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Dear Member

COUNTY COUNCIL - THURSDAY, 19 DECEMBER 2024

Agenda Item No

6 **Questions (Pages 1 - 14)**

Yours sincerely

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

Benjamin Watts
General Counsel

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Question 1

COUNTY COUNCIL

Thursday 19 December 2024

**Question by Richard Streatfeild MBE to Rory Love OBE,
Cabinet Member for Education and Skills**

Given how much money the county spends on independent special schools, how many independent special schools has the Cabinet Member visited since he took SEND into his brief and in answering the question could he indicate whether he believes those he has visited offer value for money?

Answer

My visiting private special schools has not been a high personal priority since my appointment as Cabinet Member. I have had reason to visit one independent special educational establishment; Woodpecker Court at Eythorne. It is an outstanding post-16 provision. Such visits have, however, been an increasing priority, since my appointment as Cabinet Member, for the Council's Education Team. These visits and conversations, which can be as frequently as termly, consider our Dynamic Purchasing System and commissioning practice, quality assurance and finance (including value for money), and sufficiency of places.

What is a priority for me is to achieve the best value for money for hard-pressed taxpayer funds, and that is usually achieved by educating those pupils who have the most complex needs at special schools within the maintained sector.

That is why it is so important that the places within those maintained special schools are available for pupils with the most complex needs, so that the taxpayer does not have to pay higher fees at private schools simply because places at maintained special schools have been occupied by children whose needs are less complex.

And that is why it is so important, both for the education of those pupils with complex needs and for the sustainability of the High Needs budget we are allocated by central Government, that our Special Schools Review proceeds at pace. I look forward to Mr Streatfeild's support for the ongoing implementation of that Review.

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Thursday 19 December 2024

**Question by Mel Dawkins to Sue Chandler,
Cabinet Member for Integrated Children's Services**

I have heard that Bradstow school in Broadstairs is going to close in August next year. The school is maintained by Wandsworth Council along with 14 other councils and Wandsworth has decided to stop their funding to their satellite school in Kent due to financial issues. This school and residential home is very important for young people with severe intellectual disabilities who are on the autistic spectrum and will leave a gap for many of the young people who attend as to where to go.

Can the Cabinet Member please tell me where KCC intends to place the Kent students from the school?

Answer

Bradstow School is owned and run by the London Borough of Wandsworth. It is made up of a registered school and two registered Children's Homes. Historically children from across the Country have been placed by their home local authority into the school and residential setting. This has included some Kent children placed by Kent County Council.

Currently there are eleven Kent children funded by KCC placed at the school. Four of the children will be leaving the school aged 18 by July 2025. For the seven remaining children who will be under 18 when the school closes, we are actively searching for an appropriately matched education and care provision, as close to the children's family home as possible.

COUNTY COUNCIL

Thursday 19 December 2024

**Question by Mike Whiting to Neil Baker,
Cabinet Member for Highways and Transport**

Public transport for tens of thousands of my residents on the Isle of Sheppey is non-existent. In the evenings, on Sundays and Bank Holidays there are no buses at all. Following the recent Budget, the Transport Secretary Louise Haigh said there would be £1 billion available to "vastly improve" the reliability and frequency of bus services, particularly in rural areas. Figures obtained from the House of Commons suggest Kent will receive £23,134,379 of that funding.

Will the Cabinet Member commit to ensuring Sheppey get its fair share of that money, bringing hope to those trapped in their homes, unable to travel to work, or access hospitals and other services due to lack of public transport on The Island

Answer

Thank you, Mr Whiting.

Being allocated another year of Bus Service Improvement Plan funding for 25/26 from central government is most welcome. This is much needed funding, which continues to support the work done in Kent in delivering its BSIP.

I must clarify that the amount allocated to Kent for the BSIP element is actually £22m, of which £12m is capital and £10m is revenue. That does mean that the part that could be used to support withdrawn bus services or new and enhanced bus services is much more limited and I would remind members, that since 2022 the priority of this authority has been to protect the existing bus network where we can, especially those services serving schools. As such there are more than 50 services already funded by BSIP, which would not exist without this funding and so an element of that £10m is already allocated.

Clearly if there is revenue available for new services or service enhancements, then officers will seek to deliver such projects, in whatever district, but I would caution at this stage, protection of what we currently have is key.

COUNTY COUNCIL

Thursday 19 December 2024

Question by Mike Sole to Neil Baker, Cabinet Member for Highways and Transport

Bramling Road is a mainly single lane country road that is used as a back route by motorists seeking to avoid congestion in Littlebourne, or when travelling between the A257 and the villages of Bekesbourne, Bridge, Bishopsbourne etc. In recent years the usage of this road has increased significantly, and with ever increasing housing numbers, there is every expectation that this growth will continue. The national speed limit applies along the whole road. Residents living on Bramling road, who regularly report issues online, have noticed significant deterioration of the carriageway, traffic speeding past their homes damaging hedges and verges, and local landowners have seen an increase in unofficial passing bays as motorists erode the verges. These passing bays, essentially to allow traffic to pass, now contain deep ruts and potholes.

What plans does KCC have to improve the lives of those living on this road by addressing these issues?

Answer

Thank you, Mr Sole for your question.

As part of our statutory duty as Local Highway Authority the County Council is required to review all recorded crashes in Kent. Thankfully, Bramling Road has not featured in this work but I do recognise that, whilst prioritising our efforts based on known crash data is an established and sensible approach, not all problems will be highlighted this way.

It is for situations like this we established Highway Improvement Plans, to ensure the community can identify schemes and attract funding in areas of concern. I know the Community Engagement Officer is in regular contact with Ickham Parish Council and yourself.

With regards to speeds, the telematics for Bramling Road shows that average speeds do not exceed 29mph. However, officers would be happy to discuss this further with the Parish and yourself.

The Highway Manager for Canterbury has confirmed that if they are notified of any defects, they will of course deal with them. The road is inspected on a regular basis and any safety critical defects are repaired in accordance with our policy. Please do feel to share any photos you have of the issues raised with me.

COUNTY COUNCIL**Thursday 19 December 2024****Question by Chris Passmore to Neil Baker,
Cabinet Member for Highways and Transport**

West Maidstone has an aging infrastructure of roads, bridges and utilities under our roads and we need to face the reality that there will be a need for emergency repairs. Recently, with Teston Bridge closed for repair, we then had the nearby no notice closure of East Farleigh Bridge by South East Water, to do what they called an emergency repair to a water main by the 'Farleigh Bull', despite all houses in that area continuing to receive water through the ring main. This second closure on 13 and 14 November, not only added hours of commuting time to those diverting but caused gridlock in central Maidstone affecting drivers who go nowhere near the Teston or East Farleigh Bridges. With better notice, the effect of this second closure by South East Water could have significantly reduced the impact both on the local economy and on schools, with many students arriving late for their classes. Can the Cabinet Member confirm what actions KCC is taking to make this process more transparent and mitigate the negative impacts on our residents? In answering, can it be clarified whether it would be viable to develop a protocol with utility companies that allows maximum possible notice, gives explanations to residents for closures and encourages repairs being done overnight or at weekends.

Answer

Thank you for your question, Mr Passmore. I understand and share the frustration caused to road users and local communities due to unplanned emergency road closures and, indeed, roadworks and street works in general. Unfortunately, the powers of the highways authority over the highways in the authority's area are nowhere near as absolute as is widely assumed.

Guidance in the Streetworks code of practice states that any works promoter should contact us as soon as they need to close the road; however, this is not always possible with emergency works as Section 14(2) of the Road Traffic Regulation Act 1984 requires the restrictions and prohibitions to come into force without delay. When this power is used, it is not possible therefore to give advance notice to anyone.

While KCC have no control on whether a road needs to be closed, utility companies are bound by the Safety Code when deciding to close a road. Road Closure Inspectors will carry out inspections on as many emergency closures as possible including review of the expected duration of closure and whether this is reasonable and to provide robust challenge to utilities when they deem the works as emergencies.

In this particular incident, officers did challenge South East Water when they issued the emergency works on an invisible leak. For context an invisible leak is one that has not broken the road surface. The company was able to provide evidence that they were losing large amounts of water from their main at this location. The impact of running water at

pressure underground could lead to critical carriageway and substructure failures making the work necessary.

My Deputy Cabinet Member, Mr Robey, and I will continue to work with officers and others in an attempt to improve and develop processes regarding street works matters. There is a need to challenge the prevailing legislation. In the meantime, officers do hold regular performance meetings with all utility companies and they do take the opportunity to seek continuous improvement and to enforce behavioural change.

COUNTY COUNCIL

Thursday 19 December 2024

**Question by Mark Hood to Peter Oakford,
Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**

The council has a good record of working in partnership with borough and district councils in West Kent to deliver improved facilities through regeneration and co-delivery of services in Sevenoaks and Tunbridge Wells. Tonbridge and Malling Borough Council is undertaking its own town centre regeneration in Tonbridge which offers potential for co-location of services. This could allow us to consolidate our services in fewer and more financially and environmentally sustainable buildings in line with our policy aims and bring benefits to both the Councils and our residents.

Can the Cabinet Member confirm what meetings have taken place with TMBC representatives to discuss possible KCC joint working on this town centre regeneration?

Answer

I can confirm that Infrastructure officers have met with TMBC officers on 4 occasions in 2024 to discuss opportunities for joint working in respect of TMBC and KCC assets, which has included the Tonbridge Town Centre Assets. I can confirm that KCC continue to engage with TMBC to explore options that may exist for the two councils to work together.

COUNTY COUNCIL

Thursday 19 December 2024

**Question by Sarah Hudson to Peter Oakford,
Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**

One of my parishes, Kings Hill, have spent the last year trying to purchase some community assets from Prologis/KCC. These assets were built using S106 monies, yet instead of being handed to the parish to run on behalf of their residents, they were given to Prologis/KCC and they charge for the use of them.

In these straitened times, can I ask why KCC has not taken up these offers? Any money being offered should be considered. In answering could the Cabinet Member please confirm who attends the relevant meetings?

Answer

In terms of Kings Hill Parish Council's expression of interest in wishing to take on the freehold ownership of the various assets across Kings Hill, I understand that the Kings Hill Development Partnership's (The Partnership) representatives have fully engaged in meetings with the Kings Hill Parish Council representatives on this matter. The assets all have various levels of S106 planning obligations placed upon them at different stages of the development which will continue to further inform any current and future building and land uses.

All the sites fall within the boundaries of the Kings Hill Joint Venture Partnership, and not all of them are owned by KCC. As suggested, they have been created by The Partnership during the ongoing long-term development scheme's implementation, and over the respective planning phases of the residential development. Out of necessity, the legal ownership (tenure) position varies with each of the various assets and where freehold and leasehold arrangements have been retained/granted to most effectively allow the control and estate management structure to work during the scheme's delivery. You will appreciate that I cannot comment on any negotiations that may be taking place for commercial reasons, however I can assure you that KCC as part of the Partnership are aware of the interest that the parish council have shown.

In so far as the proposals relate to any KCC land, the council is under an obligation to seek the best consideration on any disposals under S123 of the Local Government Act 1972.

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**Question by Kelly Grehan to Peter Oakford,
Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**

Governance & Audit Committee has received details of Blue Badge Theft and misuse, along with information about the extensive work of the Counter-Fraud department.

Can the Cabinet Member comment on whether they believe KCC has sufficient resource and arrangements in place to tackle this issue?

Answer

We are very supportive of the work of the Counter-Fraud team and, indeed, of the wider Internal Audit service and we are pleased that they were recently recognised at the Public Finance awards by winning the Excellence in Public Sector Audit prize.

The scale of potential fraud in the public sector can be wide ranging. In response to that, we are already putting an additional £111,000 into the Internal Audit & Counter Fraud service as part of next year's budget, alongside supporting the service in retaining all of the income it generates from external customers. Blue Badge misuse isn't, of course, the only sort of fraud that we have to combat. We are content that the audit service will be able to deploy the continuous improvement it was rightly lauded for by the award judges, to both investigate and act as a deterrent for all kinds of fraud, with the additional resources we are already investing. We will ensure the Counter Fraud team works with other services to act as an effective defence against anyone attempting to defraud the public purse. In setting any budget we have to weigh up competing demands and pressures. If other Groups have alternative proposals, we will be pleased to consider them as part of the budget setting process.

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**Question by Antony Hook to Roger Gough,
Leader of Kent County Council**

Money from the Household Support Fund is to be used pay £200 food/energy vouchers to people aged over 66 with an income up to £40,000 pa (compared to Kent average in-work earnings of £36,051 pa) who own savings up to £1000 and are not claim Pension Credit. Does the Leader recognise that many people aged 65 or under suffer food or energy poverty and will he explain why he has denied people aged 65 or under this support, why he has set the income and savings thresholds at these particular levels and why no account is taken of housing costs which are much greater cost for some people than for others?

Answer

The pension age “Just Missing Out” scheme has been allocated £1m from the Household Support Fund and is designed to support people aged 66 and over who are struggling to afford the cost of living and have been directly impacted by the recent reforms to this year’s Winter Fuel Allowance payments announced in the October statement. The Household Support Fund (currently running from October 2024 to March 2025 with a total £11m allocation) also supports Free School Meal eligible households with food vouchers (to the value of approximately £6.3m) and provides £2.2m to District and Borough Councils to provide locally targeted support. In addition to this, KCC has allocated £900k to provide a public facing Household Support Fund voucher scheme that will support a wider demographic across different age groups and includes people below the age of 66. This scheme is planned to open in the new year.

Household Support Fund has criteria set by the Department of Work and Pensions which limits the opportunities for supporting residents with housing costs such as rent and mortgage payments. By providing food and energy vouchers, the scheme is able to help alleviate immediate financial pressures and provide those who are struggling financially with some breathing space to access wider support.

We have consulted with partners through different forums on the savings and income thresholds. The Office for National Statistics found in 2022 that those under £40,000 income had up to 3 times greater odds of experiencing food insecurity than those above that threshold. In addition, the cost of living in Kent is high compared to the national average and is therefore a further consideration when setting income thresholds. In previous delivery rounds we have tested setting lower thresholds, but found a very low take-up of support and widespread feedback from local charities and District partners that the income threshold was creating a barrier, in particular for those who are not eligible for other forms of assistance. The threshold has therefore been designed to capture those individuals who are on the lowest incomes, but also those that are in employment and not receiving state benefit but who are still impacted by the increased costs for basic essentials. Whilst the savings threshold has been set at £1000, we do operate an exceptions process with a panel to assess where appropriate exceptions should be made.

Alongside the Household Support Fund, there is a wider programme of support being offered by KCC. In particular, the Kent Advice Hubs project provides people with access to independent, confidential financial advice via multiple different channels including a kiosk, website, video calling and voice calling.

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**Question by Rich Lehmann to Peter Oakford,
Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**

One of the savings proposed in the council's draft budget for 2025/26 is to cease grants which have been in place since 2013 to assist district councils with the administration of their Council Tax Reduction Schemes. This change is shown in the budget papers as achieving a saving of £1.75 million, which is the entire value of the grants in question. In response to this proposal, Kent's district leaders and lead finance officers have written to the council to raise concerns that this cut is likely to force some districts to review the level of resource they can afford in this area, a move which would impact on the overall council tax collection rates across the districts.

Is the Cabinet Member aware that a drop of as little as 0.2% in the average council tax collection rates across the county would result in this saving becoming a loss to KCC, and that a drop of anything greater than 0.3% would translate to a loss measured in millions? In answering the question, could the Cabinet Member please give their view on what they expect the drop in council tax rates across Kent to be?

Answer

Yes, of course we are aware of the risks. These risks were set out in the budget report to Policy and Resources Committee last month. If Kent districts choose to respond to the removal of the discretionary subsidy that KCC (and other major preceptors) have provided since 2013, by reducing the size of their collection teams, there could be potential loss of council tax income. Their action will impact negatively not just on the County Council, but also on the key blue light services of the Police and Fire as well as on Districts themselves.

Districts have reported that reducing the size of collection teams would lead to considerable delays in dealing with claims, helping taxpayers manage their payments and reduce capacity to take recovery action. However, districts have not provided any information on the number of staff that they may make redundant, or the impact on caseloads. They have also not explained why they would choose not to prioritise tax collection over other budget decisions they could make.

The P&R report also highlighted that removing the current subsidy by the County Council could also lead to districts changing local Council Tax Reduction Schemes, that could impact detrimentally on the tax base. Both of these are risks, but we will not know how their impact until districts inform us of their finalised tax base estimates, by 31st January. We also will not know for certain how much has actually been collected until that is reported in their audited accounts. However, we must bear in mind that paying council tax is a legal obligation and collection authorities have a duty to all taxpayers to maximise collection. Therefore, my expectation is that district councils will fulfil their obligations and there will no impact on council tax collection arising from the KCC decision to review the collection subsidy that we have been providing since 2013. Times and circumstances have changed considerably since then and we cannot afford to continue funding the statutory

responsibilities of other public bodies. If any district wishes to talk to us about a payment for enhanced performance collection, then of course we are happy to listen.

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