



**COUNTY COUNCIL - THURSDAY, 27 MAY 2021**

**ITEM 11 – QUESTIONS AND ANSWERS**

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Question 1**COUNTY COUNCIL****Thursday 27 May 2021****Question by Mike Sole to Derek Murphy,  
Cabinet Member for Economic Development**

Many residents within rural areas of my division, such as Duckpit Valley, still do not have access to acceptable broadband speeds, with many struggling to reach 3mbps. These are areas which lie within 10 minutes of Canterbury City Centre, and 15 minutes of the Channel Tunnel. Even after government subsidies, residents are being quoted thousands of pounds per household to bring their internet speeds up to a 'superfast' connection, which many see as essential for work and accessing digital services.

Will the Cabinet Member please confirm what further support KCC plans to provide to ensure that all rural communities in Kent are able to access affordable superfast broadband?

**Answer**

Thank you for your question, Mr Sole. Kent County Council has been working in partnership with Building Digital UK to improve Kent's broadband connectivity since 2012. This has delivered faster broadband to over 140,000 homes and businesses across Kent that would otherwise have been left with no or poor broadband. This has meant that over 95% of homes and businesses in Kent can now access a superfast broadband service (of at least 24 megabits per second) – and under 0.5% do not have access to a basic (fixed) broadband service of less than 10 megabits per second.

Whilst this work has transformed the availability of broadband for many homes and businesses, we share the Government's ambition that all communities should have access to a future proofed broadband service that meets both current and future needs.

This is why we are supporting the Government on the delivery of their new £5 billion 'Project Gigabit' programme which will target areas that broadband network operators will not upgrade under their own investment plans. The Government also intend for this programme to provide a solution for areas which cannot currently access a superfast broadband service and we have asked for these properties to be prioritised in the Kent rollout plan for Project Gigabit. We understand from Building Digital UK, who will be leading the programme, that the preliminary work to get Kent ready for the procurement is due to start next month.

In the meantime, the Government has launched a new voucher scheme to provide funding for rural communities who wish to take forward their own community broadband schemes ahead of the Project Gigabit rollout – and we are in discussions with Building Digital UK about options for continuing the Kent County Council funded Kent Top-Up Voucher Scheme. Properties that cannot get a broadband service of at least 10 megabits per second can also apply for the Broadband Universal Service Obligation, which is overseen by Ofcom. This gives eligible properties the right to request a broadband service from the Universal Service Provider (BT).

I understand that you have already contacted the KCC broadband team and that they are happy to meet with you to discuss the specific issues in your division.

## Question 2

### COUNTY COUNCIL

Thursday 27 May 2021

#### Question by Trudy Dean to Shellina Prendergast, Cabinet Member for Education and Skills

Earlier this month, Early Education, a charity representing the nursery sector, found that almost half of the 200 maintained nurseries it surveyed across the country would be running deficits for this financial year, with just one in four saying they could continue to operate at current funding levels. Paul Whiteman, the general secretary of the National Association of Head Teachers, has warned that a long-term solution is needed urgently if we are to avoid widespread nursery closures.

It has now been over 4 months since the Leader and then Cabinet Member wrote to the government on the issue, yet the situation seemingly remains perilous. What assurances can the Cabinet Member provide to worried residents about the long-term sustainability of nursery school provision in Kent?

#### **Answer**

In Kent we have two types of nursery school provision – maintained and that provided by the private, voluntary and independent providers.

Kent has one maintained nursery school (Northfleet Nursery), which receives additional funding from the Government. Kent also has 89 nursery classes in infant and primary schools (of which many are now academies). As many schools employ qualified teachers to run their nursery classes they are able to attract the Free Entitlement Funding Qualified Leader Supplement which is an additional 90p per child per hour on top of the base funding rate.

Since the inception of maintained nurseries Kent has only seen a very small number closed. This has mainly been due to sustainability issues as a result of low numbers of children attending rather than the level of funding.

During the last year Kent has continued to fund nursery providers, in line with National Guidance. This meant Free Entitlement Funding for the Summer and Autumn Term of 2020 and the Spring term of 2021 was allocated to providers based on their expected rather than actual numbers attending. This has helped to provide some financial sustainability to the sector.

As we start to move forward, and the allocation of free entitlement funding returns to normal (pre-COVID), Early Years providers are still able to make use of wider Government funding schemes such as the extended coronavirus job retention scheme, whilst the sector continues to recover. We are however, keeping a close eye on this position.

In addition, we have for the second year in a row, ensured the full funding rate increase from Government has been passed to providers through an equivalent rise in the base rate of funding. In addition, KCC continues to commission The Education People to provide a range of services and support to the sector.

I know that all of us at Kent County Council understand and value the importance of Early Years provision. Our Early Years and Childcare Strategic Plan (2020-2023) builds on the success of the sector over the past decade, details our priorities and targets for improvement and the outcomes for children by age 5 and seeks new approaches to achieving these. And crucially this Strategic Plan works alongside wider measures to develop more integrated early intervention and prevention services to support children and families, especially in the early years sector.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Antony Hook to Tony Hills,  
Cabinet Member for Environment**

Bad air quality is lethal and undermines KCC's objectives on public health, quality of life and environmental protection. In the last four years, there has been a significant increase in the number of locations in Kent where air quality is so bad that the law requires it to be monitored. The district of Swale now has 6 Air Quality Management Areas (AQMAs), with the latest being added in October 2020. Will the Cabinet Member please outline what this administration will do to make sure no residential area of Kent has air quality in breach of legal limits?

**Answer**

Thank you, Mr Hook. Tackling air pollution and its impact on health is a priority action within the Kent & Medway Energy & Low Emissions Strategy.

As a partner in the Kent & Medway Air Quality Partnership we are supporting the development and delivery of Air Quality Action Plans as well as securing new funding for initiatives such as:

- the 'Kent REVS Up for Cleaner Air' electric van loan scheme for Kent businesses,
- electric vehicle charging infrastructure for taxi operators, Parish hall and District car parks,
- active and sustainable travel infrastructure and behaviour change initiatives,
- rural public transport and electric bus trials,
- highways schemes, junction improvements and traffic management action that leads to journey time improvement by reducing congestion and improving traffic flow, and
- Public Health making a funding contribution to the development of the new KentAir website

We are also supporting Swale Borough Council to develop plans focused on transport measures, which address both air pollution and the Climate Emergency to achieve their Net Zero emissions targets.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Dan Daley to Tony Hills,  
Cabinet Member for Environment**

During the Covid-19 lockdowns, there has been anecdotal evidence of increased incidents of fly-tipping, particularly in rural areas. The cost of this is then picked up by district councils. The appointment system has made it less convenient for residents to visit Household Waste Recycling Centres which may have been a factor in this additional fly-tipping.

As of the last update presented to the Environment and Transport Cabinet Committee, we know that volumes of waste collected at HWRCs have dropped to just 60% of expected levels. In light of the significant easing on national restrictions, would the Cabinet Member please specify when the booking system will be removed in order to make it as easy as possible to residents to recycle household waste and hopefully reduce fly-tipping?

**Answer**

Thank you for your question Mr Daley.

Flytipping happens across the country not just in Kent and it happens in parts of the country where the Household Waste Recycling Centres are 'turn up and go' and in areas where there are booking systems. Most residents are law abiding citizens who will dispose of their waste responsibly.

Nationally collected data for Kent provides no evidence that the introduction of the booking system has contributed to an increase in the volume of waste flytipped. We will continue to work with the District, Borough and City Council teams to help them identify and enforce against people and organisations that choose to illegally dispose of waste.

The booking system has proved popular with many residents who cite the convenience and security of being able to book a space as a positive change in approach. We are aware that some people also want to be able to visit at short notice, so, from late June we are looking to introduce same day bookings in half-hourly slots when the HWRCs will once more be open Monday – Saturday 08.00 – 16.30 and Sundays and Bank Holidays 09.00 – 16.00.

Given the importance of this issue, the County Council is nonetheless committed to keeping all the evidence as to the operation of the waste system under constant review to ensure that we provide the best possible service to our residents.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Richard Streatfield to Sue Chandler,  
Cabinet Member for Integrated Children's Services**

According to the Member induction briefing, just 58% of Education, Health and Care Plans (EHCPs) are currently being delivered within the statutory 20-week period. This profoundly impacts pupils, schools, and parents in Sevenoaks, and across the county. Can the Cabinet Member explain what action they will be taking to ensure KCC complies with the statutory requirements as quickly as possible?

**Answer**

Between January 2017 and January 2018, there was a national increase in the number of Children and Young People with an Education, Health and Care Plan or Statement of Special Educational Needs of 11.3%. Over the same period, Kent saw a 20% increase. By 2020 the level of requests far outweighed the Council's ability to meet the need, which placed considerable additional pressure on an already growing, backlog of assessments.

This led to the urgent need to increase capacity in both the Educational Psychology service and in EHCP writing. External providers have been commissioned to support the assessments and Plan writing. Requests have continued to increase since the return to schools and settings for all children in October/November 2020 with continued pressure in the system for delivery.

For the 15 months from January 2020 to March 2021, we averaged 287 requests for EHCP needs assessments per month. This average has been exceeded month on month since September 2020 with March 2021 reaching 443. 71% of those requests were made by Parents.

The two main reasons for not achieving the 20-week statutory timeframe includes our ability to undertake an Educational Psychology assessment and our ability to secure an appropriate school place that meets parental preference. The national average for meeting the statutory 20-week timeframe is 58% (Education Statistics Service) whereas in Kent we are at 50.8% in April 2021, this was a significant improvement on previous months. Our cumulative for the year to date is 39% (this is the percentage of all plans issued each month that were within 20 weeks, not of those due each month), our cumulative for 2020 was 31%. There is a recognised national shortage of qualified Education Psychologists, and not always is a virtual assessment the right vehicle.

In Kent we have a number of incomplete assessments that are beyond the 20 week timescale that have accumulated over time (the backlog). As we clear that backlog at an increased rate, the percentage of all EHC plans issued within 20 weeks each month is impacted by the number issued from the backlog.

Considerable work is being undertaken to address all the issues that contribute to the Kent position and I do not underestimate the impact this has on our children. We have recruited



additional staff in SEN and Educational Psychology, we have commissioned additional capacity to address the backlog that was created and we are working hard to make sure we have capacity in special schools. We are rolling out the County-wide Approach to Inclusive Education in mainstream schools, along with investment in schools leadership training programmes so that they can take, and retain, children with additional needs.

One of the significant consequences of the Children and Families 2014 Act, is the unprecedented pressures and rise in demands from parents for assessments and resources for children and young people with special educational needs or disabilities. These vulnerable children and young people typically need support from education, health, and care services. The current process has resulted in very fragmented system of support for children and young people with SEND across health and education. That is an issue not just in Kent but across the country.

Both officers and Members of Kent County Council have consistently pressed the need for change to this process at a national level.

I hope that this is helpful and I know that you have already booked a slot with Mark Walker, Director SEND, to become familiar with this area of our responsibility.

**COUNTY COUNCIL****Thursday 27 May 2021****Question by Ian Chittenden to David Brazier,  
Cabinet Member for Highways & Transport**

In September 2019, County Council unanimously agreed a Liberal Democrat proposed motion for the Executive to put necessary arrangements in place to remove peak hours restrictions for Disabled Persons Bus Pass holders from April 2020, subject to satisfactory negotiations with bus operating companies.

In March 2020 the County Council issued a press release announcing that both Older Persons and Disabled Persons Bus Passes could be used before 9.30am. There was no indication in this press release that this was a temporary measure, but in July it was announced that this would be withdrawn at the end of August 2020. From 18th January 2021 older persons and disabled people were again allowed to use their passes before 9:30am, but this facility was yet again withdrawn on 8th March without any announcement from KCC.

Given the lifeline that bus travel provides to so many disabled people, will the new Cabinet Member for Highways and Transport finally commit to making good on the promise made to Kent's disabled community back in 2019 by permanently removing the pre-9:30am restrictions on the Disabled Person's Bus Pass and Companion Pass?

**Answer**

KCC Public Transport conducted a review into how a pre-0930 travel for disabled persons could be delivered, either as an extension of the current English National Concessionary Travel Scheme (ENCTS) or as a new scheme. Before the outcomes of this review could be taken forward, the COVID pandemic took hold. During the course of that pandemic the Kent ENCTS scheme was opened for pre-09.30 travel for all ENCTS pass holders, to enable the vulnerable/non car users to access shopping and key services. The two periods were the 19 March 20 to the 18 August 20 and the 18 Jan 21 to the 8 March 21. The opening up of pre 09.30 came to an end when schools returned and capacity on buses became a concern once more.

We would return to the review but the National Bus Strategy, launched on the 15<sup>th</sup> of March 2021 has committed national government to examine how pre 09.30 travel for the disabled, under ENCTS, can be provided. Until this review by government is complete, KCC cannot determine the impact to the Kent scheme and so it would not be appropriate to bring forward any Kent initiative at this stage.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Mike Baldock to David Brazier,  
Cabinet Member for Highways & Transport**

Can the Cabinet Member explain how in a Statement of Common Ground in January 2017 Kent Highways could describe the allocation of MUX1 in the Swale Local Plan as adequately deliverable, yet in a document dated 3rd January 2019 the same allocation is described as 'fundamentally flawed'. On what basis was this revised judgement arrived at?

**Answer**

KCC submitted a supplementary note for consideration in the Swale Local Plan detailing in full the reasons for the change in position with regards to the allocated MUX1 sites.

I will gladly provide Mr Baldock with a copy of that note following this meeting.

MUX1 was described as fundamentally flawed in 2019, as it could not facilitate the cumulative impact with Highway England's required mitigations which is entirely consistent with the supplementary note KCC provided in 2017.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Mark Hood to Clair Bell,  
Cabinet Member for Adult Social Care & Public Health**

Given the explosion in demand for mental health services during the pandemic, can the Cabinet Member please advise the Council what action is being taken to help meet this increased demand, both in terms of supporting relevant partner agencies and KCC commissioning or delivering any mental health services / activities? In answering this question, can the Cabinet Member confirm whether waiting times for these services have been impacted by the pandemic?

**Answer**

Mental Health services are predominantly provided by the NHS. KCC's role is to offer Mental Health Act assessments and support, which we deliver with our partners Kent and Medway Partnership Trust (KMPT) and the Kent and Medway Clinical Commissioning Group (CCG)

We commission a range of preventative services from voluntary organisations such as the Community Mental Health and Wellbeing Service, Live Well Kent & Medway, delivered by Porchlight and Shaw Trust, and the Mental Health Matters phone service which is free, confidential and open 24 hours a day, 365 days a year.

We also commission a number of supported living, domiciliary care and residential services such as Kent Enablement & Recovery Service (KERS) and Supported Living for people with a mental health diagnosis who have an identified need for support and accommodation.

We do not collate data in relation to waiting times for NHS mental health services but the KCC Community Mental Health teams have experienced an increase in waiting times with the average number of days being 22 days over the last year. Pre-lockdown (March 2020) the average waiting time was 19 days. Despite the added pressure, throughout the pandemic KCC has been able to continue to discharge our statutory Care Act responsibilities.

We are tackling increasing demand in a number of ways, including working together with the CCG to increase the capacity of the 24 hour telephone and online support element of the service, using the Contain Outbreak Management Fund to increase the number of frontline staff, we've added 25 properties to the Supported Living contract, with more in the pipeline, and have introduced a Dynamic Purchasing System to enable new providers and/or specialist services to join the new contracts for Care Home Services for People with a Learning Disability, People with a Physical Disability & People with Mental Health needs.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Barry Lewis to Shellina Prendergast,  
Cabinet Member for Education & Skills**

Does the Cabinet Member for Education & Skills believe Kent County Council is getting good value for money when contracting or commissioning taxis for home to school transport?

**Answer**

We do benchmark ourselves against equivalent authorities and this benchmarking demonstrates that we do achieve value for money from our processes.

All transport requirements are competitively tendered, except for a very small number of highly specialised requirements. Tenders are issued by KCC Public Transport using a dynamic purchasing system, which is hosted on the Kent Business Portal. Full details of the transport requirement are included in the tender. Suppliers are requested to provide a daily price for covering the requirement and the lowest daily price, is the successful bid. In a small number of cases, where a supplier finds they are then unable to undertake the work, then KCC would go to the next lowest bidder.

All suppliers of SEN/SEN FE transport have to be approved by KCC and be registered on our supplier database.

The process was developed in conjunction with KCC Strategic Commissioning and is reviewed on a regular basis. It is also regularly audited by KCC Internal Audit to determine its continued robustness/efficiency.

**COUNTY COUNCIL**

**Thursday 27 May 2021**

**Question by Karen Constantine to Tony Hills,**  
**Cabinet Member for Environment**

In advance of this year's vital Climate conference PM Boris Johnson stated;

*'It must be a summit of agreement, of action, of deeds, not words. For that to happen, over the next six months, we must be relentless in our ambition and determination.'*

As previously discussed in the County Council chamber, where we called for more challenging and more pertinent actions for the climate emergency. I would like to draw the Cabinet Member for Environment's attention to the alarming lack of progress as shown in the Kent environment indicators, which show that Thanet is lagging behind and with the smallest reduction in CO2 since 2005.

Thanet residents do not want to be a poor 'environmental cousin'. Further research is required to understand why Thanet is not progressing at the same rate as other areas and urgent deeds, not words, is needed to catch up. Especially given the importance of our coastal ecology. What steps will the Cabinet member outline to facilitate Thanet making sufficient progress in CO2 reduction?

**Answer**

CO2 emissions in Kent have fallen 40% since 2005. Much of this reduction has been driven by the decarbonisation of the electricity grid nationally, and the closure or upgrading of large energy intensive industrial installations. The prevalence of, and changes to heavy industry within a district can therefore skew the data. For instance, the closure of a cement works in Gravesham in 2008 saw industrial emissions in the district fall 89%.

In contrast, there have been no such changes in Thanet, and industrial emissions have in fact increased slightly, albeit from a very low baseline. Consequently, Thanet's overall emissions have fallen 17% since 2005 and its per capita emissions are the third lowest in the county.

However, these figures do highlight the scale of the challenge ahead. Alongside our activities to reduce emissions from our own estate and services, we are also working closely with public sector partners to design and deliver tangible carbon reduction projects at a community level. With the support of the partnership underpinning the Kent and Medway Environment Group, KCC has recently published the Energy and Low Emissions Strategy implementation plan, which lists 73 actions that will be taken over the next three years, to help drive down greenhouse emissions, reduce fuel poverty, improve air quality, and support green economic recovery from the pandemic.

More work will be needed to speed up emissions reductions across all sectors, including in Thanet which is why KCC, Thanet District Council and partners, will continue to work together on joint schemes to, among other things; increase insulation rates and renewable energy installations on homes; increase electric vehicle charging infrastructure; improve walking and cycling routes; and offer grants and advice for low carbon businesses in the area.

**COUNTY COUNCIL****Thursday 27 May 2021****Question by Jackie Meade to David Brazier,  
Cabinet Member for Highways & Transport**

With the release of the new white paper regarding proposals of increased public ownership of railway services, could the Cabinet Member for Highways and Transport please explain how this will impact on the recently adopted Kent Rail Strategy? In answering the question, can the Cabinet Member clarify whether KCC contributed to any national consultation activity on this matter, inform us whether he supports the approach of more public ownership services for rail and notify us whether any local KCC-supported consultation is now planned?

**Answer**

The government proposals for increased public ownership of the railways were announced on 20<sup>th</sup> May and I can confirm that KCC was not consulted. The government's proposals are the end result of the Keith Williams and Grant Shapps review of the rail industry which started a couple of years ago, a review which KCC did respond to in April 2019.

The release of the findings and recommendations of that review were postponed due to the COVID-19 pandemic, during which time the structure of the rail industry has changed significantly with increased government control of rail franchises due to the reduction in passenger demand. KCC does not yet have a view on whether it supports the government's proposals as officers have not had time to fully assess and understand the implications for Kent's rail services.

Some of the proposals within the Williams-Shapps review will require further development of detail before their full effect on rail services can be understood, including those concerning plans to work further with local and regional partners, which we hope will include Councils.

The Kent Rail Strategy, adopted by KCC's Cabinet as recently as March, pre-dates the government's proposals but considers the impacts of the pandemic and likelihood of it taking several years to return to pre-pandemic levels of passenger demand. The Kent Rail Strategy is focused on outcomes of services and stations within the county. The structure of the rail industry is therefore not a primary consideration within the Strategy. The most significant factor that will impact the successful implementation of the Rail Strategy is likely to be the pace at which rail passenger demand returns to pre-Covid levels, given that the Strategy promotes some policies to increase service levels above 2019 pre-pandemic levels.

Nonetheless, aside from passenger demand on the railway, there are several initiatives within the Kent Rail Strategy that the council can continue to work towards securing, regardless of the ownership structure of the industry. For example, improving the accessibility of the network through better stations and their wider connections, which was a frequent issue raised during the Kent Rail Strategy consultation. Another example is enabling new passenger markets to use the railway by ensuring the right services can serve parts of the network such as the Westenhanger station upgrade proposal to support High Speed stopping services for the proposed Otterpool Park development.

However; it would seem sensible that our Kent Rail Strategy is reviewed in light of the government's proposed changes, should they happen. The Williams-Shapps review is a White Paper and the government intends to introduce legislation to formally establish Great British Railways. Officers will therefore begin this review task.

KCC will not be consulting on the government's proposals, that is for government to do, but should the Kent Rail Strategy be updated as a result of changes to government policy KCC would then undertake appropriate consultation.