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Dear Member

COUNTY COUNCIL - THURSDAY, 13 JULY 2023

Agenda Item No

6 **Questions (Pages 1 - 12)**

Questions put and answers given

Yours sincerely

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

Benjamin Watts
General Counsel

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Question 1**COUNTY COUNCIL**

Thursday 13 July 2023

**Question by Mr Mike Baldock to Mr Rory Love,
Cabinet Member for Education & Skills****Question**

In my division, there are a lot of children being assigned to a secondary school that was not one of their preferred schools. In many cases the distance to the school is over 7 miles, with no means of access by public transport that would enable them to arrive before the school day starts.

Can the Cabinet Member for Education and Skills confirm if any additional support is provided to these families if they have already exhausted the appeals process and if they are unsuccessful in being awarded a place from a waiting list at their preferred schools, taking into account how important it is to reassure families that their child will be getting a suitable education when their child is placed at a school that was not one of their preferred options?

Answer

As transport forms such a vital part of admissions, we give parents detailed guidance before they submit their school application to help them minimise the chances of being offered a school that is difficult to access.

Parents are provided with up to four school preference options and they are free to name any school they wish, even if they do not have a high chance of securing a place., Parents can also choose not to make use of all available options. KCC cannot compel anyone to submit an application that guarantees a child school transport, but does provide extensive information to support those parents for whom transport is a primary factor in which schools they wish to consider.

Pupils are not always required to attend the nearest school to their home to secure free transport, as schools cannot always offer a place to every child who wishes to go there. However, parents are advised that there is an expectation in law that they should have at least tried to secure a place at any closer school if they wish to be considered for transport support to another school which is further away.

Where KCC cannot offer a child a school named on their application, it is required to offer an alternative school. This is usually the next nearest school with a space once all other applications have been considered. This does not mean that it is the nearest school to the child's home, as that school may already have offered all its places to children that named it as a preference. However, it does mean that any other school with a space at that time would be further away than the one that KCC is required to offer. This year, fewer than 11% of pupils who had to be allocated a school by KCC in this manner named four eligible schools on their application. This has the single

biggest impact on school transport eligibility as parents have elected to prioritise other factors than transport when selecting schools for their child.

Unfortunately, KCC is unable to resolve every instance where a family's preference selection results in them securing a school that is difficult to access. Where transport entitlement is not automatically available, parents can make use of the appeals process. Cases are considered on their merits and where there are overwhelming and justifiable reasons for doing so, Appeals Panel can choose to offer support. There is no further mechanism beyond the appeal process, and it is for this reason that such efforts are undertaken at the start of the process to ensure parents have clear information about how preference selection affects transport entitlement.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mr Anthony Hook to Mrs Susan Carey,
Cabinet Member for Environment.**

Question

KCC is due to consult on proposals to close various Household Waste and Recycling Centres across the County, including the one in Faversham. My understanding is that significant correspondence has already been received showing the public oppose the closure plans.

While I respect the role and importance of formal consultations, can I ask the Cabinet Member to explain why, in spite of the significant public feedback already obtained, she decided to progress proposals to consultation when KCC could instead accept the existing public response; that this is a terrible plan and KCC needs to think again?

Answer

Kent County Council has a budget shortfall of £58 million this year which needs to be met by a combination of increased revenue and decreased costs. Council tax has risen by 5% but everyone here will be aware that our costs have risen far more than this. The budget has also given priority to social care which means more of the shortfall has to be met from our other services. Every part of the council is making efforts to make savings and taking £1.5m from the running costs of our Household Waste Recycling Centres is part of this effort.

The saving must be made but we want to do so in a way that has the least impact on Kent's residents. Holding a consultation where we share the information on which we have based our proposals allows the public to give us their views and propose alternatives. This is why I wish to hold a consultation and no decision will be made until the responses to the consultation are analysed and reported.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mr Mike Sole to Mrs Susan Carey,
Cabinet Member for Environment.**

Question

Noting that temperatures continue to rise, we now have more hosepipe bans in the County, which cause problems for businesses and residents across Kent.

Would the Cabinet Member please explain the impact of these hosepipe bans on the Council and its activities? In answering the question, can the Cabinet Member clarify how KCC engages with the water companies to address these issues, for both the Council and residents?

Answer

The impact of the hosepipe ban on the County Council's activities is limited as the hosepipe ban is on domestic use and there are exemptions for most the County Council's activities as well as most commercial use.

OFWAT oversees the water companies and there is no formal role for the County Council in regulating them. We do however engage with them through the work of our planning and environmental teams and we assist where there are emergencies and water needs to be distributed to residents. We also engage with them in promoting water saving measures and in helping vulnerable households.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mr Neil Baker to Mrs Susan Carey,
Cabinet Member for Environment**

Question

The reputation of our beaches has taken a hit in recent years due to untreated waste from combined sewer overflows pouring into our rivers and sea.

The water companies and decades of inadequate investment, under whatever form of ownership, must take the lion's share of the blame but if we are to end this environmental disgrace, we need to work together so we can enjoy our beaches, protect our fishing industry and economic viability of our coastal businesses.

In the short term, can the Cabinet Member explain what measures the County Council can put in place to prevent rainwater from entering the sewers where possible, and slowing the flow of rainwater into the sewers where it is not? This will maximise the capacity of the sewers for actual sewage, which can then be treated, rather than being overwhelmed by freshwater after rainfall.

Answer

Sustainable Urban Drainage Systems are, in my view, the best way to help reduce the problems caused by Combined Sewer Overflows. They use natural features such as ditches, ponds and trees to hold and slow water and their effect can be enhanced by the use of tree pits. This sort of approach costs far less than traditional hard engineering solutions and provides green space for the enjoyment of our residents and habitat for wildlife. Other benefits include providing shade and lowering heat in summer and improving air quality. Our project at the George Park in Margate is an example of a successful Sustainable Urban Drainage System.

We are working with Southern Water on their Clean Rivers and Seas Pathfinders project, in Deal, Margate and Whitstable to reduce raw sewage discharges to the environment. Several options are being investigated including separating highway run-off from the combined sewer as has already been done in Albert Road, Deal and this looks promising for Whitstable as well.

The work at Deal has also included smart water butts which are connected to a weather monitoring system and discharge their water in advance of a storm so that they can receive and hold more water when it arrives in large quantities. This is also being trialled in other locations.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mrs Mel Dawkins to Mr David Brazier,
Cabinet Member for Highways & Transport.**

Question

As outlined in the final response to the Highway Improvement Plans (HIPs) Short Focused Inquiry (SFI), 'KCC are trialling a pilot scheme to allow local KCC Members in unparished parts of Canterbury to coordinate a HIP for their divisions'. Ordinarily, a group of around 5 – 10 Councillors would all work together to produce a HIP, whereas I am expected to coordinate all of this by myself, which is particularly challenging when I represent a large division with over a dozen resident groups. I am happy to act as an intermediary between KCC and the residents which I represent, but I am not an expert on Highway issues, and nor should I be expected to be. In my opinion, the HIP process is inherently flawed and unfairly penalises those Members who represent unparished divisions.

Keeping the above in mind, can the Cabinet Member please explain what additional support could be put in place to help Members in unparished areas produce HIPs (over and above what is already suggested in the SFI response) and can they also clarify the role of Community Engagement Officers in relation to HIPs and what Members and residents can expect from their work?

Answer

Highway Improvement Plans (HIPs) were introduced to Kent with the intention of streamlining the process by which Parish Councils and local community groups requested improvements to the highway in their own areas and to reduce the number of individual customer enquiries and better coordinate the community voice.

Following the Short-Focused Inquiry, County Members now have the ability to produce a HIP if they wish to co-ordinate requests in their area. The HIP must be led by an elected representative to ensure that the process is being led in a democratic way, if not by parishes, then by the local elected KCC Member.

We offer meetings with Members to support them with their HIPs and also an annual review meeting. The role of the Community Engagement Officer is to facilitate these meetings and offer professional highway advice with regards to the requests and priorities on the HIP. They are able to progress any agreed works if a budget is identified and keep the Member up to date on the works or progression of the scheme. Community Engagement Officers also deal with CMG requests from Members and process these along with regularly meeting the Parishes within their areas.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Ms Kelly Grehan to Mrs Clair Bell,
Cabinet Member for Adult Social Care & Public Health**

Question

Kent is currently the worst performing area of the country in terms of care homes, with 14 homes having been classified as 'inadequate' by the Care Quality Commission (CQC). Considering KCC works with these private businesses and commissions services from them, does the Cabinet Member have a view as to why more care homes are failing here than elsewhere, and can she please explain what powers we have (if any) as the Local Authority to intervene and help improve standards when a care home has been rated as 'inadequate'?

Answer

Thank you for your question. Kent is the largest local authority in England with the highest number of care homes, which by default means there is likely to be a higher number of Care Quality Commission (CQC) Inadequate rated homes.

There are a total of 506 care homes in Kent, of which 237 are for people with learning disability, physical disability, or mental health needs and 269 are for older people. The total number of homes within Kent that are presently rated Inadequate by the CQC is six, which as a percentage of the total homes equates to under 1.2% of care homes.

Commissioners work closely with adult social care colleagues and with relevant agencies from health, the police and Kent Fire and Rescue Service to develop robust action plans to support homes that are rated Inadequate to make significant improvements. However, CQC is not always able to prioritise a revisit to the home to determine a new rating which may delay a more favourable rating even though any quality issues and risk have been mitigated.

Commissioners use a range of contract management tools and processes to help identify quality and safety issues and to drive improvement within all care homes. This includes a quality and risk matrix that considers a broad set of information and gives an indicator of risk which determines any required intervention and support. All care homes in Kent are also asked to complete a self-assessment which has been developed as an approach to ensure providers of care homes in Kent take more responsibility for delivering high standards in their homes. Kent County Council has also adopted a sanction process whereby if a care home is determined to be delivering poor care a restriction or suspension will be put on the home, which means we will not place new people in that home until sustained improvements have been evidenced.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mr Barry Lewis to Mr David Brazier,
Cabinet Member for Highways & Transport**

Question

Kent County Council (KCC) has a legal duty to maintain the highway network for which it is responsible, and this includes the repair of potholes, which if left untreated can cause serious injury and damage to road users and vehicles. I understand that KCC received additional funding from Government earlier this year for pothole repairs, yet in my division there are still several potholes which have not been fixed within the 28-day period.

Can the Cabinet Member please tell me when the backlog of pothole repairs across Thanet will be completed and is he concerned that the delays may lead to increased legal claims for compensation from the public where they may have been injured by a reported pothole or other road network fault?

Answer

Having checked our records and works ordering system on 6th July, I can confirm that there were no overdue 28-day jobs for potholes in Thanet at that time. This being a record of defects identified as part of our statutory highway inspection regime and those identified as a result of customer enquiries and ad-hoc discovery during the course of officers' duties. There may be some potholes on the network in Thanet that are as yet unreported or identified and I encourage Mr Lewis and his constituents to report these through our online fault reporting tool or our contact centre in order that they can be inspected and any necessary works orders raised.

To date usual maintenance budgets have been used this year to repair hazardous potholes in Thanet and a sufficient sum has been allocated to Thanet as part of our Pothole Blitz programme. to repair further identified and prioritised sites.

I am aware that Mr Lewis is in regular contact with Paul Valek the Highway Manager for Thanet who has offered to meet Mr Lewis and have a drive in his division and other areas of Thanet. This will provide the opportunity for Mr Lewis to point out any specific sites and areas of concern.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Mr Rich Lehmann to Mrs Susan Carey,
Cabinet Member for Environment.**

Question

A recent report by OpenDemocracy in conjunction with UK Without Incineration revealed that the waste from the energy plant at Allington ranked second highest out of 57 incinerators across the UK for carbon emissions last year. The energy produced there was 24% higher in carbon emissions than energy from coal-fired power stations, and around 100 times more carbon intensive than power produced by offshore wind.

Can the Cabinet Member for Environment please advise whether any efforts are being made to reduce the volume of material being sent for incineration at Allington, and in particular, whether additional steps will be implemented to sort and remove some of the most polluting materials from the waste before it is incinerated?

Answer

Reduce, reuse and recycle are the ways we deal with waste and only after those three stages will anything be sent to an Energy from Waste plant. I don't think anyone is suggesting that an Energy from Waste Plant is preferable for energy production to a coal fired plant let alone off shore wind but turning waste into energy is a much better way to deal with it than burying it in landfill which is the only other option for residual waste.

KCC aggregates household waste at our Waste Transfer Stations and what cannot be recycled is sent to Energy from Waste plants in Kent. Asbestos is probably the most polluting material we deal with and this is not incinerated but sent to landfill. Less than 1% of Kent's waste is sent to landfill which compares well with the 8.5% average (2019/20 figures from DEFRA) for local authorities in England.

A report to the Environment and Transport Cabinet Committee on 19 January 2023 set out some of the ways we are working to reduce the amount of waste for disposal and increase the amount that's recycled so less goes to the Energy from Waste plants. These initiatives include splitting open the back plastic sacks brought to the Household Waste Recycling Centres to extract recyclable material, re-use initiatives (a 'pop up' shop of items from East and Mid Kent HWRCs will take place at the Canterbury HWRC on 16 July), a furniture reuse scheme with a Maidstone based charity, bike repair, Christmas tree collection and book collections.

KCC and ten of the twelve District and Borough Councils have developed inter Authority Agreements with financial incentives for better recycling' This is funded by savings made from not sending waste to the Energy from Waste Plant at Allington.

There are other initiatives that involve all twelve districts such as improvements to recycling in blocks of flats and on street as well as campaigns to encourage the reduction, reuse and recycling of waste by Kent residents.

COUNTY COUNCIL

Thursday 13 July 2023

**Question by Ms Jackie Meade to Mrs Clair Bell,
Cabinet Member for Adult Social Care & Public Health**

Question

As part of the budget setting process earlier this year, a proposal put forward by the administration to cut around £4.3 million to the voluntary and community sector (VCS), through a 'review of contracts and grants for discretionary services', was approved. At the time, I expressed my concern that without these vital voluntary services, vulnerable residents would start to fall through the cracks in our wider healthcare system. This now sadly appears to be the case, as I have recently been contacted by several residents who say they are no longer able to access the care and support they need to live a fulfilling life. For example, one of my residents has just informed me that their VCS provider can no longer support their needs due to a lack of funding.

Can the Cabinet Member please explain if the situation described above is a direct consequence of KCC's decision to withdraw funding to the VCS sector, and if so, can she please advise me where I should signpost vulnerable residents so that they can receive the help and support they need to live a fulfilling life?

Answer

Thank you for your question.

I can confirm, at this point in time, Kent County Council has made no cuts or reductions to funding for Voluntary Community and Social Enterprise (VCSE) organisations, linked to the budget set for 2023/24. It may be that VCSE providers supporting residents in your area have received a reduction in funding from other sources. Without knowing which VCSE provider your question refers to, I am unable to comment further on the funding issues. The appropriate advice on any alternative support available in the East Kent area can be provided by contacting Connect Well East Kent on 0300 302 0178.

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