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Dear Member

CABINET SCRUTINY COMMITTEE - WEDNESDAY, 21 JANUARY 2009

I am now able to enclose, for consideration at next Wednesday, 21 January 2009 meeting of the Cabinet Scrutiny Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

5. Follow-up Items from Cabinet Scrutiny Committee (Pages 1 - 8)

- (a) Allington Energy from Waste Plant
- (b) Selected T2010 Target Action Plans and Progress Report

Yours sincerely



Peter Sass
Head of Democratic Services & Local Leadership

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Item A5

By: Peter Sass - Head of Democratic Services and Local Leadership

To: Cabinet Scrutiny Committee – 21 January 2009

Subject: Follow up items from Cabinet Scrutiny Committee

Classification: Unrestricted

Summary: This report sets out the items which the Cabinet Scrutiny Committee has raised previously for follow up

Introduction

1. This is a rolling schedule of information requested previously by the Cabinet Scrutiny Committee.
2. If the information supplied is satisfactory it will be removed following the meeting, but if the Committee should find the information to be unsatisfactory it will remain on the schedule with a request for further information.

Recommendation

3. That the Cabinet Scrutiny Committee notes the responses to the issues raised previously.

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Background Information: *Nil*

	Issue	Response
10.12.08	<p>Budget IMG – 26.11.08</p> <ul style="list-style-type: none"> - Briefing note on Allington Waste site - Annual ongoing revenue costs of Turner Contemporary - Current situation regarding assisted SEN transport to school - Clarification over money allocated to KHS as discussed at a previous POC meeting - The IMG to be provided with examples of where Kent TV has saved money through reducing publicity or other initiatives - Why the transfer of LINKs from the Public Health portfolio to the Environment, Highways and Waste portfolio had taken place. 	<p>Circulated to Members of Budget IMG 08.12.08 (also attached)</p> <p>Circulated to Members of Budget IMG 07.01.09 (report to Communities POC 13 January '09 – copy available on request)</p> <p>See below comments regarding SEN Home to School Transport</p> <p>The Directorate Finance Manager - E & R has discussed the issue of a supposed additional £20million extra for Highways in 2008/09 with Members. Mr Hallett explained that there is NOT an extra £20million and he has talked Members through the numbers in the budget.</p> <p>We hosted the budget for the Central Policy Team whilst the tendering and other processes to set up the LINKs host organisation were completed.</p> <p>Once the host organisation was set up (LINKs will launch this Wednesday) the contract with them needs to be managed through a process that is seen to be as independent and as free from any potential conflict of interest as possible. Our previous Cabinet member (Graham Gibbens) agreed with the Chief</p>

		Executive that this could best be achieved through using the Environment and Regeneration Directorate rather than ourselves or others such as KASS. The transfer of funding is to enable the host organisation to be funded through a contract which will then be managed within E&R. (Also circulated to Members of Budget IMG 04.12.08)
10.12.08	<p>Clusters & Children's Services Partnerships Business Plan IMG 19.11.08</p> <ul style="list-style-type: none"> - Partnership Agreement and Governance Framework to be circulated to Members <p>A note be circulated to all Members informing them where the LCSP Action Plans could be located on the internet</p>	Circulated to Members of IMG and Cabinet Scrutiny Committee by email 12.01.09
10.12.08	<p>Highways Business Plan IMG 02.12.08</p> <ul style="list-style-type: none"> - A list of gully schedules be supplied to all Members after the elections - The informal briefing on EDF given to Members by KHS Technical Services be repeated in the spring - Further information on targets 31,35 and 37 of the Towards 2010 targets 	Circulated to Members of IMG (11.12.08) (also attached)
10.12.08	Members noted the response to their question raised on 22 October stating that the Highways contract with Worcestershire County Council had been terminated but Members asked that the original contract between KCC and Worcestershire County Council be circulated to Members of the Committee.	Circulated to Members of Cabinet Scrutiny under separate cover 12.01.09
10.12.08	Members noted the 'Briefing Note' on the critical steps towards an Academy and asked for further explanation on how the process for determination of a site for an	An Academy proposal goes on the Forward Plan when the proposal is placed on the agenda for SOAB (ie when a SOAB's view on conducting a public consultation is sought). Generally

academy is aligned with the Council's democratic process. I.e. where the proposal enters the forward plan, and at what stage it is considered at the Schools Organisation and Advisory Board.

Regarding Academies and the determination of the governing bodies Members would ask that rather than, as the Briefing Note currently states: They may also include a teacher, and a staff governor, and one or more community representatives. That 'they should also include a teacher, and/or a staff governor, and one or more community representatives.

this means the proposal is in the forward plan for two to three months prior to the Cabinet Portfolio Holder making a decision on the Academy proposal (ie to issue a statutory public notice on the closure of the predecessor school).

At the second meeting of SOAB, Members formally discuss the merits of the proposal to close a school(s) and replace it with a new Academy, in light of the outcome of the consultation and make recommendation(s) to the Cabinet Portfolio Holder for a final decision on the proposal. This would include site issues.

KCC Decision Making Stages for an Academy:

1. First report to SOAB, seek s Members views on going to consultation on the proposal of school closure and replacement with a new Academy. It is an Officer decision with Member support.
2. Academy proposal gets placed on the Council's Forward Plan of key decisions, if not already in.
3. Proposal returns to SOAB, to consider outcome of consultation. In light of views expressed during consultation, SOAB recommends to the Cabinet Portfolio Holder on whether to proceed to issue of a public notice on the closure of the predecessor school.
4. Cabinet Portfolio Holder then considers the proposal in light of: results of consultation; SOAB recommendation and KCC's strategic objectives as they relate to school organisation, standards and community wellbeing , and the response to the public notice. Then Cabinet Portfolio

		<p>Holder makes and signs off a decision on the Academy proposal and associated school closure(s).</p> <p>Key stages in Academy development:</p> <ol style="list-style-type: none"> 1. The Brokering phase. 2. The Expression of Interest phase. 3. The Feasibility phase (hopefully ends with signing of Funding Agreement). 4. The Implementation phase. 5. Opening of Academy (subsequent transfer to new/refurbished buildings).
10.12.08	Members would highlight their previous request for information on the levels of social deprivation in the Sevenoaks area which justify the Expression of Interest for an Academy in that area; and information relating to the possible travelling time/cost for students attending the Academy and the consequent impact on the environment.	To be tabled at the Cabinet Scrutiny meeting on 21 January 2009.
10.12.08	Members would like to thank the Director of Finance and Corporate Services (CFE) for his comprehensive briefing notes on Dedicated Schools Grant Difficulties and Mainstream and SEN Home to School Transport, but would ask for figures demonstrating the effect in monetary terms of academy programmes on schools funding for Kent; particularly a comparison of figures before and after 31.03.09.	<p>DSG provides funding for direct school budgets, the delegated sums calculated by local formula, and centrally managed services. The total top-slice taken for an academy is made up of two parts</p> <ol style="list-style-type: none"> i) the amount the Academy would have received as a maintained school in Kent through the formula, and ii) a pro-rata share (the academy's pupil number as a proportion of Kent total pupils of certain centrally managed budgets. This is referred to as the Local Authority Central Spend Equivalent Grant (LACSEG)

The justification for LACSEG is that the Academy would have received services paid for from these central budgets, and as an independent Academy should have that funding at its disposal to spend either on those services or similar if it wishes, or for other purposes.

A number of these centrally managed budgets, however, by their very nature are either highly specific, and may not apply to the academy in question, or may be more of a general service whose costs do not rise and fall directly in line with numbers of 'customers'.

Services of this nature that are included in the LACSEG calculation are:

- Provision for pupils with SEN, including professional and administrative support to partnerships managing those resources
- Support for partnerships developing 14-16 more practical learning options
- Managing the system for determining free school meal eligibility
- Managing the School Admissions system
- Licences and subscriptions, bought 'en bloc' for all schools
- Kent Children's' University
- Staff absence in specific schools for public and trade union duties.

The total forecast LACSEG deduction from Kent in 2009-10 is £473k, an increase of £410k on 2008-09. For 2010-11, the

		forecast adjustment increases by a further £627k and finally in 2011/12 by a further £261k. This means that in 2011/12, if all 15 academies happen, Kent's DSG will reduce by £1.361m.
10.12.08 SEN Transport	Members also asked when the SEN transport budget would be set at a realistic level to reflect the actual cost of the service – it was hoped that the 2009/10 budget would take this issue on board.	<p>The first quarter's revenue budget monitoring return for 2008-09 showed a zero variance on the SEN Home to School transport budget. Whilst the number of children receiving assisted transport appeared high in comparison to affordable levels, contract re-negotiations were being undertaken at that point in time and the effect of these would be reported once completed.</p> <p>The second quarter's budget monitoring return showed a £1.390m pressure on this service. This relates to the increase in the number of children receiving assistance (up by approximately 170 children per month in the first half of the year) and a base pressure of approx £600k from the as yet unachieved element of the savings target from 2007/2008.</p> <p>Latest information from the Passenger Transport Unit suggests that the pressure on this budget is reducing and this will be reflected in our next monitoring return.</p> <p>The Directorates 2009-12 MTP aims to correct the SEN Home to School transport budget by increasing the base budget by £600k over and above annual price increase of £919k which represents a 5% increase on 2008/09 levels.</p>
10.12.08 BSF	Whether the 10 schools named in the Building Schools for the Future project would get a complete package of funding, which isn't interrupted by phases, to enable each school to be completely rebuilt as necessary. (Mr Horne)	Each of the named 10 schools that are being either rebuilt and/or refurbished, will have all of the agreed work undertaken as one project and be completed over the next 6-34 months.

		Most of these projects are broken down into phases which reflect specific elements of the project, and in most cases at the end of each phase the school take possession of it. These phases though follow one after the other and are all one project.
10.12.08 BSF	What percentage of £1.8billion was KCC putting into the Building Schools for the Future project.	As the County Council has only committed to Wave 3 of the BSF Programme, we can only be certain of the amount we are putting into this Wave, which was £24.5m (approximately 10% of the Waves Capital spend). In overall terms there is an expectation that authorities will contribute about 10%, but this is likely to vary over different Waves and be influenced by authorities' financial circumstances.
22.10.08	IMG on Managing Motorways and Trunk Roads in Kent: <ul style="list-style-type: none"> - Further advice be requested from Officers and the Cabinet Member when the results of the bidding process were known - Officers and the Cabinet Member report back to the Cabinet Scrutiny Committee, including information on possible BVPIs, a year after the contract has commenced. 	Document detailing changes to original contract circulated to Members of CSC 13.11.08.
22.10.08 Treasury Management	<ol style="list-style-type: none"> 1. Our Committee notes the ongoing preparation of the report by PWC into KCC's treasury management policies and asks that the report is made available for scrutiny by our Committee as soon as it is available. 2. We expect Butlers to attend a meeting of our Committee at an appropriate stage in the future, following the completion of the PWC report. 	Contract between KCC & Butlers circulated to CSC Members 07.11.08