

## KENT COUNTY COUNCIL

---

### **GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE**

MINUTES of a meeting of the Growth, Economic Development and Communities Cabinet Committee held in the Darent Room - Sessions House on Wednesday, 7 March 2018.

PRESENT: Mr D L Brazier (Substitute for Mr A Booth) and Mr M D Payne (Substitute for Mr H Rayner)

ALSO PRESENT: Mr M C Dance and Mr P M Hill, OBE

IN ATTENDANCE: Barbara Cooper (Corporate Director of Growth, Environment and Transport) , Katie Stewart (Director of Environment, Planning and Enforcement), Mark Lumsdon-Taylor (Group Deputy Principle and Chief Executive of Hadlow Group), Richard Fitzgerald (Business Intelligence Manager, Performance, Strategic Business Development & Intelligence), David Smith (Director of Economic Development), Steve Rock (Head of Trading Standards) James Pearson (Head of Service for Libraries, Registration and Archives) , Barbara Bragg Strategic Manager, Specialist and Support services for Libraries, Registration and Archives), Jackie Taylor-Smith (Strategic Manager, Business Development, Libraries, Registration & Archives), Karla Philips (Strategic Business Advisor for GET Strategy, Policy, Relationships and Corporate Assurance), Mark Scrivener (Corporate Risk Manager) and Georgina Little (Democratic Services Officer).

#### **UNRESTRICTED ITEMS**

##### **53. Apologies and Substitutes**

*(Item 2)*

Apologies were received from, Mr H Rayner, Mr A Booth and Mr D Butler  
Mr M Payne and Mr D Brazier attended as substitutes respectively.

##### **54. Election of Chairman**

*(Item 3)*

RESOLVED that the decision be deferred to the next meeting on 9 May 2018.  
Members agreed that Mr S Holden as Vice-Chairman would continue in this role until a Chairman had been elected.

##### **55. Declarations of Interest by Members in items on the Agenda**

*(Item 4)*

1. Mr M Dance (Cabinet Member for Economic Development) declared an interest, in relation to the Visitor Economy Services Contract Extension agenda item (no.9), as the Director of Visit Kent. Mr M Dance remained in the room however took no part in the discussion.

2. Mr J Kite declared an interest as an Executive Member of Dartford Borough Council, in relation to the Members Visits to Dartford Borough Council agenda item (no.16).

## **56. Minutes of the meeting held on 1 February 2018**

*(Item 5)*

RESOLVED that the minutes of the meeting held on 1 February 2018 are a correct record and that they be signed by the Chairman.

## **57. Verbal updates by Cabinet Members and Corporate Director**

*(Item 6)*

1. Mr M Hill, OBE (Cabinet Member for Community and Regulatory services) commended the work of all Kent County Council staff during the harsh winter weather, in particular, the efforts undertaken by the Highways Team, Adult Social care and Community Wardens for their significant endeavours in keeping the community safe. Mr M Hill also said that a number of libraries were able to remain open and the communication teams were busily occupied in making sure both community and staff were kept up-to-date with the safety measures and contingency plans throughout the week.
2. Mr M Hill also provided an update on the opening of the new Meopham Library on 13 February 2018 and informed the committee that it had been well received.
3. Mr M Dance (Cabinet Member for Economic Development) highlighted to the committee the significance of the district visits and asked that Members took the opportunity to attend future events.

## **58. Rural Economy by Kent Rural PLC (presentation)**

*(Item 7)*

*Mark Lumsdon-Taylor (Group Deputy Principle and Chief Executive of Hadlow Group) was in attendance for this item.*

1. Mr Lumsdon-Taylor presented a series of slides which promoted the work carried out by Kent Rural PLC and highlighted three key objectives that had been identified within the Financial Statement, these were: to provide a focal point for promotion and profile of the rural economy and its value proposition to investors; to create a unified portal of business requirement matching career pathway to maximise the job opportunities in the rural sector; and to secure the highest level of investment in the rural sector for Kent. Comments were welcomed from the committee.
2. In response to Members concerns regarding cultural change within the urban areas and its perception of the agriculture sector, Mr Lumsdon-Taylor said that urban areas were disconnected from the innovations and opportunities within the agriculture sector and the way in which the rural industry had transformed the way in which it approached matters with supply chains. Mr Lumsdon-Taylor emphasised to the committee the need to raise the profile within the rural sector and reinforced the message that it was the Council's obligation to

change people's perception of job opportunities within the urban regions. He said that it was key for Rural PLC to establish a business engagement piece through the Kent Rural Board and that this would become a permanent fixture in the way in which Rural PLC reported, promoted and managed its expectations which would then be cascaded to the Growth, Economic Development and Communities Cabinet Committee.

3. With regard to supermarkets and their perception of stocking local produce, Mr Lumsdon-Taylor said that Rural PLC worked with companies such as Waitrose and Sainsbury's who have adopted a Corporate and Social Responsibility to society however other companies were willing to stock the produce dependent on price.
4. In response to members enquiries regarding job opportunities within the rural sector and how to effectively promote this, Mr Lumsdon-Taylor advised the committee that it was very difficult to promote agriculture within schools because it was not considered to be vocational. He reiterated the importance of Kent County Council's role in promoting the rural sector and the digital advancements that had been made. He informed the committee that a piece of work had been done around apprenticeships however advertisement around this still needed to be stronger; he put before the committee the suggestion that Kent Rural PLC apprenticeships needed its own section on the Kent Apprenticeship website. Mr Lumsdon-Taylor addressed the gender gap and said that it was a challenge within the rural sector and that it was the culture of the industry that needed to be changed. Rural PLC offered qualifications at both Masters and PHD level and there were opportunities for both men and women within the sector however this had not been effectively promoted.
5. Members enquired about the potential of the new Agriculture Act and whether Rural PLC was involved in the consultation. Mr Lumsdon-Taylor confirmed that prior to the consultation period, Rural PLC wrote a response to DEFRA's 10 Point Plan and said that both Rural PLC and Kent County Council needed to develop a plan that focused on employment, expansion and housing within the rural areas to help support employment within the agriculture sector.
6. In response to concerns around workforce issues, Mr Lumsdon-Taylor referred to Thanet Earth which was leading the industry through innovative ideas and had a 5 year forward plan which looked at the type of labour and engagement required to grow and maintain a successful industry. When Thanet Earth employed its workers it had over 400 applications and only appointed 4 local workers, this was primarily due to the fact that smaller businesses that were family orientated were not forward thinking in their approach to farming, nor did they have the required skill-set or work ethos compared to those who work within larger industries.
7. With regard to Betteshanger sustainable energy park, Mr Lumsdon-Taylor said that this had been a monumental challenge and had been deliberately underexposed as the building required more work. Betteshanger aimed to be a flagship sustainability project which provided future life chances through linking green technologies and old energy production and was due to be opening in October 2018 with the official grand launch in early 2019.

8. In response to Members suggestions for a county-wide campaign that would be advertised through various forms of social media and television, Mr Lumsdon-Taylor fully supported Members comments and welcomed the opportunity to explore this with Kent County Council.
9. RESOLVED that the information set out in the presentation and given in response to comments and questions be noted.

## **59. Performance Dashboard**

*(Item 8)*

*Richard Fitzgerald (Business Intelligence Manager, Performance, Strategic Business Development & Intelligence) and Katie Stewart (Director of Environment, Planning and Enforcement) were in attendance for this item.*

1. Mr Fitzgerald introduced the report which provided an update on the progress of performance against the Key Performance Indicators (KPIs) which were included within the Directorate Business Plan for 2018-2019. Particular attention was paid to the significant movement around the external investment that had been secured through European funding, having gone from a red rating to a green. Mr Fitzgerald also referred to the change in rating within the Environment, Planning and Enforcement (EPE) targets and informed the committee that EPE15 and EPE18 had moved into a red rating.
2. In response to members request for clarification around the re-phased European funding and what this meant, Ms Stewart informed the committee that there had been a delay in securing the money which impacted on the mobilisation of projects however income risks were being managed within the division.
3. RESOLVED that the report be noted.

## **60. 17/00009(b) - Visitor Economy services - Contract Extension**

*(Item 9)*

*David Smith (Director of Economic Development) was in attendance for this item.*

1. Mr Smith introduced the report which set out Kent County Council's contract with Visit Kent that commenced in April 2014. The terms set out within the contract would allow for an extension of up to 36 months to March 2020. In order to help ensure that Visit Kent achieved maximum benefit for the county from major tourism events that were due to take place in Kent during 2019 and 2020, the recommendation presented to the Committee sought Members' approval to extend the Visitor Economy contract up to March 2020.
1. RESOLVED that the Cabinet Committee endorsed the proposed decision of the Leader of the Council, to extend the visitor economy services contract with Visit Kent at its present level for a further 24 months to March 2020- £280,000 per annum plus the £30,000 per annum to provide staffing support for the development of Visit Kent projects funded by other organisations.

## **61. 18/00014 - Financial Penalties - Letting Agents**

*(Item 10)*

*Katie Stewart (Director of Environmental, Planning and Enforcement) and Steve Rock (Head of Trading Standards) were in attendance for this item.*

1. MR M Hill, OBE (Cabinet Member for Community and Regulatory Services) introduced the report which set out the new legislation for letting agents under the Consumer Rights Act 2015.
2. Mr Rock informed Members that the change in legislation under the Consumer Rights Act 2015 made it a requirement for letting agents to display certain information at their premises and on their website. If they failed to comply with the legislative changes, Kent County Council as the Local Weights and Measures Authority would exercise its duty and impose a £5,000 penalty. The proposed decision sought the Cabinet Committees agreement to set the financial penalty level at the statutory maximum of £5,000 and for the Cabinet Member of Community and Regulatory Services to delegate authority to the Head of Trading Standards to determine any reduction in the financial penalty in accordance with extenuating circumstances. Mr Rock assured Members that before any financial penalty was imposed upon a letting agent, the Local Weights and Measures Authority had to serve a notice of intent setting out the amount of the proposed financial penalty, the reasons for proposing to impose the penalty, and information on the letting agents rights to make representations. If the letting agents still fails to comply, a final notice could then be served by the council and the letting agent must pay that penalty within 28 days. KCC would have the discretion to reduce the amount specified in a notice of intent or final notice. The duty of the letting agents could be found within Annex D within the pack.
3. Members enquired about the set penalty level and whether this could be start at a reduced rate and then be increased. Mr Rock explained that the government guidance indicated that there would be an expected £5,000 fine and that a lower fine should only be charged if the enforcement authority was satisfied that there were extenuating circumstances. The proposed decision aimed to bring fairness and transparency to consumers and Landlords which would therefore support them in making an informed decision before selecting an agent or property. Mr Rock reminded Members that it was a civil penalty and that letting agents had a right of appeal to dispute the fee. It was more cost effective for KCC to use the new legislation as a tool for change rather than go through the legal proceedings of prosecution.
4. In response to Members queries about the review and decisions around the reduction of financial penalties, Ms Stewart confirmed that authority would be delegated to the Head of Trading Standards. However, with regard to future penalty levels, if there was a change in legislation, this decision would be

made in conjunction with the Cabinet Member for Community and Regulatory Services and potentially go to Cabinet Committee for endorsement. Mr Hill (Cabinet Member for Community and Regulatory Services) assured Members of his involvement and oversight.

5. In response to members queries around the financial regeneration, Mr Rock confirmed that the financial proceeds of any financial penalty would be used for the purposes of the Trading Standards Services.
6. RESOLVED that the Cabinet Committee endorse the proposed decision to the Cabinet Member for Community and Regulatory Services on the proposed decision to agree to:
  - (a) to the use of financial penalties for letting agents who fail to comply with the requirements of the Consumer Rights Act 2015;
  - (b) to set the financial penalty level at the Statutory Maximum of £5,000 for letting agents who fail to comply with the requirements of the Consumer Rights Act 2015 (to be reviewed annually);
  - (c) to delegate authority to the Head of Trading Standards to determine any reduction in the financial penalty if they are satisfied that there are extenuating circumstances (each case to be considered on its own merits and in accordance with the Enforcement Policy); and
  - (d) to delegate authority to the Head of Trading Standards to review and decide the level of future financial penalties attributable to the Consumer Rights Act 2015 (as amended) in consultation with the Cabinet Member as required. The monetary level of financial penalties attributable to the Consumer Rights Act 2015 (as amended) will be reviewed annually as shown at Appendix A.

## **62. Update on the Work of Kent Trading Standards in 2017 and Future Opportunities and Challenges** *(Item 11)*

*Steve Rock (Head of Trading Standards) was in attendance for this item.*

1. MR M Hill, OBE (Cabinet Member for Community and Regulatory Services) introduced the report which provided an update on the work of Trading Standards and its key achievements. It also identified the breadth of work that had been carried out across the county and highlighted the future opportunities and challenges that could be faced by the service due to increased demand.
2. Mr Rock highlighted some of the key areas and objectives within the report which aimed to tackle issues around counterfeiting; fraud and unfair practices; product

safety; animal health; food; petroleum and explosive licensing. In recent years the Government had increased its pressure upon Trading standards Services to deliver additional statutory responsibilities however reduced its budget which has had a significant impact upon staff and resources. To counterbalance the reduction in government funding, the service successfully developed several income streams to recover costs which included charging for business and advice; training; establishing Primary Authority Partnerships, environmental surveys and selling financial investigation services to other Local Authorities, however the criminal element remained a significant drain on services and further opportunities for funding continued to be sought. Mr Rock provided a brief summary of the key objectives within the report and welcomed Members comments.

3. In response to Members enquiries around the reduction of government funding and how this had impacted on the services capability to prioritise work, Mr Rock confirmed that each case was assessed according to need and confirmed that all obligations were currently being met. He said that Kent County Council conducted its work using intelligence led data which meant that investigations could be carried out in an organised manner, however in order to do this, the service required qualified staff and with continual reductions in budgets, Trading Standard Services would not be able to invest in the resources required to carry on meeting its statutory and obligatory requirements.
4. Members enquired about the recovery costs of confiscated products and whether Trading Standard Services had the facility to re-sell or use the products. Mr Rock confirmed that many of the products seized were either destroyed or distributed to charities for re-use within the community. Trading Standard Services would only benefit from proceeds where victims were not involved or attain a very small amount of financial profit once all parties had been compensated.
5. Mrs Cooper reassured Members that the Trading Standards team had been involved in government discussions around Brexit and the impact this may have on Kent's borders however no conclusion had been met. She assured the committee that the Trading Standards Service were dependent on these decisions and would update Members on those discussions as they took place.
6. RESOLVED that the report be noted.

**63. 18/00011 - Libraries, Registration and Archives Review of Fees and Charges**  
*(Item 12)*

*James Pearson (Head of Service for Libraries, Registration and Archives) and Barbara Bragg Strategic Manager, Specialist and Support services for Libraries, Registration and Archives) were in attendance for this item.*

1. MR M Hill, OBE (Cabinet Member for Community and Regulatory Services) introduced the report which provided an update on the outcome of the Libraries, Registration and Archive (LRA) fees and charges review.
2. Mr Pearson explained to the committee that LRA had completed a full review of Library and Registration fees and charges in order to maximise potential income where appropriate, which would assist LRA meet its Medium Term Financial Plan savings targets; and still deliver its commitment to provide free core service offers. Mr Pearson assured the committee that no new charges had been proposed for services that LRA had not previously charged for and that the review had also been an opportunity where possible to either simplify charges or improve offers for customers. A full list of proposed fees and charges was set out within Appendix B. The proposed decision sought the Cabinet Committees agreement to implement and publish the revised fees and charges that would be effective from 1 April 2018 and that these would be reviewed annually in consultation with the Cabinet Member for Community and Regulatory Services.
3. In response to Members queries around clarification of Hire charges, Mr Pearson noted the suggestions made and agreed to clarify the 'Hire Charges' definitions.
4. Members queried how the system recognised the difference between child and adult rates and questioned the reservation cost that had been abolished in 2013. Ms Bragg confirmed that the stock was categorised and the self-service system was able to identify different types of stock to evaluate whether an item was chargeable. With regard to the reservation fee this was a reintroduction of a charge and Ms Bragg clarified that in spite of a 25% increase in reservations, there was a reduction in the number of books issued as not every customer who reserved something necessarily then came to take out. By re-introducing the reservation fee, this would potentially reduce requests but people would reserve books they really wanted and help customers value the service.
5. RESOLVED that the Cabinet Committee endorse the proposed decision to the Cabinet Member for Regulatory services on:
  - (a) the decision to implement and publish revised fees and charges changes for Libraries and Archives services;
  - (b) for the LRA service to progress to inform customers of these changes;
  - (c) fees for Archives Services to be reviewed and agreed in consultation with the Cabinet Member for Community and Regulatory Services once work on implementing upgrades to management and cataloguing systems is completed; and
  - (d) that the annual review and agreement of the LRA fees be delegated to the LRA Head of Service in consultation with the Cabinet Member for Community and Regulatory Services as shown at Appendix A.



## **64. Libraries, Registration and Archives Draft Ambition Statements**

*(Item 13)*

*James Pearson (Head of Libraries, Registration & Archives) and Jackie Taylor-Smith (Strategic Manager, Business Development, Libraries, Registration & Archives) were in attendance for this item.*

1. MR M Hill, OBE (Cabinet Member for Community and Regulatory Services) introduced the report which outlined the progress made in developing new ambition statements for the Libraries, Registration and Archives (LRA) service. He informed the committee that the LRA had been a fully internally commissioned service and thanked the Member Working Group who had been heavily involved in the development of the ambition statements.
2. As a supplement to this, Mr Pearson addressed the unprecedented financial pressure upon Kent County Council which demanded continued and sustained innovative reformations to achieve its savings target. The LRA service had saved £4.1m since 2013/14 and was on track to deliver further savings through positive innovations. The proposed ambition statement was generated following a host of staff workshops sessions, online surveys and the Cross-party Member working group to whom Mr Pearson reiterated his thanks. Mr Pearson highlighted the five new proposed ambition statements for LRA and sought members comments and endorsement.
3. RESOLVED that the draft LRA ambition statement, be endorsed.

## **65. Growth, Environment and Transport Directorate Business Plan 2018-19**

*(Item 14)*

*Karla Philips (Strategic Business Advisor for GET Strategy, Policy, Relationships and Corporate Assurance) and James Pearson (Head of Libraries, Registration & Archives) was in attendance for item.*

1. Mrs Cooper (Corporate Director of Growth, Environment and Transport) introduced the report that set out the key features within the draft Growth, Environment and Transport Directorate Business Plan for 2018- 2019, including a summary of progress made against the previous year's activity. Mrs Cooper also referred to the key commissioning activity within the report and invited the Cabinet Committee to use this when reviewing the future work programme.
2. In response to Members queries regarding the £6 million capital funding for the Turner Contemporary Phase two project and anticipated future plans, Mrs Cooper informed the committee that the project was a £3 million investment from Kent County Council which would be matched subject to decree in the next stage bid from the Arts Council. The investment would be used to both upgrade and expand the Turner Contemporary in order to accommodate the growing number of visitors and ensure it had the best possible chance of deriving income; this included a refurbishment within the common areas such as toilet facilities; a small shopping area; and catering facilities. The committee was reminded that the Turner Contemporary was a free exhibition and would not be charging it's visitors, it did however introduce visitors with the option to

provide charitable donations and for those who wished to donate more generously, a scheme had been established whereby every pound was matched by the government. If the Turner Contemporary introduced charging there would be a high risk, as verified by other galleries, that the visitor numbers would go down. Mrs Cooper confirmed that Kent County Council logos had been placed both outside and inside the building.

3. In response to the activity indicators relating to the number of digital visits to Libraries, Registration and Archives (LRA), Mrs Phillips confirmed that the figures shown within the table were in the millions. In addition to this, Mr Pearson informed the committee that whilst the draft Growth, Environment and Transport Directorate Business Plan focused on the key activities within the LRA service, there was an extensive amount of work and activity not included within the draft Business Plan however was happy to share these metrics with Members at future meetings.
4. RESOLVED that Cabinet Committee:
  - (1) Consider and comment on the final draft Growth, Environment and Transport Directorate Business Plan (2018-19); and
  - (2) Note that the final directorate business plan will be published online in April 2018

#### **66. Risk Management: Growth, Environment and Transport Directorate** (Item 15)

*Mark Scrivener (Corporate Risk Manager) was in attendance for this item.*

1. Mr Scrivener introduced the report that outlined the strategic risks that could potentially affect several functions across the Growth, Environment and Transport directorate and how these risks were controlled. Mr Scrivener explained to the committee that the Risk Register was a 'living document' and that it required periodic review due to its dynamic nature.
2. RESOLVED that the directorate risk register and relevant corporate risks outlined in Appendices 1 and 2 of the report be considered by the Cabinet Committee.

#### **67. District Visits** (Item 16)

*David Smith (director of Economic Development) was in attendance for this item.*

1. Mr Smith introduced the report that summarised the outcomes of the recent visit by Kent County Members to Dartford Borough Council and provided Members with a programme of future scheduled visits to other Kent districts during 2018 and 2019. Mr Smith thanked the Member of Dartford Borough Council as well as the Chief executive and officers who helped to facilitate the visit and provide excellent commentary on the challenges, development and possible future regeneration of Dartford. Members who did not attend the visit

were directed to the list of key themes from the visit and encouraged to attend further visits.

2. Members commended the work that had been carried out by Dartford Borough Council staff and reiterated the importance of the visits as they helped to demonstrate the variance throughout the county.
3. RESOLVED that the report be endorsed.

**68. Work Programme 2018**

*(Item 17)*

1. RESOLVED that the work programme be noted subject to the inclusion of the following items:
  - (1) Risk on Trading Standards
  - (2) The Economic Impact of the Turner Contemporary
  - (3) Produced in Kent