

KENT COUNTY COUNCIL

MINUTES of a meeting of the Kent County Council held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 20 October 2016.

PRESENT:

Mr T Gates (Chairman)
Mr D L Brazier (Vice-Chairman)

Mrs A D Allen, MBE, Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr R H Bird, Mr H Birkby, Mr N J Bond, Mr A H T Bowles, Mrs P Brivio, Mr L Burgess, Mr C W Caller, Miss S J Carey, Mr P B Carter, CBE, Mr N J D Chard, Mr I S Chittenden, Mr B E Clark, Mrs P T Cole, Mr G Cooke, Mr G Cowan, Mrs M E Crabtree, Mr A D Crowther, Mrs V J Dagger, Mr D S Daley, Mr M C Dance, Mr J A Davies, Mrs T Dean, MBE, Dr M R Eddy, Mr J Elenor, Mrs M Elenor, Mr G K Gibbens, Mr R W Gough, Mr P M Harman, Mr M J Harrison, Mr M Heale, Mr P M Hill, OBE, Mr C P D Hoare, Mrs S V Hohler, Mr P J Homewood, Mr E E C Hotson, Mr M J Horwood, Mrs S Howes, Mr A J King, MBE, Mr J A Kite, MBE, Mr S J G Koowaree, Mr R A Latchford, OBE, Mr R L H Long, TD, Mr G Lymer, Mr B E MacDowall, Mr T A Maddison, Mr S C Manion, Mr R A Marsh, Ms D Marsh, Mr F McKenna, Mr B Neaves, Mr M J Northey, Mr P J Oakford, Mr J M Ozog, Mr C R Pearman, Mr L B Ridings, MBE, Mrs E D Rowbotham, Mr J E Scholes, Mr T L Shonk, Mr C Simkins, Mr J D Simmonds, MBE, Mr C P Smith, Mr D Smyth, Mrs P A V Stockell, Mr B J Sweetland, Mr A Terry, Mr N S Thandi, Mr R Truelove, Mr M J Vye, Mrs C J Waters, Mr J N Wedgbury, Mrs J Whittle, Mr M E Whybrow, Mr M A Wickham and Mrs Z Wiltshire

IN ATTENDANCE: Mr D Cockburn (Corporate Director Strategic & Corporate Services), Ms D Fitch (Democratic Services Manager (Council)) and Mr B Watts (General Counsel (Interim))

UNRESTRICTED ITEMS

24. Apologies for Absence

The General Counsel (Interim) reported apologies from Miss Harrison, Mr Holden and Mr Scobie.

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

Mr Cowan declared an interest in that both he and his wife were foster carers for Kent County Council.

26. Minutes of the meeting held on 14 July 2016 and, if in order, to be approved as a correct record

RESOLVED that the minutes of the meeting held on 14 July 2016 be approved as a correct record.

27. Chairman's Announcements

(a) Mr Robert Brookbank

(1) The Chairman stated that it was with regret that he had to inform Members of the death of Mr Brookbank on 2 August 2016. Mr Brookbank had been the County Councillor for Swanley since June 2009.

(2) Mr Brookbank's funeral had taken place on 25 August 2016.

(3) Mr Brazier, Mr Latchford, Mr Birkby, Dr Eddy, Mr Daley, Mr Gough and Mr Angell paid tribute to Mr Brookbank.

(b) Mr Alexander Perry

(4) The Chairman stated that it was with regret that he had to inform Members of the death of Mr Perry on 17 July 2016. Mr Perry was the Conservative Member for Folkestone South from 1977-1981.

(5) Mr Perry's funeral had taken place on 2 August 2016.

(6) Miss Carey paid tribute to Mr Perry.

(c) Mr Mike O'Brien

(7) The Chairman stated that it was with regret that he had to inform Members of the death of Mr O'Brien on 8 September 2016. Mr O'Brien was a former Conservative Councillor for Medway Council and a former KCC Member for the Gillingham No2 Division between 1977-1980.

(8) Mr O'Brien's funeral took place on 23rd September 2016.

(9) Mr Hill paid tribute to Mr O'Brien.

(d) Dr Stuart James Cox JP

(10) The Chairman stated that it was with regret that he had to inform Members of the death of Dr Cox on Sunday 16 October 2016. Dr Cox was a former Conservative Member for Gillingham No 4 (South Central) between 1967 and 1997.

(11) Mr Harrison and Mrs Dean paid tribute to Dr Cox.

(12) At the end of the tributes all Members stood in silence in memory of Mr Brookbank, Mr Perry, Mr O'Brien and Dr Cox.

(13) After the one minute silence the Chairman moved and the Vice-Chairman seconded and it was resolved unanimously that :

(14) This Council desires to record the sense of loss it feels on the sad passing of Mr Brookbank, Mr Perry, Mr O'Brien and Dr Cox and extends to their families and friends heartfelt sympathy in their sad bereavements.

(e) Rio Sports Performers from Kent

(15) The Chairman stated that he was delighted to confirm that 26 performers with Kent connections were selected to represent Great Britain at the Olympic and Paralympic Games in Rio. At the Olympic Games, there were Gold medals for Rower, Tom Ransley from Ashford, and Hockey player Susannah Townsend from Canterbury. There were also four other women who play for Holcombe Hockey Club who were part of the gold medal winning team.

(16) The Chairman informed Members that in the Paralympic Games, table tennis player Will Bayley from Tunbridge Wells won a gold medal in men's singles and also won a bronze in the men's team event. Ross Wilson from Swale was also part of the Bronze medal winning table tennis team. A number of the athletes who participated in Rio had received grant aid from Kent County Council and a number had also competed through the Kent School Games programme. He expressed his congratulations to them all.

(f) RTPI Southeast - Excellence in Planning to Deliver Infrastructure Award 2016.

(17) The Chairman stated that he was pleased to report that the Kent and Medway Growth and Infrastructure Framework had won the RTPI Excellence in Planning to Deliver Infrastructure Award 2016. There had been a strong field for the category, and so was a great result. The Judging Panel had said that they were particularly impressed with the "boldness of the County" in its approach with the Framework and the actions it was now taking to tackle barriers to infrastructure.

(g) Petition - The Bridge Community Primary School, Dartford

(18) The Chairman invited Mr Maddison to present a petition requesting the expansion of The Bridge Community Primary School in Dartford

(19) The Chairman then invited Mr Gough, the Cabinet Member for Education and Health Reform, to collect the petition and to respond to it accordance with the Petition Scheme.

28. Questions

In accordance with Procedure Rule 1.17(4), 7 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.

29. Autumn Budget Statement

(1) The Chairman reminded all Members that any Member of a Local Authority who was liable to pay Council Tax, and who had any unpaid Council Tax amount overdue for at least two months, even if there was an arrangement to pay off the arrears, must declare the fact that they were in arrears and must not cast their vote on anything related to KCC's Budget or Council Tax.

(2) Mr Baldock declared that he had unpaid Council Tax and withdrew from the meeting.

- (3) The Chairman moved and the Vice-Chairman seconded that:
- (a) Procedure Rule 1.28 be suspended in order that the Leader and the Deputy Leader be allowed to speak for a maximum of 12 minutes in total and the Leaders of the UKIP, Labour, Liberal Democrat and Independent Groups speak for 6, 5, 4 and 3 minutes respectively.
 - (b) Procedure Rule 1.35 be suspended in order to allow Members to speak more than once during the debate, at the discretion of the Chairman, and in particular the Deputy Leader as seconder of the motion to speak again at the end of the debate.

Agreed without a formal vote

(4) The Chairman then invited Mr Wood, Corporate Director Finance and Procurement, to give a brief presentation to provide a context for this item.

(5) Mr Carter proposed and Mr Simmonds seconded the following motion:

“The County Council is asked to:

- (a) AUTHORISE Corporate Directors to make the necessary arrangements to be able to deliver savings once the final budget has been approved in February, and to develop further proposals to resolve the unidentified gap and resolve the uncertainties should these arise;
- (c) AGREE the savings from a revised approach to the Minimum Revenue Provision policy (as detailed in paragraph 5.8);
- (d) AGREE the additional income target for returns on our cash balances, as detailed in Appendix 3;
- (e) RECOGNISE the excellent progress on eliminating the £52m gap that was included in the published MTFP for 2017-18, down to its current level of £5.2m.”

(6) Mr Latchford, Mr Cowan, Mrs Dean and Mr Whybrow were given the opportunity to speak at the start of the debate on this item.

(7) Mr Smyth proposed and Mr Cowan seconded the following amendment:

- (a) Authorise Corporate Directors to bring forward proposals to close the funding gap for Members’ consideration at the budget meeting in February 2017.
- (b) AGREE the savings from a revised approach to the Minimum Revenue Provision policy (as detailed in paragraph 5.8);
- (c) AGREE the additional income target for returns on our cash balances, as detailed in Appendix 3;
- (d) Note the hard work by Officers in eliminating the £52m funding gap that was included in the published MTFP for 2017 – 18 down to its current level of £5.2m and deplore the necessity to do so forced on us by Central Government.”

(8) Following the debate the Chairman put the amendment set out in paragraph (7) above to the vote and the voting was as follows:

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For (21)

Mr R Bird, Mrs P Brivio, Mr C Caller, Mr I Chittenden, Mr B Clark, Mr G Cowan, Mr D Daley, Mrs T Dean, Dr M Eddy, Mrs M Elenor, Mr C Hoare, Ms S Howes, Mr T Maddison, Mr F McKenna, Mr B MacDowall, Mrs E Rowbotham, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Vye, Mr M Whybrow

Against (52)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Heale, Mr M Hill, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Horwood, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr S Manion, Mr A Marsh, Mrs D Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr L Ridings, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham

Abstain (3)

Mr J Elenor, Mr T Gates, Mr A Terry.

Amendment lost

(9) After a debate on the motion as set out in paragraph (5) above the Chairman put each part of the motion to a formal vote and the voting was as follows:

“ (a) AUTHORISE Corporate Directors to make the necessary arrangements to be able to deliver savings once the final budget has been approved in February, and to develop further proposals to resolve the unidentified gap and resolve the uncertainties should these arise;

For (62)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr R Bird, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr E Hotson, Mr M Horwood, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr B MacDowall, Mr A Marsh, Mrs D Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr A Terry, Mr M Vye, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire.

Against (11)

Mr H Birkby, Mr C Caller, Mr G Cowan, Dr M Eddy, Ms S Howes, Mr T Maddison, Mr F McKenna, Mrs E Rowbotham, Mr D Smyth, Mr N Thandi, Mr R Truelove.

Abstain (2)

Mrs P Brivio, Mr P Homewood.

Motion carried

“(b) AGREE the savings from a revised approach to the Minimum Revenue Provision policy (as detailed in paragraph 5.8);”

For (75)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr R Bird, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mrs P Brivio, Mr L Burgess, Mr C Caller, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Dr M Eddy, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Horwood, Ms S Howes, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr B MacDowall, Mr T Maddison, Mr A Marsh, Mrs D Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mrs E Rowbotham, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr D Smyth, Mr B Sweetland, Mr A Terry, Mr N Thandi, Mr R Truelove, Mr M Vye, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire

Against (0)

Abstain (0)

Motion carried

“(c) AGREE the additional income target for returns on our cash balances, as detailed in Appendix 3;”

For (74)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr R Bird, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mrs P Brivio, Mr L Burgess, Mr C Caller, Miss S Carey, Mr P Carter, Mr N Chard, Mr I Chittenden, Mr B Clark, Mrs P Cole, Mr G Cooke, Mr G Cowan, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Dr M Eddy, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Heale, Mr M Hill, Mr C Hoare, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Horwood, Ms S Howes, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr B MacDowall, Mr T Maddison, Mr A Marsh, Mrs D Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mrs E Rowbotham, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr D Smyth, Mr B Sweetland, Mr A Terry, Mr N Thandi, Mr R Truelove, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr M Whybrow, Mr A Wickham, Mrs Z Wiltshire

Against (0)

Abstain (0)

Motion carried

“(d) RECOGNISE the excellent progress on eliminating the £52m gap that was included in the published MTFP for 2017-18, down to its current level of £5.2m.”

For (56)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr R Bird, Mr H Birkby, Mr N Bond, Mr A Bowles, Mr D Brazier, Mr L Burgess, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr D Daley, Mr M Dance, Mr J Davies, Mrs T Dean, Mr J Elenor, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Heale, Mr M Hill, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Horwood, Mr A King, Mr R Long, Mr G Lymer, Mr A Marsh, Mrs D Marsh, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr C Pearman, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mr B Sweetland, Mr A Terry, Mr M Vye, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire

Against (12)

Mrs P Brivio, Mr C Caller, Mr G Cowan, Dr M Eddy, Ms S Howes, Mr T Maddison, Mr B MacDowall, Mrs E Rowbotham, Mr D Smyth, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Abstain (3)

Mr B Clark, Mr C Hoare, Mr F McKenna

Motion carried

(10) RESOLVED that;

- (a) the Corporate Directors be authorised to make the necessary arrangements to be able to deliver savings once the final budget has been approved in February 2017, and to develop further proposals to resolve the unidentified gap and resolve the uncertainties should these arise;
- (b) the savings from a revised approach to the Minimum Revenue Provision policy (as detailed in paragraph 5.8 of the report be agreed;
- (c) the additional income target for returns on our cash balances, as detailed in Appendix 3 to the report be agreed;
- (d) the excellent progress on eliminating the £52m gap that was included in the published MTFP for 2017-18, down to its current level of £5.2m be recognised.”

30. Treasury Management Annual Review 2015-16

- (1) Mr Simmonds moved and Mrs Crabtree seconded the following motion:

“Members are asked to note the report”

- (2) The motion was agreed without a formal vote
(3) RESOLVED that the report be noted.

31. Revised Proportionality Calculations and Committee Membership

- (1) The Chairman moved and the Vice-Chairman seconded the following motion

“The Council is invited to agree:

- (a) that the Labour Group should lose a seat on each of the Regulation Committee and the Health Overview and Scrutiny Committee to the Conservative Group; and
(b) that the question of proportionality of membership of the Kent Fire and Rescue Committee be referred to Selection and Member Services Committee for further detailed consideration.”

- (2) The motion was agreed without a formal vote.
(3) RESOLVED that:

- (a) the Labour Group lose a seat on each of the Regulation Committee and the Health Overview and Scrutiny Committee to the Conservative Group
(b) the question of proportionality of membership of the Kent Fire and Rescue Committee be referred to Selection and Member Services Committee for further detailed consideration.

32. Appointment of Independent Member Remuneration Panel from 1 November 2016

- (1) Mr Cooke moved and Mrs Allen seconded the following motion:

“The County Council is invited to consider the recommendation of the Panel of Honorary Aldermen and appoint Mr Ghulam Khan, Ms Margaret Ryder and Mr Stephen Wiggett as the new members of the new Independent Remuneration Panel for a four year term, from 1 November 2016 to 31 October 2020.”

- (2) The motion was agreed without a formal vote.
(3) RESOLVED that Mr Ghulam Khan, Ms Margaret Ryder and Mr Stephen Wiggett be appointed as the new members of the new Independent Remuneration Panel for a four year term, from 1 November 2016 to 31 October 2020.”

33. Kent Safeguarding Children Board - 2015/16 Annual Report

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

“County Council is asked to:

- (a) COMMENT on the progress and improvements made during 2015/16, as detailed in the Annual Report from Kent Safeguarding Children Board
- (b) NOTE the 2015/16 Annual Report attached.”

(2) Ms Gill Rigg, Independent Chairman of the Kent Safeguarding Children’s Board, addressed the meeting and answered a number of questions from Members.

(3) Following further debate, the motion was agreed without a formal vote.

(4) RESOLVED that the 2015/16 Annual Report from Kent Safeguarding Children Board and the comments made by Members be noted.

34. "Increasing Opportunities, Improving Outcomes" - Strategic Statement Annual Report 2016

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

“County Council is asked to approve the ‘Increasing Opportunities, Improving Outcomes’ Annual Report 2016 (Appendix 1).”

(2) Following a debate the Chairman put the motion as set out in paragraph (1) above to the vote and the voting was as follows:

For (49)

Mrs A Allen, Mr M Angell, Mr M Balfour, Mr H Birkby, Mr A Bowles, Mr D Brazier, Miss S Carey, Mr P Carter, Mr N Chard, Mrs P Cole, Mr G Cooke, Mrs M Crabtree, Mr A Crowther, Mrs V Dagger, Mr M Dance, Mr J Davies, Mrs M Elenor, Mr T Gates, Mr G Gibbens, Mr R Gough, Mr P Harman, Mr M Harrison, Mr M Hill, Mrs S Hohler, Mr P Homewood, Mr E Hotson, Mr M Horwood, Mr A King, Mr J Kite, Mr R Latchford, Mr R Long, Mr G Lymer, Mr A Marsh, Mr F McKenna, Mr B Neaves, Mr M Northey, Mr P Oakford, Mr J Ozog, Mr C Pearman, Mr J Scholes, Mr T Shonk, Mr C Simkins, Mr J Simmonds, Mr C Smith, Mrs C Waters, Mr J Wedgbury, Mrs J Whittle, Mr A Wickham, Mrs Z Wiltshire

Against (13)

Mrs P Brivio, Mr C Caller, Mr G Cowan, Dr M Eddy, Ms S Howes, Mr T Maddison, Mrs D Marsh, Mrs E Rowbotham, Mr D Smyth, Mr B Sweetland, Mr N Thandi, Mr R Truelove, Mr M Whybrow

Abstain (7)

Mr R Bird, Mr I Chittenden, Mrs T Dean, Mr J Elenor, Mr B MacDowall, Mr A Terry, Mr M Vye

Motion carried

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(3) RESOLVED that the 'Increasing Opportunities, Improving Outcomes' Annual Report 2016 be approved.