

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 1 February 2010.

**PRESENT:** Mr P B Carter (Chairman), Mr N J D Chard, Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mrs S V Hohler, Mr A J King, MBE, Mr K G Lynes, Mr R A Marsh and Mr J D Simmonds

**IN ATTENDANCE:** Mr P Gilroy (Chief Executive), Mr M Austerberry (Executive Director, Environment, Highways and Waste), Mr D Cockburn (Executive Director, Strategy, Economic Development and ICT) Ms A Honey (Managing Director, Communities), Ms L McMullan (Director of Finance), Mr O Mills (Managing Director - Adult Social Services) and Ms R Turner (Managing Director Children, Families and Education)

### UNRESTRICTED ITEMS

**1. Minutes of the Meeting held on 11 January 2010**  
*(Item 2)*

**Resolved** that the minutes of the meeting held on 11 January 2010 be agreed and signed by the Chairman as a true record.

**2. Revenue & Capital Budget Monitoring Exception Report**  
*(Item 3 -Report by Mr John Simmonds, Cabinet Member for Finance; and Lynda McMullan, Director of Finance)*

(1) Mr Simmonds highlighted the main areas of pressures within the revenue budget which would need to be managed in order to have a balanced budget by year end. He also highlighted the cash adjustments which had taken place within the capital budget. Mr Carter said following the commitment to allocate some £1m plus to meet the cost of pot hole repairs, a procurement process was now underway and repair work would commence as soon as conditions were right. On the issue of Asylum costs, the Council was in daily contact with the Government and he remained optimistic that there would soon be an agreed settlement

**(2) Resolved :**

(a) that the latest forecast revenue and capital budget monitoring position for 2009-10 and the changes to the capital programme be noted: and,

(b) it be agreed that £7.295m of re-phasing on the capital programme be moved from 2009-10 capital cash limits to future years.

### 3. Medium Term Plan 2010/13 (Incorporating the Budget and Council Tax Setting for 2010/11) - Update (To follow)

*(Item 4 – Report by Mr Paul Carter, Leader of the Council; Mr John Simmonds, Cabinet Member for Finance; Mr Peter Gilroy, Chief Executive; and Lynda McMullan, Director of Finance)*

(1) A supplementary report was circulated at the meeting which provided updated figures and consequent revised recommendations.

(2) The Chairman declared consideration of this item to be urgent as the updated report circulated at the meeting was not available at the time the agenda for this meeting was despatched. The reason for that was because the report needed to include the most up to date information and analysis on the final local government settlement figures, the final tax bases agreed by the Kent District Councils and the surplus or deficits announced by the District Councils Collection Funds.

(3) Following discussion Cabinet **Resolved** that the following proposals be endorsed for submission to the meeting of the County Council on 18 February 2010:

(a) the Revenue Budget proposals for 2010/11, as detailed in the additional report circulated at the meeting . Cabinet also noted the proposed changes as a result of ABG, the equivalent band D tax base from the estimate included in the published draft Budget, and the surplus/deficit on the District Councils collection funds and endorsed the resulting change to the overall budget requirement.

(b) the revised budget requirement of £941.885m before the provision for unmet Asylum costs and deducting ABG and requirement for £4m to cover unmet Asylum costs.

(c) a requirement from Council Tax of £568,090m before the provision for unmet Asylum costs and £572,090m including Asylum costs to be raised through precept on District Councils

(d) Council Tax levels for the different property bands as set out below, representing an increase of 1.86% excluding Asylum costs (2.57% including Asylum costs) over 2009/10

Council Tax Band	A	B	C	D	E	F	G	H
Excl. Asylum	£696.90	£813.05	£929.20	£1,045.35	£1,277.65	£1,509.95	£1,742.25	£2,090.70
Incl. Asylum	£701.76	£818.72	£935.68	£1,052.64	£1,286.56	£1,520.48	£1,754.40	£2,105.28

(e) the Capital investment proposals, together with the necessary borrowing, revenue, grants, capital receipts, renewals, external funding and other earmarked sums to finance the programme. Delivery of the programme would be subject to the approval to spend on individual schemes and the level of Government support available in future years

(f) the Prudential Indicators as set out in Appendix D of the draft Medium Term Plan 2010/13

(4) Cabinet **agreed** the revenue and capital budget proposals for each of the nine portfolios of the County Council, as set out in the draft 2010/11 Budget and MTP 2010/13 (as amended as a result of the changes outlined in the supplementary Cabinet report circulated at the meeting and summarised in Appendix 6 of that report) and recommended them to the County Council. A revised 2010/11 Budget Book and MTP 2010/13 reflecting the changes in the amended supplementary report would be produced for the meeting of County Council on 18 February 2010.

(5) **Cabinet agreed** the final recommendations on the level of Council Tax in light of any further progress on Asylum costs be delegated to the Cabinet Member for Finance in consultation with the Leader. Cabinet also agreed that the final recommendations in relation to schools budgets and the DSG be delegated to the Cabinet Member for Children, Families and Education

#### **4. Decision to award the Kent TV contract to an external company**

*(Item 5 -Report by Mr Roger Gough, Cabinet Member for Corporate Support Services & Performance Management; and Mr Peter Gilroy, Chief Executive)*

(1) Mr Gough presented the outcomes from the review which had been undertaken and detailed the tendering process which had subsequently followed. As a result of the recent adverse weather conditions completion of the tendering process had been delayed meaning that it had not yet been possible to complete the procurement process. As a result the report sought delegated authority being granted for the Cabinet Member for Corporate Support Services and Performance Management to reach a final decision on the approval of a provider.

#### **(2) Resolved**

(a) the progress made to date be noted:

(b) the Chief Executive be granted authority to extend the existing Kent TV and Webcasting contracts by one month should this be necessary.

(c) the Cabinet Member for Corporate Support Services & Performance Management be granted delegated authority to consider the final selection and approval of the provider company; and, subject to satisfactory outcome to the clarification of the tenders' proposals, the Cabinet Member for Corporate Support Services & Performance Management be authorised to enter into the relevant contracts with such service provider.

## **5. The Kent Supporting People Programme and the Five Year Supporting People Strategy 2010-2015**

*(Item 6 – Report by Mr Mike Hill, Cabinet Member for Communities; and Amanda Honey, Managing Director, Communities) (Angela Slaven, Director of Community and Support Services and Claire Martin, Head of Supporting People were present for this item)*

(1) Mr Hill outlined the purpose of this report and highlighted its key elements. The Strategy set the foundation for the work to be undertaken over the next 4 to 5 years and provided a framework for the commissioning of new services with agreed priorities and timetable for delivery. Mr Carter said it was important to recognise the role of the County Council as the Administering Authority for Supporting People and the need to emphasise that in its work.

(2) **Resolved** that the draft of the Strategy for Supporting People 2010-15 as appended to the Cabinet report be submitted to the Supporting People Commissioning Body for approval

## **6. 'Personal Care at Home - A Consultation on Proposals for Regulations and Guidance'**

*(Item 7– Report by Mr Graham Gibbens, Cabinet Member for Adult Social Services; and Mr Oliver Mills, Managing Director, Kent Adult Social Services)*

(1) The 'Personal Care at Home Bill' was announced in the Queen's Speech on 18 November, and was published on 25 November. Accompanying the Bill was a consultation, 'Personal Care at Home' on regulations and guidance which ends on 23 February 2010.

(2) Mr Gibbens said that in an ideal world, the Council would wish to give free personal care at home to as many elderly as possible. However that was simple not affordable, particularly since we were in a debt crises and the reality was that could only be paid for through cuts to the NHS and higher council taxes'. Therefore whilst he was pleased to see issues related to adult social care rightly accorded increased importance and higher public profile he had particular concerns that the government's proposals had not been sufficiently assessed and fully costed and that the costs would exceed the ability of local authorities to provide these services. The County Council had undertaken its own analysis of what implementing the proposals would cost and whilst it was hard to provide clear estimates this analysis had highlighted a number of areas of concern and uncertainty. Taking all factors into account the costs of these proposals to Kent were estimated at some £9 - £22m. This figure was over and above an assumed level of grant from government, and included unfunded levels of efficiencies. Mr Gibbens said whilst in an ideal world he would want to see as much free care provided as possible, for the reasons stated in the report and in the proposed response that concept was just not possible.

(3) Mr Carter said these proposals could only be costed through the shunting of resources and that needed to be considered with great care. He hoped therefore that the Government would take fully into account the views expressed in the Cabinet report. Mr Simmonds and Mr Lynes also spoke about the costs these proposals would place on KCC and other local authorities

**Resolved that :**

(a) the report and the key points raised in the draft response to the consultation on the on 'Personal Care at Home Bill' be endorsed; and

(b) the Cabinet Member for Adult Social Services together with the Managing Director for Kent Adult Social Services be granted authority to approve any final points of detail and editing before the response is submitted to Government which must be done by 23 February 2010.

**7. Care Quality Commission - Annual Performance Assessment Report for Adult Social Care**

*(Item 8 -Report by Mr Graham Gibbens, Cabinet Member for Adult Social Services; and Mr Oliver Mills, Managing Director, Kent Adult Social Services)*

(1) This report outlined the Care Quality Commission's view of Kent Adults Social Services Directorate's performance over the last year. Instead of the annual 'star' ratings authorities are now given ratings. For 2009 Kent Adult Social Services received an *Excellent* rating in 3 outcomes and was judged as '*performing well*' in the other 4. Mr Gibbens said the report showed these outcomes were a further improvement on last years' performance and he placed on record his thanks and congratulations to staff in the KASS Directorate on this achievement. Mr Mills said that each year the bar gets raised higher and he congratulated his staff on being able to move forward and consistently meet this challenge. Ms Honey spoke about the work of the Kent Drug and Alcohol Action Team whose continued raised standards of work had also be recognised.

(2) **Resolved** that the Cabinet report and the Annual Performance Assessment letter be noted and Cabinet place on record its thanks and congratulations to all the staff involved in achieving such a high standard.