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Dear Member

COUNTY COUNCIL - THURSDAY, 28 MARCH 2024

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 circular stamp.

Benjamin Watts
General Counsel

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Question 1**COUNTY COUNCIL****Thursday 28 March 2024****Question by Ms Susan Carey to Mr Neil Baker**
Cabinet Member for Highways and Transport**Question**

Could the Cabinet Member for Highways and Transport give an update on how successful or otherwise the subsidies for bus services from BSIP (Bus Service Improvement Plan) have been in helping the bus companies increase ridership and cover their costs of operation? In answering the question, can the Cabinet Member please clarify whether there is scope for subsidies to be switched to other routes if and when the routes currently being supported become commercially viable again?

Answer

In the spring and summer of 2022, several local bus operators approached us to say that they were no longer able to operate specific services commercially, due to changing patterns of travel post pandemic and the increased cost of operation. Several operators also approached us seeking funding support to put in place business resilience measures.

Post pandemic bus use has not returned to pre pandemic levels, particularly in the off peak. Also, the industry has seen the number of part time drivers reduce significantly, struggled to recruit engineers, and seen labour and consumables costs rise far higher and faster than inflation.

KCC has thanks to government BSIP funding, taken on the financial support to 49 services, most (but not all) with a school focus and provided support to operators with business resilience measures. Without that support it is likely that many of the 49 services would have been withdrawn and without the work done with operators on business resilience it is likely whole businesses would have closed their operations. BSIP has also funded initiatives designed to get people back on buses. In 2023, we funded a summer extension to the English National Concessionary Travel Scheme, enabling pass holders to use the bus before 0930 Mon-Fri, funded the free travel for the Kent Big Weekend and, for low-income families, free travel over summer. In 2024, BSIP will fund a marketing campaign designed to get people back on bus. And of course, government has directly supported bus fares, with the national £2 single fare cap.

Operational costs continue to rise and therefore the services will continue to need support if they are to continue to operate. Over time, should use/costs change, and we can re-allocate funding, we of course would do so. While BSIP funding has made a real difference to operational services and bus use, we are concerned it has an end date of March 25; there is no indication that there will be any continuation of funding, though we will continue to make the case for it. Without long term government funding for local bus services, and with local authority budgets under pressure, it is likely that there will be a significant decline in the number of bus services, in several areas across England, as networks shrink to a commercially sustainable level. Despite this, it is believed that BSIP programme has been beneficial to the Kent bus network.

COUNTY COUNCIL

Thursday 28 March 2024

Question by Mr Barry Lewis to Mr Rory Love
Cabinet Member for Education and Skills

Question

How many children receive free school transport and how much has been spent transferring both SEN and non-SEN children to school? Following on from this, how much on average is therefore spent per child?

Answer

The latest financial forecast for 2023-24, presented to Cabinet on 21st March 2024, includes total forecast net spend of £11.1m for non-SEN children and £59.2m for SEN children and young people travelling to school. In addition, we are also forecasting to spend £3m on personal transport budgets and £7.1m transporting young people with SEN to college. The total forecast net spend is therefore £80.4m for 2023/24 to transport both SEN and non-SEN children and young people to school or college. The estimated average number of children being transported over this period is 14,180.

The average annual cost in 2023/24 for non-SEN students is approximately £1,875 per child/young person, and the average cost for students with SEN is approximately £8,398 per child/young person. Students with SEN are more likely to be travelling using hired transport rather than bus, leading to a considerably higher average cost.

This spend relates to children and young people who are eligible for council taxpayer-funded transport under our current school transport policies. These costs exclude the Kent Travel Saver or Kent 16+ Travel Saver.

COUNTY COUNCIL

Thursday 28 March 2024

Question by Mr Dylan Jeffrey to Mr Derek Murphy
Cabinet Member for Economic Development

Question

As part of the Council's Economic Development activities, can the Cabinet Member tell the Council what initiatives are in place to promote and support local companies selling Kent produce to the domestic market, to our European partners and even further afield?

For context, there are an increasing number of amazing local companies providing jobs and opportunities with the expansion of vineyards and distilleries throughout our beautiful county. We should all be proud as Kent residents of the wonderful produce being made in our county and hope Members would agree that KCC should explore doing what it can to support these businesses grow and expand further, bringing jobs and prosperity to Kent.

In answering, can the Cabinet Member comment on whether the Council is able to explore more involved partnership working with any of the producers?

Answer

Kent County Council has provided support to local food & drink companies in a number of ways over recent years.

Firstly, KCC was instrumental in establishing **Produced in Kent**, which is a membership-led organisation supporting the county's food and drink producers. PinK currently has around 200 member businesses and works to promote local produce, support businesses to help them grow and provides a voice for the sector locally. KCC provides direct support to PinK in the form of seconded staff members who run the Produced in Kent service.

Produced in Kent runs the annual **Taste of Kent Awards** whose 27 categories aim to celebrate and showcase the diversity of Kent's food & drink and hospitality & catering businesses. The finalists and winners highlight innovations in the sector and promote the outstanding quality of the food & drink industry in Kent. Entries are in for this year's awards, judging has commenced and the winners will be announced at an event in June.

KCC also backs the **Growing Kent & Medway** Initiative led by NIAB-EMR, the UK's largest horticultural research and development centre and supported by the county's universities and industry. The programme helps local food & drink firms to innovate, develop their market potential and grow.

Through the **Kent International Business Programme**, KCC has led a number of externally funded projects to support food & drink companies with exporting. Projects such as ISE (Innovative Sector Exchange – funded by the EU's Interreg programme), SEED (South East Export Development – funded by SELEP).

COUNTY COUNCIL

Thursday 28 March 2024

Question by Mr Paul Barlett to Mr Derek Murphy
Cabinet Member for Economic Development

Question

I was delighted that KCC plans to enter Memorandums of Understanding with the government to access £9.8m capital funding and £430k revenue funding to tackle nutrient neutrality issues in East Kent. The requirement for nutrient neutrality in the catchment for the Stodmarsh National Nature Reserve is having a significant impact on the delivery of homes in East Kent including Ashford.

Please can the Cabinet Member clarify KCC's role in terms of working with Districts to secure delivery of new housing required under relevant local plans and give any helpful examples to illustrate this?

Answer

KCC has been acting as the catchment coordinator for nutrient neutrality in East Kent since 2022, which is a role that is funded by the Department for Levelling-Up, Housing and Communities. In this role we have been working with all the planning authorities affected by nutrient neutrality, including Ashford Borough Council, supporting the development of a catchment-wide strategy for nutrient mitigation. We worked with the Local Planning Authorities on the bid for this funding and we are working with them on a strategy to utilise it. We will continue in the role of catchment coordinator, but nutrient neutrality mitigation requires a coordinated effort, and the Local Planning Authorities will continue to be integral parties in the delivery of the strategy.

As set out in the paper to the Growth, Economic Development, Communities Cabinet Committee, we will return to the committee with a paper that sets out the strategy to deliver nutrient mitigation with this funding, which will include the measures we plan to employ.

COUNTY COUNCIL**Thursday 28 March 2024****Question by Mr Mike Whiting to Mr Rory Love**
Cabinet Member for Education and Skills**Question**

Can the Cabinet Member update us on progress on the much-needed and exciting new secondary education landscape on The Isle of Sheppey from September 2024?

Answer

Members of this Council will be aware that I was able to send out a briefing note on this matter last Friday, but for the wider record I shall respond in full to this important question, submitted in advance of that briefing note.

At the time of my appointment to this role just over 16 months ago, the intention of the Department for Education (DfE) was to replace the incumbent Trust, following an 'Inadequate' Ofsted inspection report, with a new Trust to run the secondary academy on the Isle of Sheppey. This Council successfully made the case that if you keep on doing what has always been done, then you will keep on landing the results you have always landed.

That is why it has been Kent County Council's ambition to bring about a new model for secondary school provision on the Isle of Sheppey. Despite having no formal role in the decision-making on this matter, KCC has used its influence to propose, and advocate for, the replacement of the current academy, split across two sites (in Minster and Sheerness) and operated by a single Trust, with a new model that has each site operated by a separate Academy Trust.

May I place on record my thanks to Mr Whiting and the other Sheppey Member, Mr Booth, not only for the tireless work they have undertaken, together with other Swale colleagues, to promote a two-trust solution, but also for their support for this Council in our work to achieve this goal. I will also record my thanks to our Director of Education and her team for seizing this initiative, and for their detailed work to secure this solution.

After a period of extensive and detailed dialogue involving the DfE, the Trusts, and KCC, I was pleased to learn late last Friday that the DfE issued to Oasis Community Learning the formal closure letter for Oasis Academy Isle of Sheppey. This allows for East Kent Colleges Group and Leigh Academies Trust to proceed with the next stages of establishing two new academies on the Island for this September.

Parents of families who will be affected by this change were contacted on Monday 25 March to begin a process of identifying a place at one of the new academies. This is in line with previous communications to parents regarding their preference for an Isle of Sheppey school place. All Trusts and KCC have committed to remaining contactable during the Easter break to ensure families have the necessary support during this period of transition.

I am sure all colleagues will wish to join me in welcoming the news of this groundbreaking next step for education on the Isle of Sheppey.

COUNTY COUNCIL

Thursday 28 March 2024

Question by Mr Paul Cooper to Mr Neil Baker
Cabinet Member for Highways and Transport

Question

It has been several years since SELEP granted funding for a package of junction improvements through the arterial routes in Maidstone, yet we have seen very little progress. If we don't act quickly inflation will further erode the spending power of this grant funding. When will we see further works, particularly at the Wheatsheaf Junction?

Answer

The delivery of any major project is lengthy and although there has been great success in unlocking funding, it can be time consuming to navigate and deliver schemes with sufficient benefit against the challenging conditions of the Growth Deal fund.

The capacity improvements to junctions within the Maidstone Integrated Transport Package have remained complex due to limited opportunity for land take. Public consultation and land negotiations for changes in the highway, voluntary acquisition, or Compulsory Purchase (CPO) as well as planning requirements can result in lengthy local delays to delivery.

That said, KCC has awarded the construction contract for the A20 Coldharbour Roundabout scheme which commenced in February 2024 and is due to complete in December 2024.

Furthermore, as part of the A229 Loose Road Corridor, KCC has completed an improvement to the A229 Loose Road junction with Armstrong Road/Park Way and has made permanent the closure of Cranbourne Avenue following consultation on the Experimental Traffic Regulation Order.

As a result, KCC is currently reviewing the benefit from this closure against the cost and benefit of delivering a more costly scheme at the Wheatsheaf junction under a potential phase 2. Officers will keep members informed of progress.

COUNTY COUNCIL**Thursday 28 March 2024****Question by Ms Karen Constantine to Mrs Sue Chandler,
Cabinet Member for Integrated Children Services****Question**

Can the Cabinet Member for Integrated Children Services tell the Council what support does KCC offer to individuals that, due to forced adoption, require assistance in tracing their children, where the relevant data is held by KCC and does this include helping access therapeutic services required because of forced adoption practices.

Answer

Adoption Partnership South East commission Connecting Adoptive Families Independent Service (CAFIS) Barnardo's to provide support for birth parents whose children were adopted. CAFIS supports all those affected by adoption, whether personally or professionally, and offer a number of events throughout the year to share up-to-date information, discuss current research and changes and offer support. These include support groups for adoptive and birth families, seminars for birth and adoptive families, and networking events for professionals. In some Local Authorities, this service is provided at cost to individuals. KCC commissions this service so there is no cost to individuals accessing the service.

For experiences of adoption prior to 1975, CAFIS prioritises requests for support to trace family members. This reflects the ages of the individuals coming forward and there likely being external factors which may impair the activity from being successful in its aims to unite families. The service supports individuals to make Subject Access Requests from KCC to support acquiring data and information held in relation to their children. KCC holds paper files within archives and accesses these files upon requests. Using the information acquired from KCC, CAFIS will complete the tracing of individuals. When individuals are located, CAFIS will approach the individuals to indicate their parents are wishing to reestablish contact and acquire the individuals' wishes and feelings. If the individuals agree to meet with their parents, CAFIS will support the first meeting between the parents and their children. Whilst it will be challenging for parents to learn their children may not wish to reestablish contact, CAFIS will acquire as much information from the individuals as possible to help parents understand the reasons. Whilst CAFIS supports individuals to network and engage with support groups and this level of support is open ended, once all reasonable steps are taken to engage with the parents' children with respect to tracing, regardless of whether the child wishes to have contact or not, CAFIS will withdraw from this point.

Individuals who may need further support after tracing, or affected by their experiences, are encouraged to approach their health provider for ongoing support. For consistency, both in the short and longer term, support from local resources is best for providing a continuum of support both in planned support and when emergency support is required.

COUNTY COUNCIL

Thursday 28 March 2024

Question by Mr Andrew Kennedy to Mr Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services.
(Responded to by Mr Harry Rayner
Deputy Cabinet Member for Finance)

Question

Given the challenging state of local government finances, can the Deputy Leader please advise the Council whether the administration has given serious consideration to holding a Kent Lottery? Across the UK, 44% of residents participate in the National Lottery at least once a year, and 27% do so each week. If a Kent Lottery was supported by just 5% of residents at a minimum weekly stake of £2, this would provide a dividend to KCC of almost £2 million pa, with a similar amount returned in prizes. This is permitted under the 2005 Gambling Act and the Gambling Commission states that a Local Authority can use the proceeds of a lottery "for any purpose for which it has the power to incur expenditure". KCC could therefore allow participants to choose which service their stake was supporting, from a list of say three options (for example, highway maintenance, voluntary sector support or public transport). Such a move would encourage participation and allow residents a degree of choice in how their contribution is being spent.

Answer

Under the Gambling Act 2005 a local authority can apply to the Gambling Commission to run a lottery to raise funds towards any functions for which it has the power to incur expenditure, this would not extend to statutory services. The vast majority of such licences are held by unitary or lower tier councils and are generally used to support local good causes rather than local authority services. This is not something the County Council has to date actively pursued, not least because of potential reputational risks associated with gambling and impact on a number of existing charitable lotteries already operating in the local area. The financial risks can largely be minimised although the unpredictable nature of sales income would pose some financial challenges to the Council if the funds were intended to support recurring expenditure. Local authority lotteries must use at least 20% of the gross proceeds towards the causes supported by the lottery but must also cover the operating costs and prizes (up to a maximum of 80% of the gross proceeds).

The maximum value of tickets that can be sold in a single lottery is £5 million and the maximum aggregate value of lottery tickets that can be sold in any calendar year is £50 million. The local authority would have to appoint a person to have overall management responsibility for the promotion and proper management of the lottery and for compliance with the regulatory requirements. That person should be a senior manager who holds the relevant delegated authority from the local authority and subject to the size of the operation may be required to hold a Personal Management Licence. The authority could choose to engage a licensed External Lottery Manager who would normally work on a model of 60% of the proceeds going to local causes (50% to stipulated causes and 10% local authority discretion) with the remainder spent on administration and prizes. This

would require an upfront investment of £5k plus an annual charge and the administration would not include any local authority officer time.

COUNTY COUNCIL

Thursday 28 March 2024

Question by Ms Kelly Grehan to Mr Dylan Jeffrey
Cabinet Member for Communication and Democratic Services

Question

A resident has contacted me to tell me that they found the adult social care charging policy consultation difficult to navigate. She also pointed out that many with care needs will find the consultation difficult to access due to disability and other needs.

Can the Cabinet Member please explain what efforts are made to ensure consultations are accessible and does he share my concern that extra work or support is required for consultations like that on the Council's Adult Social Care Charging Policy?

Answer

The County Council takes accessibility very seriously and has implemented a number of ways to help residents participate in our public consultations and have their say.

Stakeholder identification is undertaken to understand who could be impacted by, or interested in, each consultation, with consideration given to their accessibility needs.

Our online engagement platform meets digital accessibility requirements. Information on how to ask for alternative formats of consultation material is promoted as standard practice. This includes asking for paper copies to be sent out if people feel unable to complete an online form. A Word version of the online form is also available from the webpage.

For the two current Adult Social Care Charging consultations, letters were posted out to those directly impacted by the proposals. An easy read version of the letter was sent to those identified as having a learning disability. The letters contained a telephone number and email address to contact with any queries relating to the consultation. Contact details are also available on the website.

Easy read and large print versions of the consultation document and questionnaire were available at the outset, alongside a translation of the website content in British Sign Language. Posters to promote the consultation (displayed in libraries and gateways) give information on how to request paper copies of materials if people could not go online. Social care providers and staff have been briefed and asked to support people in taking part in the consultation. People phoning for support have been given the option for staff to complete the online form over the phone for them.

223 voluntary and community organisations have been offered engagement sessions to get feedback on the proposals and Equality Impact Assessments and asked to support people to participate in the consultation.

In advance of the consultation, the service met with the People's Panel, whose members include people from the Older Peoples' Forums, Mental Health User Voice and the Kent Physical Disability Forum as well as Healthwatch Kent volunteers, to discuss the proposals and review the consultation material.

The County Council will continue striving to make consultation and engagement opportunities as accessible as possible, and we welcome feedback on residents' experiences on how this can be improved.