

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 13 July 2017.

PRESENT:

Mr D L Brazier (Chairman)
Mr M J Angell (Vice-Chairman)

Mrs A D Allen, MBE, Mr P V Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs R Binks, Mr R H Bird, Mr T Bond, Mr A H T Bowles, Mr D Butler, Miss S J Carey, Mr P B Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Mr N J Collor, Ms K Constantine, Mr A Cook, Mr G Cooke, Mr P C Cooper, Mrs M E Crabtree, Mr D S Daley, Mr M C Dance, Miss E Dawson, Mrs T Dean, MBE, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G K Gibbens, Mr R W Gough, Mr K Gregory, Ms S Hamilton, Mr P M Hill, OBE, Mr A R Hills, Mrs S V Hohler, Mr S Holden, Mr P J Homewood, Mr A J Hook, Mr M J Horwood, Mr E E C Hotson, Mr J A Kite, MBE, Mr S J G Koowaree, Mr P W A Lake, Mr B H Lewis, Mr R L H Long, TD, Mr R C Love, Mr G Lymer, Mr R A Marsh, Ms D Marsh, Mr J P McInroy, Mr P J Messenger, Mr D Murphy, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr R A Pascoe, Mr M D Payne, Mrs S Prendergast, Mr K Pugh, Mr H Rayner, Mr A M Ridgers, Mr C Simkins, Mr J D Simmonds, MBE, Mrs P A V Stockell, Dr L Sullivan, Mr B J Sweetland, Mr I Thomas, Mr M Whiting, Mr M E Whybrow and Mr J Wright

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services), Mr B Watts (General Counsel) and Mr J Lynch (Head of Democratic Services)

UNRESTRICTED ITEMS

16. Apologies for Absence

The General Counsel reported apologies from Mrs Beresford, Mr Balfour, Mr Booth, Mr Harman, Ida Linfield, Mr Manion, Mr Monk and Miss Rankin.

17. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda

(1) Dr Sullivan declared an interest in item 7 (Ofsted Inspection on Children's Services) as her husband was employed by the County Council as an Early Help and Prevention officer.

(2) Mr Lewis declared an interest in item 10 (County Council Directorate and Strategic Commissioning Structure update) as his wife worked for the County Council.

18. Minutes of the meetings held on 25 May, and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meeting held on 25 May 2017 be approved as a correct record.

19. Chairman's Announcements

(a) Past Chairman's Escort badge

(1) The Chairman presented Mrs Davies, a former Chairman's Escort, with a former Chairman's Escort badge.

(b) The Queen's Birthday Honours List 2017

(2) The Chairman referred Members to the list of honours recipients from Kent following the recent announcement in The Queen's Birthday Honours List.

(3) He stated that he was delighted to inform Members that one of Kent's foster carers, Theresa Carpenter, had been awarded an MBE in the Queen's Birthday Honours List. Theresa had been a foster carer for 19 years and had looked after 28 children. She had been a strong advocate of education to help ensure they received the best opportunities in life. Theresa, who was nominated by one of her foster children, sat on KCC's Corporate Parenting Panel and was also Vice-Chairman of Governors for a local school.

(4) The Chairman, on behalf of the County Council, offered sincere congratulations to all of those Honours recipients.

(c) Chairman's Symphony Concert

(5) The Chairman informed the Council that he had organised a symphony concert on Saturday 24 March 2018 at Mote Hall in Maidstone and proceeds would go to his nominated charity, Kent Community Foundation. Ticket details would be available nearer the time.

20. Questions

In accordance with Procedure Rule 1.17(4), 8 questions were asked and replies given. A record of all questions put and answers given at the meeting are available [online](#) with the papers for this meeting.

21. Report by Leader of the Council (Oral)

(1) The Leader updated the Council on events since the previous meeting.

(2) Mr Carter referred to the positive outcome of the Ofsted inspection of children's services which would be considered later in the meeting. This had put Kent County Council in the top 25% of all local authorities in the Country. This had been the result of a 7 year journey and recognition of strong leadership and management. He wished to record his enormous thanks to all of those Members

who had been involved and all senior managers and staff that had got this service into a much better place.

(3) Mr Carter then provided an update on progress with the STP, bringing together health and social care integration across the county including Medway. The intention through that integration was to make better use of the national health service pound and the social care pound and most importantly to deliver a much more effective and efficient use of that resource and better health and care outcomes to all residents in Kent. He referred to the time spent by Members in various forums discussing the development of a plan that delivered better value for money and better health care outcomes. This had led to the identification of three key elements of the STP which were prevention, local care and hospitals. The major purpose of these was hospital avoidance wherever possible and safely making a much more effective and efficient hospital estate to deliver better hospital care.

(4) Mr Carter confirmed that there would be a series of public consultations in spring 2018 where the exact re-configuration across the whole suite of hospitals in Kent was put together. Alongside this was the preventative care work stream which aimed to help support and encourage Kent residents to be as healthy as possible to avoid the necessity for intervention from the various levels of health provision.

(5) Mr Carter referred to the recent financial modelling by the STP programme board which drew the conclusion that every £1 million in grant to local care would save £4 – 5 million in hospital care once properly and appropriately delivered. This made a compelling case to ensure the expansion of local care. He stated that the challenge was to put the rhetoric into reality and actually implement the investment needed to deliver that local care model with more district nurses, physiotherapist and therapists of all types including mental health practitioners. He also mentioned the detrimental effect that long hospital stays could have on elderly patients, services delivered locally and care in the community were preferential for their healthcare.

(6) Mr Carter stated that work was underway to find the money, with help from NHS England, to invest across CCGs in Kent to start to deliver a model of local care. This would include evaluation of the pressure on hospital admissions and the support needed to get patients out of hospital as fast as possible into intermediary step down beds or back to their homes.

(7) Mr Carter referred to the desire for the County of Kent to be a trail blazer if a pilot programme across the co-terminus CCGs in Kent could be brought to fruition. He stated that the challenge was going to be to deliver the pilot at a scale and pace that had the expected impact. He undertook to keep Members updated on progress.

(8) Mr Carter mentioned the Budgetary position and referred Members to the first quarter report on revenue expenditure which estimated an overspend of £11.5 million and the major challenge that this presented. He stated that savings had become exponentially more difficult to deliver. The unmet pressure in next year's budget had now risen to around £45 million worth of additional savings that needed to be identified in order to balance next year's budget.

(9) In relation to the delivery of the capital programme Mr Carter stated that a lot of the concern was around the provision of much needed school places. Therefore in

the autumn it would be necessary to find solutions to those big revenue and capital challenges.

(10) Mr Bird, the Leader of the Opposition, thanked officers for their professionalism and prompt response to the issues and concerns that had been raised following the Grenfell Tower fire. He referred to the Council's duty of care for social care clients, school children, staff and many others. He expressed the hope that officers would soon have established that the necessary robust controls and procedures were in place for all properties used to provide KCC services.

(11) Mr Bird referred to the Leader's budget update and the increasing difficulty in balancing the budget each year.

(12) Mr Bird made reference to the Secretary of State for Communities and Local Government's speech at the recent Local Government Conference and the suggestion that many Councillors were out of touch with their communities which had not been well received.

(13) In relation to long term financial prospects for local government, Mr Bird stated that, fundamental changes were needed to prevent many upper tier local authorities being overwhelmed by the burden of social care. There was a need for an honest cross party conversation at national level with all Parliamentary parties working together to tackle the ever increasing social care problem.

(14) Regarding STPs, Mr Bird stated that they were a wonderful opportunity but also an enormous challenge, which reflected the dependence of the NHS on local authorities to deliver some of the financial savings. Although he acknowledged the professionalism of NHS staff many of the problems in the NHS organisation were deep rooted. In relation to the public consultation that was due to start in the spring he referred to the delays that had occurred. Mr Bird questioned how a reduction in the number of acute hospital sites in Kent and Medway for the delivery of acute care of stroke patients could successfully provide specialist attention within an hour when the current 7 sites could not. Mr Bird emphasised the importance of the NHS playing their part, along with the Council, in ensuring that no one stayed in hospital longer than necessary. In order to ensuring that STPs were delivered an adequate numbers of GPs and community nurses were required in the primary care system.

(15) Mr Farrell, Leader of the Labour Group, began by thanking KCC staff who had been involved in the County Council's response to the Grenfell Tower disaster in respect of auditing the Council's estate, reviewing emergency procedures and keeping Members informed.

(16) In relation to STPs Mr Farrell emphasised the importance of health services reflecting the needs of the communities that they served and that STPs came from the need to bring a fragmented system together. He referred to the view of the BMA that there had been insufficient engagement with staff, service users and carers in the development of STPs and also the warnings of the negative effects of reduced budgets. He referred to the importance of the motivation behind NHS changes being rooted in clinical grounds and the need for funds to be made available to the NHS to provide solutions with budgets under significant pressure.

(17) Mr Farrell referred to a national audit office report which concluded that a large proportion of the monies made available to fund the STPs had already been allocated to cover Trust deficits rather than being used for transformational health services and he emphasised the important role of preventative services.

(18) In relation to social care and the opportunity for true integration with the NHS, Mr Farrell stated that the local NHS must maintain control over community hospitals and that local authorities should be empowered and financially supported to take over services that were not meeting required standards. He maintained that there should be a focus on providing care and support for not just older people but those with mental health conditions and learning and physical disabilities, to enable them to live more independent, fulfilled lives.

(19) Regarding local government finance, Mr Farrell referred to the recent LGA conference and the message that you cannot empower local government if you impoverish it. Mr Farrell stated that the last seven years had seen a reduction in local government funding and the need for difficult choices to be made on competing priorities.

(20) Mr Whybrow, Leader of the Independents Group, reminded Members that there had been no mention of the Local Government Finance Bill in the Queen Speech and therefore there was no indication of what was happening regarding the devolution of more powers over finance to local government and the retention of business rates

(21) Regarding the STP, Mr Whybrow stated that whilst he agreed with the Leader regarding the theory around the STP such as unlocking silos and working across boundaries, he expressed concern about the lack of detail and inadequate provision of funds. He referred to the fact that a large portion of the STP fund had already been directed to servicing the debt to main providers. He was unclear as to how the STP would address the crisis in nursing and the chronic shortage of GPs in areas such as Shepway. There did not appear to be capacity within the STP to build new hospitals or extend existing ones and instead there was mention of making the estate more efficient.

(22) Mr Whybrow referred to concerns about the STP including the lack of capacity of stakeholders to deliver the STP. He gave the example of NHS websites not being kept up to date with consultation information. He emphasised the importance of the public consultations on the STP being adequately publicised and held in local venues that could be reached by those lacking in mobility or in ill health.

(23) In replying to the other Leaders' comments, Mr Carter referred to comments about the Grenfell Tower tragedy and updated Members on the action that he had taken in the immediate aftermath, which included initiating a full and thorough search on all KCC property, not just buildings over eight stories, and in addition to external cladding, looking at thermal insulation and methodology of the construction of new buildings for which KCC had responsibility. He stated that he had provided advice to the Secretary of State regarding extending testing beyond external cladding. He referred to the detailed report that had been given to the Scrutiny Committee on the action taken in response to the tragedy.

(24) Regarding the points made by the opposition leaders on the health expansion, Mr Carter agreed that the provision of nurses and GPs was one of the big issues. There needed to be an increase in the numbers of nurses and GPs trained if the STP plans were to succeed, which was one of the reasons why he had suggested running a pilot across two CCGs.

(25) Regarding the transformation fund for the STP, Mr Carter stated that although most of it had been subsumed by the spread of acute hospital trusts, he believed the health service could benefit from the experience of local government finance colleagues in making more effective and efficient use of their funding. This would require health colleagues to move to open book accounting and transparency with local government in order to share in the progress that local government was making with good commissioning in procuring services and achieving good outcomes.

(26) In relation to the fair funding review Mr Carter expressed the view that many inner London boroughs were over funded and that this needed to be re-distributed to areas such as Kent. He referred to the potential difficulties that the minority government might have with getting the local government settlement through Parliament and this may need to be more generous in order to get the support of the opposition parties.

(27) In conclusion Mr Carter referred to the debate later in the meeting on Member Remuneration and explained that the 1% public sector settlement for police, nurses and teachers did not include all their incremental increases.

22. Ofsted inspection on Children's Services

(1) Mr Gough moved and Mr Oakford seconded the following motion:

“Members are asked to **NOTE** the content of the report and the significant work of all the staff who have contributed to this very positive outcome.”

(2) Following the debate the motion set out above, with a minor amendment by the proposer to thank staff, was agreed without a formal vote.

(3) RESOLVED that the content of the report be noted and the Director, Specialist Children's Services be requested to pass on Members deep appreciation for the work that staff had carried out towards achieving this favourable outcome.

23. Local Transport Plan 4: Delivering Growth without Gridlock

(1) Mr Payne moved and Mr Dance seconded the following motion:

“The County Council is asked to approve and adopt *Local Transport Plan 4: Delivering Growth without Gridlock (2016 – 2031)* as a plan included in the Policy Framework of the Constitution of the Kent County Council.”

(2) Following the debate the Chairman put the motion set out above to the vote and the voting was as follows:

For (62)

Mrs A Allen, Mr M Angell, Mr P Barrington-King, Mr P Bartlett, Mrs C Bell, Mrs R Binks, Mr R Bird, Mr T Bond, Mr A Bowles, Mr D Butler, Miss S Carey, Mr P Carter, Mrs S Chandler, Mr N Chard, Mr I Chittenden, Mrs P Cole, Mr N Collor, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr D Daley, Mr M Dance, Miss E Dawson, Mrs T Dean, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Mr K Gregory, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr M, Horwood, Mr E Hotson, Mr J Kite, Mr G Koowaree, Mr P Lake, Mr R Long, Mr R Love, Mr G Lymer, Mr A Marsh, , Mr J McInroy, Mr P Messenger, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mr M Payne, Mrs S, Prendergast, Mr K Pugh, Mr H Rayner, Mr C Simkins, Mr J Simmonds, Mrs P Stockell, Mr I Thomas, Mr M Whiting, Mr J Wright.

Against (9)

Ms K Constantine, Mr T Dhesi, Mr A Hook, Mr B Lewis, Ms D Marsh, Mr A Ridgers, Dr L Sullivan, Mr B Sweetland, Mr M Whybrow,

Abstain (1)

Mr D Farrell

(3) RESOLVED that the *Local Transport Plan 4: Delivering Growth without Gridlock (2016 – 2031)* be adopted as a plan included in the Policy Framework of the Constitution of the Kent County Council.

24. Cultural Strategy

(1) Mr Hill moved and Mrs Hohler seconded the following motion:

“Council is asked to adopt the strategy”

(2) Following the debate the motion set out above was agreed without a formal vote.

(3) RESOLVED that the Cultural Strategy be adopted.

25. County Council Directorate and Strategic Commissioning Structure Update

(1) Mr Carter moved and Mr Oakford seconded the following motion:

“The County Council is asked to:

- Note the appointment and offer made to the two new Corporate Director posts and to the new Strategic Commissioner role.
- Note that the consequential changes to the Constitution have been made following the changes in structure.
- Agree the change of reporting line for the Director of Public Health to the Strategic Commissioner which moves the Public Health Division into Strategic and Corporate Services with effect from 28 August 2017.”

(2) Following the debate the motion set out above was agreed without a formal vote.

(3) RESOLVED that;

- (a) the appointment and offer made to the two new Corporate Director posts and to the new Strategic Commissioner role be noted
- (b) the consequential changes to the Constitution have been made following the changes in structure be noted
- (c) the change of reporting line for the Director of Public Health to the Strategic Commissioner which moves the Public Health Division into Strategic and Corporate Services with effect from 28 August 2017 be approved.

26. Member Remuneration Panel

(1) Mr Hotson moved and Mr Gregory seconded the following motion

“To apply a global increase of 15% to all current allowances

- From 2018/19 onwards, to apply an annual increase to the Basic Allowance, Special Responsibility Allowances and Carer’s Allowance that is index-linked to the total staff pay progression pot agreed for the previous financial year and expressed as a percentage.
- To accept the recommendation of the Independent Remuneration Panel and create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member.
- To amend Appendix 7 of the Constitution to reflect these changes”

(2) Mr Bird proposed and Mrs Dean seconded the following amendment:

“The County Council is asked to note this report, the report of the Independent Member Remuneration Panel and to consider and determine the Members’ Allowances Scheme for the period May 2017 to May 2021 **in line with the Panel’s recommendations as set out in Section 16, namely:**

To restore the Basic Member Allowance from £12,805 to £13,000 (1.50% increase) for the period 8th May 2017 to the election in May 2021, see Appendix 5.

To index link the Basic Member Allowance and Special Responsibility Allowances (SRAs) to the Staff Total Contribution Pay Process (TCP), ‘achieving level’ for the period 2017 – 2021 (1.8% in 2017/18).

To create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member.

To index link the Carer’s Allowance to the Staff TCP for the period 2017- 2021.

No other recommended changes to the allowances.”

(3) Following the debate the Chairman put the amendment set out in paragraph (2) above to the vote and the voting was as follows:

For (7)

Mr R Bird, Mr I Chittenden, Mr D Daley, Mrs T Dean, Mr A Hook, Mr G Koowaree, Mr G Lymer

Against (57)

Mrs A Allen, Mr M Angell, Mr P Barrington-King, Mr T Bond, Mr A Bowles, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr N Collor, Ms K Constantine, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mr T Dhesi, Mr D Farrell, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Mr K Gregory, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr P Lake, Mr B Lewis, Mr R Long, Mr R Love, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr D Murphy, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr D Pascoe, Mrs S Prendergast, Mr K Pugh, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr J Simmonds, Mrs P Stockell, Dr L Sullivan, Mr B Sweetland, Mr I Thomas, Mr M Whiting, Mr M Whybrow, Mr J Wright.

Abstain (6)

Mrs C Bell, Mrs R Binks, Mr D Butler, Mrs S Chandler, Mr M Horwood, Mr J Kite

Amendment lost

(4) Following further debate the Chairman put the motion set out in paragraph (1) above to the vote and the voting was as follows;

For (48)

Mrs A Allen, Mr M Angell, Mr P Barrington-King, Mr A Bowles, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr N Collor, Mr A Cook, Mr G Cooke, Mr P Cooper, Mrs M Crabtree, Mr M Dance, Miss E Dawson, Mrs L Game, Mrs S Gent, Mr G Gibbens, Mr R Gough, Mr K Gregory, Ms S Hamilton, Mr M Hill, Mr T Hills, Mrs S Hohler, Mr S Holden, Mr P Homewood, Mr E Hotson, Mr P Lake, Mr R Long, Mr G Lymer, Mr A Marsh, Ms D Marsh, Mr J McInroy, Mr P Messenger, Mr M Northey, Mr P Oakford, Mr D Pascoe, Mrs S, Prendergast, Mr K Pugh, Mr H Rayner, Mr A Ridgers, Mr C Simkins, Mr J Simmonds, Mrs P Stockell, Mr B Sweetland, Mr I Thomas, Mr M Whiting, Mr J Wright.

Against (13)

Mr R Bird, Mr I Chittenden, Ms K Constantine, Mr D Daley, Mrs T Dean, Mr T Dhesi, Mr D Farrell, Mr A Hook, Mr G Koowaree, Mr B Lewis, Mr D Murphy, Dr L Sullivan, Mr M Whybrow

Abstain (9)

Mrs C Bell, Mrs R Binks, Mr T Bond, Mr D Butler, Mrs S Chandler, Mr M Horwood, Mr J Kite, Mr R Love, Mr J Ozog,

Motion carried

- (5) RESOLVED that
- (a) a global increase of 15% be applied to all current allowances
 - (b) from 2018/19 onwards, an annual increase be applied to the Basic Allowance, Special Responsibility Allowances and Carer's Allowance that is index-linked to the total staff pay progression pot agreed for the previous financial year and expressed as a percentage
 - (c) the recommendation of the Independent Remuneration Panel to create an additional SRA for the Cabinet Lead for Trading Services at the equivalent of Cabinet Member be accepted.
 - (d) Appendix 7 of the Constitution be amended to reflect these changes.