-based funding will enable KCC Members of each District to establish the most appropriate and equitable ways of distributing resources according to local priorities and extended services needs (Chapter 6, Sections 6.1, 6.2 and 6.3).

Recommendation 15

All consortia should consider the introduction of a charging regime for some of the extended services activities they offer, in order to promote the sustainability of such activities. The profits from such activities should be expected to be re-invested solely into extended services provision (Chapter Section 6.4).

Recommendation 16

Extended Services Consortium Coordinators should build strong relationships with their local communities and secure the support of volunteers to promote the variety and sustainability of extended services into the future (Chapter 6, Section 6.5).

Recommendation 17

KCC should devise a voucher-based scheme that entitles the bearers to access some extended services activities free of charge. Vouchers would be given by Coordinators to extended services volunteers – including children and young people - in recognition of their contribution (Chapter 6, Section 6.5).

Recommendation 18

Extended Services Sustainability Officers and School Improvement Partners should – as a central part of their duties - urge all schools within newly formed extended services consortia in Kent to undertake the Quality in Extended Services accreditation scheme (Chapter 7, Sections 7.1, 7.2 and 7.3).

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By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership

To: County Council – 16 December 2010

Subject: **Petition Scheme Review**

Classification: Unrestricted

Summary: The report invites the County Council to approve a number of changes to the Council's Petition Scheme, following a review by the Selection and Member Services Committee on 19 November 2010.

1. (1) At the meeting of the County Council on 22 July 2010 a Petition Scheme was approved, which came into force on 1 September 2010. The County Council resolved that a report on the operation of the Petition Scheme should be submitted to the County Council in December 2010.

(2) As the Petition Scheme is set out in the Constitution the Selection and Member Services Committee at its meeting on 19 November 2010 considered a report of the Head of Democratic Services and Local Leadership reviewing the Petition Scheme. Members were invited to express their views and make recommendations to the County Council with regard to aspects of the scheme that would benefit from being altered in the light of experience.

(3) Attached as an Annex is the report on the Petition Scheme which was considered by the Selection and Member Services Committee.

(4) Set out below is a summary of the key points arising from the meeting:-

Website

(5) Mrs Dean commented that the link from the kent.gov.uk home page to the e-petitions screen was still not as obvious as the Committee had asked for. Mr Sass stated that the e-petitions scheme was one click away from the home page, but accepted that this could be improved further and undertook to liaise with the web team to resolve this. In response to comments from Mrs Dean, Mr Sass also undertook to re-examine the wording of the e-petitions web page to ensure that this wasn't too daunting for the general public.

Thresholds

(6) The Committee was of a majority view that the petition thresholds should remain the same, i.e. 12,000 for a countywide matter and 1,000 for each District/Borough Council area. Mrs Dean reiterated her previous comments that the petition thresholds should be halved.

Repeat Petitions

(7) The Committee asked officers to give further thought to what constituted “a petition on the same subject within 6 months of a County Council petition debate” and consult Members accordingly prior to the review report being submitted to the County Council.

Variable thresholds for Petition debates

(8) The Committee was of the view that the County Council remained the most appropriate forum for petition debates, but that in the future, Locality Boards might be the more appropriate forum for dealing with petitions relating to single District/Borough Council areas.

Guidance to Petitioners

(9) Committee Members asked to be provided with a copy of any written guidance provided to petitioners over and above that set out in the petition scheme. Mr Sass undertook to do this.

Process for a County Council debate

(10) The Committee accepted the proposals in relation to the proposed deadlines for the receipt of petitions and written statements from petitioners in relation to a County Council debate. Members were of the view that Group Leaders should be consulted before the Chairman makes a decision as to whether to consider a petition that reached the threshold for a County Council debate, but was received after the deadline. The Committee noted that the practise of a briefing note/position statement being circulated from the relevant Directorate in respect of each petition debate should continue.

(11) The Committee agreed that the length of the petition debate at County Council should remain at 45 minutes and was inclusive of the Lead Petitioner, the local Member and the relevant Cabinet Member (in the event of the petition relating to an executive matter) all having a maximum of 5 minutes each, with all other speakers having a maximum of 3 minutes each. The Committee was also of the view that the petition debates should take place immediately after the lunch break and that, if necessary, the remaining agenda items should be re-ordered to accommodate this.

Limit on the number of debates at the County Council meeting

(12) The Committee was of the view that there should be no limit on the number of petition debates that could be held at a County Council meeting, but that this should be kept under review.

Combining debates on similar subjects

(13) The Committee was of the view that the Chairman of the County Council should have discretion to hold a combined debate on more than one petition if the subjects of the petitions were similar.

Policy Overview and Scrutiny Committees

(14) The Committee agreed that any changes agreed in respect of County Council petition debates and the supporting process should be applied equally to petitions submitted to Policy Overview and Scrutiny Committees, as appropriate.

2. Recommendation: The County Council is invited to approve the following recommendations from the Selection and Member Services Committee:

- (a) no change be made to the threshold levels to trigger a debate at County Council but that this matter be kept under review by the Selection and Member Services Committee;
- (b) County Council should remain as the most appropriate forum for petition debates for the time being, but that the matter be kept under review by the Selection and Member Services Committee;
- (c) the definition to be used as to what constituted a “petition on the same subject” is: “a petition on the same decision/issue as one debated by the County Council within the previous six months”
- (d) petitions for a County Council debate should be submitted to the Head of Democratic Services and Local Leadership fourteen days before the meeting but that the Chairman of the County Council should have discretion to accept petitions about urgent matters following consultation with the Group Leaders;
- (e) the deadline for the receipt of the written statement should be brought forward to 5.00pm on the Monday of the week before the County Council meeting and there be a requirement for the Directorate to submit a brief position statement/briefing note to meet the same deadline, so that both pieces of information are available when the County Council agenda is despatched;
- (f) the maximum time for a petition debate at County Council should remain at 45 minutes, which is regarded as being inclusive of the Lead Petitioner, Local Member and the relevant Cabinet Member (in the event of the petition relating to an executive matter) all having a maximum of 5 minutes each, with all other speakers having a maximum of 3 minutes each.
- (g) no limit should be placed on the number of petition debates held at a single meeting of the County Council but that this matter be kept under review by the Selection and Member Services Committee;
- (h) the Chairman of the County Council should have discretion to hold a combined debate on more than one petition if the subject matters are similar;
- (i) petition debates should be placed on the agenda for the County Council immediately after the lunch break and that, if necessary, the Chairman of the County Council should re-order the remaining agenda items to accommodate this;

- (j) the deadline for the receipt of petitions that call an officer to give evidence to a POSC, and the supporting statement, should be the same as for a County Council debate; and
- (k) to include the requirement that the lead petitioner is given a copy of the recommendation(s) arising from a debate at the County Council or a Policy Overview and Scrutiny Committee.

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Background documents – Nil

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local
Leadership

To: Selection and Member Services Committee
19 November 2010

Subject: **Petition Scheme – review**

Classification: Unrestricted

Summary: This report sets out the key issues for consideration in reviewing the Petition Scheme and requests the Committee to make recommendations to the County Council on 16 December 2010.

1. Background

(1) At the meeting of the County Council on 22 July 2010 a Petition Scheme was approved, which came into force on 1 September 2010 (a copy of the Scheme is attached as **Appendix 1**). It was agreed that this would be reviewed after its first few months of operation and a report submitted to County Council on 16 December 2010.

(2) The Committee is being given the opportunity to make recommendations to the County Council amending the Scheme, in order that the necessary consequential changes can be made to the Constitution.

2. Current situation

(1) On 24 September 2010 the Department for Communities and Local Government sent a letter to all Local Authority Chief Executives informing them that the statutory guidance “Listening to communities: statutory guidance on the duty to respond to petitions” had been withdrawn. The County Council is still legally bound to comply with the minimum requirements of all statutory duties but now has more discretion to decide how it wishes to approach petitions locally.

(a) *Summary of legislative requirements*

- The County Council must establish a scheme for handling petitions (excluding petitions relating to planning matters).
- The scheme, and any subsequent amendments to it, must be approved by the County Council and published on the County Council's website.

- Anyone who lives, works or studies in the County Council's area can sign a petition.
- Petitions must be acknowledged and the lead petitioner told how the County Council responds to the Petition.
- The ways in which the County Council can respond to a petition must include the following:
 - Taking the action requested in the petition
 - Considering the petition at a meeting of the authority
 - Holding an inquiry
 - Holding a public meeting
 - Carrying out research
 - A written response setting out the authorities views
 - Referring the petition to an overview and scrutiny committee
 - Petitions that have a certain number of signatures (number to be decided by the County Council) will trigger a debate at the County Council meeting.
 - Petitions that have a certain number of signatures (number to be decided by the County Council) will require a senior local government officer to give evidence at an Overview and Scrutiny Committee
- If requested by a lead petitioner arrangements must be made for an Overview and Scrutiny Committee to review the adequacy of the steps taken to response to the petition.
- To have an e-petition scheme by 15 December 2010.

(b) Summary of discretionary provisions within the now withdrawn statutory guidance (i.e. which could be amended or removed from the scheme):

- Allowing petitions to be signed by visitors to Kent
- Including the following in the list of the ways in which the County Council can respond to a petition :
 - Holding a consultation
 - Holding a meeting with petitioners
 - Calling a referendum
- In cases where the petition is about a matter which the County Council has no direct control, to consider making representations on behalf of the community to the relevant body.
- Giving an indication of how the County Council will deal with petitions that relate to matters which are the responsibility of another Council or for which there is joint responsibility.
- Inviting a lead petitioner for a County Council debate to submit 500 word supporting statement.
- The process for the petition debate at County Council (see paragraph xx below)
- The statement that the County Council will not debate on the same subject within 6 months of a County Council debate.

- The process for calling an officer to give evidence at an Overview and Scrutiny Committee, including being accompanied by the Cabinet Member.
- The length of time for an e-petition to be open for signature – currently up to 3 months.
- The process for administering an e-petition.
- Inviting a petitioner who wishes the way that their petition has been dealt with to be reviewed, to submit brief details of the reasons.

Petitions

(2) Since the implementation of the scheme, 16 petitions have been received (as set out in **Appendix 2**). There have been three e-petitions, and all the rest are paper petitions. The majority of petitions relate to matters within the remit of Environment, Highways and Waste.

(a) E-petitions.

(3) The number of responses and closing dates for the e-petitions are set out in **Appendix 2**. If none of these petitions achieves the threshold for a County Council debate they will be submitted to the Cabinet Member for a response.

(4) Although the numbers signing the e-petitions are relatively low compared to the majority of paper petitions, it should be borne mind that this is a new facility which the majority of local authorities are not making this available until the statutory requirement comes into force on 15 December 2010. In accordance with the wishes of this Committee, the e-petition page is available one click from the Home page on www.kent.gov. In order to publicise the scheme a press release was issued prior to the meeting of the County Council in October 2010.

3. Issues to be reviewed

(a) Threshold for a County Council debate

(1) A valid petition signed by a specific number of people (number to be agreed by the County Council) must automatically trigger a debate at County Council.

(2) The statutory requirement is that the maximum threshold that can be set is 5% of the total population of the County Council's area (i.e. 70,000 for Kent County Council). The now withdrawn statutory guidance suggested a threshold level of 1% (i.e. 14,000 for Kent County Council). The Selection and Member Services Committee, based on a recommendation from the Informal Member Group on Petitions, recommended a threshold of 12,000 signatures for a County Council debate on a Countywide matter and 1,000 for a County Council debate on a county matter relating to a single district/borough area.

(3) In the limited time that the scheme has been operating no petitions on a countywide matter have reached the 12,000 trigger for a County Council debate. It should be noted that the majority of petitions relate to District matters rather than

countywide matters, which is probably to be expected as these matters tend to generate the most public interest.

(4) Set out in **Appendix 3** are the threshold levels for a County Council debate set by other County Councils.

(5) Members should consider if they wish to recommend that the number of signatures required to trigger a debate at County Council on a countywide matter should be amended. The Committee should note that we currently have a live e-petition, which seeks to reduce the threshold for a Council debate to 1000 for a countywide matter and 500 for a single district/borough issue.

(b) Variable thresholds for a County Council Debate

(6) Due to the withdrawal of the statutory guidance, there is now the option to simplify the variable thresholds and deal more flexibly with petitions that relate to district/borough council areas.

(7) Based on our limited experience it would seem likely we will receive more petitions on matters relating to Districts issues rather than Countywide matters. Members may wish to consider whether County Council is the most appropriate forum to discuss these matters. A way forward may be to reserve debates at County Council for Countywide matters that achieve 12,000 (or whatever number the County Council decide is appropriate) and hold any debates on a matter relating to a District, which reaches the threshold, at the next meeting of the appropriate Policy Overview and Scrutiny Committee (POSC).

(8) The advantage of having District matters debated at POSCs rather than County Council would be that the members of the POSC would have developed a detailed knowledge of the subject which would assist them in debating the matter and making recommendations. Cabinet Members attend POSCs, which are open to the public and webcast.

(9) If it was decided to recommend that District/Borough area petitions be debated at POSCs rather than County Council it would need to be remembered that POSCs only meet 5 times a year and these meetings are not spread evenly throughout the year.

(10) Another option is to refer any petition that reaches the threshold for a county matter relating to a District/Borough area and which relates to an Executive matter to be discussed at Cabinet. The advantage of this option is that petitions reaching the relevant threshold will be responded to formally in a more timely fashion because of the frequency of the Cabinet meetings. If this particular option was chosen, it might be also be appropriate to consider whether a formal amendment to the Scheme was required to allow local Members to attend and speak on petitions at Cabinet meetings.

(11) Members are requested to consider whether they wish to make any recommendations to amend the scheme in respect of countywide matters relating

to a District/Borough area triggering a debate to County council, either in relation to the threshold levels or moving these debates to meetings of POSCs and/or Cabinet.

(c) Process for a County Council debate

(12) In light of experience of petitions debates at County Council, it would be appropriate to consider whether to amend the scheme to include fully how the debate will be run. There are a number of issues that Members may wish to consider in relation to this:-

(i) Deadline for receipt of petitions

(13) Currently there is no deadline for receipt of petitions for debate prior to the meeting of County Council; the scheme just says that petitions that reach the threshold will be considered at the next meeting of the County Council. Having said that, once the agenda has been published any petition received after that date could only be considered if the Chairman decided they were genuinely urgent. However, in order to make it clear to the lead petitioner when they need to submit their petition if they want it to be considered at a certain meeting of the County Council, it is suggested that Petitions for a County Council debate should be submitted to the Head of Democratic Services and Local Leadership by 5.00pm fourteen days before the meeting, which is the same as for a Time Limited Debate.

(ii) Written statement

(14) In the current Petition Scheme, lead petitions are given the opportunity to submit a statement of up to 500 words at least 2 working days before the meeting. At the County Council meeting on 14 October 2010 all four lead petitioners took the opportunity to do this, which hopefully helped Members to prepare for the debate.

(15) Subject to Members agreeing that this practise should continue, it is suggested that the timescale for receipt of the statement is too short and should be moved earlier to 5.00pm on the Monday of the week before the meeting of the County Council which would enable it to be sent out with the papers for the meeting.

(16) At the last County Council meeting, a brief position statement/briefing note was circulated from the Directorate for each of the petition debates to assist Members and it is considered appropriate that this practise continue, with the same deadlines as for the lead petitioner's statement.

(iii) Timing

(17) The Scheme states that the debate by Elected Members should be for a maximum of 45 minutes, which is based on the timing for a Time Limited Debate. The Scheme also states that the lead petitioner or their representative will be given 5 minutes to present the petition, but is silent about the Local Member and the Cabinet Member speaking.

(18) At the County Council meeting on 16 October 2010, the following process was followed (which is not currently included in the scheme):

- Lead Petitioner – speak for up to 5 minutes
- Local Member – speak for up to 5 minutes
- County Council debate – for up to 45 minutes
- Cabinet Member – respond to the debate for up to 5 minutes.

(19) Members may wish to consider whether the 45 minutes allocated for the debate should start when the Local Member speaks and include the Cabinet Members response.

(20) Members are requested to either recommend to the County Council that the above process or an amended version of it is incorporated into the Petition scheme, including the length and order of speeches during the debate.

(v) Limit number of debates at each County Council meeting

(21) Currently the scheme does not set a limit of the number of petition debates that can be considered at a single meeting of the County Council. As Members will be aware the agenda for the October meeting contained four petitions, although as three were on a similar subject a combined debate was held. Had these four petitions been on different subjects, it would have been very difficult to get through the business of the meeting. The only legal requirement is that a petition that meets the threshold is the subject of a debate at County Council, it does not give a timescale for this. The Petition Scheme, based on the withdrawn model, does state that the County Council will endeavour to consider the petition at its next meeting although on some occasions this will not be possible and it will be considered at the following meeting.

(22) In order to ensure that there is adequate time to consider other business at the County Council meeting, the Committee is asked to consider whether it wishes to consider setting a limit in the Petition Scheme on the number of petitions to be considered at any County Council meeting on a first come first served basis.

(vi) Combining debates on a similar subject

(23) At the October meeting of the County Council, the Chairman agreed to combine the debate on three of the petitions as they related to a similar decision. Members may wish to include a provision within the scheme to do this so that there is clarity for Petitioners.

(vii) Order of Petition debate on County Council agenda

(24) Members are requested to consider whether they wish to recommend that Petition debates are placed on the agenda at a specific point so that all concerned

know what time the debate should begin and are not kept waiting for an unreasonable amount of time.

(25) There are two specific places on the County Council agenda where it would be possible to give the lead petitioners a realistic idea of when the debate is likely to take place. These are either after the Leaders' oral report (it is relatively easy to estimate the time that the preceding items will take), or immediately after the lunch break with the agenda being re-ordered if necessary to ensure that the debate is the first item when the meeting re-convenes. The Committee is asked to give guidance on this aspect.

(d) Process for calling an officer to give evidence at an Overview and Scrutiny Committee – debate at POSCs

(26) Contained within the Petition Scheme is the legislative requirement for a petition that reaches the threshold figure (currently half the number required of for a County Council debate i.e. 6,000 for a Countywide matter and 500 for a District related matter) to be called to give evidence to an Overview and Scrutiny Committee. However, as with the debate at County Council, the process for this set out in the scheme is not very detailed. Members' views are sought on making recommendations on the following procedural matters:

(i) Deadline for receipt of petitions, a written statement

(27) It is suggested that the deadline for the receipt of petitions and supporting written statement which meet the threshold for an officer to give evidence at a POSC should be, should be the same as for County Council.

(ii) Process at the meeting

(28) Currently the only reference to the timing of this item is that the lead petitioner will be allowed to address the Committee for up to 5 minutes and to then ask questions to seek new information from the officers for up to 5 minutes (the 5 minutes does not include the officers answers).

(29) There is no provision for the Committee to question the Lead Petitioner or the officer on points of clarification which they might need to do in order to make a recommendation, although there is an expectation that this would happen. Members may wish to add this to the formal process. There is no length of time for the discussion on this item to take, but maybe there is no need to specify this as it would be at the Chairman's discretion.

(30) In addition, the statutory requirement that the lead petitioner be sent a copy of the recommendation from the Committee should be included in the scheme for clarity. If the Committee agrees this needs to be included in the revised scheme.

4. Any other issues that Members may wish to raise

As Members will also have had some experience of the operation of the Petition Scheme, and may have experience of it at District/Borough Council level, there is an opportunity to discuss other aspects of the scheme and to decide if to make any further recommendations to County Council to amend the Petition Scheme.

5. Recommendation That the Selection and Member Services Committee consider whether to recommended that the County Council amendment the Petition scheme in relation to the following:

(a) revising the threshold level to trigger a debate at County Council (paragraphs 3(a)(1) – (5) refer)

(b) countywide matters relating to a District area triggering a debate to County Council, either in relation to the threshold levels or moving these debates to meetings of POSCs or the Cabinet (if relating to an executive matter) (paragraphs 3(b)(6) – (11) refer).

(c) whether Petitions for a County Council debate should be submitted to the Head of Democratic Services and Local Leadership fourteen days before the meeting (paragraph 3(c)(i)(13) refers).

(d) that the deadline for the receipt of the written statement is amended to 5.00pm on the Monday of the week before the County Council meeting and there be a requirement for the Directorate to submit a brief position statement/briefing note to meet the same deadline (paragraphs 3(c)(ii)(14) – (16) refer).

(e) the above timing for the process for a petition debate at County Council (as set out in paragraph 3(c)(iii)(18) above or an amended version of it is incorporated into the Petition scheme.

(f) setting a limit in the petition scheme on the number of petitions to be considered at any County Council meeting. (paragraphs 3(c)(v)(21) – (22) refer)

(g) a provision within the scheme to do combine petitions relating to a similar subject or decision (paragraph 3(c)(vi)(23) refers)

(h) whether to recommend where the Petition debate should be placed on the agenda for the County Council (paragraph 3(c)(vii)(24) refers).

(i) whether the deadline for the receipt of petitions that call an officer to give evidence to a POSC, and the supporting statement, should be the same as for a County Council debate (paragraph 3(d)(i)(27) refers).

(j) clarify the process for the POSC to come to its recommendation and include the requirement that the lead petition is given a copy of the

recommendation(paragraphs 3(d)(ii)(28)(30) refers)..

(k) any other amendments to scheme that the Committee wishes to recommend.

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Background documents - Nil

KENT COUNTY COUNCIL

PETITION SCHEME

What are the guidelines for submitting a petition?

Petitions submitted to the County Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the County Council to take.
- the name and address of the petition organiser (this is the person we will contact to explain how we will respond to the petition), and
- the name and address and signature of any person supporting the petition. (Petitions can be signed by people who live, work, study in or visit the County Council's area).

Petitions which are considered to be vexatious*, abusive or otherwise inappropriate will not be accepted and you will be contacted to explain the reasons for this

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

If a petition does not follow the guidelines set out above, the County Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the County Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 5 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have already taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a County Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a [planning application](#), is a statutory petition (for example requesting a referendum on having an elected mayor), or on a

matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

How will the County Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by one of the Council's overview and scrutiny committees** or in the case of cross cutting issues the Head of Democratic Services and Local Leadership in consultation with the Chairman and Spokesmen of the Scrutiny Board will determine which overview and scrutiny committee will consider the petition
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

The County Council will tell you what it intends to do with the petition within 20 days of receipt of the paper petition or the close of an e-petition.

**Overview and scrutiny committees are committees of Elected Members who are responsible for scrutinising the work of the County Council – in other words, the overview and scrutiny committee has the power to hold the County Council's decision makers to account.

If your petition is about something over which the County Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The County Council works with a large number of local partners [[link to list of LAA partners](#)] and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with County Council policy), then we will set out

the reasons for this to you. Click on the link to find more information on the services for which the [County Council](#)

If your petition is about something that a different Council is responsible for, or for which we have joint responsibility, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council for them to respond to or comment on, but could involve other steps. In any event we will always notify you of the action we have taken.

Full County Council debates

If your petition relates to a county-wide matter and contains at least 12,000 signatures it will be debated by the County Council (unless it is a petition asking for a senior council officer to give evidence at a public meeting (see below)). If your petition covers a County Council matter that relates to a specific District Council area it will require at least 1,000 signatures for it to be debated by the County Council. If this matter relates to more than one District Council area then at least a 1,000 signatures per District Council area will be required for the matter to be debated by the County Council.

The County Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The lead petitioner, or their named representative will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting;

At the meeting of the County Council the petition organiser, or their named representative, will be given five minutes to present the petition at the meeting and the petition will then be discussed by Elected Members for a maximum of 45 minutes. If the lead petitioner, or their named representative, does not attend the County Council meeting then the petition will be considered in their absence.

The County Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant Cabinet Member or committee.

Where the issue is one on which the County Council's Executive is required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.

The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

(NB – the County Council will not debate a petition on the same subject within 6 months of a County Council petition debate).

Calling an Officer to give evidence at an Overview and Scrutiny Committee

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 6,000 signatures for a countywide matter and 500 signatures (or multiples) for a County Council matter relating to a District area(s), the relevant [senior officer](#), accompanied by the relevant Cabinet Member, will give evidence at a public meeting of one of the Council's overview and scrutiny committees.

You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs.

The lead petitioners or their named representative:-

(a) will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive at least 2 working days before the meeting;

(b) will be allowed to address the Committee for up to 5 minutes to summarise their reviews and to amplify, but not repeat, any points in their written statement;

(c) will then be allowed up to 5 minutes to ask questions of the officer (the 5 minutes does not include the time for answers to be given). These questions should be used to seek genuinely new information. Questions must not be asked to which the member of the public already knows the answer.

E-petitions

The Council welcomes e-petitions which are created and submitted through our website [\[link\]](#). E-petitions must follow the same guidelines as paper petitions (as set out above). The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions remain open for a maximum of 3 months, but a shorter or longer timescale can be agreed with the petition organiser if appropriate.

When you create an e-petition, it may take up to 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website. When an e-petition has closed for signature, it will automatically follow the same process as a paper petition (as set out above)

In the same way as a paper petition, you will receive an acknowledgement within 5 working days of the close of the e-petition. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here **[insert link]**. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the steps that the County Council has taken in response to your petition are reviewed. All reviews will be considered the Scrutiny Board.

It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the County Council's response is not considered to be adequate.

The Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting.

Should the Board determine that the County Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the County Council's Executive and arranging for the matter to be considered at a meeting of the full County Council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website

* In deciding if a petition is vexatious the guidance used for the Freedom of Information act the starting point will be:-

“Deciding whether a [Freedom of Information] request is vexatious is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause”

Approved by the County Council on 22 July 2010
In force from 1 September 2010

Petitions received since 1 September 2010

Subject	Directorate	Type of Petition		No of Signatures	Countywide matter or District specific	Outcome	
		Paper	E-petition (closure date)			Written response	Debate at County Council
Manorbroke Residential House - Dartford	KASS	✓		1390	District		✓ (14.10.10)
Cornfields Care Homes, Dover	KASS	✓		1816 plus 1873 standard letters	District		✓ (14.10.10)
Traffic lights at Coldharbour /B245 -	EHW	✓		36	District	✓	
Reopening of right turns – A256	EHW	✓		1074	District		✓ (14.10.10)
Samson Court – Residential and Day Centre – Deal	KASS	✓		4243	District		✓ (14.10.10)
Permanent Speed Device – Seal Hollow Road, Sevenoaks	EHW	✓		11	District	✓	
Road calming measures - Vines Lane – Hildenborough	EHW	✓		39	District	✓	
Speed limit restriction on B2042 through Ide Hill and Gouthurst Common	EHW	✓		54	District	✓	

Subject	Directorate	Type of Petition		No of Signatures	Countywide matter or District specific	Outcome	
		Paper	E-petition (closure date)			Written response	Debate at County Council
Blackburn Lodge Care Home – Sheerness	KASS	√		1674	District	√	
The Limes, Care Home - Dartford	KASS	√		7424	District		√ (16.12.10)
Banning of A Frames (Countywide)	EHW		√ (15.12.10)	60 (as at 06.12.10)	Countywide		
Campaign against A Frames (Advertising Boards) in Maidstone Town Centre	EHW	√		3417	District		√ (16.12.10)
20 mph speed limit around schools	EHW	√		993	Countywide	√	
Objection to proposal to exclude road legal motorcycles from certain byways	EHW	√		11	District	√	
Speed limit on Boxley Rd/Beechen Bank Rd	EHW	√		82	District	√	
Traffic congestion on High Street, East Malling	EHW	√		32	District	√	
Salt Bin Criteria – Borough Green	EHW		√ (09.12.10)	1 (as at 06.12.10)	District		
Threshold for County Council debates	CED		√ (09.12.10)	3(as at 06.12.10)	Countywide		

Subject	Directorate	Type of Petition		No of Signatures	Countywide matter or District specific	Outcome	
		Paper	E-petition (closure date)			Written response	Debate at County Council
Temporary Blue Badge	ASS		✓ (13.02.11)	33 (as at 06.12.12)	Countywide		
Ladesfield Whitstable	ASS	✓		883	District		
Kiln Court, Faversham	ASS	✓		132	District	✓	
Wayfarers Sandwich	ASS	✓		351	District	✓	
Dorothy Lucy Centre, Maidstone	ASS	✓		32	District	✓	
Doubleday Lodge, Sittingbourne	ASS	✓		201	District	✓	
Bowles Lodge, Hawkhurst Petitions x 2	ASS	✓		230	District	✓	
		✓		1332 UNISON	District		✓
Older Persons Centres – generic petition	ASS	✓		1379	Countywide	✓	

Examples from other County Councils of thresholds to trigger a debate at County Council

County Council	Threshold level	% of total population
Kent County Council	12,000 for a countywide matter	0.85%
	1,000 per district for a district specific matter	Approximately 1% of district population (figure simplified)
Cambridgeshire CC	15,130	2.5%
Cornwall CC	5,000	1%
Devon CC	6,000	1%
Dorset CC	1,000	0.25%
Durham CC	5,000	1%
Essex CC	14,000	1%
Gloucestershire CC	5,000	0.85%
Hertfordshire CC	10,000	1%
Lancashire County Council	36,000	3.1%
Norfolk CC	5,000	0.6%
Northamptonshire CC	15,750	2.5%
Nottinghamshire CC	5000	1%
North Yorkshire CC	29,960	5%
	515 to 1605 (to trigger a debate at an Area Committees)	1% of each District.
Wiltshire CC	11,500	2.5%
	400 – 1000 (to trigger a debate at an Area Board)	2.5% of the community area's population

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By: Alex King – Deputy Leader
Peter Sass – Head of Democratic Services and Local Leadership

To: County Council – 16 December 2010

Subject: **Proposed Amendments to the Constitution**

Classification: Unrestricted

Summary:

This report invites the County Council to approve changes to the Constitution in relation to (i) the Leader’s Oral report to the County Council; (ii) the reallocation of constituency work in the event of illness/absence of a Member; and (iii) proposed amendments to the Personnel Committee Terms of Reference and the Personnel Management Rules

1. The Leader’s Oral Report to the County Council

(1) At each County Council meeting, the Leader of the Council may make an oral report on key issues arising since the last meeting. He may speak for up to 10 minutes, followed by speeches of up to 7 minutes by each of the two political group leaders, with the Leader of the Council having a right of reply for up to 2 minutes (Council Procedure Rule 1.20 applies) .

(2) On occasions, the Leader of the Council has asked for an extension of time to his initial speech, which if agreed to by the Chairman of the Council, is normally applied equally to the two opposition group leaders’ speeches. However, the Leader of the Council has stated that he would like more time to respond to the opposition leaders’ speeches and has requested that the Constitution be amended so that the length of time for his reply be extended from 2 minutes to 5 minutes.

(3) At its meeting on 19 November 2010, the Selection and Member Services Committee agreed to recommend to the County Council that the Constitution be amended accordingly.

2. Reallocation of constituency work in the event of illness/absence of a Member

(1) There have been two examples recently of Members not being able to perform their KCC duties for reasons of serious poor health and it is considered that there should be more clarity in the Constitution for Members and the public in relation to dealing with constituency work. Article 2 (2.3)(2)(m) of the Constitution states that Local Members should “represent and support individual constituents in their dealings with the Council”. It is suggested that this statement should be amended as follows:

“...represent and support individual constituents in their dealings with the Council. In the absence of a Member for reasons of ill-health or otherwise, the Member

concerned (or, if they are unwilling or unable to do that, the relevant Group Leader) should nominate another Member to act on behalf of the absent Member in relation to representing their constituents.”

(2) In addition, Members are asked to note that suitable relevant wording will be added to the Members' Handbook to cover this important point and Officers will also make it clear on the KCC website if a particular Member's constituency matters are being dealt with by another Member, and arrange for any e-mails to be diverted accordingly.

(3) At its meeting on 19 November 2010, the Selection and Member Services Committee agreed to recommend to the County Council that the Constitution be amended accordingly.

3. Terms of Reference of the Personnel Committee and the Personnel Management Rules

(1) The proposed Council-wide restructuring has led to an examination of the Terms of Reference of the Personnel Committee and the Personnel Management Rules contained in the Constitution to ensure that these are fit for purpose in terms of the implementation of the revised structure following formal determination by the County Council.

(2) One area where clarification is required is where a senior manager is displaced as a result of not being 'slotted' but who then wishes to appeal that decision.

(3) The Terms of Reference of the Personnel Committee (sub paragraph g) currently states:

“through ad-hoc Sub Committees of Members (Panels), hearing and dealing with the final stage of unresolved grievances from Chief and Senior Officers and appeals by such officers against dismissal, transfer or downgrading”.

(4) It is suggested that sub paragraph (g) be amended as follows (underlined section):

“through ad-hoc Sub Committees of Members (Panels), hearing and dealing with the final stage of unresolved grievances from Chief and Senior Officers and appeals by such officers against dismissal (including dismissal as a result of redundancy), assimilation ('slotting-in'), transfer or downgrading”.

(5) In addition, a new section is proposed in the Personnel Management Rules, to be inserted immediately after paragraph 18, as follows:

“Appeals against dismissal arising from redundancy, assimilation, transfer and downgrading

1. Any appeal against a decision not to 'slot' a senior manager to a post graded M or above, a redundancy, transfer or downgrading must be lodged with the Director for Personnel and Development within ten working days of written confirmation to the officer

of the decision and must include a written statement of the grounds on which the appeal is made.

2. Appeals will be heard by the Personnel Committee, or a sub committee of that Committee. As far as is practical such hearings will be arranged within ten working days of an appeal being lodged. If the Appeal is heard by a Panel of members then the quorum of such meeting shall include a Cabinet Member.

(6) At its meeting on 19 November 2010, the Selection and Member Services Committee agreed to recommend to the County Council that the Constitution be amended accordingly.

4. Recommendations

The County Council is invited to approve the following amendments to the Constitution:

(1) Paragraph 1.20 (5) of the Rules applying to Council meetings (page 63 of the Constitution) be amended so that the length of the Leader's reply to the opposition Leaders' speeches on his oral report be extended to 5 minutes;

(2) Article 2 (2.3)(2)(m) (page 5 of the Constitution) be amended as detailed in paragraph 2 (1) above, so that there is clarity about the reallocation of constituency work in the absence of a Member; and

(3) the proposed amendment to sub paragraph (g) of the Terms of Reference of the Personnel Committee (page 26 of the Constitution) as detailed in paragraph 3 (4) above and the proposed addition to the Personnel Management Rules (page 50 of the Constitution) as detailed in paragraph 3 (5) above, to clarify the role of the Personnel Committee in hearing assimilation appeals from senior managers.

Peter Sass
Head of Democratic Services and Local Leadership
(01622 694002)
peter.sass@kent.gov.uk

Background Papers: None

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From: Alex King – Deputy Leader
 Peter Sass - Head of Democratic Services and Local Leadership

To: County Council –16 December 2010

Subject: **Petition Scheme Debates**

Classification: Unrestricted

Summary: Details of Petitions received which will be the subject of debates in accordance with the County Council’s Petition Scheme.

For Decision

Introduction

1. (1) In accordance with the Petition Scheme agreed at the County Council meeting on 22 July 2010, any petition on a County Council matter relating to a single District Council area that has more than 1,000 signatures will trigger a debate at County Council.

(2) Assuming that the report on the Petition scheme earlier in the meeting is agreed, the process for the debate on each petition is that the Lead Petitioner will be invited to speak to the petition for up to 5 minutes. The Local Member(s) will be invited to speak for up to 5 minutes and there will then be a debate of up to 30 Minutes (with each Member speaking for 3 minutes) before the Cabinet Member is invited to respond for a maximum of 5 minutes. As the subject matters for these petitions relate to matters that are the responsibility of the Council’s Executive, the County Council may decide whether to make a recommendation to the relevant Cabinet Member to inform the decision-making process.

Petitions

Petition 1 – Limes Residential Home, Dartford

2. (1) Two petitions have been received opposing the proposed closure of The Limes Residential Home, Dartford, which have both triggered the threshold for a debate. The first petition containing 1979 signatures was received from UNISON Kent Branch. A statement from the Lead Petitioner, Mr David Lloyd, Branch Secretary of UNISON Kent Branch is attached (**Appendix 1**). Mr Lloyd will be attending the meeting and speaking to the petition. The second petition on the same subject was received from The Limes Focus Group and contains 5445 signatures. A representative from The Limes Focus Group will be attending the meeting and will share the 5 minute speaking slot with Mr Lloyd. The Focus Group has also submitted a written statement, which is attached (**Appendix 2**).

Petition 2 – Blackburn Lodge Residential Home, Sheerness

(2) A Petition has been received opposing the proposal to transfer the running of Blackburn Lodge, Sheerness to the private sector. The petition containing 1674 signatures was received from UNISON Kent Branch. A statement from the Lead Petitioner, Mr David Lloyd, is attached (**Appendix 3**). Mr Lloyd will be attending the meeting and speaking to the petition.

Petition 3 – Bowles Lodge, Hawkhurst

(3) A Petition has been received opposing the proposal to close Bowles Lodge, Hawkhurst. The petition containing 2298 was received from UNISON Kent Branch. A statement from the Lead Petitioner, Mr David Lloyd, is attached (**Appendix 4**). Mr Lloyd will be attending the meeting and speaking to the petition.

(4). A briefing report from the Managing Director of Kent Adult Social Services in relation to Petitions 1, 2 and 3 is attached. (**Appendix 5**)

(5) The Chairman of the County Council has indicated that he will hold a combined debate in relation to the above 3 petitions, as they all relate to the same overarching policy proposal.

Petition 4 - Campaign against “A” Frames (Advertising Boards) in Maidstone

(6) A petition has been received requesting the banning of all “A” Frames from Maidstone town centre. The petition contains 3417 signatures. A statement from the Lead Petitioner, Mr Neville Butteriss, is attached (**Appendix 6**). Mr Butteriss will be attending the meeting to speak to his petition.

(7) A briefing report from the Executive Director of Environment, Highways and Waste relation to Petitions 4 is attached. (**Appendix 7**)

RECOMMENDATION

3. (1) The County Council is invited to respond to the Cabinet Member for Adult Social Services in relation to Petitions 1, 2 and 3.

(2) The County Council is invited to respond to the Cabinet Member for Environment, Highways and Waste in respect of Petition 4.

Peter Sass
Head of Democratic Services and Local Leadership
01622 694002

Background Documents: None

THE LIMES

UNISON, supplementing statement in relation to the proposals to close The Limes Residential Home.

The Limes provides a service for residents from the age of 55 and above to assist recovery.

The importance of a local recovery services is imperative for the local community and local jobs.

KCC provides a high standard of care and control of its residential and enabling services which allows individuals back in to the community within their own homes. The Limes assist the local economy which local businesses benefit from as well as providing local jobs.

The prevention of bed blocking is important to the local services and local community in the area. UNISON view is that this service needs to continue in order to keep local jobs and social services.

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Save The Limes

We would like The Limes Care & Day Centres to remain open and continue to provide a valuable service to the vulnerable people aged 55+ of North West Kent. (Supported by 3,372 signatures petition)

8 years since the Limes was reopened as a care centre, hundreds of people have received recuperative therapy to help regain their mobility, confidence and **have been able to return to their own home**. Others have been assessed to require residential or nursing care, not only for their own safety and dignity, but peace of mind for their families.

If the Limes Centre no longer existed, vulnerable people will have to stay in hospital until they are considered medically fit to return home, escalating the workload onto already pressured medical staff and **BED BLOCK** hospital emergency and ward beds. Frequently there is a bed crisis at Darent Valley Hospital, and we take referrals as an emergency and now Queen Mary's Hospital's A&E department, Sidcup has closed, there has been an increase for hospital beds at local hospitals. It was recently reported on the BBC in November 2010 that bed blocking in Kent costs more than £60,000 a day. The Limes closure would add to these costs. If we were to remain open additional use of the services could alleviate the problem.

The Limes would continue to support the enablement programme to progress Service Users back to their own homes, with safe transitions from hospital to home and accept referrals from the community to avoid hospital admissions or as a place of safety if their house is uninhabitable or at risk from a family member.



Does this look like a building beyond it's useful life?

Day Centre Service Users are able **to stay in their own homes and be as independent**. They socialise and interact with like minded people. This helps them with their mental wellbeing, which we are confident supports them in keeping healthy and happy. Services provided are, holistic therapy, hairdressing, chiropody, opticians, a visiting minister giving pastoral care and mobile shop, entertainment and pampers days. We are happy to continue to provide the venue for the Falls Prevention Exercise Classes promoted by Dartford Council and the West Kent NHS Trust Get Active campaign, a popular class which most Day Centre Service Users attend.

When they moved from The Mount to the Limes, staff and Service Users were given the concept of a new purpose building that was to be built in Dartford and would be allocated to them. We question, what ever happened to these plans, were there any?

Similar to the funding received by the Guru Nanak Day Centre in Gravesend from the Kent Adult Social Services and European funding earlier this year, which was confirmed in a letter from Oliver Mills, why cannot we request European or National Lottery funding for our Service Users?

The Limes - a valuable resource that should not be closed!
The Limes Focus Group
Brent Lane Dartford DA1 1QN



Narinderjit Singh Thandi
General Secretary
SIRI GURU NANAK DARBAR
GURDWARA
Clarence Place
Gravesend
Kent

Kent Adult Social Services
Kent County Council
Brenchley House – BH3
123-135 Week Street
Maidstone
Kent ME14 1RF
Tel: 01622 694888
Fax: 01622 694910

email oliver.mills@kent.gov.uk
Ask for:
Our ref:
Date: 11 May 2010

Dear Mr Thandi

Guru Nanak Day Centre, Khalsa Avenue, Refurbishment Costs

I am writing in response to an invitation by you to clarify to the local Sikh Community the role of Kent Adult Social Services in the recent refurbishment of the new Guru Nanak Day Centre.

Kent Adult Social Services Directorates funded the refurbishment and successfully secured European funding towards the costs. This was done so that elders in the local community could continue to benefit from the local day services.

The Gurdwara Management Committee played no part in funding the development or in the delivery of the refurbishment project. However both as a representative of local people and as the landlord of the Day Centre, we valued your general encouragement for the project. Indeed, our regular liaison and dialogue helped considerably to complete the project within a short period of time.

The result is a new Day Centre which has excellent facilities and we hope that local elders will enjoy them for many years into the future.

Yours sincerely

Oliver Mills
Managing Director
Kent Adult Social Services

BLACKBURN LODGE

Keep Blackburn Lodge on the Isle of Sheppey

What UNISON is campaigning to Kent County Councillors.

Blackburn Lodge provides a residential service to the residents who live on the Isle of Sheppey. Local residents who have signed UNISON's position have indicated

Keeping services on the Isle of Sheppey is important to the local community, local employment as well as the local economy.

Providing good, well run services is promoted by UNISON. Keeping Blackburn Lodge would allow the residents of the Isle of Sheppey have a local KCC run residential home when staff straining is of a high standard which allows good quality care along with assisting the local economy.

Travelling on and off the Isle of Sheppey could be difficult for some service users and their carers. In the event of this service going and insufficient provision on the Island, this could result in many difficulties for the local community.

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Bowles Lodge

Save Bowles Lodge is an important campaign for the residents and staff who provide the only KCC elderly care service in the Royal Tunbridge Wells area.

It is located in the village of Hawkhurst and provides day care, residential and respite services for the local community.

Bowles Lodge helps local services and businesses as well as providing local jobs. The campaign around Bowles Lodge have highlighted the need for this service by the local rural community who have demonstrated their views by signing the UNISON petition.

We urge Kent County Council to keep Bowles Lodge in-house as a means to maintain a local service which has high standards of care and a good and well respected training protocol. UNISON is committed to campaigning for services to remain within the local authority's control with its management to maintain a service to local residents and keep jobs.

UNISON

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Consultation on the Future Older Person’s Provision by KCC

This information gives the background to the petition debate to be held by the County Council on 16 December 2010.

Petitions have been received concerning the future of three KCC run homes, Blackburn Lodge in Sheerness, Bowles Lodge in Hawkhurst and The Limes in Dartford, broadly requesting that KCC maintains the current service.

The petitions have arisen due to the recent consultation on future provision of 11 of the 16 homes which KCC runs. There was an earlier petition debate by the County Council on the 14 October concerning 3 of the other homes; Manorbrooke, Cornfields and Sampson Court

On the 14 June 2010, KCC Cabinet agreed to start consultation on the following proposal and the consultation finished on the 1 November.

Home	Proposal
Wayfarers, Sandwich	Proposing that it is sold to another organisation for them to run.
Blackburn Lodge, Sheerness Doubleday Lodge, Sittingbourne Kiln Court, Faversham	Proposing that these services could be run by another organisation, with terms set by Kent County Council.
Bowles Lodge, Hawkhurst Cornfields, Dover Manorbrooke, Dartford	Proposing to replace these with Extra Care Housing.
Ladesfield, Whitstable Sampson Court, Deal The Limes, Dartford	Proposing to close these completely within the next two years.
Dorothy Lucy Centre, Maidstone	Proposing to keep this as it is. A decision about its future will be taken at a later date.

The reasons behind the proposals are:

People

- More people are living longer and more are living with dementia. People rightly expect more choice in care. Developing future models of care, such as Extra Care Housing, will facilitate these choices.

Care

- High quality care is a continuing priority. Dignity in care is crucial and more people want care at home.

Buildings

- Residential care should be in high quality buildings. Some of the current KCC buildings have reached the end of their useful life and don't meet expectations.

Cost

- Good quality care can be commissioned for less money than it costs KCC to run its own homes. The private and voluntary sector is also set up to care for more people.

There is recognition that the uncertainty caused by the proposals will potentially be distressing for those who currently live in or use the homes, their families and the staff affected. As part of the proposal, a commitment has been given to work carefully with every older person affected and their families to ensure that any changes are suitable and provide the right care. This will cover all who use the homes, whether as permanent residents or for respite visits, for rehabilitation or for day care.

Further details on the proposals are available:

- By visiting www.kent.gov.uk/opfutures, or
- By writing to Older Persons Futures, Brenchley House, 123 -125 Week Street, Maidstone, ME14 1RF

The consultation process involved meetings with the current residents, their family carers, staff, district and borough councillors, the local KCC members, health professionals and potential future recipients of older people services. In response to requests, additional meetings were held to help more people take part.

There has been significant feedback received from the meetings, by post, by the dedicated hotline and via KCC's website. This, along with input such as expressions of interest by other organisations, is being collated for each of the homes affected and will inform the revised proposal for each of the homes.

Recommendations for each home will be put to the Cabinet Member for Adult Social Services and a decision for each of the homes is expected to be taken in January 2011.

Campaign Against "A" Frames

As the Council may be aware, there has been a Campaign for the last few months Against "A" Frames, cluttering up the streets of Maidstone.

I, Neville Butteriss a blind person and Mrs Pat Edwards, also a disabled person, have diligently gathered over 3,300 signatures of support [already presented to the Council] in our efforts to persuade KCC Highways in the total removal of them. Thus creating uncluttered streets in the County Town, and making it a more pleasant environment for everybody, especially the blind, other disabled people, mothers with buggies/pram, the elderly, and then to enable them to enjoy the experience of shopping in Maidstone's uncluttered streets once again.

Originally, we suggested the possibility of the KCC, Borough, KEC, and the traders liaising together to come up with designs for the signs. Involving the young people, the future generations, and instilling pride in their town. Alternative methods of traders advertising could be modern lightweight material, such as removable hanging signs over shop doors, signs in windows and or, signs hanging on walls. These methods now seem to be the KCC highways Departments own suggested proposed alternative methods of advertising, as photo's are now readily available from their own enforcement team's office.

A few years ago Council's regarded these intrusive, dangerous, and hazardous Boards, as Health and Safety Hazard, and were therefore regarded as an offence and "the Stoppaging and Blocking up of the public highway". So what, changed Council's opinions about them, and why do they suddenly need to be licensed? Instead of a total removal, and a fine if traders insist on having them.

Under the Rights of way and access, of the Disability Discrimination act, disabled people are entitled clear and uncluttered areas and streets in which to be able to move about freely and unobstructed! As is everybody.

Although Councillor Nick Chard of KCC Highways has already decided to adopt the policy of charging a £65 licensing fee for the pleasure of displaying such offending obstacles, prior to proper democratic discussions and consultations with any of the various disabled organisations, who are totally against the "A" frames themselves, as are all the 3,300 respective signed protesters on the petitions.

We therefore submit this report and petition to the Council, and we respectfully urge your full support and cooperation in the furthering of discussions and consultations to remove all the "A" Frames from the streets of Maidstone. Before the policy is fully implemented.

Alternative Suggestions to "A" Boards



Externally Mounted Boards

Mounted on pilasters, stallrisers, window frames or walls. These could be chalk or white boards



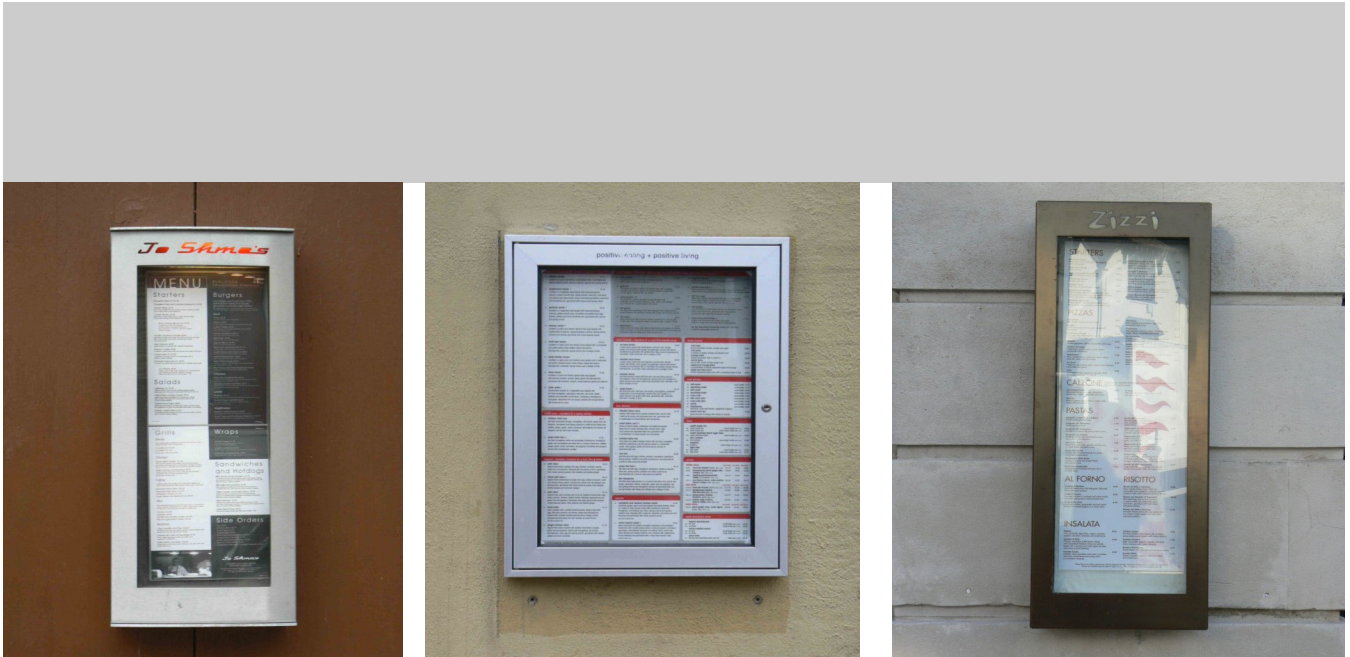
Additional Static Signage inside Shopfront

This could be changed daily if necessary and could respond to any special offers or sales



Hanging Signs

These reinforce the identity of the business and are visible in long views down the street



Externally Mounted Display Boxes

Menus, special offers, jobs, sales and promotions could be displayed on pilasters in sealed display boxes



Programmable Graphic Displays

These could be mounted within the shopfront area and could respond to special offers or sales



Projecting Cloth Signs

Individual cloth signs digitally printed with special offers or sale items that can be taken in at night

PLEASE NOTE - that you will need Planning Permission for most of these options. So please speak with your Local Planning Authority at your District, Borough or City Council.

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Report to: County Council – 16 December 2010

Report from: Nick Chard, Cabinet Member for Environment, Highways & Waste

Subject: Policy on Advertising Boards

Classification: Unrestricted

1. On the 26th November a paper petition was received by Legal & Democratic Services, seeking support as follows:

"Campaign Against "A" Frames (Advertising Boards) If you would like to support the Campaign Against "A" Frames (Advertising Boards) to rid the streets of Maidstone from all these dangerous, unsightly and obstructive advertising boards ("A" Frames) and once again help make the Town Centre the pleasant, safe and uncluttered place it always used to be. Especially for the disabled, mums with prams/buggies, the elderly and everyone generally.

As a consequence this matter has been referred to County Council.

2. A revised Policy for the Management of Obstructions and Temporary Items on the Highway was considered by the Policy Overview and Scrutiny Committee on 25 May 2010 and set out a framework to regulate countywide management of Advertising Boards.
3. The Policy Overview and Scrutiny Committee was asked to consider the report recommending the Cabinet Member for Environment, Highways & Waste to approve a policy for the control and licensing of temporary items on the highway, including Advertising Boards and Tables and Chairs. Approval was granted on 13 September 2010 by the Cabinet Member for Environment, Highways & Waste.
5. The new policy brings the control of A boards into line with current work practices, particularly in relation to Tables and Chairs which are already licensed, rather than simply having operating guidelines. The proposals are both relevant and practicable in the control of A boards, to make the highway a safer place. The suggested fees are £65 per single A-board licence. A non-compliance charge of £47.50 will be applied, where a licence requirement or previous warning is not complied with. Licences are renewable on a yearly basis and will remain unchanged until such times as all licensing charges for highway activities are reviewed.
6. The first stage of implementing the policy in Maidstone has resulted in a significant improvement with many premises choosing to comply with the policy distributed to them on **29th September 2010** by Kent Highways Officers. Compliance has meant removing the A boards or placing them within private curtilages freeing up the highway for pedestrians. Subsequent to the distribution of the policy **11** applications for A board permits have been received.

Advertising Board - Conditions of Licence

1. A detailed plan and photographs must be provided to Kent Highway Services clearly showing the area you wish to use (including dimensions). The A-Board **must** remain within the designated area at all times.
2. The A-Board shall be positioned in accordance with our requirements and as agreed by Kent Highway Services. It should not impede the surface water drainage of the highway nor obstruct access to any premises.
3. The licence owner will be charged fees of £47.50 if, following a routine inspection, any infringements of the licence, or problems arising out of the use of the site are found. Any additional visits to the site, which have to be carried out by Kent Highway Services or officers from the Local Authority, will be charged at £47.50 per site inspection.
4. Any infringements of the licence or problems arising out of the use of the site must be immediately rectified to the satisfaction of Kent Highway Services. Kent Highway Services reserve the right to terminate a licence without notice.
5. No A-Board shall be left on the highway longer than is necessary, and in any event shall be removed or repositioned if required by a Police Officer, Kent Highway Services or Officer from the Local Authority. The A-Board shall be taken inside and stored during the hours when business is not trading or where other conditions are imposed by Kent Highway Services.
6. No A-Board shall remain on the highway pursuant to this permission after the period of this permit has expired.
7. The owner will hold Public Liability Insurance to indemnify the Kent County Council up to the value of £5 million against any liability, loss or damage, claim of proceeding whatsoever arising under Statute or Common Law in respect of the placing of temporary obstructions on the highway or their removal therefrom. The applicant is required to submit proof of this insurance prior to the licence being issued.
8. No A-Board is to be sited where it leaves less than 1.3m unobstructed footway.
9. Planning permission may be required. You should contact your local Borough/District Council planning authority for further information. If planning is required, you need to attach a copy of the permission to your application.
10. Depending on the site location, there may be additional local arrangements or conditions to adhere to. If so, these will be sent out with your licence.
11. The licence is valid for up to one year and must be renewed annually if the applicant wishes to continue using it.
12. No A-Board is to be placed on the public highway until permission has been granted by Kent Highway Services.

Advertising Board - guidelines for use on the Highway

In this document, 'A-board' will be used to describe any sort of advertising signs, boards or displays that the owner of a commercial premises may put outside his shop in order to promote business.

1. All A-boards must be able to be moved freely and easily, whilst remaining sturdy and in position. They may need to be moved if requested by Police, or local authority officer
2. An A-board must not be attached to any sort of object on the highway - including objects on the premises of the owner. This includes; lampposts, trees, bollards, posts, guardrails, benches or seats, drainpipes or any other item of street furniture.
3. The A-board shall not cause any damage to the highway
4. A-boards should be stable and be kept in their upright position whilst positioned on the highway. They should be safely and discretely weighted down if needed
5. A-boards will be the owner's responsibility when placed on the highway, and the highway authority will not be liable for any damage or injury caused to highway users.
6. The A-board must relate to the normal business of the premises.
7. All A-boards may only be displayed during the agreed hours (this will be the premises' normal daytime trading hours, unless informed otherwise) and must be removed outside of these hours.
8. Only one A-board will normally be permitted per business. Businesses whose premises stretch over 2 or more streets may have two A-boards - one on each street, where adequate footway width remains.
9. A-boards must not cause a visual distraction to drivers of road vehicles or obstruction to pedestrians on the highway.
10. A-boards should be easily detectable and noticeable to users who have visual impairments. Avoid choosing a sign with a moving board or space underneath where a white stick may get trapped as the person is walking.
11. A-boards should be noticeable and situated in such a way that they can be negotiated with ease by users with mobility problems.
12. An unobstructed footway of a minimum of 1.5m should be maintained at all times, although 2m is desirable and should be aimed for where possible.
13. The A-board shall be positioned adjacent to the shop frontage if at all practical. The A-board may only be positioned along this frontage, not remote from the property.
14. The A-board must fit within the following dimensions: 0.8m to 1.05m high and 0.45m to 0.7m wide.

15. No A-board may be positioned unnecessarily on the highway, where the owner of the shop is in ownership of a private forecourt that could be used instead.
16. No A-board may be positioned in areas of high pedestrian flow if specified by the highway authority, or where there is not enough remaining footway.
17. An A-board must be removed with immediate effect if requested by the Highway Authority or member of the emergency services for access to the highway or to maintain the highway.
18. Nothing in these guidelines absolves those concerned from their legal responsibilities under the Highways Act 1980 and other relevant legislation, including the content on the A-board from S.5 of the Public Order Act 1986.

These form part of the conditions of the licence and must therefore be adhered to in order for the licence to be upheld and valid.

By: Mr Paul Carter - Leader of the Council
Mr Peter Sass - Head of Democratic Services and Local Leadership

To: County Council – 16 December 2010

Subject: Quarterly Report On Urgent Key Decisions

Classification: Unrestricted

Summary: To report one urgent Key Decision taken in the last quarter.

1. The Constitution requires me to provide a quarterly report to the County Council of any Key Decisions which were taken as urgent matters during the previous three months.

2. One urgent Key Decision was taken in the last quarter as set out below.

(a) Proposed New Primary School on the Goat Lees Estate, Ashford – Selection of preferred bidder

An urgent decision was taken on 13 October 2010 by Mrs Sarah Hohler, Cabinet Member for Children, Families and Education to appoint the Ashford Primary Headteachers' Collaboration to provide a new primary school on the Goat Lees Estate, Ashford.

This matter was urgent because if the decision was not taken at the time it was then it would have had to have been referred to the Schools' Adjudicator for his determination and that in turn could have affected the timely progress of the overall project.

Consultations

3. The Chairman and Spokespersons of the Cabinet Scrutiny Committee were consulted about this matter and their views were reported to the Cabinet Member prior to the decision being taken.

Recommendation:

4. The County Council is requested to note this report.

P B Carter
Leader of the Council

*Enquiries: Peter Sass
Head of Democratic Services and Local Leadership
Ext: 4002*

Background documents: Records of Decision 10-01568

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By: Cabinet Member for Finance
Acting Director of Finance

To: County Council – 16 December 2010

Subject: **TREASURY MANAGEMENT SIX MONTH REVIEW 2010-11**

Classification: Unrestricted

Summary: To present the Treasury Management Six Month Review

FOR INFORMATION

1 INTRODUCTION

- 1.1 At its meeting on 30 November 2010, this report was considered and approved by the Governance and Audit Committee and is now before the County Council for information
- 1.2. The Treasury Management Strategy for 2010 - 11 has been underpinned by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009, which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year.
- 1.3 This authority is reflecting Best Practice in accordance with CIPFA's recommendations as Governance and Audit Committee now receive quarterly updates on Treasury Management and Cabinet have received Treasury reports in June and September.
- 1.4 There has been no Treasury Advisory Group (TAG) meeting since the last report to this Committee however members of that group do receive weekly details of the KCC deposit portfolio and monthly reports. TAG will be meeting on 8 December to look at options on treasury strategy
- 1.5 Treasury management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 1.6 This report for the six months to 30 September 2010:
 - Is prepared in accordance with the revised CIPFA Treasury Management Code and the revised Prudential Code;
 - Presents details of capital financing, borrowing, debt rescheduling and investment transactions;

- Reports on the risk implications of treasury decisions and transactions;
- Provides details of the estimated outturn position on treasury management transactions for 2010 – 11;
- Confirms compliance with treasury limits and Prudential Indicators.

2 ECONOMIC BACKGROUND

- 2.1 The UK continued to emerge from recession but the level of activity remained well below pre-crisis levels. GDP registered 0.3% growth in the first calendar quarter of 2010 and 1.2% in the second.
- 2.2 The Bank of England's Monetary Policy Committee (MPC) maintained the Bank Rate at 0.5% and Quantitative Easing at £200bn. However, the minutes of the Bank of England's September meeting contained the possibility of further Quantitative Easing to keep the economy and inflation on track in the medium term.
- 2.3 Inflation continued to decline although the annual CPI to August 2010 still stood at 3.1%. This has resulted in two open explanatory letters from the Bank of England's Governor to the Chancellor. In the coming months higher food and fuel prices raise the risk that we may not see inflation come down much more until 2011, and then it will rise back again in January with the signalled hike in VAT to 20%.
- 2.4 The Bank of England's August Quarterly Inflation Report showed inflation remaining above the 2% target for longer than previously projected. Although the recovery in economic activity was expected to continue, the overall outlook for growth was weaker than presented in the May report.
- 2.5 The formation of a coalition government dispelled uncertainty surrounding a hung parliament result in May's General Election. The new government's Emergency Budget laid out tough action to address the UK's budget deficit, aiming to eliminate the structural deficit by 2014/15. This is to be achieved through austerity measures – £32bn of spending cuts and £8bn of net tax increases. Gilts have benefitted from this decisive plan as well as expected reductions in supply for each year of the forecast. The expected level of spending cuts and tax rises looks to be enough to extinguish the recent concern about inflation expectations.
- 2.6 The US Federal Reserve kept rates on hold at 0.25% following signs of a slowdown in American growth. At its meeting in September the Fed sent a strong signal that it is prepared to do more and moving closer to a second wave of unconventional monetary easing, and indeed commenced additional action on 4 November. The European Central Bank maintained rates at 1%. The major ongoing worries in Europe extended from sovereign weakness in the 'PIIGS' nations (Portugal, Italy, Ireland, Greece and Spain), the exposure of the continent's banking sector to the sovereign and corporate debt of these nations and the risk of contagion extending to other countries. The sovereign ratings of Greece, Ireland, Portugal and Spain were downgraded by the rating agencies.

- 2.7 The results from the EU Bank Stress Tests, co-ordinated by the Committee of European Banking Supervisors, highlighted that only 7 (2 Greek, 1 German and 4 Spanish “caja” banks) of the 91 institutions that made up the scope of the analysis were classed to have failed the adverse scenario tests. The tests are a helpful step forward, but there were doubts if they were far-reaching or demanding enough. The main UK Banks’ (Barclays, HSBC, Lloyds and RBS) Tier 1 ratios all remained above 9% under both the ‘benchmark scenario’ and the ‘adverse scenario’ stress tests.
- 2.8 Gilts rallied as the growth momentum faded and the UK seemed to offer a safe harbour from Euroland’s turbulence. 5- and 10-year gilt yields fell to lows of 1.57% and 2.83% respectively.

3 BORROWING REQUIREMENT AND STRATEGY

	Balance on 01/04/2010 £000s	Debt Maturing £000s	Debt Repaid £000s	New Borrowing £000s	Balance on 30/09/2010 £000s	Increase/ Decrease in Borrowing
Short Term Borrowing	0	0	0	0	0	0
Long Term Borrowing	1,042,363	46,031	40,027	90,000	1,092,336	49,974
TOTAL BORROWING	1,042,363	46,031	40,027	90,000	1,092,336	49,974

- 3.1 During the six months the differential between debt costs and investment earnings continued to be significant. The Council’s strategy is to fund its capital expenditure from internal resources as well as consider borrowing at advantageous points in interest rate cycles.
- 3.2 In total £90m of new loans have been arranged which include the replacement of maturing debt. The PWLB remains the Council’s preferred source of borrowing given the transparency and control that its facilities continue to provide.
- 3.3 In May the Council borrowed £50m from the PWLB to finance maturing debt at an average rate of 4.28% over 22/48 years. In early September as rates had fallen to a historic low the Council borrowed a further £40m from the PWLB, £20m over 10 years at a rate of 1.94% and £20m over 49/50 years at 3.95%. In addition in May, having taken advice from Butlers, the Council arranged 2 future dated Market loans from Barclays to be drawn in August 2011 at a rate of 3.83%.
- 3.4 There was no rescheduling of existing debt during the period.
- 3.5 Changes in the debt portfolio over the 6 months have achieved a reduction in the overall debt cost by £3.8m whilst increasing the average life from 27.22 years to 28.04 years.

4 INVESTMENT STRATEGY

4.1 The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles.

4.2 Investments

	Balance on 01/04/2010 £000s	Investments Made £000s	Investments Repaid £000s	Balance on 30/09/2010 £000s	Increase/ (Decrease) in Investments £000s
Short Term Investments	210,220	1,658,512	1,617,451	251,281	41,061
Long Term Investments	55,000	0	25,000	30,000	(25,000)
TOTAL INVESTMENTS	265,220	1,658,512	1,642,451	281,281	16,061

4.3 Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2010 - 11. This restricted new investments to the Debt Management Office and Deposits with UK Banks and Building Societies systemically important to the UK banking system.

4.4 Counterparty credit quality is assessed and monitored with reference to:

- Credit Ratings (Council's minimum long-term counterparty rating of A+ across all three rating agencies, Fitch, S&P and Moody's)
- Credit Default Swaps
- Country exposure eg Sovereign support mechanisms, GDP, the country's net debt as a Percentage of GDP
- Share Price

4.5 The counterparties currently approved by Cabinet are:

- Barclays
- HSBC
- Lloyds Banking Group
- Royal Bank of Scotland
- Nationwide

Santander UK was suspended on 30 April 2010 as a result of concerns about the creditworthiness of the Banco Santander group following the downgrading of Spain's long-term sovereign credit rating.

4.6 In June Cabinet approved an increase in duration to 1 year and in early September longer term deposits were placed with Nationwide.

4.7 Counterparty credit quality has been maintained through the first half of the year, as can be demonstrated by the Credit Score Analysis summarised below:

Date	Value Weighted Average – Credit Risk Score	Value Weighted Average – Credit Rating	Time Weighted Average – Credit Risk Score	Time Weighted Average – Credit Rating
31/03/2010	5.4	A+	3.8	AA-
30/06/2010	4.4	AA-	4.4	AA-
30/09/2010	4.4	AA-	4.4	AA-

Scoring:

-Value weighted average reflects the credit quality of investments according to the size of the deposit

-Time weighted average reflects the credit quality of investments according to the maturity of the deposit

-AAA = highest credit quality = 1

-D = lowest credit quality = 15

-Aim = A+ or higher credit rating, with a score of 5 or lower, to reflect current investment approach with main focus on security

4.8 Average cash balances were £313m during the period. These included schools balances in the corporate scheme (£65.3m), KCC working capital (£60m) created by differences in income and expenditure profiles, Iceland deposits (£43m) and other reserves and funds held in trust

4.9 The UK Bank Rate has been maintained at 0.5% since March 2009 and short-term money market rates have remained at very low levels. New deposits have been made at an average rate of 0.61% and the Council's forecast investment income for the year has been estimated at £2.0m / 0.64% for the whole year.

4.10 Icelandic Investments Update

Following guidance from CIPFA, issued in September 2010, the following is now known:

- **Heritable** – It is now expected that 79p-85p/£ will be recovered overall. In July a further quarterly dividend was received of 6.27p in the £ or £1.15m and a further 4.14p in the £ or £0.75m received in October 2010. Total recoveries from the £18m deposited are now £8.4m. The Head of Financial Services continues to be actively involved as a member of the Creditors Committee in key decisions over the future administration of the bank.
- **Glitnir and Landsbanki** – The Winding-Up Boards have classed Local Authority deposits as non-priority claims however local authorities' legal advice remains that deposits have priority status under Icelandic law. KCC is a test case on both banks. The test cases will be submitted to the District Court in Reykjavik in September and court hearings will take place in early 2011.

5. COMPLIANCE WITH PRUDENTIAL INDICATORS

The Council can confirm that it has complied with its Prudential Indicators for 2010 - 11, which were set as part of the Council's Treasury Management Strategy Statement. Details can be found in Appendix 1.

6. TREASURY ADVISERS

- 6.1 KCC continues to use two firms of treasury advisers, Arlingclose and Butlers. An EU tender process was undertaken and responses received in May from Arlingclose, Butlers and Sector. However in October Sector announced that they were taking over Butlers and based on this change the Director of Finance, after consulting with TAG, decided to retender the advisor contract. The Butlers contract already runs to 31 March 2011 and the Arlingclose contract has been extended to this date.

7. TRAINING

- 7.1 The Director of Finance provides training to individuals or collective groups. KCC officers have attended conferences and workshops organised by CIPFA and Arlingclose.

8. SUMMARY

- 8.1 In compliance with the requirements of the CIPFA Code of Practice this report provides the County Council with a summary report of the treasury management activity during the first half year of 2010 - 11. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

9. RECOMMENDATION

- 9.1 The County Council is asked to note this report.

Alison Mings
Treasury and Investments Manager

Ext 6294

PRUDENTIAL INDICATORS

1. Estimate of capital financing requirement (underlying need to borrow for a capital purpose)

Estimates of the Council's cumulative maximum external borrowing requirement for 2010 - 11 to 2012 -13 are shown in the table below:

	31/3/2010 Actual £000s	31/3/2011 Estimate £000s	31/3/2012 Estimate £000s	31/3/2013 Estimate £000s
Capital Financing Requirement	1,250,296	1,236,211	1,376,297	1,415,220
Less: Existing Profile of Borrowing	1,042,363	1,092,336	1,092,336	1,092,336
Less: Other Long Term Liabilities	0	0	0	0
Cumulative Maximum External Borrowing Requirement	208,000	143,875	283,961	322,884

In the light of current commitments and planned expenditure, forecast net borrowing by the Council will not exceed the Capital Financing Requirement.

2. Operational Boundary for External Debt

The operational boundary for debt is determined having regard to actual levels of debt, borrowing anticipated in the capital plan, the requirements of treasury strategy and prudent requirements in relation to day to day cash flow management.

The operational boundary for debt will not be exceeded in 2010 -11

(a) Operational boundary for debt relating to KCC assets and activities

	Prudential Indicator 2010-11 £m	Position as at 30.09.10 £m
Borrowing	1,301	1,040
Other Long Term Liabilities	0	0
	<hr/>	
	1,301	1,040

- (b) Operational boundary for total debt managed by KCC including that relating to Medway Council etc (pre Local Government Reorganisation)

	Prudential Indicator 2010-11 £m	Position as at 30.09.10 £m
Borrowing	1,349	1,092
Other Long Term Liabilities	0	0
	1,349	1,092

3. **Authorised Limit for External Debt**

The authorised limit includes additional allowance, over and above the operational boundary to provide for unusual cash movements. It is a statutory limit set and revised by the County Council. The revised limits for 2010 -11 are:

- (a) Authorised limit for debt relating to KCC assets and activities

	£m
Borrowing	1,341
Other long term liabilities	0
	1,341

- (b) Authorised limit for total debt managed by KCC including that relating to Medway Council etc

	£m
Borrowing	1,389
Other long term liabilities	0
	1,389

The additional allowance over and above the operational boundary has not needed to be utilised and external debt, has and will be maintained well within the authorised limit.

4. **Upper Limits for Fixed Interest Rate and Variable Interest Rate Exposures**

- These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates.
- The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2010/11 %
Upper Limit for Fixed Rate Exposure	100
Compliance with Limits:	Yes
Upper Limit for Variable Rate Exposure	50
Compliance with Limits:	Yes

5. Maturity Structure of Fixed Rate Borrowing

- This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Upper Limit %	Lower Limit %	Actual Fixed Rate Borrowing as at 30/09/10	% Fixed Rate Borrowing as at 30/09/10	Compliance with Set Limits?
under 12 months	25	0	6,004	0.6	Yes
12 months and within 24 months	40	0	57,024	5.2	Yes
24 months and within 5 years	60	0	105,229	9.6	Yes
5 years and within 10 years	80	0	130,003	11.9	Yes
10 years and above	90	40	794,076	72.7	Yes

6. Upper Limit for Principal Sums Invested for Periods Longer than 364 days

- This indicator allows the Council to manage the risk inherent in investments longer than 364 days.
- The limit for 2010 - 11 was set at £50m.
- The Council's policy has been to keep investment maturities to a maximum of 12 months and no investments were made for a period greater than 364 days during this period.

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KENT COUNTY COUNCIL

GOVERNANCE AND AUDIT COMMITTEE

MINUTES of a meeting of the Governance and Audit Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 15 September 2010.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr B R Cope, Mr K A Ferrin, MBE, Mr C Hibberd, Mr D A Hirst, Mr P W A Lake, Mr J F London, Mr T Prater, Mr R Tolputt and Mr C T Wells

ALSO PRESENT: Mr R W Gough and Mr J D Simmonds

OFFICERS: Ms L McMullan (Director of Finance), Mr G Wild (Director of Law and Governance), Mr D Tonks (Head of Audit & Risk), Mrs J Armstrong (Senior Audit Manager), Mr D Cloake (Head of Emergency Planning), Mrs K Hunter (Employee Relations Manager), Mrs K Watson (Operational Services Manager), Mr N Vickers (Head of Financial Services), Mr A Wood (Head of Financial Management), Mrs D Mattingly (Corporate Risk & Insurance Manager), Ms J Hill (Performance Manager) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr D Wells and Mrs E Robinson of the Audit Commission

UNRESTRICTED ITEMS

36. New Committee Terms of Reference

(Item 3)

The Committee noted its new Terms of Reference as appended to these Minutes.

37. Minutes - 30 June 2010

(Item 4)

RESOLVED that the Minutes of the meeting held on 30 June 2010 are correctly recorded and that they be signed by the Chairman.

38. Committee meeting dates in 2011

(Item 5)

The Committee noted the following dates for its meetings in 2011.

Wednesday, 16 March 2011;
Thursday, 30 June 2011;
Wednesday, 14 September 2011; and
Tuesday, 29 November 2011.

39. Committee Work Programme

(Item 6)

(1) A forward work programme was presented to the Committee for approval.

(2) The Head of Audit and Risk confirmed that following a meeting of the Member Group set up on 30 April 2010, a programme of pre-meeting training would commence in November 2010.

(3) RESOLVED that subject to (2) above, the forward work programme for 2010/2011 be agreed.

40. Business Continuity

(Item 7)

(1) The Head of Emergency Planning reported on the current position of the management of Business Continuity across the County Council, giving details of the way forward and the timetable being undertaken.

(2) Members of the Committee asked questions, including questions on the supply chain during pandemic scares, heavy flooding and the regional failure of the electricity supply system.

(3) The Head of Emergency Planning responded by saying that flooding was recognised as very high risk, requiring a comprehensive multi-agency response. This was in place. Lessons regarding electricity supply failure had been learned during the recent four day power outage in Dartford. Plans addressing the provision of critical supplies in emergency situations had been or were in the process of being developed. He also said that he had no concerns that Emergency Planning was placed within the Communities Directorate rather than the corporate centre.

(4) RESOLVED that the report be noted.

41. Capita Payroll services to Schools

(Item 8)

(1) The Employee Relations Manager reported on the payroll service provided by Capita to Kent County maintained schools and on how information was provided for the Teachers' pensions returns.

(2) RESOLVED that the report be noted.

42. Audit Fee Update

(Item 9)

(1) The Director of Finance reported on the current position in relation to the Audit Commission fee for the 2010/11 financial year. She drew attention to the letter dated 9 August 2010 from Mr Gareth Davies of the Audit Commission which did not fully address the County Council's concerns. She confirmed that she had stopped all payments to the Audit Commission pending a satisfactory resolution. She suggested that Mr Davies should be invited to a meeting with the Chairman, herself, the Head of Audit and Risk and any Member of the Committee who wished to attend. This was agreed.

(2) RESOLVED that:-

- (a) the report be noted; and
- (b) an invitation be extended to Mr Gareth Davies of the Audit Commission to meet the Chairman, Finance Director, Head of Audit and Risk and other Members of the Committee in order to more fully discuss the County Council's concerns.

43. Treasury Management Update

(Item 10)

- (1) The Head of Financial Services presented a quarterly treasury management update.
- (2) The Committee noted that the report author was the Cabinet Portfolio Holder for Finance rather than the Chairman of the Superannuation Fund Committee.
- (3) The Committee discussed the questions of whether borrowing should be for a period of 49 – 50 years or whether it had been necessary to borrow at all during the quarter. The Finance Director and the Cabinet Portfolio Holder explained in detail the reasons for their decisions on borrowing.
- (4) RESOLVED that the report be noted.

44. Final Accounts 2009/10

(Item 11)

- (1) The Director of Finance updated the Committee on the final Annual Governance Report from the External Auditors relating to the 2009/10 Statement of Accounts.
- (2) RESOLVED that the Annual Governance Report for 2009/10 be noted.

45. Report on Insurance Activity

(Item 12)

- (1) The Corporate Risk and Insurance Manager provided an overview of insurance activity over the past twelve months. She explained that the reason for the unusually high level of public liability claims had been the unexpected deterioration of the highways network since December 2009 which had generated claims over potholes.
- (2) RESOLVED that the report be noted.

46. Update on the Audit Commission

(Item 13)

- (1) The Head of Audit and Risk reported the announcement by the Communities and Local Government Secretary that the Audit Commission would be abolished. He summarised the consequences for the County Council.

(2) The Director of Finance offered to bring a report on the tender specification to a future meeting of the Committee.

(3) RESOLVED that the report be noted.

47. Internal Audit Progress Report

(Item 14)

(1) The Head of Audit and Risk summarised the outcomes of Internal Audit activity for the period April to July 2010.

(2) RESOLVED to note:-

(a) the amendments to and progress against the 2010/11 audit programme; and

(b) the assurance provided in relation to the County Council's control environment as a result of the outcome of the internal audit programme completed to date.

48. Internal Audit Benchmarking results

(Item 15)

(1) The Head of Audit and Risk summarised the 2009/10 Internal Audit benchmarking results. A further report would be made to the next meeting of the Committee once the means of overheads recording by the comparator County Councils had been clarified.

(2) RESOLVED that the report be noted.

49. Ombudsman Complaints

(Item 16)

(1) The Performance and Improvement Manager reported the Local Government Ombudsman's Letter and Annual review for 2009/10 together with the latest position on complaints about the County Council which had escalated to the Ombudsman between 1 April and 30 July 2010.

(2) RESOLVED that the report be noted.

KENT COUNTY COUNCIL

GOVERNANCE AND AUDIT COMMITTEE

MINUTES of a meeting of the Governance and Audit Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Tuesday, 30 November 2010.

PRESENT: Mr R L H Long, TD (Chairman), Mr M V Snelling (Vice-Chairman), Mr A R Chell, Mr B R Cope, Mr K A Ferrin, MBE, Mr C Hibberd, Mr P W A Lake, Mr R J Parry, Mr T Prater and Mr R Tolputt

ALSO PRESENT: Mr J D Simmonds

OFFICERS: Mr A Wood (Acting Director of Finance), Mr N Vickers (Head of Financial Services), Mr G Wild (Director of Law and Governance), Mrs A Beer (Director of Personnel & Development), Mr D Tonks (Head of Audit & Risk) and Mr A Tait (Democratic Services Officer)

ALSO IN ATTENDANCE: Mr D Wells of the Audit Commission.

UNRESTRICTED ITEMS

50. Minutes

(Item 3)

RESOLVED that the Minutes of the meeting held on 15 September 2010 are correctly recorded and that they be signed by the Chairman.

51. Treasury Management 6 Month review 2010-11

(Item 4)

(1) The Head of Financial Services presented the Treasury Management 6 monthly review. He explained that the CIPFA Code of Practice recommended that Treasury Management activities should be reported twice yearly and described the County Council's investment strategy as risk-averse.

(2) The Head of Financial Services confirmed that the next meeting of the Treasury Advisory Group would consider whether to recommend inclusion of Standard Chartered Bank amongst the investments counterparties approved by Cabinet.

(3) RESOLVED that the report be endorsed for submission to Kent County Council.

52. Debt Management

(Item 5)

(1) The Head of Financial Services provided summary of the County Council's outstanding debt position, concentrating on debt over 6 months old.

(2) The Committee discussed the Health debt in the light of the current budgetary position of the PCTs.

(3) The Acting Director of Finance agreed to inform the Committee whether the £507.4k debt in respect of a land transfer fee for an academy was secure. He also explained the difficulties in gathering comparable information from other Local Authorities whilst offering to continue to seek to do so.

(4) RESOLVED that the report be noted.

53. Committee Work Programme

(Item 6)

(1) The Head of Audit and Risk presented a forward work programme to the Committee for approval.

(2) RESOLVED that the forward work programme for the period up to November 2011 be agreed.

54. Member Development Programme

(Item 7)

(1) The Head of Audit and Risk provided an update on the introduction of a training programme for Members of the Committee.

(2) The Committee agreed that training would be targeted at Committee members but that it should also be made available to all members of the Council.

(3) RESOLVED that approval be given to the commencement of a training programme from March 2011.

55. Change to Keep Succeeding

(Item 8)

(1) Due to the inclement weather, the Transformation Programme Manager was unavailable to answer questions on the report. The Committee therefore posed the questions set out below and asked for a response to be made to each of its Members:-

(a) Whether all the written responses to “The First Bold Steps” informal consultation had been included within the documented responses sent to Members.

(b) The identity and remit of all the Outplacement Consultants, including details relating to their appointments and whether these appointments related to all Outplacement staff.

(2) In discussion of this item, Members of the Committee commented on the number of Directors in the proposed structure. There was also a call for greater clarity on the reporting lines for the Director of Children’s Services.

(3) RESOLVED that:-

- (a) the matters above raised by Committee Members in respect of the report be included in the full consideration of the “Change to Keep Succeeding” consultative process; and
- (b) the questions set out in (1) above be communicated to the Transformation Programme Manager for a response to each individual Committee Member.

56. Strategic Risk Register Update

(Item 9)

(1) The Acting Director of Finance and the Head of Audit and Risk provided the Committee with the outcome of the latest review of the Strategic Risk Register. They reported that the level of risk had increased, but that both the Corporate Management Team (CMT) and Cabinet accepted the level of risk identified and the management actions in place to mitigate these risks.

(2) Members of the Committee raised the question of whether Risk 13 (Children’s Social Workers) was sufficiently highly rated. The Head of Audit and Risk identified that it was rated at the highest level, but would need to be re-assessed following the Ofsted report.

(3) RESOLVED that the changes to the strategic risk register and the actions being taken to mitigate these risks be noted for assurance.

57. Audit Commission Annual Audit Letter

(Item 10)

(1) Mr Darren Wells from the Audit Commission provided a summary of the most important findings from the 2009/10 audit. He explained that the action plan had not been completed but that its recommendations had been agreed.

(2) The Director of Personnel and Development was present to answer questions. She reassured the Committee that the recommendations in respect of severance agreements for senior managers were being implemented in full.

(3) RESOLVED to:-

- (a) note that the requirement of the External Auditors to prepare and issue an annual audit letter to the County Council has been met; and
- (b) agree the proposed actions for publication of the annual audit letter.

58. Effectiveness of External Audit Liaison

(Item 11)

(1) The Head of Audit and Risk summarised the effectiveness of the liaison arrangements between External and Internal Audit.

(2) RESOLVED that the current level of liaison between Internal and External Audit be noted, together with their intent to improve this level as part of their annual planning.

59. Self assessment of anti-fraud and anti-corruption arrangements

(Item 12)

(1) The Head of Audit and Risk presented the outcome of a self-assessment against two good practice frameworks for anti-fraud and anti-corruption arrangements. He said that although the level of reported fraud was quite low, the inherent risk of fraud had increased. He intended to report back to the Committee within the next six months.

(2) In response to questions from Members of the Committee, the Head of Risk referred them to the Internal Audit publication "Risky Business" which could be accessed on the KCC intranet at "knet2/news-and-events/newsletters/irregular-happenings".

(3) RESOLVED to:-

- (a) Note the assessment of the County Council's framework for anti-fraud and anti-corruption arrangements against CIPFA and the Audit Commission's recommended practice; and
- (b) agree that the Head of Audit and Risk lead on the required changes to the County Council's framework for anti-fraud and anti-corruption arrangements, with update reports to the Committee.

60. Internal Audit Progress Report

(Item 13)

(1) The Head of Audit and Risk summarised the progress of Internal Audit activity against the 2010/11 internal audit programme.

(2) RESOLVED to note:-

- (a) the amendments to and progress against the 2010/11 internal audit programme; and
- (b) the assurance provided in relation to the County Council's control environment as a result of the outcome of the internal audit programme completed to date.

61. Audit Fees update

(Item 14)

(1) The Chairman and Mr K A Ferrin reported on a meeting which they had held with the Audit Commission concerning the audit fee. The Audit Commission had

indicated that the fee was a levy which the County Council was legally required to pay.

(2) The Committee agreed to recommend to Cabinet that representatives from the County Council's administration should discuss the External Audit fee arrangements with the Department for Communities and Local Government.

(3) RESOLVED that:-

- (a) those elements of the proposed fee where the scope of the work is more certain (i.e. financial statements, whole of government accounts) totalling £286,100 (74% of the proposed fee) be agreed;
- (b) a decision be taken at the next meeting of the Committee on whether or not to refer the auditor's proposed fee to the Audit Commission for determination; and
- (c) Cabinet be asked to agree that representatives from the County Council's administration should discuss the External Audit fee arrangements with the Department for Communities and Local Government.

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KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 27 July 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mr H J Craske (Substitute for Mrs V J Dagger), Mr J A Davies, Mr T Gates, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R A Pascoe, Mr M Robertson, Mr C P Smith, Mr K Smith and Mr A T Willicombe

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

48. Minutes - 15 June 2010

(Item 4)

RESOLVED that the Minutes of the meeting held on 15 June 2010 are correctly recorded and that they be signed by the Chairman.

49. Meetings of the Committee in 2011:-

(Item A4)

The Committee noted the following meeting dates in 2011:-

Thursday, 20 January 2011;
 Tuesday, 15 February 2011;
 Tuesday, 15 March 2011;
 Tuesday, 12 April 2011;
 Tuesday, 10 May 2011;
 Tuesday, 14 June 2011;
 Tuesday, 26 July 2011;
 Tuesday, 16 August 2011 (provisional);
 Tuesday, 6 September 2011;
 Tuesday, 11 October 2011;
 Tuesday, 8 November 2011;
 Tuesday, 6 December 2011;

50. Site Meetings and Other Meetings

(Item A5)

The Committee agreed that there would be a training session on either Tuesday, 12 October 2011 or 2 November 2011. The free date would be provisionally set aside for a site visit and public meeting concerning a major application which had not yet been fully validated. The Committee also agreed to hold a site visit at Kemsley Mill on

Tuesday, 17 August 2011 for those Committee Members who had not yet visited the site. The Democratic Services Officer was also asked to arrange a tour of permitted development sites in October or November 2011.

51. Status of the South East Plan - Update

(Item B1)

(1) A letter from Bob Neill MP, Parliamentary Under Secretary of State at the Department for Communities and Local Government had been circulated to the Committee Members prior to the meeting. This letter contained the "Guidance for Local Planning Authorities following the revocation of Regional Strategies."

(2) Revised recommendations from the Head of Planning Applications Group were tabled. These were agreed subject to the authorisation to the Head of Planning Applications Group being in consultation with the Chairman.

(3) RESOLVED that:-

- (a) the report be noted and its contents taken into account in the delivery of Kent County Council's development control function; and
- (b) the Head of Planning Applications Group be authorised, in consultation with the Chairman, to review any application for which a resolution of the Committee has been made but where the decision has yet to be issued in the light of the Secretary of State's revocation of the South East Plan and of the Department for Communities and Local Government's "Guidance for Local Planning Authorities following the revocation of Regional Strategies" dated 6 July 2010 and (where she is satisfied that there is no reason to alter the decision) to determine the application in accordance with the Committee's resolution.

52. Application CA/10/285 - Section 73 application to amend Condition 18 of Permission CA/09/607 to vary opening hours at Units D and E, Lakesview Business Park, Canterbury; Ling (UK) Holdings Ltd

(Item C1)

RESOLVED that permission be granted to the variation of Condition 18 of Permission CA/09/607 subject to additional conditions restricting the hours during which abandoned vehicles may be delivered and off loaded at the site to between 0700 and 2300 hours together with a restriction on Bank Holiday working to only allow public access and delivery of Civic Amenity site waste to the site between 0800 and 1600 hours.

53. Application GR/10/412 - Change of use to a Waste transfer Station with demolition of existing portacabin at Unit 4, Apex Business Park, Queens Farm Road, Shorne, Gravesend; RS Skips

(Item C2)

The Committee deferred consideration of this application to enable consideration of the implications of the weight restriction on the access route to the site.

54. Proposal DA/10/347 - Conversion of existing air raid shelter to classroom space, replacement pitched roof and installation of windows at St Alban's Road Infant School, St Alban's Road, Dartford; Governors of St Alban's Road Infant School
(Item D1)

RESOLVED that permission be refused for the following reasons: -

- (a) by virtue of the proximity of the shelter to the neighbouring household, the raised elevation would reduce the natural sunlight and daylight enjoyed by the garden and the rear ground floor windows, and would be an oppressive and dominant feature over a residential property, and would therefore not be acceptable under policies H12, B1 and CF3 of the Dartford Local Plan; and
- (b) the development would be likely to result in the loss or reduction of a tree significant to the neighbouring amenity.

55. Proposal DO/10/414 - Covered link and awning including the installation of 1.8 metre high black bow top fencing at Worth Primary School, The Street, Worth; Governors of Worth Primary School and KCC Children, Families and Education
(Item D2)

RESOLVED that subject to the further details of the awning being acceptable, permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the submitted details, plans and specifications; control over the roofing material and colour; and the fencing being finished in black.

56. Proposals GR/10/463 and GR/10/464 - Clarification of use (with particular regard to major events) and external lighting of the core activity park at The A2 Activity Park, Gravesend; KCC Communities
(Item D3)

(1) Mr H J Craske informed the Committee that one of the objectors to the proposals was a constituent with whom he had corresponded on a number of issues not involving the matter in hand. He did not therefore have a personal or prejudicial interest in the application.

(2) Resolved that:-

- (a) permission be granted to Proposal GR/10/463 subject to conditions, including conditions covering a 5 year time limit for implementation; the development being carried out in accordance with the permitted details; hours of use; all lighting on site, except security lighting, being extinguished by 10pm, or 15 minutes after last use of the facility if

earlier; the extinguishment of lighting when the pitch is not in use; the level of use of the facilities according with the submitted details; lighting being installed in accordance with the approved details, and checked on site; lighting levels not exceeding those specified within the application; no further lighting being installed without planning permission; hours of working during construction; and measures to prevent mud and debris on the highway; and

- (b) permission be granted to Proposal GR/10/464 subject to conditions covering: a 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the mitigation, safeguards and commitments given within the 'Major Event Travel Plan and Traffic and Parking Management Strategy', including monitoring and, where necessary, a financial contribution to a Traffic Regulation Order being adhered to and implemented where necessary; the number of major events to be held per annum being limited to 22 (with a maximum of 3 "Case 6" events, i.e. major events with 20% additional competitors and 100% extra paying spectators); and restrictions on hours of use of the Core Activity Park and the pavilion and car park.

57. County matters dealt with under delegated powers *(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999 (None); and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 7 September 2010.

PRESENT: Mr J F London (Vice-Chairman, in the Chair), Mr R Brookbank, Mr I S Chittenden (Substitute for Mr M Robertson), Mr A R Chell, Mrs P T Cole (Substitute for Mr T Gates), Mrs V J Dagger, Mr J A Davies, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr S Manion (Substitute for Mr R F Manning), Mr C P Smith, Mr K Smith and Mr A T Willicombe

ALSO PRESENT: Mr J N Wedgbury

IN ATTENDANCE: Mr P Crick (Director Integrated Strategy & Planning), Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Minutes - 27 July 2010

(Item A3)

RESOLVED that, subject to Minute 54 being amended to specify that it refers to the conversion of an existing air raid shelter, the Minutes of the meeting held on 27 July 2010 are correctly recorded and that they be signed by the Chairman.

59. Site Meetings and Other Meetings

(Item A4)

The Committee agreed to hold a training session on the Minerals and Waste Development Framework on 12 October 2010 and that there would be a site visit and public meeting in connection with the Hermitage Quarry application in Maidstone on 7 December 2010. A tour of permitted development sites would be held in November 2010.

60. Application GR/10/412 - Change of use to a waste transfer station with the demolition of the existing portacabin at Unit 4, Apex Business Park, Queens Farm Road, Shorne, Gravesend; R S Skips

(Item C1)

(1) Correspondence from Shorne Parish Council maintaining its objections to the application were tabled.

(2) The Head of Planning Applications Group reported the comments of the Local Member, Mr M V Snelling supporting the objections raised by Shorne Parish Council.

- (3) The Committee unanimously agreed the recommendations of the Head of Planning Applications Group subject to a clarification that vehicle movements would be limited to 12 in and 12 out and to a condition preventing crushing on site.
- (4) RESOLVED that permission be granted to the application subject to conditions including the standard time condition, hours of use and operation; a limit on vehicle movements to 12 in and 12 out; the implementation and maintenance of a dust suppression system; restrictive limits on open storage, stock pile, skip, container and machinery heights; drainage conditions; no crushing taking place on site; and other operational conditions.

61. Proposal MA/10/123 - New Archbishop Courtenay CEP School including demolition of existing buildings and construction of two-storey school building, single-storey nursery building, vehicular access, drop-off zone, car parking, separate service and pedestrian access, sports pitches and play areas at Archbishop Courtenay CEP School, Beaconsfield Road, Maidstone; Diocesan Board of Education and KCC Children, Families and Education
(Item D1)

- (1) Mr I S Chittenden informed the Committee that he had lobbied in support of the proposal in his capacity as the local Borough Councillor. He took no part in the decision-making process for this item.
- (2) Mr C P Smith made a declaration of personal interest as a friend of one of the School Governors.
- (3) Mr A R Chell informed the Committee that he had been lobbied on the proposal as the Local Member. He confirmed that he had no pre-determined view on the proposal.
- (4) The Head of Planning Applications Group agreed to the incorporation of a condition in consultation with the applicants on the hours of use.
- (5) The Committee agreed by 7 votes to 5 that it would require the conversion of the zebra crossing to a puffin crossing.
- (6) The Committee unanimously agreed the recommendations of the Head of Planning Applications Group subject to additional conditions requiring the prevention and suppression of dust during the construction phase and requiring the parking of construction vehicles on site instead of in the adjacent roads.
- (7) RESOLVED that planning permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; control on hours of construction and demolition; control on hours of community use; a report/assessment on the bat roost potential of the trees being prepared (including recommendations on the timing of shrub/tree removal); a junction improvement scheme being progressed for the Church Road/Tovil Road junction; the prevention and suppression of dust during the construction phase; a Traffic Regulation Order being progressed and advertised for the

“School Keep Clear” road markings in Eccleston Road and Beaconsfield Road and for parking restrictions around the school service access in Eccleston Road; the regularisation of the signing on the approach to the existing zebra crossing; the conversion of the zebra crossing to a puffin crossing; no mud being deposited on the public highway; construction vehicles parking on site instead of in the adjacent roads; an archaeological watching brief on groundwork on the upper terrace of the site; the proposed hedgerow extension being included in the Planting Plan for the site; an arboricultural condition to be determined in subsequent discussions with the applicant and the County’s Landscape Architect; and a street lighting condition to be determined in the subsequent discussions with the applicant and the County’s Street Lighting Engineer.

62. Proposal AS/10/380 - Extension of Wyvern Special School to form a new primary school wing, construction of a Multi-Agency Specialist Hub (MASH) for disabled children and the construction of a specialist early years centre nursery, together with associated access roads and car parking at The Wyvern School, Great Chart Bypass, Ashford; KCC Property Group
(Item D2)

(1) Mr J N Wedgbury was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee specified that there should be arrangements for wheel washing on site during the construction period.

(3) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; the development being carried out in accordance with submitted Flood Risk Assessment; the provision of compensatory flood storage capacity on site to a 100 year (20% climate change) standard; the finished floor level within both the MASH and Specialist Nursery being set no lower than 40.42m AOD; a Community Use Agreement including the hours of community use of the new playing fields; an assessment of the ground conditions of land proposed for replacement playing fields; a scheme to ensure that new playing fields are provided to an acceptable quality (including appropriate drainage where necessary); the playing field ground level to be agreed in discussions with the Environment Agency; details of external materials; the submission of a detailed landscaping scheme and its implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway, including arrangements for wheelwashing on site during the construction period; parking being on site for construction operatives and construction vehicles during the construction works period; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of the building and being permanently retained on site thereafter; the submission of a site Travel Plan within six months of the first occupation of either and/or both the two buildings (whichever date occurs

first), and on-going monitoring and review thereafter; the submission of badger and bat surveys, with any necessary mitigation measures being provided prior to commencement and during construction activities; the erection of newt and reptile fencing around the construction site prior to and during all construction activities; the submission of biodiversity enhancement measures to be incorporated on site; details of external lighting being agreed; a limit on the hours of construction; further archaeological works and mitigation being agreed by the Planning Authority following findings from pre-determination trial trenching; and surface water drainage measures being agreed; and

- (b) the applicant be reminded by Informative of the requirement to sign up to the Environment Agency's Flood Warning System; the requirement for vehicles to observe the left hand turn in and out of the site entrance/exit slip road with the A28 Great Chart Bypass at all times; and the requirement to ensure that the electricity pole is relocated at a suitable location

63. Proposal MA/10/1209 - Refurbishment of schoolhouse into a proposed children's centre at Marden Primary School, Goudhurst Road, Marden; KCC Children, Families and Education

(Item D3)

- (1) Mrs C Pavey, a local resident spoke in opposition to the proposal. Mr S Flook from AECOM spoke in reply on behalf of the applicants.
- (2) The Committee unanimously agreed to defer consideration of this matter pending a Members' site visit.
- (3) RESOLVED that consideration of this proposal be deferred pending a Members' site visit.

64. Proposal TH/10/227 - Multi-Agency Specialist Hub (MASH) for disabled children, together with associated access roads and car parking at land annexed from Garlinge Primary School and Nursery, Westfield Road, Margate; KCC Property Group

(Item D4)

- (1) Mr J D Kirby informed the Committee that the local Member, Mr R B Burgess fully supported the proposal.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; Sport England's compensatory measures including: *(i) provision of replacement U14 junior football pitch within Garlinge Recreation Ground to an agreed specification; (ii) upgrading and refurbishment of the Garlinge Primary School swimming pool and it being made available for community use; (iii) provision of community access to Garlinge Primary School's existing U14 junior football pitch; and (iv) provision of a new pedestrian link between Garlinge Primary School and Garlinge Recreation Ground, being in place prior to the first occupation of the building; a Community Use Agreement covering the usage of the refurbished swimming pool and Garlinge Primary School junior football pitch; a scheme to*

ensure that new playing fields are provided to an acceptable quality (including appropriate drainage where necessary); details of external materials being agreed; the submission of a landscaping scheme and its implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway; parking being made available on site for construction operatives and construction vehicles during the period of construction works; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of the building and permanently retained on site thereafter; the completion of the new vehicular access prior to first occupation of the building and full removal of the existing vehicle crossing and re-instatement of the pedestrian footway; the submission of a Travel Plan (including an implementation programme) prior to the first occupation of the building and on-going monitoring and review thereafter; the implementation of biodiversity enhancement measures; details of external lighting being agreed; a limitation on the hours of construction; a programme of archaeological evaluation prior to commencement of the development and the implementation of any appropriate safeguarding measures (if required); a land contamination study being undertaken together with a verification report; and details of surface water drainage measures being agreed.

65. Proposal DO/10/637 - Detached single storey building for use as a children's centre and nursery at The Downs CEP School, Downs Road, Walmer, Deal; KCC Children, Families and Education
(Item D5)

RESOLVED that, in the light of Sport England's objection, the proposal be referred to the Secretary of State for Communities and Local Government and that, subject to his decision, permission be granted to the proposal subject to conditions, including the standard time condition; the development being carried out in accordance with the submitted details and plans; the hours of use being limited to between 0800 and 1800 hours during the term time; the provision and maintenance of designated vehicle turning and drop off areas and vehicle and cycle parking arrangements at the site prior to occupation of the building; the provision and maintenance of the cycle and footpath to Walmer Science College; precautions to guard against the transfer of mud to the highway during construction; the submission of further details regarding native species to be planted as part of the landscaping scheme; and the submission of the findings of the assessment of the potential for roosting bats at the site prior to the removal of any trees at the site.

66. County matters dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;

- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 12 October 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mr C Hibberd, Mr P J Homewood (Substitute) (Substitute for Mr J D Kirby), Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M Robertson, Mr K Smith and Mr A T Willicombe

ALSO PRESENT: Mr A D Crowther and Mrs P A V Stockell

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Minutes - 7 September 2010

(Item 4)

RESOLVED that the Minutes of the meeting held on 7 September 2010 are correctly recorded and that they be signed by the Chairman.

59. Site Meetings and Other Meetings

(Item A4)

The Committee agreed to undertake a tour of permitted development sites on Tuesday, 16 November 2010.

60. Revised and updated Validation requirements for Planning Applications

(Item B1)

RESOLVED that:-

- (a) the proposed revision and updates to the County Council Development and Waste Planning Applications Validation documents be noted;
- (b) the Head of Planning Applications Group be authorised to carry out consultations with relevant stakeholders on the revised documents, including via the County Council's website; and
- (c) the more regular updating of the references to current policy documents be delegated to the Head of Planning Applications Group, together with the technical and policy guidance cited in the validation documents when published on the County Council's website, to ensure that they remain technically up to date between the formal reviews of their contents.

61. Proposal MA/10/1209 - Refurbishment of existing school house and conversion into a self-contained Children's Centre, with parking to the front and fire escape to the rear at Marden Primary School, Goudhurst Road, Marden; KCC Children, Families and Education

(Item D1)

(1) The Head of Planning Applications Group tabled a revised plan of proposed site layout showing a new proposed positioning of the fire escape, the parking bay behind the School and the retained front garden and railings.

(2) Mrs P A V Stockell was present for this item pursuant to Committee Procedure 2.24 and spoke.

(3) The Head of Planning Applications reported correspondence from Mr and Mrs J Pavey (local residents) raising no objection to the revised proposal.

(4) The Committee noted that the Member listed as having attended the site visit in the Appendix to the report was Mr R A Pascoe.

(5) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for an Informative to the applicants setting out its Health and Safety concerns over the height and glazing of the upper windows.

(6) RESOLVED that:-

(a) permission be granted to the proposal as shown on the amended plans (Drawing 60096914-116/001) subject to conditions, including conditions covering the standard 3 year time limit for implementation; the specifications for external building materials matching the existing materials; the use of the fire escape staircase being restricted to emergency use only with measures included to prevent its unauthorised use; the reservation of car parking within the school car park meeting the requirements of the Children's Centre; the use of the premises being restricted to between 0800 and 1800 hours, Mondays to Fridays (as applied for); the use of the rear garden area by the school pupils being restricted to supervised activities only; the use of the premises being restricted solely to the uses applied for; and the development being carried out in accordance with the permitted details; and

(b) the applicants be informed by Informative of the Committee's Health and Safety concerns over the height and glazing of the upper windows.

62. Proposal SW/10/1003 - Cycle track along the "Canal Bank" (Queensborough Lines) at Halfway Road, Sheerness; KCC Chief Executive's Department Regeneration and Economy Division

(Item D2)

(1) Mr A D Crowther was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) The Head of Planning Applications Group informed the Committee that Minster-on-Sea Parish Council had written to withdraw its objections subject to the recommendations of the Kent Police Architectural Liaison Officer being incorporated.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for an Informative to the applicants suggesting that the term “greenway” should be used instead of “cycle track”.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; ecological mitigation measures being undertaken as detailed within the planning application; a programme of archaeological works prior to commencement of construction activities; motor vehicle mitigation measures being fully installed as detailed within the planning application prior to the cycle track being first brought in to use, and then retained in perpetuity thereafter; and measures to prevent mud and debris being tracked out onto the public highway during construction activities; and
- (b) the applicants be informed by Informative of the Committee’s view that the term “greenway” should be used instead of “cycle track”.

63. Proposal TM/10/345 - Floodlit synthetic turf pitch, including fencing on School playing fields at Tonbridge Grammar School, Deakin Leas, Tonbridge; Governors of Tonbridge Grammar School and KCC Children, Families and Education

(Item D3)

RESOLVED that permission be granted to the proposal subject to conditions, including a 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the colour and specification of fencing and surfacing; precise details of the levels being submitted (existing and proposed); protection of the trees which are to be retained; hours of use being restricted to be between 0830 and 2000 Monday to Friday, and between 0900 and 1800 on Saturdays, Sundays and Bank Holidays; all lighting on site, except security lighting, being extinguished by 2000, or 15 minutes after last use of the facility if earlier; lighting being extinguished when the pitch is not in use; the level of use of the facilities according with the submitted details; lighting being installed in accordance with the approved details, and checked on site; lighting levels not exceeding those specified within the application; no further lighting being installed without planning permission; a land contamination condition; a Community Use Agreement being submitted and adhered to; parking being available out of school hours for community use; hours of working during construction being restricted to 0800 and 1800 Monday to Friday and 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris on the highway; and a construction code of practice;

64. Proposal DA/10/627 - Extension of the main school building for additional learning space at The Gateway Primary School, Milestone Road, Dartford; Governors of The Gateway Primary School
(Item D4)

(1) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for an Informative stating its preference for the installation of a sprinkler system.

(2) The Committee agreed that the Chairman should write on its behalf to the Cabinet Portfolio Holder for Corporate Support Services and Performance Management to inform him that the land set aside for a footway/cycleway between the School and Brent Way (a Condition of a previous Permission) had been sold by the KCC Property Group to a developer without consulting the Head of Planning Applications Group.

(3) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; a restriction on the hours of use of the extension by the community; and a scheme for the disposal of foul and surface water being submitted and approved prior to the development commencing; and
- (b) the applicants be informed by Informative of the Committee's preference for the installation of a sprinkler system.

65. County matters dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments (None);
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 2 November 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson, Mr C P Smith, Mr K Smith and Mr A T Willicombe

ALSO PRESENT: Mr I S Chittenden, Mr L Christie, Mr H J Craske and Mr D S Daley

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Wooldridge (Team Leader - Mineral Developments), Mr P Hopkins (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Minutes - 12 October 2010
(Item A3)

RESOLVED that the Minutes of the meeting held on 12 October 2010 are correctly recorded and that they be signed by the Chairman.

59. Site Meetings and Other Meetings
(Item 5)

The Committee agreed to the postponement of the tour of permitted development sites scheduled for 16 November 2010. It also noted the arrangements for the site visit and public meeting in respect of the Hermitage Quarry, Aylesford application.

60. Application MA/10/167 - Materials Recycling Facility and transfer station for waste recovery at SBS Recycling, Straw Mill Hill, Tovil, Maidstone; Pinden Ltd
(Item C1)

(1) Mr M B Robertson and Mr A R Chell both informed the Committee that they had been lobbied by objectors to the application. They both declared that they had not expressed a view on the application prior to the meeting and were able to approach it with an open mind.

(2) The Chairman declared that all Members of the Committee had been lobbied electronically by objectors to the application. All the Committee Members present were entitled to vote on the application as they had not expressed any view in response to this lobbying.

(3) Mr K Smith was not present for the whole item and therefore did not vote in its determination.

(4) Mr I S Chittenden and Mr D S Daley were present for this item subject to Committee Procedure Rule 2.24 and spoke.

(5) Five letters of objection were tabled. These were from Mr and Mrs Hackett, Mr and Mrs Bianchina, Mr and Mrs Cocks, Dr Felicity Simpson (CPRE) and Cllr Fran Wilson from Maidstone Borough Council. The Chairman delayed discussion of the application in order to enable this correspondence to be read.

(6) Mr D Mortimer (from Tovil Parish Council), Mr G Stead and Mr P Aelen from DHA Planning spoke in opposition to the application. Mr I Thompson from Environmental Scientifics Group spoke in reply on behalf of the applicants.

(7) Mr M B Robertson moved, seconded by Mr A R Chell that the application be refused permission on grounds relating to the changed character of the local area.

(8) Following discussion, Mr T Gates moved, seconded by Mr R J Lees that the question be put.

Motion carried 11 votes to 6.

(9) On being put to the vote, the Motion set out in (7) above was Lost by 7 votes to 9.

(10) Mr R A Pascoe moved, seconded by Mr R J Lees that the recommendations of the Head of Planning Applications Group be agreed.

Motion carried 10 votes to 7

(11) RESOLVED that permission be granted to the proposed materials recycling facility subject to conditions including the standard time condition; hours of operation; a limit to the annual waste throughput; limits to vehicle movements; noise restrictions; a scheme of noise monitoring; a requirement for compliance with noise restriction by the submission and implementation of noise mitigation measures (including, if necessary, appropriate measures should the adjacent site be developed for housing); dust management plan including physical dust suppression and dust monitoring scheme; drainage, a contaminated land assessment; parking arrangements; site lighting; security fencing; acoustic fencing; boundary treatment; biodiversity improvements including a bespoke bat roost; tree protection; landscaping; boundary treatment including details of materials and gradients of the bunding as well as the proposed plant species, sizes and densities; and other standard and operational conditions.

61. Application AS/10/1010 - Extension of the timescale for the implementation of Permission AS/06/4 (Waste Transfer Station) until 8 May 2014 at Waterbrook Park, Waterbrook Avenue, Ashford; Robert Brett and Sons Ltd
(Item C2)

RESOLVED that permission be granted for the extension of the timescale for the implementation of Permission AS/06/4 until 8 May 2014 subject to conditions,

including conditions covering hours of working, including peak hour restrictions; the number of vehicle movements; landscaping and floodlighting; noise, dust and odour controls; archaeological investigations; drainage; footpath diversions; ecological mitigation; details of the low energy internal lighting to be employed in the waste transfer building; and details of the design of any heating to be employed within the waste transfer building prior to its installation which shall have regard to the BREEAM energy standards.

62. Application GR/09/286 - Bulk aggregates Import Terminal handling up to 3 million tpa and associated infrastructure, including reinstated rail access at Northfleet Works, The Shore, Northfleet; Lafarge Cement UK
(Item C3)

(1) Mr L Christie and Mr H R Craske were present for this item subject to Committee Procedure 2.24. Mr Christie spoke. Mr Craske had to leave the meeting before he could speak and therefore submitted his views to the Democratic Services Officer who read them out.

(2) The Head of Planning Applications Group asked the Committee to note the following amendments to the report:-

- Paragraph 3, page 51 - "vineyard" not "vinyard";
- Paragraph 6, page 52 - "18 trains per week" not "per annum";
- Paragraph 8, page 52 - Aspden's Kiln (Scheduled Ancient Monument) is not actually within the Northfleet Works site (it is just off the site);
- Paragraph 14, page 54 - "9,000 tonnes" not "9 tonnes" (in stockpiles);
- Paragraph 15, page 54 - "conveyors and hoppers" not "conveyor sand hoppers"; and
- Paragraph 42, page 61 - 3rd bullet point should read "13,500 HGV movements" not "13,599".

(3) The Head of Planning Applications Group referred to paragraph 81 of the report and asked the Committee to include the implementation of a travel plan within the conditions in order to assist in seeking sustainable transport objectives.

(4) In agreeing the recommendations of the Head of Planning Applications Group, the Committee agreed to the inclusion of a condition requiring measures to prevent mud and debris on the highway (e.g. sheeting of loaded HGVs

(5) RESOLVED that permission be granted to the application subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 3 of the report and to conditions, including conditions covering a 5 year time limit to implement the permission; a maximum of 3 million tonnes per annum of imports; the prior approval of various details (including conveyors, gatehouse / security lodge, weighbridge, parking arrangements, external construction materials and fencing); the prior approval of a Code of Construction Practice (relating to air quality, noise, vibration, geotechnics and soil contamination and waste); crushed rock only being stored outside the enclosed aggregate storage building exceptionally in the event of plant / equipment failure or unless otherwise agreed; protection of Port of London Authority radar equipment; the prior approval of a Tunnels Report (dealing with current condition, repairs / remedial measures,

monitoring, maintenance and management of road and rail access tunnels and cliffs above their portals); hours of use (ship, barge and rail arrival, departure, loading and unloading and HGV movements being permitted 24 hours a day 7 days a week with all other activities restricted to between 0700 and 1800 hours Monday to Friday, 0700 and 1300 hours on Saturdays with no working on Saturday afternoons, Sundays, Bank and Public Holidays unless the prior written approval of the County Council has been obtained to depart from these hours); measures to prevent mud and debris on the highway (e.g. sheeting of loaded HGVs); no more than 1.2 million tonnes of materials being exported by road each year; the implementation of a travel plan; safeguarding of the Fastrack route; HGVs entering and leaving via Thames Way (A226) and only using The Shore, Granby Road and Crete Hall Road unless delivering locally, in emergencies or otherwise agreed beforehand); no more than 200 HGV movements between 0700 and 1000 hours and 1600 and 1900 hours in any one day; no more than 13,500 HGV movements in any one calendar month; rights of way being kept free of obstruction and available for use unless formal replacements are provided; the rating noise level not exceeding the background noise level by more than 3dB; measures being employed to minimise noise impacts of vehicles, railway locomotives and wagons, ships and barges, plant, machinery and other equipment; reversing vehicles and plant not emitting warning noise that is audible at noise sensitive properties; no commercial operations taking place until a dust management plan has been submitted and approved; the implementation of flood risk and water protection measures; the submission and approval of a foul and surface water management scheme; the submission, approval and implementation of a contaminated land assessment scheme; archaeology; ecological mitigation, compensation and enhancement; a landscaping scheme; and no external lighting until an appropriate scheme has been submitted and approved.

63. Proposal AS/10/1211 - Proven 15kw wind turbine on a 15m mast in the school playing field at Aldington Primary School, Roman Road, Aldington; Governors of Aldington Primary School
(Item D1)

RESOLVED that subject to the views of Jacobs (Noise) permission be granted to the proposal subject to conditions, including conditions covering the standard time condition for implementation; the development being completed in accordance with the approved plans; ecology advice being sought in the event of dead bats being found around the turbine; maximum night and day noise limits; and a consultant being employed to measure the noise impacts in the event of complaints being received relating to noise.

64. County matters dealt with under delegated powers
(Item E1)

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;

- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

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KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 9 September 2010.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman) Mr D L Brazier (Substitute for Mr A H T Bowles), Mr R Brookbank, Mr C J Capon, Mr H J Craske, Mr J M Cubitt, Mr J A Davies, Mr T Gates, Mr P J Homewood (Substitute for Mr R A Pascoe), Mr R J Lees, Mr S Manion, Mr J M Ozog, Mr M J Vye (Substitute for Mr S J G Koowaree) and Mr M J Whiting

ALSO PRESENT:

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer Enforcement), Mr S Bagshaw (Head of Admissions & Transport), Miss M McNeir (Public Rights Of Way and Commons Registration Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

17. Membership *(Item 1)*

The Committee noted the appointment of Mr J A Davies in place of Mr W A Hayton.

18. Minutes *(Item 4)*

RESOLVED that the Minutes of the Committee meeting held on 18 May 2010 and of the member Panel meeting held on 25 May 2010 are correctly recorded and that they be signed by the Chairman.

19. Amendments to the Committee's Terms of Reference *(Item 5)*

RESOLVED that the following amendment to term of reference (c) and new term of reference (g) be noted:-

- (c) the creation, stopping up, diversion of any footpath or bridleway or restricted byway or the reclassification of any public path where substantive objection has been raised or a political party or the local member objects; and
- (g) the discharge of persons who are subject to guardianship, pursuant to section 23 of the Mental health Act 1983 on the recommendation of the Director of Adult Social Services.

20. Committee meeting dates in 2011

(Item 6)

The Committee noted the following meeting dates in 2011:-

Tuesday, 25 January 2011;
Tuesday, 17 May 2011; and
Wednesday, 7 September 2011.

21. Mental Health Guardianship Panels

(Item 7)

RESOLVED that the content of the report be noted.

22. Update from the Commons Registration Team

(Item 8)

RESOLVED that the content of the report be noted.

23. Home To School Transport

(Item 9)

(1) Mr S C Manion made a declaration of personal interest as his children were in receipt of home to school transport.

(2) RESOLVED that the report be received.

24. South East Plan Update

(Item 10)

RESOLVED that the content of the report be noted together with its implications for the delivery of the County Council's enforcement function.

25. Unauthorised Development

(Item 11)

RESOLVED that the stance taken by the Kent Leaders be noted.

26. Update on Planning Enforcement Issues

(Item 12)

(1) The Committee noted the views of Mr R W Gough and Mrs J Whittle in respect of the planning enforcement issues in their electoral districts set out in the report.

(2) RESOLVED to endorse the actions taken or contemplated on the respective cases set out in paragraphs 5 to 49 of the report together with those contained within Schedules 1 and 2 of Appendices 1 and 2 to the report.

EXEMPT ITEMS

(Open Access to Minutes)

(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act)

27. Update on Planning Enforcement issues at Deal Field Shaw, Charing

(Item 15)

(1) The Head of Planning Applications Group reported the latest enforcement position concerning the Deal Field Shaw (Shaw Grange) former landfill site in Charing.

(2) RESOLVED that the report be received and that the actions taken in paragraphs 3 to 5 of the report be noted.

28. Update on Planning Enforcement issues at Four Gun Field, Upchurch

(Item 16)

(1) The Head of Planning Applications Group reported the latest enforcement strategy concerning the Four Gun Field site in Otterham Quay Lane, Upchurch.

(2) RESOLVED that the enforcement strategy outlined in paragraphs 4 to 7 of the report be noted.

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SUPERANNUATION FUND COMMITTEE

MINUTES of a meeting of the Superannuation Fund Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Friday, 20 August 2010.

PRESENT: Mr J E Scholes (Chairman), Mr J Burden, Mr P Clokie, Mr J A Davies, Mrs J De Rochefort, Mr M J Jarvis, Mr J F London, Mr R A Marsh, Mr R Packham, Mr R J Parry, Mr S Richards and Mr M V Snelling.

ALSO PRESENT: Mr D Boyd and Mr S Birch of Hymans Robertson and Miss S J Carey.

IN ATTENDANCE: Ms L McMullan (Director of Finance), Mr N Vickers (Head of Financial Services) and Mr G Rudd (Assistant Democratic Services Manager).

UNRESTRICTED ITEMS

28. Minutes - 18 June 2010

(Item 3)

RESOLVED that the Minutes of the meeting held on 18 June 2010 are correctly recorded and that they be signed by the Chairman.

29. Superannuation Fund Report & Accounts

(Item 1 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

(Mr G Brown of the Audit Commission was in attendance for this item)

RESOLVED that:-

- (a) the contents of the Annual Report and Accounts for 2009-10 be noted and that the report and accounts can be published;
- (b) the thanks of the Committee be conveyed to all staff involved in the preparation of the Annual Report and Accounts;
- (c) the external auditor's Annual Governance Report be noted;
- (d) the position with regard to Governance and Audit Committee be noted; and
- (e) the Chairman of the Superannuation Fund Committee and the Director of Finance attend the next meeting of the Governance and Audit Committee to come to an arrangement about what practical arrangements are required to gain the Committee's approval of the Fund's accounts.

30. Fund Position Statement

(Item 2 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that the report be noted.

31. Cash Management

(Item 3 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that the Treasury Management report be noted.

32. Application for Admission to the Fund

(Item 4 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

RESOLVED that:-

- (a) the admission to the Kent County Council Pension Fund of the successful contractor from the four companies tendering for the East Kent Joint Waste Shepway District Council Street Cleansing Contract be agreed;
- (b) a legal agreement can be entered into in respect of Golding Homes Limited;
- (c) once legal agreements or deeds have been prepared for all of the matters referred to in (a) and (b) above, the Kent County Council seal can be affixed to the legal documents; and
- (d) the policy on employer contribution rates in respect of Kent County Council Schools and Medway Council Schools which became academies on or after 1 September 2010 be agreed.

33. Response to the Hutton Review of Public Sector Pensions

RESOLVED that it be noted that the Superannuation Fund has made a response to the Hutton Review of Public Sector Pensions.

EXEMPT ITEMS

(Open Access to Minutes)

34. Minutes - 18 June 2010

(Item 1)

RESOLVED that the exempt Minutes of the meeting held on 18 June 2010 are correctly recorded and that they be signed by the Chairman.

35. Schroders

(Item 2)

(1) Mr G Day and Mrs S Noffke of Schroders attended the meeting to give a presentation on Schroders performance and to answer Members questions.

(2) RESOLVED that the report from Schroders be noted.

SUMMARY OF EXEMPT ITEMS

(Where Access to Minutes Remains Restricted)

36. Review of Asset Allocation And Equity Managers

(Item 3 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

(Mr D Boyd and Mr S Birch of Hymans Robertson were in attendance for this item)

The Committee agreed a number of issues relating to the Fund's asset allocation and investment managers.

37. Fund Structure

(Item 4 - report by the Chairman of the Superannuation Fund Committee and the Director of Finance)

The Committee agreed a number of issues relating to the structure and management of the Fund.

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SUPERANNUATION FUND COMMITTEE

MINUTES of a meeting of the Superannuation Fund Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Friday, 19 November 2010.

PRESENT: Mr J E Scholes (Chairman), Mr J Burden, Mr P Clokie, Mr D S Daley, Mrs J De Rochefort, Ms A Dickensen, Mr M J Jarvis, Mr J F London, Mr R A Marsh, Mr R J Parry, Mr S Richards and Mr R Tolputt (Substitute for Mr J A Davies).

IN ATTENDANCE: Mr N Vickers (Head of Financial Services), Ms K Gray (Senior Accountant Investments), Mr P R Luscombe (Pensions Manager), Ms A Mings (Treasury & Investments Manager) and Mr G Rudd (Assistant Democratic Services Manager).

UNRESTRICTED ITEMS

40. Declarations of Interest

(Item)

There were none.

41. Minutes

(Item 3)

RESOLVED that the Minutes of the meeting held on 20 August 2010 are correctly recorded and that they be signed by the Chairman.

42. Actuarial Valuation

(Item 1 - report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

RESOLVED that the report be noted.

43. Fund Position Statement

(Item 2- report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

RESOLVED that the report be noted.

44. Pensions Administration

(Item 3- report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

RESOLVED that the report be noted.

45. Cash Management

(Item 4 - report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

- (1) Members were recommended to confirm the transfer of £14m to fund managers and to agree the fund allocation.
- (2) Mr P N Clokie moved, Mr R J Parry seconded that the excess cash of £14m be split 50/50 and allocated to Goldman Sachs and Schrodgers Fixed Income mandates.
- (3) RESOLVED that the excess cash of £14m be split 50/50 and allocated to Goldman Sachs and Schrodgers.

46. Application for Admission to the Fund

(Item 5– report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

- (1) Mr J E Scholes felt that the Committee needed to see the risk register of outside bodies in the scheme before agreeing to item (2) in the Recommendation. Mr N Vickers agreed to come back to the Committee in February 2011 regarding this before any legal agreement with Kent Music School be entered into.
- (2) Mr J E Scholes moved, Mr D S Daley seconded, as an amendment to item (2) of the Recommendation that the word “entered” should be replaced by the words “prepared but not entered into until after the Committee has considered the matter further at its February 2011 meeting.”
- (3) The Chairman put to the vote the motion set out in (2) above.

Carried

(4) RESOLVED that:

- (a) the admission to the Kent County Council Pension Fund of Superclean Services Wothorpe Limited be agreed; and that once the legal agreement has been prepared, the Kent County Council seal can be affixed to the legal document.
- (b) that a legal agreement be prepared in respect of Kent Music School but not entered into until after the Committee has considered the matter further at its February 2011 meeting;

47. Minutes

(Item 1)

RESOLVED that the exempt Minutes of the meeting held on 20 August 2010 are correctly recorded and that they be signed by the Chairman.

48. Baillie Gifford

(Item 2)

(1) Mr N Morecroft attended the meeting to give a presentation on Baillie Gifford's performance and to answer Members questions.

(2) RESOLVED that the report from Baillie Gifford be noted.

49. Fund Structure

(Item 3– report by the Chairman of the Superannuation Fund Committee and the Head of Financial Services)

The Committee agreed a number of issues relating to the structure and management of the Fund.

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