

## KENT COUNTY COUNCIL

---

### CABINET

MINUTES of a meeting of the Cabinet held in the Darent Room, Sessions House, County Hall, Maidstone on Monday, 24 March 2014.

PRESENT: Mr P B Carter, CBE (Chairman), Mr D L Brazier, Mr G Cooke, Mr M C Dance, Mr G K Gibbens, Mr R W Gough, Mr P M Hill, OBE, Mr J D Simmonds, MBE, Mr B J Sweetland and Mrs J Whittle

ALSO PRESENT: Mr A King MBE, Mr D Daley, Mr R Truelove

### UNRESTRICTED ITEMS

#### **45. Minutes of the Meeting held on 21 January 2014**

*(Item 3)*

The minutes of the previous meeting held on 21 January 2014, were agreed as a correct record and signed by the Chairman.

#### **46. Other items which the Chairman decides are relevant or urgent**

*(Item 4)*

None

#### **47. Learning Disability Partnership - Presentation**

*(Item 5)*

The Leader introduced the Learning Disability Partnership in attendance to make a presentation to Cabinet and welcomed the opportunity to hear from its members.

The Cabinet Member for Adult Social Care and Public Health, Mr Gibbens spoke to the item. He also welcomed the officers and partnership members present. He explained that he co-chaired the Learning Disability Partnership Board and he stressed the importance of the Board and the issues which it considered, such as transition, employment and skills. He commended the recommendation to continue the work of the Board and further strengthen its activities.

Tina Walker, Co-Chair of the Learning Disability Partnership Board, asked that Penny Southern, Director of Learning Disability and Mental Health, address Cabinet. Ms Southern thanked Cabinet for the opportunity afforded to the partnership to put forward the views of its members and to highlight issues of importance for people with Learning Disabilities in Kent. She emphasised that people with Learning Disabilities not only wanted to be heard but wanted to participate in the improvement of services for themselves and their peers.

Members of the partnership and Ms Southern made representations on Health Services, Employment, Housing, Keeping Safe, Transport, Transition, Safeguarding, Finance and Voting; highlighting one issue, asking one question and evidencing one

way in which people with Learning Disabilities had already helped to address the issue. [The full presentation is published on line as an appendix to these minutes].

The Leader acknowledged the depth and breadth of the issues covered and the importance of the questions put to Cabinet. Owing to the time constraints of the formal meeting environment he suggested that Cabinet Members provide full responses for those questions following the meeting.

He hoped that year on year services for those people with learning, and physical, disabilities were improving, acknowledging that there was more that could be done to support people to engage in the activities about which they had spoken.

The Cabinet Member for Specialist Children's Services, Mrs Whittle spoke to the item. She requested an opportunity to attend the Partnership Board in order to address the issues of transition and the newly produced single plan for Education, Health and Social Care more fully.

The Cabinet Member for Education and Health Reform, Mr Gough, reported that the Health and Wellbeing Board had received a presentation from Ms Southern in October. He conceded that take up of Health Checks by people with Learning Disabilities was not as high as he would like and work toward better understanding the health needs of people with Learning Disabilities, and to provide training of GPs and nurses was underway and would continue. He welcomed the opening of new facilities at East Kent College, to which the Leader had previously referred and hoped that more, similar, facilities would be available in the future.

The Cabinet Member for Economic Development, Mr Dance addressed the issue of housing, raised during the presentation. He was pleased to have been made aware of the issues that were being faced and would like to work with developers and people with learning disabilities in the future to ensure that where possible needs and wants could be met. The Leader agreed and considered that identifying extra care and supported housing opportunities within the social housing elements of housing strategies, to be produced with the Boroughs, would be critical to resolving the issues identified by the Board.

The Cabinet Member for Environment and Transport, Mr Brazier, spoke regarding transport provision and the restrictions on free travel described by the LD Board. He assured those present that he would investigate the matter fully.

The Cabinet Member for Communities, Mr Hill, referred to his responsibility for Community Safety and thanked Sam Holman for the questions she had put forward and the work done already to raise awareness of hate crimes and improve safeguarding. Ms Holman expanded on the 'Shop Safe' scheme which helped vulnerable people to identify safe places to report bullying or abuse and in response Mr Hill welcomed the opportunity to learn more about it and to consider how best to support its further development.

The Cabinet Member for Commercial and Traded Services, Mr Sweetland thanked the Board members for the presentation. He spoke of his responsibilities which included the councils traded services and felt that there may be an opportunity for those services to work more closely with the Board to create employment opportunities. In addition he offered to investigate the possibility of advertising the

Board's publications on the council's website. He offered to meet with the Board separately to discuss further.

The Cabinet Member for Corporate and Democratic Services, Mr Cooke addressed the meeting. He referred to the work already taking place relating to democratic involvement and stressed the importance of people with learning disabilities understanding how to get on to the electoral register and how to vote. This work would need to be undertaken in partnership with the Borough Councils, who were responsible for administering such matters.

The Deputy Leader and Cabinet Member for Finance, Mr Simmonds spoke on finances. He reported the funding requests received already from the FSC and Education directorates and urged others to also make requests for funding to which he would have regard when putting forward the council's annual budget for approval by the full council. He also offered to speak to the Learning Disability Board about personal financial responsibility and managing money.

Mr Gibbens responded to some of the comments made. He stressed the importance of the council's safeguarding work and the strong commitment of Cabinet and the Leader to ensuring the safety of all of the county's vulnerable residents. He reminded members that safeguarding was not only the responsibility of his and Mrs Whittle's portfolio's but something that each member must consider in their own areas of work. Ms Southern had mentioned 'Winterbourne' an investigation uncovering systemic abuse at a private hospital in Bristol, and the continued commitment of the council was necessary to avoid ever having such an issue arise in Kent.

Mr Gibbens invited Mrs Whittle to the next meeting of the Partnership Board to talk about transition.

Finally he offered a guarantee, supported by the Leader, that each Cabinet Member would produce a full response to the questions put to them by members of the Board and hoped that these could be considered by a future meeting of the Board.

The Leader summed up; he was pleased that the direction of travel for services to people with learning disabilities was positive but acknowledged that there was always more that could be done. He confirmed Mr Gibbens assurance that full responses would be provided by Cabinet Members to questions put and that he would attend the Board meeting at which they were considered.

It was RESOLVED that:

1. The Kent Partnership Board be supported to continue
2. That work continue to ensure that the KPB is utilised in order to make life better for people with Learning Disabilities in Kent
3. That each Cabinet Member produce a full response to questions put, in consultation with the relevant Director, to be considered by a future meeting of the Board.
4. That Mrs Whittle attend the next meeting of the Board to talk to an item regarding 'Transition'

5. That the Leader attend a future meeting of the Board when the full responses referred to in 3. are considered.
6. That the supporting evidence put forward as part of the presentation be circulated to relevant Cabinet Members.

**48. Select Committee Report - Kent's European Relationship**  
(Item 6)

Mr King, Select Committee Chairman, Mr Truelove and Mr Daley were in attendance to speak to the report of the Select Committee.

Mr King introduced the report to Cabinet. In particular he referred to the following:

- i. That the committee had achieved a great deal in a short time. The condensed timetable had been necessary in order that any recommendations from the Committee could be in place before the latest round of EU funding (2014 – 2020) began.
- ii. That in a time of financial austerity, EU funding was crucial to finance some areas of the Council's work.
- iii. The report had cross-party support from the Conservative, Labour and Liberal Democrat Groups but that regretfully UKIP had withdrawn from the process after the first meeting, citing concerns about the timetable. To that end he assured members that the procedures followed by the committee in order to manage the timely production of the report were in order and adequate.
- iv. That the potential funding available over the next 6 years was in the region of £100million and the thrust of the recommendations within the report was that the County Council must work in a way that maximises income and influence.
- v. That two specific recommendations were worthy of note at this time, firstly ensuring the necessary infrastructure was in place to allow the Eurostar to continue to stop at Ashford as it would be crucial to the future economic success of Kent, and specifically East Kent. Secondly, the International Affairs Group had long achieved cultural benefits and provided opportunities for school children to learn about Europe. Building relationships such as these with our European neighbours would, he believed, strengthen our community in financially and politically uncertain global times.

Mr Truelove also spoke to the item, he highlighted:

- i. That the Select Committee had been a constructive investigation into a complex and often technical matter but that the parties involved had found consensus on the recommendations and he thanked officers and those who gave evidence for helping to facilitate that consensus. The recommendations were evidence based, it was clear that the County had benefited considerably from EU funding in the recent past and that this could not only continue but increase over the next six years.
- ii. It would not only be necessary to maintain the skills already possessed in-house but potentially to add to the skills and resources available to enable the Council to benefit from EU funding.
- iii. The need to convince businesses in Kent of the benefits of the export market in order that economic growth was not limited to Kent, or even to the U.K.

- iv. That the recommendations within the report were not affected by the possibility of a referendum on EU membership. Should a referendum take place the result could not be predicted at this stage, but if it were to signal an exit by the UK it was unlikely that funding streams already accessed would be ceased.

Finally Mr Daley spoke to the item and raised for consideration by members, the following:

- i. That the report set out in detail, the operational work that was being done by the County Council in order to access funding and identified areas in which this work could expand.
- ii. That the evidence received from managers had showed a lack of understanding of the international work of the council and of opportunities to access further funding in Europe. It was crucial that awareness among the councils senior managers was raised.
- iii. That the terms of reference for the Committee had, amongst other things, sought to identify benefits and disbenefits of the council's work in Europe but the evidence had shown that the relationship was largely positive.
- iv. That more work should be conducted to investigate the benefit and cost of continuing and expanding the Hardelet project.
- v. That in line with comments made previously by Mr King, the connectivity of Ashford to Europe was crucial to the future economic prosperity of the county and particularly the East of the County.

The Leader thanked the Group representatives from the Select Committee for attending and for the production of a comprehensive report. He acknowledged the financial opportunities inherent in the relationship of the council with Europe and agreed that utilising it efficiently in order to benefit residents and businesses of Kent was critical. There would be a report to the next meeting of the Council which would include an Executive response to the recommendations and allow a full debate by members.

The Cabinet Member for Economic Development, Mr Dance, briefly responded before the full debate at Council, he thanked the committee members for the comprehensive report and believed it would be a useful tool for members and officers. He was grateful that the recommendations were in line with his thoughts on managing and developing KCC's relationship with Europe and accessing further funding. He used as an example of the magnitude of the matter at hand, the Horizon 20:20 fund, the total of which was £78 billion.

It was resolved that Cabinet support the following recommendations to Council:

1. That the Select committee is thanked for its work and for producing a relevant and balanced document.
2. That the witnesses and others who provided evidence and made valuable contributions to the Select Committee are thanked.
3. That the Council's comments on the report and its recommendations are welcomed

## **49. Revenue and Capital Budget Monitoring for 2013-14 - Quarter 3**

*(Item 7)*

Cabinet received a report providing the budget monitoring position for December 2013-14 for both revenue and capital budgets and which also included an update on key activity data.

The Deputy Leader and Cabinet Member for Finance, Mr Simmonds introduced the report and in particular referred to the following:

### Revenue Budget:

- i. That the underspend had increased, since the last report, to £9.5 million before management action but monies ring-fenced for Social Fund spending for 2013-14 and 2014-15 would reduce this figure to £6.3million, increasing to £6.8million with management action.
- ii. That £4million of the predicted underspend had already been committed to the 2014-15 budget and therefore it would be crucial that this minimum underspend figure were achieved.
- iii. It was important to note that the report being considered did not include the full financial impact of the flooding at Christmas and New Year, but the recent announcement that a grant of £8.6million would be received from Central Government would reduce any impact and allow work on road maintenance and other repairs to continue at pace. In addition, work continued to produce a bid to the Bellwin Scheme to further negate any impact of the floods and help with recovery costs.
- iv. That a return of £2.1million of costs related to unaccompanied young people seeking asylum continued to be pursued from the Government and that although negotiations were complicated and on-going he was cautiously optimistic that some agreement could be reached following positive results for other local authorities with the same issue.
- v. Pressures remained on SEN transport and Children Services but both areas showed slight improvement in this round of reporting.
- vi. Government funding had increased by £1million since the last report.

### Capital Budget:

- i. A working budget of £315million was reported with a forecast spend of £253million, creating a variance of £62million. However, a large proportion of this, £60million, was a result of rephasing, the reasons for which were included within the report.

Corporate Director for Finance, Andy Wood added to the comments made; he reported that:

- i. That of the £174million distributed by Government to those areas worst affected by flooding, £45million was allocated to councils in the South East and £47million to Councils in the South West. Allocations were being assessed by Finance officers to ensure that they were fair and correct.

- ii. That the underspend continued to increase and an important contribution had been made, approximately £2million, by managers reviewing and limiting spending where possible over the last two months.

It was RESOLVED that:

<b>CABINET</b> <b>Quarter 3, 2013-14 – Revenue and Capital Budget Monitoring Report</b> <b>24 March 2014</b>	
1.	That the latest monitoring position on both the revenue and capital budgets be noted
2.	That the changes to the capital programme as detailed in the actions column in table 2 of the annex reports be agreed.
3.	That the latest Financial Health Indicators and Prudential Indicators, as reported in appendix 1 and appendix 2 respectively, be noted
4.	That the directorate staffing levels as at the end of December 2013 as provided in section 7, be noted.
<b>REASON</b>	
1,3 & 4	In order that the Cabinet is fully apprised of the financial impact of the delivery of policy and projects.
2.	In order that the budget accurately reflects Directorate and Departmental need and necessary accounting tasks to that end can be undertaken.
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	The report details events that have already occurred for the purposes of monitoring. Virement recommendations put forward are optimal.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.

#### **50. Quarterly Performance Report - Quarter 3** *(Item 8)*

Cabinet received a report providing the performance monitoring position for Quarter 3 of 2013-14.

Richard Fitzgerald, Performance Manager, Strategic and Corporate Services was in attendance to speak to the item and raised the following points for particular consideration by members:

- i. That 60% of indicators were improving and over 50% on target or performing above target
- ii. Children's Social Services was now achieving good performance and in particular adoption services had shown significant improvement.

- iii. That the percentage of schools in Kent rated as 'good' or 'improving' continued to rise and the number of schools falling below the government floor target for GCSE results had significantly reduced and was close to national average.
- iv. That the figures showed continued good performance in highway repairs, despite the challenges presented by the poor weather and recent floods.
- v. That a significant increase in jobs created from monies secured through the Regional Growth Fund had been recorded.

The Cabinet Member for Economic Development spoke to the item; he referred to the work carried out in relation to the Regional Growth Fund and the real benefits that had been for businesses and job creation in the County.

The Cabinet Member for Education and Health Reform, Mr Gough, added the following information for consideration:

- i. That the general performance trend in Education continued to be positive. Overall attainment data and schools rated 'good' or 'outstanding' both continued to improve.
- ii. That the number of schools 'in category' was still above target but had improved since the turn of the year and it was predicted that the target would be met by the end of the year.
- iii. That figures relating to those young people not in education, employment or trainings (NEETS) had been subject to a statistical blip in the last report; a result of new capturing methods related to the raise in participation age, but had now returned to expected levels.
- iv. That the number of young people in apprenticeships had declined in 2013 but that this had been a national trend during which Kent had continued to perform better than many of its peers.

The Cabinet Member for Adult Social Care and Public Health commented to highlight the following points:

- i. That performance relating to delivery of NHS Health Checks was still below target. Work continued with the main provider, Kent Community Health Trust to improve performance and the Secretary of State had also highlighted this as a key priority.

It was RESOLVED that the performance report be noted.

## **51. Co-ordinated Admissions Schemes for 2015** (Item 9)

Cabinet received a report containing for consideration the proposed scheme for transfer to Primary and Secondary schools in September 2015 including the proposed process for non-coordinated In-Year Admissions, and seeking determination of the various criteria and proposed admission numbers there in.

The Cabinet Member for Education and Health Reform introduced the report, and asked Head of Admissions & Transport, Scott Bagshaw to relay the detail before reporting that admissions performance had been very strong; secondary admissions currently sat at 83.5% parents achieving first preference and 97.4% receiving one of



their stated preferences. Pressures in this area would continue to grow and it was crucial that the schemes put forward continued to be robust in order to avoid families missing out on their preferred schools.

Mr Bagshaw addressed the committee to expand on the comments of the Cabinet Member, he reported:

- i. That no changes to the scheme were proposed for 2015, other than minor variances to some of the dates in order to simplify operational matters for some of the schools.
- ii. That as the co-ordinated schemes were not subject to change this year, no public consultation had been undertaken in line with legislative requirements, but schools had been consulted and all had agreed to the proposals set out in the report.

Patrick Leeson, Corporate Director for Early Years reiterated that all schools in Kent had signed up to the scheme and welcomed this continued co-operation in light of the varied and changing nature of education provision in the county.

It was RESOLVED:

<b>CABINET</b>	
<b>Co-ordinated Admissions Schemes for 2015</b>	
<b>24 March 2014</b>	
1.	That the Coordinated Primary Admissions Scheme 2015/16 incorporating the In Year admissions process as detailed in Appendix A be agreed
2.	That the Co-ordinated Secondary Admissions Scheme 2015/16 incorporating the In Year admissions process as detailed in Appendix B be agreed
3.	That the oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary schools in Kent 2015/16 as detailed in Appendix C (1) be agreed
4.	That the oversubscription criteria relating to Community and Voluntary controlled Secondary schools in Kent 2015/16 as detailed in Appendix D (1) be agreed
5.	That the Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2015/16 as set out in Appendix C (2) be agreed
6.	That the Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2015/16 as set out in Appendix D (2) be agreed
7.	That the relevant statutory consultation areas for Kent Primary Schools 2015/16 as detailed in Appendix C (3) and the relevant statutory consultation areas for Kent  Secondary Schools 2015/16 as set out in Appendix D (3) be agreed
<b>REASON</b>	

1-7 inclusive	In order that the Council has a co-ordinated approach to admissions that all schools have agreed to adhere to thereby enabling statutory provision requirements to be met and percentage of parents receiving first or second place preferences to be raised.
ALTERNATIVE OPTIONS CONSIDERED	No changes were proposed from the 2014 scheme which was the outcome of extensive consultation and consideration of options.
CONFLICTS OF INTEREST	None.
DISPENSATIONS GRANTED	None.

**52. Early Years and Childcare Strategy 2014-17**  
(Item 10)

Cabinet received a report containing a summary of the consultation responses received regarding the proposed Early Years and Childcare Strategy 2014 - 2017 and seeking approval of the draft Strategy.

The Cabinet Member for Education and Health Reform introduced the item and put forward the following information for particular consideration:

- i. That the consultation responses received had been largely positive.
- ii. That the strategy was intended to build on achievements already made in attainment and the closing of attainment gaps
- iii. That the strategy reflected the development of national government policy and in particular the policy direction relating to the expansion of provision for two year olds and the improvement of settings for delivery.
- iv. That the strategy included a focus on integration with children's centres and developing 0-11 provision and boosting collaborations between settings to improve provision by creating a self-sustaining system of improvement.

Patrick Leeson, Corporate Director for Education, Learning and Skills added to the comments of the Cabinet Member he referred to:

- i. The ambitious strategy target, the highest in the country, for provision of early education and childcare provision for two year olds of 6,500 places over two years
- ii. The achievement of 87% of early years provision in Kent now being considered to be 'good' or 'outstanding' and the reduction of the achievement gap to be amongst the lowest in the country.
- iii. The need for continued work to ensure that vulnerable families in Kent could access and benefit from the provision available, through strengthened targeting methods

Alex Gamby spoke to draw the attention of members to the inclusion in the strategy of focused supported interventions that would enable providers to better identify

possible gaps in achievement before they had occurred and also provide support for a heightened response to those potential gaps by providers.

The Leader welcomed the strategy and reminded members that it would continue to be developed over its lifetime. It would be modified to drive and react to changes in the preventative arena in particular. He considered that it would be necessary as part of the preventative agenda to link the strategy with Children’s Centres, CCG’s and the Health agenda more fully, in order that the Council could provide joined-up services for parents and families. In response Patrick Leeson assured the Leader that the document would be refreshed on an annual basis.

It was RESOLVED:

<b>CABINET</b>	
<b>Early Years and Childcare Strategy 2014-17</b>	
<b>24 March 2014</b>	
1.	That the Early years Strategy 2014-17 be agreed
2.	That the Early years Strategy be refreshed annually
<b>REASON</b>	
1	In order that the Council has a clear direction for Early years provision in the County
2.	In order that the strategy can accurately reflect the changing face of Early years provision, particularly in relation to preventative services.
<b>ALTERNATIVE OPTIONS CONSIDERED</b>	The strategy was consulted upon before being submitted for approval.
<b>CONFLICTS OF INTEREST</b>	None.
<b>DISPENSATIONS GRANTED</b>	None.