

## KENT COUNTY COUNCIL

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### COUNTY COUNCIL

MINUTES of a meeting of the County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 28 March 2024.

PRESENT: Mr G Cooke (Chairman), Mr B J Sweetland (Vice-Chairman), Mr N Baker, Mr P V Barrington-King, Mr P Bartlett, Mr D Beaney, Mrs C Bell, Mrs R Binks, Mr T Bond, Mr A Brady, Mr D L Brazier, Mr S R Campkin, Miss S J Carey, Sir Paul Carter, CBE, Mrs S Chandler, Mr N J D Chard, Mr I S Chittenden, Mrs P T Cole, Mr P Cole, Ms K Constantine, Mr P C Cooper, Mr D Crow-Brown, Mr M C Dance, Mrs T Dean, MBE, Mr M Dendor, Mr R W Gough, Ms K Grehan, Ms S Hamilton, Peter Harman, Mr P M Hill, OBE, Mrs S V Hohler, Mr S Holden, Mr M A J Hood, Mr A J Hook, Mrs S Hudson, Mr D Jeffrey, Mr A Kennedy, Mr J A Kite, MBE, Rich Lehmann, Mr B H Lewis, Mr R C Love, OBE, Mr S C Manion, Mr R A Marsh, Mrs M McArthur, Mr J P McInroy, Ms J Meade, Mr D Murphy, Mr J M Ozog, Mrs L Parfitt-Reid, Mr C Passmore, Mr H Rayner, Mr O Richardson, Mr A M Ridgers, Mr D Robey, Mr D Ross, Mr C Simkins, Mr M J Sole, Mr P Stepto, Mr R G Streatfeild, MBE, Dr L Sullivan, Mr R J Thomas, Mr D Watkins, Mr S Webb, Mr M Whiting, Mr J Wright and Ms L Wright

IN VIRTUAL ATTENDANCE: Mr M Baldock

IN ATTENDANCE: Mr J Cook (Democratic Services Manager) and Mr B Watts (General Counsel)

### UNRESTRICTED ITEMS

**206. Apologies for Absence**  
*(Item 1)*

The Democratic Services Manager reported apologies from Mr Booth, Mr Broadley, Mrs Bruneau, Mr Cannon, Mr Collor, Mrs Game, Ms Hawkins, Mr Hills, Mr Meade, Mr Oakford, Mrs Prendergast, Mr Sandhu, and Mr Shonk.

The Democratic Services Manager said Mr Baldock had sent formal apologies but was in attendance virtually.

**207. Declarations of Disclosable Pecuniary Interests or Other Significant Interests in items on the agenda**  
*(Item 2)*

Mr Bartlett, Mrs Chandler, Mr Gough, and Mr Watkins declared an interest in that they were members of the Integrated Care Partnership.

Dr Sullivan declared an interest that her husband was a member of the Integrated Care Partnership.

**208. Minutes of the meeting held on 19 February 2024**  
*(Item 3)*

RESOLVED that the minutes of the meeting held on 19 February 2024 be approved as a correct record subject to the amendment of “Mr Hood”, at paragraph 13 on page 8, to “Mr Hook”.

**209. Corporate Parenting Panel - Minutes for noting**  
*(Item 4)*

RESOLVED that the minutes of the meeting of the Corporate Parenting Panel held on 10 October 2023 be noted.

**210. Chairman's Announcements**  
*(Item 5)*

Armed Forces employer – Gold Certificate

1. The Chairman was delighted to welcome to the meeting, for the presentation of KCC’s MoD Employer Recognition Scheme Gold Award certificate, Canon Peter Bruinvels (KCC’s Covenant Lead, Civilian-Military Liaison Adviser and Military Expert), Leigh Thomas (SE Regional Employer Engagement Director), Lieutenant Colonel Nathan Horsman and Brigadier Andrew Wood TD DL VR.
2. The Chairman highlighted that the Employer Recognition Scheme Gold Award was the highest badge of honour for organisations which had signed the Armed Forces Covenant and demonstrated outstanding support for those who serve and have served.
3. He reminded Members that the award was valid for five years and KCC was first awarded with the Gold award in 2018. After 5 years, companies must apply to have the status revalidated. This was not an automatic revalidation, and the assessment was rigorous.
4. The Chairman invited Lieutenant Colonel Nathan Horsman to present the certificate.

Petition presentation from Mr Sweetland

5. The Vice-Chairman presented a petition regarding Shorne Crossroads to the Chairman.

6. The Chairman asked the Cabinet Member for Highways and Transport to accept the petition and arrange relevant responses.

#### Technology Enabled Live Service

7. The Chairman advised Members that KCC staff and external colleagues working on the Technology Enabled Lives Service were attending to showcase their work and the new digital equipment KCC was providing to those with care requirements. The service was county-wide and would be available to all residents. He encouraged Members to take the opportunity to visit the stand and talk to the representatives to learn more.

#### Mr Tom Maddison

8. The Chairman, with the greatest of regret, informed Members of the death of Mr Tom Maddison, former Labour Member for Dartford North East from 2005 to 2009 and 2013 to 2017. During his time at KCC, Mr Maddison served on the Communities Cabinet Committee, Planning Applications Committee, Regulation Committee, Superannuation Fund Committee and Youth Advisory Council. In addition to his time at Kent County Council, Mr Maddison represented Temple Hill at Dartford Borough Council for nearly 30 years, where he also served as Deputy Mayor between 2000 and 2001 and Mayor between 2001 and 2002.
9. The Chairman invited Members to speak, and tributes were made by Ms Grehan, Mr Lehmann, Mr Chittenden, Mr Kite, Mr Sweetland and Mr Gough.
10. The Chairman held a one-minute silence in memory of Mr Tom Maddison.
11. Mr Cooke proposed, and Mr Sweetland seconded, that the Council formally record the sense of loss it feels on the sad passing of Mr Tom Maddison and extends to his family and friends its heartfelt sympathy to them in their sad bereavements.

*Agreed unanimously.*

#### **211. Questions** *(Item 6)*

In accordance with Sections 14.15 to 14.22 of the Constitution, 16 questions were submitted by the deadline and 15 questions were put to the Executive as one questioner had given apologies. 9 questions were asked, and replies given. A record of all questions put and answers given at the meeting is available [online](#) with the papers for this meeting.

The remaining questions were not put in the time allocated but written answers were provided.

**212. Report by Leader of the Council (Oral)**  
(Item 7)

1. The Leader updated Members on events since the last meeting and said that finance remained a great pressure on the Council and was the central focus for the Administration. He explained that at the end of February 2023 several local authorities across the country were granted exceptional financial support which signified the seriousness for the sector as a whole. He emphasised the Council was not in this position but said the overspend pressures in year were nonetheless significant. Mr Gough said the Council's quarterly performance report reflected the areas, such as SEND, elements of adult social care and children's services, where the financial pressures were most intense and said he had had the opportunity as the County Council's Network spokesperson on children's services to set out some of the challenges to the House of Common's Education Select Committee.
2. In relation to children's services, Mr Gough explained that Ofsted had carried out a focused visit at the end of January 2023 covering the Canterbury and Folkestone and Hythe districts. The inspectors focused on child in need, child protection, children's entry into care and 16/17 year old young people who present as homeless. He said the findings, published on 27 February, were very encouraging and concluded that the Council continued to offer a high quality of service, with only a number of minor areas of improvement identified. He referred to KCC children's services consultations, in particular 'Best start for life strategies' and 'Early Years Education in Kent' which supported settings to embed inclusive practice for children with special educational needs and/or disabilities (SEND).
3. Regarding SEND, a letter was received in January from the Department for Education and NHS England following the progress monitoring visit which recognised the Council's determination to address the challenges. Mr Gough said this recognition reflected the historic backlog which had been capped and would be cleared completely within weeks, and the productivity of assessment teams which was up by two thirds. The new assessment panel process ensured that the Council acted in accordance with the SEND Code of Practice. Mr Gough recognised that SEND was still an area of very high risk and there were significant pressures nationally. He referred to the financial pressures represented within the safety valve process and said the 12 month review of the SEND improvement notice would soon be underway. Nonetheless, he acknowledged the continued effort to improve, and said over the next month there would be a focus on response times to customer enquiries.
4. Mr Gough wished the Corporate Director, Sarah Hammond, well following her being nominated as one of four finalists for the MJ achievements awards as corporate director of the year. He said the achievement was recognition of some of the extraordinary work the children's services teams carried out.

5. Turning to unaccompanied asylum-seeking children (UASC) Mr Gough said the first three months of the year had seen exceptionally high levels of referrals and as a result the Council was close to exhausting its reception capacity. He explained that reception centres were being established across the county. He added that some of the work had been undertaken at risk and confirmation of government funding had yet to be confirmed. Mr Gough said, as part of the ongoing court proceedings, final submissions relating to the emergency response plan and the proposed changes to the National Transfer System (NTS) were made yesterday. Mr Gough remained of the view that the current proposals for the NTS were inadequate in ensuring that the Council operated lawfully and avoided a disproportionate share of the responsibility.
6. The Leader turned to the Entry/Exit System (EES) and the concerns that had been raised over the potential impact of the EES on Kent residents, businesses, and visitor economy, and said the Council continued to work closely with government regarding preparation for, and mitigation of, that impact. Mr Gough had the opportunity to speak to a parliamentary committee alongside the Chief Executive of Visit Kent and one of the senior officers of Ashford Borough Council on 31 January.
7. Operation Brock had been installed since 19 March for the Easter period and Mr Gough recognised the long record of disruption there had been within the county. He said arguments had been renewed for the return of Eurostar services to Ebbsfleet and Ashford, and more than 500 businesses representing more than 30,000 employees responded to the survey run by Dartford Borough Council, Ashford Borough Council and KCC.
8. Mr Gough referred to the positive potential outcome regarding secondary education on the Isle of Sheppey and noted that whilst the Council had a limited formal role in the process it had successfully advocated and worked closely with the parties involved.
9. The Leader spoke about the severe defects on the county's roads following a long winter and recognised this was a national as well as a Kent phenomenon which was reflected in the additional funding the government had granted to local authorities. He explained that £8.6m additional funding would be used on a new pothole blitz being undertaken between March and December 2024 and recognised there was a great deal of work to be done.
10. Mr Gough explained that the Council continued to support residents, for example with the Household Support Fund which would continue for another six months. The Council also worked with partners including the Department for Work and Pensions (DWP) to help residents who were under financial pressure and to provide support for achieving higher levels of employment.
11. Finally, The Leader wished everyone a happy Easter. He said he was delighted that many facilities, such as children's centres, family hubs and

country parks, had arranged many activities to help residents enjoy the Easter break.

12. The Leader of the Labour Group, Dr Sullivan, paid tribute to Ms Maureen Cleator, who was retiring. Ms Cleator was the Chair of Unison, had been a Councillor at KCC for many years and Dr Sullivan asked that the Council record its thanks to a true public servant.
13. Dr Sullivan referred to an e-petition which over 50,000 residents and businesses had signed regarding the return of Eurostar to Ebbsfleet and Ashford International Stations. Dr Sullivan agreed with the Cabinet Member for Highways and Transport that the taxpayer should not have to subsidise international arrangements, whether at Dover or Folkestone, for Operation Brock.
14. Turning to UASC, Dr Sullivan agreed with the Leader that the government needed to do more, acknowledged the need for UASC to be looked after, and said it was an international issue that needed to be resolved. She thanked all those involved.
15. Dr Sullivan congratulated staff in relation to the Ofsted focus visit and said social work workload was a national issue across the public sector. She stressed the need for a culture that was supportive, preventative, and looked to enhance young people's lives.
16. In relation to SEND Dr Sullivan said the Council, along with health and education, was not out of the woods yet. She said, whilst there were many complex cases, there was a lot of focus on data and dashboards and scorecards. Dr Sullivan commented on the proposal made at SEND Sub-Committee and asked whether that was the view of the Administration. Dr Sullivan said the SEND Sub-Committee was watched by many people hoping to gain confidence that changes were happening, and their voice was being heard. She said for too long SEND had needed radical reform and investment.
17. Finally, Dr Sullivan asked the Leader about the Council's road safety strategy for Kent - Vision Zero – following the suspension of a Member from the Conservative Group. Dr Sullivan commented that too many lives had been devastated through drink driving and support should be in place to prevent fatalities from happening, and the Council should stand up and speak against drug and drink driving.
18. Mr Lehmann, Leader of the Green and Independent Group, spoke about the climate crisis and said temperatures in February were the warmest ever recorded. Mr Lehmann acknowledged there was little the Council alone could do to stop it but said that was not a reason to give up entirely and referred to the Council's decision to withdraw funding to district council partners to support an increase in the levels of recycling collected.

19. Mr Lehmann criticised the government's budget and the decision to extend the 5p per litre cut in fuel duty introduced in 2022. He said this unnecessary move to try and win the support of drivers would cost the Treasury an estimated £3.1bn, when this sum could have contributed to the £4bn shortfall in local government funding.
20. Regarding SEND Mr Lehmann was pleased to hear that positive steps had been made towards clearing the backlog of Education, Health and Care Plan (EHCP) requests. However, he had concerns around the safety valve agreement and the Council's ability to bring down spending needs in this area sufficiently whilst providing the right level of care for children across Kent. Mr Lehmann said he was interested in attaining data in relation to areas which did not operate a grammar school system to see if the spike in EHCP requests from parents of 9 and 10 year olds was as pronounced as it was in Kent.
21. Turning to the EES Mr Lehmann was pleased that progress was being made but feared that a worst-case scenario of 15 or 16 hours' worth of delays felt likely at this stage.
22. Regarding UASC, Mr Lehmann said the situation was very concerning and he hoped the courts would come to the Council's aid where the government had not before the extended capacity to house vulnerable children arriving in Kent was exceeded.
23. Finally, Mr Lehmann asked what kind of message was sent to the residents of Kent when members of the Administration had the whip removed for voting in favour of an opposition motion but not when one of its members seriously broke the law.
24. Mr Hook, Leader of the Liberal Democrats Group, congratulated those working on the proceedings in the High Court in relation to UASC. He said he understood that a further judgment was expected after Easter and the litigation had brought £100million into the county, which represented the illegality, irrationality, and unreasonableness of the conduct of the government towards Kent. The physical manifestation of that, in part, was the construction of children's homes in Kent, which initially included nine reception centres, one of which was the refurbishment of an empty and derelict building in Faversham. Mr Hook commented on the positive responses he had received from local residents and explained that some had questions and concerns. Mr Hook said he had assured them that Kent's children's services were a highly professional team and he hoped all Members would express positivity about the development of these centres.
25. Regarding SEND Mr Hook said there was still a long way to go, and families still felt they were not getting the service that they deserved. He commented on the target of 45% to deliver EHCPs within 20 weeks of which only a minority of 12.8% met that target. Mr Hook stressed that the Council had to do better in giving children the help they needed and commented that his

Group found the proposal that the SEND Sub-committee should be wound up puzzling when there was clearly still much for it to do.

26. Mr Hook noted the agreement between Members that Eurostar should return to Kent and referred to the £10m grant from the South East Local Enterprise Partnership (SELEP) in 2017 to the Ashford Spurs and said that money had effectively been wasted. He said it was important to understand that more difficult border controls were part of the reason why Eurostar no longer saw a business case in Kent. He said there was a cost to Eurostar to provide facilities at Ebbsfleet and Ashford International Stations and unfortunately the extra passport checks and the extra red tape had damaged that business case.
27. Mr Hook then turned to the EES and said he did not think the seriousness of the issue was widely understood. He explained that in 2022 there were delays of 15 hours on the motorways, following the introduction of passport stamping and said in October 2024 passport stamping would be replaced by a metric test which was widely expected to take longer, and this could potentially result in a humanitarian crisis of people stuck in vehicles.
28. The Leader thanked the Opposition Group Leaders for their contributions and responded to some of the points that were made. Mr Gough also wished Ms Maureen Cleater well on her retirement.
29. In relation to unaccompanied minors and whether overshooting capacity could be avoided Mr Gough said it was almost certain that the Council's capacity would be exceeded. He said the Council was close to exceeding its capacity following a very large number of arrivals for this time of year and whilst the NTS was working better than was originally proposed it was nonetheless not up to the speed that was needed. He explained that there was a distinction between current capacity and the longer term issue of building a resilient and adequate NTS which could cope with occasions of large numbers of arrivals.
30. In terms of Eurostar Mr Gough said, with the introduction of the EES, there was the potential for a more intensified experience at St Pancras, and there was a good case for saying that some of that pressure on St Pancras could be eased by the re-introduction of Eurostar stopping at Ashford and Ebbsfleet International Stations.
31. Regarding SEND, Mr Gough said a lot of processes and structures were in place and impacts were starting to be seen, but it was still a process that was going to take time. He recognised that the system was under severe pressure, not only in Kent but nationally too, and responded to Mr Hook's point regarding the target for the completion of EHCPs within 20 weeks. He acknowledged that although the figure was low it was starting to improve and explained that the Council was dealing with the backlog first and had been raising the number of cases being dealt with and therefore over time that proportion would rise. He recognised the Council's central position but said this was a system wide problem in Kent which included health and



schools. In relation to scrutiny and in terms of the improvement notice Mr Gough said there was a need to look at how progress was monitored, and he assured Members this would be done openly and with transparency.

32. Regarding the environment, The Leader noted Mr Lehmann's comments and said the Council continued to make important progress and referred to Making Space for Nature, the local nature recovery strategy, and the important work which had begun on biodiversity net gain.
33. Finally, Mr Gough responded to points made by the Group Leaders regarding the suspension of a Member from the Conservative Group. He stressed that his views, which he had made clear, were distinctly separate from any duty of care owed by the Council and explained that the Council continued to pursue Vision Zero with the utmost seriousness.
34. RESOLVED that the Leader's Report be noted.

**213. Integrated Care Strategy - Update**  
*(Item 8)*

1. Mr Gough proposed, and Mr Watkins seconded the motion that  
"County Council notes the update on the delivery of the Kent and Medway Integrated Care Strategy."
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council notes the update on the delivery of the Kent and Medway Integrated Care Strategy.

**214. Pay Policy Statement - 2024/25**  
*(Item 9)*

1. Mr Gough proposed, and Mr Rayner seconded the motion that  
"County Council is asked to endorse the attached Pay Policy Statement."
2. Following the debate, the Chairman put to the vote the motion set out in paragraph 1 and the voting was as follows:

For (45)

Mr Baker, Mr Barrington-King, Mr Bartlett, Mrs Bell, Mrs Binks, Mr Bond, Mr Brazier, Miss Carey, Mrs Chandler, Mr Cole, Mrs Cole, Mr Cooke, Mr Crow-Brown, Mr Dance, Mr Dendor, Mr Gough, Ms Hamilton, Mr Harman, Mr Hill, Mrs Hohler, Mr Holden, Mr Hook, Mr Jeffrey, Mr Kennedy, Mr Kite, Mr Love, Mr Manion, Mr Marsh, Mrs McArthur, Mr McInroy, Mr Murphy, Mr Ozog, Mr Passmore, Mr Rayner, Mr Richardson, Mr Ridgers, Mr Robey, Mr D Ross, Mr

Simkins, Mr Sole, Mr Streatfeild, Mr Sweetland, Mr Thomas, Mr Webb, Mrs Wright

Against (6)

Mr Brady, Ms Constantine, Mr Campkin, Ms Grehan, Ms Meade, Dr Sullivan

Abstain (2)

Mr Hood, Mr Lehmann

*Motion Carried.*

3. RESOLVED that the County Council endorses the Pay Policy Statement 2024/2025.

**215. Treasury Management - 6 Month Review - 2023/24**  
*(Item 10)*

1. Mr Rayner proposed, and Mr Gough seconded the motion that  
“County Council is asked to endorse the report.”
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council endorses the report.

**216. Financial Regulations Update**  
*(Item 11)*

1. Mr Rayner proposed, and Mr Gough seconded the motion that  
“County Council is asked to adopt the revised Financial Regulations (attached as Annex A) and Scheme of Delegation (attached as Annex B).”
2. The Chairman put the motion set out in paragraph 1.
3. RESOLVED that the County Council adopts the revised Financial Regulations (attached as Annex A) and Scheme of Delegation (attached as Annex B).

**217. Health Overview and Scrutiny Committee (HOSC) Terms of Reference**  
*(Item 12)*

1. Mr Bartlett proposed, and Ms Hamilton seconded the motion that

“County Council is asked to agree the revised Terms of Reference as set out in the Appendix and ask the Monitoring Officer to update the Constitution accordingly.”

2. The General Counsel advised that it was a legal requirement to adopt the Terms of Reference and failure to do so would mean the Committee was operating outside of the legal framework for HOSC.
3. Following the debate, the Chairman put to the vote the motion set out in paragraph 1 and the voting was as follows:

For (44)

Mr Baker, Mr Barrington-King, Mr Bartlett, Mr Beaney, Mrs Bell, Mrs Binks, Mr Bond, Mr Brazier, Miss Carey, Mr Carter, Mrs Chandler, Mr Cole, Mrs Cole, Mr Cooke, Mr Crow-Brown, Mr Dance, Mr Dendor, Mr Gough, Ms Hamilton, Mr Hill, Mrs Hohler, Mr Holden, Mr Hook, Mr Jeffrey, Mr Kennedy, Mr Kite, Mr Love, Mr Manion, Mr Marsh, Mrs McArthur, Mr McInroy, Mr Murphy, Mr Passmore, Mr Rayner, Mr Richardson, Mr Ridgers, Mr Robey, Mr D Ross, Mr Sole, Mr Streatfeild, Mr Sweetland, Mr Thomas, Mr Webb, Mrs Wright

Against (2)

Mr Hood, Mr Campkin

Abstain (7)

Mr Brady, Ms Constantine, Ms Grehan, Mr Lehmann, Mr Lewis, Ms Meade, Dr Sullivan

*Motion Carried.*

4. RESOLVED that the County Council agrees the revised Terms of Reference as set out in the Appendix and asks the Monitoring Officer to update the Constitution accordingly.

**218. Governance & Audit Committee Terms of Reference**  
*(Item 13)*

1. Mrs Binks proposed, and Mr Jeffrey seconded the motion that  
  
“County Council is asked to agree the revised Terms of Reference as set out in the Appendix and ask the Monitoring Officer to update the Constitution accordingly.”
2. The Chairman put the motion set out in paragraph 1.

3. RESOLVED that the County Council agrees the revised Terms of Reference as set out in the Appendix and asks the Monitoring Officer to update the Constitution accordingly.