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Ask for: Joel Cook
Date: 23 March 2023

Dear Member

COUNTY COUNCIL - THURSDAY, 23 MARCH 2023

I am now able to enclose the questions put and answers given during the meeting on Thursday, 23 March 2023.

Agenda Item No

6 **Questions (Pages 1 - 8)**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint circular stamp.

Benjamin Watts
General Counsel

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Question 1**COUNTY COUNCIL****Thursday, 23rd March 2023****Question by Kelly Grehan to Mrs Sue Chandler,
Cabinet Member for Cabinet Member for Integrated Children's Services**

KCC is currently consulting on proposals to close buildings and move and merge various Children's centre and Youth Hub services. These spaces provide an important lifeline for many families and their location is tied to their role in helping bind communities together.

Can the Cabinet Member tell the Council how the Kent Community Services proposals, relating to Children's Centres and Youth Hubs, avoid disrupting families and reducing their access to important services?

Answer

The Kent Communities Programme (KCP) has been developed through an evidence-based understanding of 'need' for our services across our communities and crucially, it seeks to understand where our services can be best deployed within a manageable estate. Children's Centres and Youth Hub changes are only part of this review but we know they are very important community facing services. The consultation document dedicates a significant section to explaining the thinking around the need to review the location and venues of these valued services and outlines some of the future considerations about KCC's transformation into a Family Hub authority and how outreach services will likely be an important component. Throughout any discussion of this, it must be emphasised that no decisions have yet been made on the final estate footprint or the detailed service models – we are rightly waiting to hear all the feedback from our stakeholders so that an informed decision can be made.

Although the KCP is not a vehicle to drive financial savings KCC does have a duty to its residents to ensure that the ongoing pressures on the county purse are considered as part of the decision-making process. The KCP is looking at both physical space and wider opportunities to meet the needs of residents. Based on the developing understanding of need, the KCP is therefore looking at our network of buildings and where alternative methods of service delivery may also be appropriate. In order to meet the financial challenges the Council faces, it is right to consider whether we are using our existing property portfolio as efficiently as possible, whilst also recognising that we do not necessarily need our own building from which to deliver an effective service. A key part of the proposals is the exploration and development of an improved outreach model that means from wherever our community facing services are run, there will be a range of ways for people to access the services.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Mr Alister Brady to Mr Rory Love,
Cabinet Member for Cabinet Member for Education and Skills**

Can the Cabinet Member please confirm what percentage of Special Educational Needs and Disability Tribunals have resulted in the parent's appeal being upheld because KCC as the local authority had either been found to have committed a procedural error or failed to respond within the necessary timescales?

Answer

In the academic year 2022/3 there have been 317 tribunal notifications to date. These relate to:

- 84 -refusal by the local authority to undertake an EHC needs assessment
- 90-refusal to issue an EHC plan
- 140-the content or the provision named in the plan (e.g. the school parents prefer or the amount or type of specialist support needed)
- 3-other categories

The SEND Tribunal has the power to “bar” a party for failing to comply with directions in the appeal. Any party that the Tribunal is considering barring has an opportunity to explain to the Tribunal why they failed to comply with a direction and to provide the evidence as directed, before the Tribunal makes the final decision whether to bar.

The local authority received 447 appeals during the academic year 2021 – 2022 where information about barring is recorded. Of these 447 appeals, the local authority was barred from just one appeal. This was upheld by the tribunal on appeal. There is currently one other barring order in place, but the local authority has submitted an application to be reinstated.

Information relating to tribunal barring orders in respect of decisions to refuse to assess (an additional 106 cases) is not recorded centrally.

Since the SEND reforms in 2015, nationally the tribunal system has found in favour of parents in 93%-97% of tribunal cases. These figures are similarly reflected in Kent.

There is currently an external review being undertaken of the tribunal process in Kent to identify potential areas for improvement.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Ms Jackie Meade to Mr Michael Hill, Cabinet Member for
Community and Regulatory Services**

Last year Folkestone Library was temporarily closed while repairs to the roof were undertaken. The library is now closed again due to issues with the roof and the public statement has said that the library will be closed until at least the end of March and that KCC are looking at ways of saving money on the remediation. This library is a vital lifeline for residents in my division, many of whom do not have access to the internet, and it also holds our archive.

Can the Cabinet Member please assure my community that we are not planning on closing this library and that the requisite works will be undertaken as soon as possible to allow the reopening of the service?

Answer

Since, the unavoidable closure of Folkestone Library a few months ago, due to the Health and Safety issues, KCC has been investigating the extent of works needed to bring the building back into use and exploring ways to fund the necessary repairs.

KCC is committed to a town centre library for Folkestone but unfortunately, at the moment is not able to commit the budget required to carry out the work to the existing building – currently estimated at over £1.8million. The amount of work is more significant than KCC had anticipated and KCC has to be realistic that in the current challenging financial climate any spend has to be prioritised. It cannot at present fund the level of work needed at Folkestone Library.

KCC will continue to explore other funding options and will continue to deliver a library service from the nearest alternative libraries until the situation changes. KCC will also explore other potential town centre locations that Folkestone library could move into but realistically this will take some time.

In order to protect the library collections in a secure and safe environment, further stock will be distributed to the other district libraries, with the remainder going into storage to ensure these vital local collections are protected until they can return to Folkestone Library.

KCC is committed to a town centre library for Folkestone however, Folkestone Library will have to remain closed until the required funding is available, or an alternative town centre venue is found. KCC will update as soon as there are any significant developments. KCC recognises that this will be very disappointing news for Folkestone residents as it is to KCC.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Ms Karen Constantine to Mr David Brazier,
Cabinet Member for Highways and Transport**

In November 2022 KCC procured and awarded a new Highways Weed Control contract, and it was confirmed that the active ingredient glyphosate would continue to be used as the main herbicide treatment. While the Health and Safety Executive (HSE) currently approves the use of glyphosate, there is a growing body of evidence highlighting a link between glyphosate exposure and an increased risk of cancer.^[1] With that in mind, can the Cabinet Member please explain whether all of the risks associated with glyphosate exposure have been covered in terms of KCC workers and contractors, including the potential risk of litigation as a result of glyphosate-related health problems?

Answer

We only use products which are authorised for use and comply with UK legislation, codes of practice and industry best practice. Glyphosate is widely available to the public from retail outlets and is approved safe to use in gardens, parks, amenity areas and highway by the UK Government Health and Safety Executive (HSE).

The latest Highways Weed Control contracts were awarded in early 2023. They continue to require Contractors engaged with the service to follow strict legislation and HSE guidelines for health and safety and the application of herbicides. Risk assessments form an integral part of this process and are reviewed regularly to ensure they remain up to date and that they are comprehensive.

^[1] Pesticide Action Network UK – ‘Key Issues’ – accessible here: <https://www.pan-uk.org/key-issues/>.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Mr Hook to Mr David Brazier,
Cabinet Member for Highways and Transport**

It is understood that residents and local councillors have been advised by KCC Highways & Transport, not to expect any pothole repairs or similar highways work in 2023-24 unless there is a 'significant safety issue'.

Was the Cabinet Member aware of this and can he comment on whether the described situation is in line with the relevant KCC policies?

Answer

Following the effects of the winter weather a prioritised approach to attending to highway defects was undertaken. This ensured the most serious and dangerous defects were attended to ensuring highway safety. Over 17,000 repairs have been undertaken since December and work continues to address any outstanding defects.

There has been no change to policy and repairs to defects will continue in the normal way in line with our risk-based approach. We have recently been allocated an additional £6m by the Department for Transport to ensure highway defects continue to be repaired.

Additionally, our annual programmes of resurfacing and surface treatments remain in place and are about to re-commence following the winter cessation.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Mr Sole to Mr David Brazier,
Cabinet Member for Highways and Transport**

Residents are now beginning to see the impact of the removal of various subsidised bus routes, following KCC decisions and spending cuts last year.

Can the Cabinet Member please explain how the impact of these cuts is being monitored and taken into account as part of any KCC reviews of bus subsidy, which may show where key services like the No 17 evening Elham Valley bus route, among others, need to once again be supported for the benefit of local residents?

Answer

The budget available to KCC to support bus services is limited and when we reduced the number of services supported in 2022/23, it was those services with very low use and high passenger journey subsidy which were removed.

Set out at the time, the services from which support was withdrawn were assessed, based on use, subsidy per passenger and to ensure that the analysis was fair KCC's Public Transport team used pre pandemic use data. It should also be noted that they provided 2020/21 passenger data for members, as part of the robust discussions that took place regarding the supported bus reduction. Therefore, the impact of the change has been fully outlined and detailed.

Regarding service 17, the number of evening journeys was 15,550 in 2019/20 and these were subsidised by KCC at £3.01 per passenger journey. In 2020/21 this number had reduced to 10,885 journeys increasing the KCC subsidy to £4.28 per passenger journey.

It should also be noted that the commercially provided 17, run by Stagecoach, operates hourly from early morning to early evening, Monday to Saturday and a Sunday service is also provided. If there was demand for an evening service 17 it would be provided commercially.

The Public Transport team will continue to monitor the Kent bus network, its viability and where appropriate will respond to changes as best they can, however there are no plans to review the services withdrawn in 2022/23 nor is there funding available to do so.

COUNTY COUNCIL

Thursday, 23rd March 2023

**Question by Mr Rich Lehmann to Mr David Brazier,
Cabinet Member for Highways and Transport**

In January of this year the government announced plans to allow bi-directional 'smart' charging from electric vehicles, in short this would mean electric cars could be used to power homes and sell electricity back to the grid at peak times, saving money and increasing energy security. The government hope to make smart charging the norm at home and work by 2025.

Can the Cabinet Member for Highways and Transport tell us what actions KCC is taking to support this move? In answering the question, recognising the ambitious timeframe and scope of the plans, can the Cabinet Member comment on how this will affect KCC's position on charging solutions for those with no access to off-street parking?

Answer

The primary stakeholder in smart charging is UKPN. UKPN has released its EV strategy and KCC officers have regular meetings with UKPN to ensure both approaches to EV charging infrastructure are aligned.

KCC procures EV charging contracts as part of the EV Infrastructure Programme so officers take a keen interest in new technologies and regulations. In all tenders, officers ensure that the Charge Point Operators (CPO's) are compliant with Government mandated regulations and protocols. All chargers that KCC installs are "SMART" and therefore can be controlled to work with flexibility in mind. One of the current CPO's contracted to KCC has been trialling an Agile Streets project to test time of use tariffs on the public EV network. This scheme offers discounts to drivers if they charge their vehicles outside of peak times to reduce the carbon intensity of their charge and reduce pressure on the grid. This is something that KCC would like to integrate into Kent where possible as it offers the opportunity for reduced pricing for those reliant on the public networks.

Vehicle to Home or Vehicle to grid technology is most likely to roll out across homes and businesses first. The chargers and vehicles will need to be configured to allow this with replacement installations of chargers likely. Trials are ongoing nationally to understand the benefits and constraints of allowing the public network to operate in this way. KCC continues to watch the developments closely.

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