

CABINET SCRUTINY COMMITTEE

Wednesday, 8th April, 2009

10.00 am

**Darent Room, Sessions House, County Hall,
Maidstone**





AGENDA

CABINET SCRUTINY COMMITTEE

Wednesday, 8 April 2009 at 10.00 am
Darent Room, Sessions House, County Hall,
Maidstone

Ask for: **Peter Sass**
Telephone **01622 694002**

Refreshments will be available 15 minutes before the start of the meeting

Timing of items as shown below is approximate and subject to change.

County Councillors who are not Members of the Committee but who wish to ask questions at the meeting are asked to notify the Chairman of their questions in advance.

Please note that this meeting will be webcast

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

A. COMMITTEE BUSINESS

- A1 Substitutes
- A2 Declarations of Interests by Members in Items on the Agenda for this Meeting
- A3 Minutes - 10 February 2009 (Pages 1 - 12)
- A4 Follow-up Items from Cabinet Scrutiny Committee (Pages 13 - 22)
- A5 Informal Member Group on Budgetary Issues - 25 March 2009 (Pages 23 - 26)
- A6 Informal Member Group on Southern Water Draft Business Plan 2010-15 - 2 March 2009 (Pages 27 - 30)

B. CABINET/CABINET MEMBER DECISIONS AT VARIANCE TO APPROVED BUDGET OR POLICY FRAMEWORK

No items.

C. CABINET MEMBER DECISIONS

- C1 Children's Centres (Pages 31 - 32)
 - (a) Discussion with regard to the delays on Round Two Children's Centres
 - (b) Round Three Children's Centres (Decision 08/01265)

Mr M C Dance, Cabinet Member for Operations, Resources and Skills (CFE); Mrs A Gamby, Head of Early Years and Childcare (Operations); Ms J Smith, Children's Centre Project Manager, Children, Families and Education Directorate; and Mr G Tipping, Head of Capital Projects, Chief Executive's Directorate, will attend the meeting from 10.30 to 11.30 am to answer Members' questions on this item.

D. CABINET DECISIONS

D1 Freedom Pass (Pages 51 - 68)

Mr K A Ferrin, Cabinet Member for Environment, Highways and Waste; Mr D Hall, Head of Transport and Development, Environment & Regeneration; and Mr G D Wild, Director of Law and Governance, will attend the meeting from 11.30 am to 12 noon to answer Members' questions on this item.

D2 Annual Unit Business Plans 2009/10 (Pages 69 - 80)

D3 Other Cabinet Decisions

No other Cabinet decisions have been proposed for call in but any Member of the Committee is entitled to propose discussion and/or postponement of any decision taken by the Cabinet at its last meeting.

(Members who wish to exercise their right under this item are asked to notify the Head of Democratic Services and Local Leadership of the decision concerned in advance.)

E. OFFICER AND COUNCIL COMMITTEE DECISIONS

No Officer or Council Committee decisions have been proposed for call in but the Committee may resolve to consider any decision taken since its last meeting by an Officer or Council Committee exercising functions delegated to it by the Council.

(Members who wish to propose that the Committee should consider any Officer or Council committee decision are asked to inform the Head of Democratic Services and Local Leadership of the decision concerned in advance.)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

Tuesday, 31 March 2009

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

KENT COUNTY COUNCIL**CABINET SCRUTINY COMMITTEE**

MINUTES of a meeting of the Cabinet Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 10 February 2009.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Ms S J Carey, Mr G Cowan, Mrs T Dean, Mr R W Gough, Mr C Hart, Mrs S V Hohler, Mr E E C Hotson, Mr R E King, Mrs J Law, Mr M J Northey, Mr J E Scholes, Mr J D Simmonds and Mr R Truelove

ALSO PRESENT: Mr N J D Chard

IN ATTENDANCE: Ms L McMullan (Director of Finance), Mr A Wood (Head of Financial Management), Mr P Sass (Head of Democratic Services and Local Leadership) and Mrs A Taylor (Research Officer to Cabinet Scrutiny Committee)

UNRESTRICTED ITEMS**126. Minutes - 21 January 2009**
(Item. A3)

The minutes of the meeting on 21st January 2009 were confirmed as a correct record.

127. Minutes - 26 January 2009
(Item. A4)

Mr Cowan referred to the Committee's previous request for further information on the Chief Officers' bonuses; Mr Sass agreed to follow this up.

The minutes of the meeting on 26 January 2009 were approved as a correct record.

128. Follow-up Items from Cabinet Scrutiny Committee
(Item. A5)

Mr Truelove referred to the answer given on the "Freedom Pass" and stated that it clarified his comments at the previous meeting; that there are young people who live in Kent who are excluded from the scheme because they do not attend a school within Kent County Council's administrative area. It was not intended as a bus to school it was to allow young people the freedom to travel. Mr Truelove stated that it was a deliberate policy to create a disincentive for young people to choose to go to schools outside of Kent's administrative area. It was accepted that it was a very good scheme but it was immoral to apply the scheme to young people in Kent but not to those who attend schools outside of Kent's administrative area despite the fact that their parents pay council tax to Kent County Council.

Dr Eddy queried whether there might be human rights issues relating to the scheme on the basis that if you're within one jurisdiction you should be entitled to all the

rights available within that jurisdiction. It was suggested that the Monitoring Officer be consulted over the legalities of the scheme.

Mr Cowan stated that the Freedom bus pass was not solely about going to school in Kent, it was a 7 day freedom pass for young people who live in Kent.

Mr King explained that as he understood the Freedom Pass was available to young people who were in Kent, not specifically related to travel to and from school. He requested that it be clarified by Mr Ferrin.

Mr Northey expressed his view that it was a brilliant scheme, in his opinion it was a not human rights issue, he asked that the Committee look, with Mr Ferrin's assistance, how far it may be possible to extend it.

Mrs Dean agreed that it was a brilliant and wonderful scheme but it was clearly possible to improve in the light of experience. One of the reasons it was proposed by the Select Committee was for the added advantage to young people for out of school activities and to enjoy the right to visit facilities around Kent during the evenings. Mrs Dean asked that the Committee request that Mr Ferrin provide a complete and accurate minute relating to the policy, including whether we are funding children that live outside Kent but who attend school within it. Once the Committee had received the policy Members could then have an informed debate.

RESOLVED that:

- (1) A letter be sent to Mr Ferrin, Cabinet Member for Environment, Highways and Waste in the names of the Chairman and Spokespersons of the Committee drawing his attention to the following concerns:
 - a. The eligibility under the scheme of children who live within the administrative county of Kent but who travel outside of the area to attend school;
 - b. The possible adverse impact on the lawful rights of a number of young people to travel freely, together with details of the number of young people affected by what the Committee believes is an anomaly within the current scheme;
 - c. An assessment of the degree to which the scheme is promoted across Kent and the takeup of the scheme particularly in areas of relative deprivation;
- (2) Mr Ferrin be asked to formally respond to these concerns and to advise if and when the 'Freedom Pass' scheme is to be reviewed and how any review will be carried out;
- (3) Draw Mr Ferrin's attention to the fact that, subject to his formal response to this letter the Chairman and Spokespersons of this Committee will consider whether to place an item on the next Committee agenda so that a full debate on the subject can take place.

129. Informal Member Group on Budgetary Issues - 30 January 2009

(Item. A6)

Mr Smyth explained that the Committee had previously requested more detail about “clawback” arrangements, the Budget IMG had followed that up and a report would come back to the Budget IMG at the next meeting.

RESOLVED that:

The notes of the Budget IMG held on 30 January 2009 be agreed.

130. Consideration of Price Waterhouse Coopers' Report - Kent County Council Review of Treasury Management Procedures

(Item. E1)

The Chairman explained that a list of questions had been produced in advance of the meeting and submitted to Price Waterhouse Coopers (PWC) and he was grateful to Mr Simmonds for producing the bulk of the questions.

Mr Williams, the representative from PWC explained that the scope of the work undertaken by PWC covered three areas; there was a need to check the compliance of all the outstanding investments – to ensure that there was nothing else at risk, the sequence of events leading to the appointment of Butlers, and any observations on the way the treasury management framework was operated.

PWC looked at 423 deposits dating back to October 2006, £50 million was trapped in Icelandic deposits, £3 million of which was deposited after advice from Butlers. PWC noticed that the counterparty lists were generally updated in a timely manner but there were some examples where the lists had not been updated immediately. Some deposits were made to two building societies, Cheshire and Derbyshire, after advice had been given to remove them from the list and one investment was made where the counterparty limit was breached by £5million for four days. Mr Williams stated that he had found a general lack of evidence of review, or of documented evidence, however generally there had been improvements in the standards of documentation since 2006. Mr Williams stated that regarding the appointment of Butlers, the procurement procedures were not fully followed, in his opinion a risk assessment of what was being procured rather than the value of what was being procured would have been more beneficial. Mr Williams described his experience of some authorities using a zero budget for returns on investments to ensure that security was a priority – he explained that that was something that the Treasury Policy Group (TPG) considered and he recommended that the TPG should meet more regularly and that procedures could be more comprehensively documented.

Mr Simmonds asked about the role that Members should play in the treasury management process; he also added that there was nothing in PWC’s evidence that showed that the desire for return had outweighed the core principles of prudence with regard to the weighting of the authorities invested in. Mr Simmonds referred back to the PWC report stating that there were indications in March 2008 about the status of the Icelandic banks, he asked about the status and the source of that information. Mr Simmonds also asked about country exposure and whether, in the opinion of Mr Williams, Butlers or the Treasury Policy Group considered this.

Mr Williams gave three examples of sources of information about the status of the Icelandic banks, The Economist on 17 May 2008, The Daily Telegraph in April 2008 and the Sunday Telegraph in March 2008 in which there was an article 'Iceland shows cracks'. In terms of country exposure and whether more than 25% of the portfolio is invested in one country, no evidence was found during that period where that limit had been breached. Mr Williams queried whether Members might look at the level of 25% and whether it was too high? In his opinion a concentration rate of 25% in one institution was too high.

Mr Simmonds asked about the Fitch downgrading, and whether, if the lowest common denominator theory was applied, KCC would have looked at Iceland with the level of downgrading in the Fitch report. Mr Williams explained that the lowest common denominator theory was that if one of the three moves down then action should be taken and if it was below a particular level no more deposits would be made. Mr Williams added that one of the issues was regarding long term deposits and the penalties applied to extract money before the end of the term.

Mr Gough referred to pages 5 and 9 of the PWC report; institutions being caught unprepared and credit risk generally being considered to be low. Mr Gough stated that rating agencies tended to give a 'snapshot' based approach, PWC recommended to KCC that it should look more widely than just credit rating agencies and Mr Gough asked whether Mr Williams had any thoughts about the way in which he envisaged KCC doing this? Mr Williams stated that a lot of thought would have to be put into what could be improved in terms of monitoring and scanning future events, he recommended some new thinking about how things could be done across all sectors.

Mr Northey stated that it was important to look at the future and asked about the role of Members in treasury management, he asked Mr Williams whether he had any advice about how Members might keep themselves better informed on a monthly basis? Mr Northey also asked about the balance between return and safety, KCC had previously benefitted from an additional £6million a year from its prudent investments and there was a balance of risk, he asked whether Mr Williams had any advice on the best balance between risk and safety? Mr Williams referred to an article in The Times about banking which summarised how things could be improved; experience, good data, good debate and challenge, good governance and monitoring. He stated that PWC had, in the report, made some recommendations about the treasury policy groups and that it should meet more regularly, it should have a clear role, based upon a clearly articulated risk appetite. Mr Williams stated that it was also important to look at the risks and benefits of using treasury advisers, to ensure that accountability and responsibility of the various third parties were clearly understood and documented. Also suggested was a broader set of key performance indicators which also covered activities such as all emails referring to changes in ratings are processed immediately. Mr Williams stated that many of PWCs corporate clients focussed on security above return, and some did not budget for a return.

Mr Northey asked if there was any more specific advice Mr Williams could give the Committee regarding the role of Members? Mr Williams stated that Members needed to debate the level of risk the Council was prepared to take before considering the return and whether there was enough emphasis on security.

Mr Smyth followed up Mr Northey's point about risk against benefit and acknowledged that the Council had been very successful up until now; he asked Mr Williams whether, as discussed earlier, it was best practice to make the budget zero? Mr Williams said he was unable to comment on whether it was best practice, his advice was to consider the appetite of the Council and let the return follow on from that. He stated that there were obligations to budget for a return, but it was important to consider the 'drivers'.

Mr Smyth asked about credit agencies, and them providing a 'snapshot', he asked Mr Williams whether he took the view that Butlers should have given advice to the Council of a more predictive nature? Mr Williams confirmed that the 'snapshot' could be either the current situation or the outlook element of what the situation was predicted to be. Mr Williams stated that PWC had not looked at how Butlers were running their operation, PWC's scope was to look at how the Council responded to the input received from Butlers. Mr Williams stated that there did appear to be a misunderstanding about what constituted 'advice'.

Mrs Dean referred to Mr Williams's comments on the process used by KCC to procure the service of the consultant, that a paper trail was lacking regarding why Butlers were chosen, and that perhaps 'we got what we paid for'. The contract for Butlers was £20k for most that was a minimal amount of money for services which were delivering returns and the responsibility mentioned previously. Mr Williams was asked whether he felt that the choice of Butlers may have been determined by price rather than quality, was there evidence that KCC drew up the specification too tightly. Mr Williams confirmed that he wasn't saying that it was just driven by money or even primarily driven by money; to many people £20k was a lot of money, but in this context it was not. Mr Williams stated that the procurement started off in a thorough and detailed way with districts being involved in the process, he referred to the tender document which contained a list of 11 requirements and principle responsibilities, not all of which ended up in the final contract. The final contract was, as far as Mr Williams could tell, a standard Butlers' document tailored to the individual authority.

Mrs Dean asked Mr Williams whether it was his view that Butlers could have given the Council a more comprehensive service. Mr Williams stated that the Committee should discuss that with Butlers.

Mrs Dean also asked about the 'email' that was not read; she asked whether the method that Butlers used to pass on their advice to the County Council was the one that they normally employed? Mr Williams confirmed that his understanding was that it was the normal way; however some authorities had an email inbox that a number of staff could access rather than being reliant on one individual. Mrs Dean referred to page 7 of the PWC report which stated that 'if the necessary reviews took place there is no evidence of it'; it then went on to say, 'we understand from management that an informal review occurs for all investments over 365 days before investments are placed'. Mrs Dean asked whether that implied that there wasn't an evidence trail for that either? Mr Williams confirmed that that was what he had been told. Mrs Dean referred to the internal audit report of 2006, several of the recommendations of the audit had not been implemented and the internal audit follow up report had not been finalised, she asked Mr Williams whether it was his view that any of those recommendations were sufficiently important to have been followed up immediately or whether he agreed with the management response which referred to them as technical issues? Mr Williams' colleague confirmed that

at the time the issues were seen as relatively minor controls and the report was given a substantial assurance – which was not seen as worrying. At the time the work was undertaken these were not seen as particularly high risk failings, the controls were in place and they were not seen as sufficiently severe to increase the strength of the audit finding. Mrs Dean referred to the investments made despite the fact that the credit rating agencies had changed, specifically Derbyshire and Cheshire building societies, and asked whether it was Mr Williams' view that what the County Council did in any way endangered the return due on those investments by not updating the counterparty list. Mr Williams stated that the point he was making was that it was vital to respond to the information in a timely manner. Referring to the newspaper articles mentioned earlier, Mrs Dean asked whether there was any authoritative financial institution that was giving that advice, Mr Williams stated that he was not aware of any but there may well have been some. Regarding outsourcing and having an external service provider, Mrs Dean stated that the response from KCC's management was that this was not proposed at the moment but instead to put in place a new specialist post, Mrs Dean asked Mr Williams whether he had a view about having an external service provider, in particular in relation to the standard of individuals concerned and the training needs. If those training needs were met would it still be the view of PWC that KCC should have an external adviser? Mr Williams confirmed that the point was about considering the prospect of an external adviser, PWC think that it would be beneficial for the current members of the team to have some treasury training, recruitment of a highly specialised treasury expert might be difficult.

Mr Scholes stated that since September 2007 the superannuation fund had been stockpiling cash because it was better than investing it, he was concerned that the superannuation committee had received glowing reports with minor amendments, but PWC had discovered problems in their recent review. Mr Scholes asked whether the Council had not been specifying enough with PWC or have things been missed? Mr Williams stated that PWC were asked to do a piece of work according to the instructions, he was unable to comment on previous audits. Mr Scholes wanted more assurance for the superannuation fund to minimise future problems. Mr Williams stated that the superannuation fund should have its own view regarding the assurance it wants.

Mr Simmonds clarified that his understanding of the credit rating agencies was that it was their job to evaluate major investments on a full time basis, there was something wrong if they were not monitoring what was going on on a continual basis. Mr Simmonds stated that he did not think it was a misunderstanding about the 'advice' received from Butlers, previous agenda for the Treasury Group and Butlers included an evaluation of counterparties. Mr Williams confirmed that he had seen an example agenda which did have counterparties on; he couldn't confirm that it stated an evaluation; the notes of those meeting were just action points rather than notes of discussion. The contract stated that they gave advice but in respect of counterparties selected by the Council. Mr Simmonds stated that as a responsible authority KCC had got to have some objectives for an expected return from investments, putting in an expected level of income was not unreasonable, Mr Williams responded by saying that it should be in accordance with the returns you would expect to get and in line with current circumstances and not personal gain.

Mr Truelove asked about the role of Members, and questioned whether, with £3million at risk an email to a member of staff was 'the norm'. He considered it extraordinary that the relationship between the Council and Butlers was such that

these issues were not raised in the meeting earlier that week. Mr Williams said that with the benefit of hindsight the process of emailing staff could be improved and this would be picked up by the Finance Department. Mr Williams also referred to the speed at which ratings could change and the resulting lack of trust between institutions.

Mr Smyth raised the issue of in-house or external treasury advice, he asked Mr Williams whether he was saying that if KCC employed someone to do this function they wouldn't have the knowledge that an external agency would have. Would it be preferable to be external, or was there scope to have an internal employee who would have access to external agencies. Mr Williams responded by saying the Council had to consider how it wanted to provide the service, he suggested the Council determined what it was it was trying to do in terms of risk vs return, revisit the tender document and update it, and consider whether the actions would be best performed in-house or externally.

The Chairman clarified that the Council had procured £20k worth of services, with potential £2billion at risk. He asked whether it would be sensible for the Council to look at a combination of the cost of the contract and the amount of money at risk when monitoring or scrutinising the contract. Mr Williams agreed with the Chairman, procurement should factor in risks and what contingencies were in place should suppliers fail.

RESOLVED that:

- (1) The Committee thanked the PWC representatives for their attendance at the meeting and for answering Members' questions;
- (2) The Committee thanked PWC for their report on the review of treasury management procedures within KCC and the Committee looks forward to receiving details of KCC's action plan that has been put in place to address the recommendations in the report.

131. Treasury Management written answers to the Committee's questions from Butlers
(Item. E2)

Mr Scholes opened this item by stating that it was obvious that there had been a heavy involvement of lawyers in Butlers' responses. Mr Smyth supported Mr Scholes view, the Committee had not been told very much and paraphrasing the responses Butlers were the 'postman' in the process which Mr Smyth disagreed with.

Mr Gough stated that what was missing from Butlers' document was their role in credit risk advice.

Mrs Dean asked whether the Committee would have the opportunity to hear the views of the Finance Department on Butlers' responses, some of the points made by Butlers needed to be clarified, particularly the claim that emailing staff was the normal method of communication.

Ms McMullan agreed to provide as many answers as possible at this stage to the Committee.

Mrs Dean queried the process used by Butlers to advise the Council that there had been a change in the credit rating agency, i.e. an email sent to an individual whom Butlers were instructed to communicate with. Mrs Dean queried whether that was factually correct and whether that was the normal method of communication between Butlers and the County Council. Ms McMullan confirmed that what she hadn't been able to find the original document which clarified to whom emails should go to on that basis, the relationship with Butlers went back a number of years; Mr Vickers might be in a better position to answer that point. The relationship with Butlers seemed to be that information was emailed to the treasury member of staff, but Mr Vickers was on the telephone to Butlers on an almost daily basis.

Mr Simmonds raised the issue of the meeting with Butlers which took place a day before the email was sent, he queried why there was such a change over 24 hours, that was a key issue.

Ms McMullan confirmed that there was evidence that the quarterly meetings with Butlers included reviewing where the Council was in terms of its policy and strategy, and also on the agenda every time was those organisations on the counterparty list. The expectation around the advice was to be told whether there were any issues around those organisations on the counterparty list, there was no debate around any Icelandic banks either at the meeting in late September or in previous meetings.

Mr Hotson asked Mr Chard where the Cabinet was in taking those issues forward, it was clear that systems were going to have to be reviewed in house, clear notes of meetings for example, were essential. There should be Member involvement in approving, or not approving, the recommendations made by Cabinet on this issue. Mr Chard responded by saying that he welcomed the engagement of the Council with PWC, most of the recommendations of the PWC report had been implemented and there was an Economic Management Group meeting on Thursday. The PWC report highlighted outsourcing or skilling up in-house, there was also a third option which was to ensure that internal staff were adequately trained, with extra external advice – that option would be shared with the cross party Economic Management Group (EMG) as a way forward. Treasury Management was a big issue for the Council and it was right that advice was taken from external sources such as the PWC report and debated it in the cross party EMG. Mr Chard's personal view was that internal staff should be adequately trained and extra expertise brought in to ensure that KCC could continue this low risk strategy that the Council has had up until now.

Mrs Dean, as a member of the EMG, questioned its status, the status of its recommendations and explained that it needed to be formalised with clear terms of reference and a clear agenda. Mrs Dean also raised the issue of member training for those on the group, and she hoped that those discussions could take place on a cross party basis either before or at the next meeting.

Mr Chard stated that the EMG had been set up for the right reasons, in terms of getting a cross party consensus and debate about how to do treasury management, and to ensure that members of the group understood the risk and reward elements. The EMG had been helpful; they had made observations and comments which had been followed up. Mr Chard's understanding of the

designation was that it was an informal member group that would make recommendations to the Leader of the Council. Mrs Dean confirmed that she did not disagree with the setting up of the group, just that it needed to be formalised, for instance there could be clear overlaps with Audit and Governance.

Mrs Dean asked a question in relation to the management comments on the PWC report that 'while the report suggests a consideration of additional outsourcing of the treasury function, instead a new specialist post will be created....' This seemed to contradict Mr Chard's earlier comments. Ms McMullan agreed with Mrs Dean's comments on the EMG, and further discussion needed to be had on how it was moved forward, taking into consideration the Budget IMG (Informal Member Group) and Audit and Governance and that would form a major item on the agenda for Thursday's meeting. In terms of the PWC recommendations, the management response was written in December, and further research had now been undertaken on options and alternative sources of advice. A detailed OJEC (Official Journal of the European Community) process was undertaken to procure the external specialist treasury advisers. Mrs Dean confirmed that she was pleased that the status of the EMG was to be tightened up. Regarding the procurement of the contract it was apparent that the original specification was not carried through to the final tender. Ms McMullan explained that she did not recall PWC questioning the Finance department on that sequence of events, and it was not her wish to answer for Mr Vickers. Ms McMullan's understanding was that a thorough process had been followed; working with Districts, but within the options available to councils it was a case of 'getting what you're given'. In part of Butlers' responses they were indicating that they were now able to give some additional information and that was something that the Council would look at.

Mr Smyth commented on the EMG not having any particular status, there had been a suggestion that this might be a function of the Budget IMG – if that were to be the way forward thought would have to be given to managing the business of that IMG which was expanding. Mr Smyth wanted to assure Mrs Dean that thought was being given to the function of the EMG.

Mr Gough stated that his understanding from Butlers' responses was that they didn't give credit risk assessments beyond acting as an aggregator for what was out there already. Ms McMullan agreed with Mr Gough, and referred to the previous point of what constituted 'advice'.

Mr Simmonds expressed his view that the Budget IMG might form a useful basis for the EMG, it should be formalised. He commented that it was important to correct the record that there was an effective Treasury Management function before these events. Mr Simmonds referred to the report on Ireland from Butlers which indicates that they did do specific reports.

The Chairman reminded the Committee that Butlers were not present at the meeting to defend themselves.

Mrs Dean expressed her amazement that an authority such as KCC which is making huge investments ends up paying an organisation £20k for advice on treasury management, and subsequently the Council was being told by PWC that it was not requiring enough of the advisers, but the Council was saying that there was not an organisation that could offer the advice required. Mrs Dean stated that many people who were in the position of advising commercial institutions about

how to invest had withdrawn from Local Authority (LA) advice contracts because LAs were reluctant to pay enough for the advice.

Ms McMullan commented that while it was a small contract in cost terms a full OJEC process was undertaken to procure the contract. There was no magic answer, there was always going to be risk. There was a gap in the market and there were hopes that more organisations would come into the market. Mr Chard added that there was a wide cross section of organisations at creditor meetings. 122 Local Authorities had been caught in Iceland, including the Audit Commission, private sector and the banks.

RESOLVED that:

- (1) The Committee thanked Butlers for the written information in response to its questions but expresses extreme disappointment that Butlers refused two opportunities to be present at the Committee meeting to respond to the further questions that members wanted to ask arising from their consideration of the written answers.
- (2) The Committee ask the Cabinet to carry out an urgent review of the status of the Economic Management Group in terms of the Council's constitution. In particular the Committee would ask the following issues to be addressed:
 - a. whether the group should become a formal committee or sub committee of the Council and if so under which Committee it should sit.
 - b. the proposed terms of reference for the body and in particular whether it is proposed that the body will have any formal decision making powers and if so within what parameters
 - c. that the issue of membership of the Committee and member training be considered and acted upon
 - d. that the body should not seek to duplicate the role of the Governance and Audit Committee.
- (3) That the Director of Finance be asked to confirm the revisions to the procedure in relation to the receipt of emails from Butlers.

132. Medium Term Plan 2009-12 (incorporating Budget and Council Tax Setting for 2009/10) - update
(Item. C1)

The Chairman opened this item by explaining that the budget had been scrutinised on an individual portfolio basis by the Policy Overview Committees (POCs), it was the intention of the Cabinet Scrutiny Committee to look at the budget as it related to the whole Council.

Mr Smyth began by commenting on the revision to the Council tax increase and the additional money from rescheduling investments. There were enormous pressures facing the authority and government settlements for the future were assumed to be tight. Bearing in mind the pressure on the Council Mr Smyth asked why a reduction in Council tax was proposed as a short term measure rather than investing some of the money to relieve future pressures?

Mr Chard responded by saying that each year for the past 6 or 7 years, those tax payers on a fixed income had found it progressively harder to pay Council Tax. In

the current economic circumstances it was felt that the Council should support those who were finding it more difficult to afford the Council Tax. It was right for the Council to pass on the savings to Council Tax payers in Kent. It was a judgement call for the Council to make when the report was debated on the 19 February. Mr Smyth explained that he was commenting on using the money to ease the strain on budgets in the future. Mr Chard confirmed that it was right for the Council to allocate sufficient resources to its services; having made this 'extra money' for the Council it should be passed on to the Council Tax payers.

Mr Truelove commented on the regeneration strategy and stated that because of the economic downturn it was a critical agenda, he asked Mr Chard what he saw as the critical challenges for the budget in delivery of the strategy. Mr Chard responded by commenting on the increase in the budget for regeneration. Regeneration involved partners and was not just about throwing money, it was important to have resources but also the political will of the Council and partners to ensure that regeneration happened.

Mr Northey commented on the further £100m of LAGBI funding and whether there was any further information on what Kent's share was, and what the Council could do with the money.

Ms McMullan confirmed that figures had been received from the Government and that Kent County Council would have around an additional £750k. Discussions were underway to determine how that money would be targeted in relation to the regeneration strategy. This was a one off sum of money budgeted for in the current year, there had been an expectation that it wouldn't be received and it would increase the current years' underspend.

The Chairman asked about the £95k spent on 'international development' in the Children, Families and Education (CFE) department. Mr Chard confirmed that it was shown in CFE Policy and Performance. The Chairman commented that under Corporate Support and External Affairs there was an International Affairs Group which provided strategic direction for international activities as well as maximising E.U funding. The Chairman also referred to a previous discussion about the meaning of 'strategic management', and what difference there was in the definition of strategic management in the budget document. Mr Wood explained that in using a common definition for strategic management meant that the remaining costs were dispersed elsewhere. Ms McMullan asked whether it was expected that all directorates had that standardisation for all areas. In response to a question on standardisation from the Chairman Ms McMullan confirmed that it would be looked at and would be brought back to the Budget IMG for discussion.

Referring to the Local Children's Services Partnerships (LCSPs) the Chairman asked about the savings that could be made by moving from 23 LCSPs to 12 – to reflect the districts. Ms McMullan agreed to do some further research and come back to the Committee. The Chairman referred to the synergy that could be found between LCSPs, District Councils and Crime and Disorder Reduction Partnerships (CDRPs).

Mr Chard expressed his view that it was necessary to look at the clusters as communities. Mrs Law explained the situation in Canterbury and that there would be cost savings if the clusters could be streamlined with the District's boundaries. Mr Hart described instances where partners had to go to multiple meetings to meet

the cluster arrangements. Mr Chard stated that it was a debate to have with the new managing director and the schools.

Mr Smyth asked a question about the dedicated schools grant, were KCC in a position to say how much of the grant could be retained centrally? Ms McMullan agreed to come back to the Committee with the answer.

The Cabinet Scrutiny Committee thanked Mr Chard, Ms McMullan and Mr Wood for their attendance at the meeting and for answering Members' questions.

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

To: Cabinet Scrutiny Committee – 08 April 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.

Contact: Peter Sass
peter.sass@kent.gov.uk

01622 694002

Background Information: *Nil*

	Issue	Response
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 	
22.10.08	<p>IMG on Managing Motorways and Trunk Roads in Kent:</p> <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.
21.01.09	<p>Comms & Media Business Plan</p> <ul style="list-style-type: none"> - Chief Executive's offer to give Members the opportunity to visit the IBM research facility in Hampshire - Chief Executive's offer to hold a seminar for Members on the 'Future of Communication' - Chief Executive's offer that the two pilot schemes in Swale and West Malling should be presented to Members - Further details of translation services and their cost be provided to all Members of the Cabinet Scrutiny Committee - Briefing note on the report on the ways in which we consult with the public being prepared by Robert Hardy - Communications protocol in relation to the promotion of Council Services be circulated to all Members - Monitoring information relating to positive, neutral and negative press coverage is circulated to all Members through the Members' Information Bulletin 	Information requested

26.01.09	Ms Beer to provide a note of COG bonuses	<p>The substantive members of the Chief Officer Group (the Chief Executive, the Managing Directors, the Director of Finance and the Executive Director of Strategy, Economic Development and ICT) have a contractual entitlement to be considered for a performance related bonus of up to 15% of their annual salary. The Chief Officers are on “spot” salaries which increase by the same cost of living percentage agreed each year for all Kent Scheme staff. They are not on incremental pay scales and therefore this cost of living increase represents their only salary progression.</p> <p>Any payment in relation to their bonus is made as a lump sum and is pensionable but not consolidated into substantive salary. A bonus payment will be made after an assessment of how each individual has performed against the targets and objectives set for them at the beginning of each appraisal year. The Chief Executive’s bonus is determined by the Leader of the Council after consultation with Cabinet. He in turn agrees any bonus to be paid to other Chief Officers after consultation with the Leader and other key stakeholders.</p>
26.01.09	Members asked whether the agreed recommendations of the Select Committees had been calculated and funded in the budget.	<p>The budgetary impact of the select committee reports which have been taken to Cabinet since March 2008 have been considered.</p> <p>The recommendations of the Alcohol Misuse Select Committee Report (agreed by Cabinet 17 March 2008) can be covered within existing budgets in the Communities Directorate. In the main, the recommendations affect Kent Drug and Alcohol Action Team and Trading Standards.</p>

The recommendations of the Accessing Democracy Select Committee Report (agreed by Cabinet 19 September 2008) which have budgetary impacts appear in the 2008-11 MTP and 2009-12 MTP (Draft for County Council). This includes £345k for Supporting the development of Localism in Kent (Policy & Performance portfolio, 2008-11 MTP), as well as £30k for Member Induction Training and £100k for Provision of IT and IT Support to Members (both in Corporate Support and External Affairs Portfolio, 2009-12 MTP (Draft for County Council)). All other recommendations, including Participatory Budgeting, will be undertaken within existing budgets.

Most of the recommendations of the Future Passenger Rail Services Select Committee Report (agreed by Cabinet 1 December 2008) are manageable within existing budgets. Recommendations 6 (Produce a review of the stations that will be served by High-Speed rail to identify and prioritise work needed to stations and station access to be ready for or soon after the December 2009 launch) and 8 (Work with the bus companies to develop more frequent services serving rail stations, particularly more late services serving return rail commuters and to assist with the Traveline project for accurate journey planning) require reviews before a likely cost to be included in the budget can be established. Recommendation 5 (Work with key partners to ensure a direct pedestrian link between Northfleet and Ebbsfleet stations is created as soon as possible) is currently being developed as part of a wider project to improve Northfleet station. There is the possibility of securing DCLG funding of £5m towards this if the remaining balance (probably about £2m) can be raised. Officers are approaching other bodies for this funding (SEERA being the main route at this point), to try to avoid the cost of the pedestrian link impacting on the County Council's budget.

		<p>Two further Select Committee reports, on Autistic Spectrum Disorder and the Provision of Activities for Young People, are due at Cabinet on 30 March 2009. The budgetary impact of these reports will not be reflected in the 2009-12 Medium Term Plan or 2009-10 Budget, as the recommendations must first be endorsed by Cabinet. However, any budgetary impacts of the recommendations in these reports will be considered in the next budget round.</p>
<p>30.01.09 Budget IMG</p>	<p>Members queried the re-phasing of the special schools review (SSR) projects and stated that Local Members and particularly Governors of the relevant schools were not always kept up to date with changes to the phasing of projects. Members asked for an update on progress at Five Acre Wood school and St James the Great school.</p>	<p>The re-phasing as mentioned in the report resulted from, as it said, a major review of progress on all of the schemes that were under development. This review identified three schemes where they were either behind or ahead of schedule. This situation is normal in any such programme.</p> <p>There is a larger re-phasing of the implementation of the Special School Review which has been approved by the County Council as part of the budget process. This has seen six special schools being deferred until either the financial situation improves or the Building Schools for the Future Programme arrives in their district. Five Acre Wood is one of these six schools, but the expenditure referred to in the monitoring was in relation to “appeasement works” and this is now virtually complete, with the exception of some work to the main entrance.</p> <p>With regard to the St James the Great scheme, the position is that the scheme is progressing and will be completed by 18 May 2009.</p>

<p>08.02.09</p>	<p>Freedom Pass</p> <p>(1) A letter be sent to Mr Ferrin, Cabinet Member for Environment, Highways and Waste in the names of the Chairman and Spokespersons of the Committee drawing his attention to the following concerns:</p> <ul style="list-style-type: none"> a. The eligibility under the scheme of children who live within the administrative county of Kent but who travel outside of the area to attend school; b. The possible adverse impact on the lawful rights of a number of young people to travel freely, together with details of the number of young people affected by what the Committee believes is an anomaly within the current scheme; c. An assessment of the degree to which the scheme is promoted across Kent and the takeup of the scheme particularly in areas of relative deprivation; <p>(2) Mr Ferrin be asked to formally respond to these concerns and to advise if and when the 'Freedom Pass' scheme is to be reviewed and how any review will be carried out;</p> <p>(3) Draw Mr Ferrin's attention to the fact that, subject to his formal response to this letter the Chairman and Spokespersons of this Committee will consider whether to place an item on the next Committee agenda so that a full debate on the subject can take place.</p>	<p>Letter sent Wednesday 18th Feb</p>
<p>08.02.09</p>	<p>PWC</p> <p>The Committee looks forward to receiving details of KCC's action plan that has been put in place to address the recommendations in the report</p>	<p>Arlingclose have been contracted to follow up the PwC report.</p>

08.02.09	<p>Butlers</p> <p>(1) The Committee ask the Cabinet to carry out an urgent review of the status of the Economic Management Group in terms of the Council's constitution. In particular the Committee would ask the following issues to be addressed:</p> <ol style="list-style-type: none"> a. whether the group should become a formal committee or sub committee of the Council and if so under which Committee it should sit. b. the proposed terms of reference for the body and in particular whether it is proposed that the body will have any formal decision making powers and if so within what parameters c. that the issue of membership of the Committee and member training be considered and acted upon d. that the body should not seek to duplicate the role of the Governance and Audit Committee. <p>(2) That the Director of Finance be asked to confirm the revisions to the procedure in relation to the receipt of emails from Butlers.</p>	<p>Please find attached, at Appendix A, a Governance Note agreed at the last meeting of the EMG.</p> <p>More than one member of staff, including the Head of Financial Services and the Director of Finance receive emails from Butlers.</p>
08.02.09	<p>Medium Term Plan 2009-2012</p> <p>The issue of standardising definitions throughout the budget document would be looked at and would be brought back to the Budget IMG for discussion</p>	<p>The MTP and the Budget Book have been tidied up and a paper will be submitted to the Budget IMG in September on options to improve next year.</p>
08.02.09	<p>LCSPs. Savings that could be made by moving from 23 LCSPs to 12 – to reflect the districts.</p>	<p>This will be discussed once the new Managing Director of CFE has arrived.</p>

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TREASURY MANAGEMENT

GOVERNANCE / DECISION MAKING PROCESS

1. Financial Regulations

Financial Regulations state that:

Treasury Management

C.22 The Director of Finance is responsible for:

- i. reporting to the Cabinet Member for Finance in accordance with CIPFA's Code of Practice: Treasury Management in the Public Services, on the creation and maintenance, as the cornerstones for effective treasury management, of suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- ii. reporting to the Cabinet and the County Council on the treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year.
- iii. implementing and monitoring the treasury management policies and practices.
- iv. establishing procedures to monitor and report on performance in relation to treasury management prudential indicators set by the Council.
- v. reporting to the Governance and Audit Committee and the Cabinet Member for Finance on the activities of the treasury management operation and on the exercise of his delegated treasury management powers. One such report will comprise an annual report on treasury management for presentation by 30 September of the succeeding financial year.
- vi. all decisions on borrowing, investment or financing.
- vii. ensuring that all borrowing and all investment money are made in the name of the authority or in the name of an approved nominee.

2. Informal Consultation

- Consultation on the Treasury Strategy and Treasury Management in general will, with the agreement of the Chairman, be added to the terms of reference of the Budget IMG.
- This is to enable cross party discussion and to increase awareness. It is not a decision making group.
- The Chairman will invite the Deputy Leader, the Leader of the Opposition and the Chairman of Governance & Audit Committee and the Superannuation Fund Committee to attend the Budget IMG for treasury management discussions.

3. Formal Decision Making

- The Treasury Strategy will be agreed by County Council.
- Major issues relating to treasury management, such as returning to a broader counter party list, will be taken by Cabinet.

Nick Vickers
Head of Financial Services

17 February 2009

Notes of a meeting of the Cabinet Scrutiny Committee Informal Member Group on Budgetary Issues held on Wednesday, 25 March 2009.

Present: Mr D Smyth (Chairman), Mrs T Dean, Mr J D Simmonds

Officers: Ms L McMullan, Director of Finance, Mr A Wood, Head of Financial Management, Mr P Campion, Development Manager, Mr P Sass, Head of Democratic Services and Local Leadership and Mrs A Taylor, Research Officer to the Cabinet Scrutiny Committee.

1. Notes of Previous Meeting held on 30 January 2009.
(Item 1)

- (1) The notes of the meeting held on 30 January 2009 were approved.

2. Development Contributions
(Item 3)

- (1) Mr Campion introduced the report and explained that it was work in progress. The report suggested further flexibility for spending on services and requested that the IMG approved the guiding principles in order to provide a framework within which the Development Investment Team could operate until further recommendations were made.
- (2) Mr Simmonds stated that local needs might not always be met if the spending on services was contained in one pot and that this might lead to the contributions being used for strategic and not local purposes.
- (3) Mr Campion suggested that the Team could look at creating an environment where contributions could be passed on to other needs which might have been identified at the start but the funding couldn't be met at the time. This would have to be discussed and agreed with the Districts/Boroughs.
- (4) Mrs Dean stated that the County Council had to ensure that it wasn't taking money away from the local communities
- (5) Mr Campion explained that there was a danger of attributing monies to specific needs which might not exist by the time the development came forward and the money had been received; the County did not want to be in a position where funding had to be returned to the developer. Local needs were decided by the District/Borough as the Local Planning Authority.
- (6) In response to a question from Mrs Dean, Ms McMullan explained that in the budget that had just been set the S106 expectations had been hauled back to a realistic level in view of the likely impact on development of the current economic situation.
- (7) Members of the Budget IMG agreed to note the report and following the additional scoping work referred to, a further report should be presented to the IMG before it is submitted to Cabinet.

3. Revenue and Capital Budgets, Key Activity and Risk Monitoring
(Item 2)

- (1) The Chairman stated that the Policy Overview Committees had taken on the role of looking at their individual directorate revenue & capital budget monitoring reports in more detail than this IMG always had time to, which was a positive aspect of the overall process of scrutinising the budget.
- (2) Ms McMullan introduced the report stating that overall position (excluding asylum costs but including the additional funding agreed at the recent County Council meeting) was an underspend of £5million.
- (3) The Government had resolved the £100million LABGI funding that was being held back and an additional £750k had been received by the County Council which was being recommended to the regeneration fund.
- (4) The Council was tightening up on ensuring that directorates were planning for year two and three projects, particularly property and highways.
- (5) It was noted that an additional sum of £600k had been allocated to Special Educational Needs transport in 2009/10, as well as fully funding the expected price inflation.
- (6) Members expressed concern about the level of capital funding for Special Schools and SEN Units.
- (7) Ms McMullan offered to share with the IMG Members an analysis of a comparison of current year projected variances with next year's MTP.

4. Role of the Treasury Policy Group
(Item 5)

- (1) Members discussed the Icelandic banking situation; legislation was expected from the Icelandic Government prior to their elections in a couple of months.
- (2) Mrs Dean asked that an options paper be produced for the Budget IMG to enable a further discussion on the role of the Treasury Policy Group.
- (3) Ms McMullan clarified that there had been several quotes containing inaccurate information, the 2008 follow up audit was still in draft form at the end of September 2008 and was still being discussed. It had not been sent to the Senior Manager who had had no opportunity to act on the recommendations within the follow up report. The process had now been tightened up.

5. Sustainable Communities Act: Local Spending Report – A Draft Response to Consultation

- (1) The report on the draft response to the consultation was agreed.

6. Policy Overview Committees' Consideration of the Medium Term Plan

- (1) This report was deferred until the next meeting on 16 April 2009.

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Notes of a meeting of the Cabinet Scrutiny Committee Informal Member Group on Southern Water Draft Business Plan 2010-2015 held on Monday 2 March 2009.

Present: Ms S J Carey, Mr I S Chittenden, Mr G A Horne MBE, Mr R J E Parker

Also present: Mr C Kneale, Corporate Planning Manager, Southern Water

Officer: Mrs A Taylor, Research Officer to the Cabinet Scrutiny Committee.

1. Southern Water Draft Business Plan 2010 – 2015

Terms of Reference

- (1) This IMG was established by the Cabinet Scrutiny Committee at its meeting on 10 December 2008 to examine Southern Water's Draft Business Plan for 2010 – 2015.

Discussion

- (2) Mr Kneale explained that the draft Water Resources Management Plan, which was a 30 year plan aiming to meet future demands, had been published last year for public consultation. This was the first time the public had been consulted on the plan and feedback received indicated that investment for growth and new development was of importance to Southern Water's customers.
- (3) Mr Chittenden asked Mr Kneale to clarify the extent of Southern Water's responsibility in relation to water supply and wastewater treatment around Kent. Mr Kneale referred to page 5 of the Water Resources Management Plan which showed that Southern Water was responsible for the wastewater treatment of most of Kent and the water supply for the Dartford, Gravesend, Medway and Thanet areas.
- (4) Mr Kneale explained that Southern Water had a programme to alleviate flooding but in relation to surface water run-off there were often difficulties in determining who owned the land, there was a definitive map of public sewer ownership which should be available from KCC's Highway Service (Southern Water are liaising with KCC Highways over the definitive map). The Government had recently announced that private sewers would transfer into the ownership of Southern Water from April 2011.

See <http://www.defra.gov.uk/ENVIRONMENT/water/industry/sewers/> for more information

- (5) There was a balance to be met between the water resources available (i.e. supply), which was determined by historical drought years, and the demand forecast, which was determined by the population and an increase in water use. There was a statutory requirement on Southern Water to supply, to domestic customers, drinking water and to provide water to remove waste.
- (6) Mr Horne asked whether climatic conditions could lead Southern Water to restrict the supply of water, Mr Kneale confirmed that Southern Water could not restrict supply for essential domestic use but it could be restricted for non essential car washing and garden watering purposes.

- (7) Mr Parker asked why there was no standard charge for water charges, Mr Kneale explained that if properties were not on a water meter charges were based on the rateable value of the property.
- (8) Mr Horne questioned whether as a private company Southern Water could invest in other activities to make money for the company, Mr Kneale confirmed that it could, but it was the choice of the company not to as leisure activities were not commercially viable for a company like Southern Water
- (9) Mr Chittenden referred to page 19 of Southern Water's Draft Business Plan and the fact that Southern Water had the lowest leakage rate per property of all the UK Water and sewerage companies. There was still the view that leakage should be reduced further and Southern Water's network replacement since 1991 was low in comparison to other companies.
- (10) Mr Chittenden queried the increase to bills set out on page 5 of the Draft Business Plan. Mr Kneale confirmed that price increases were determined by OFWAT, and the next price determination would be published in November 2009, any profits made by Southern Water went towards funding the investment programme. Mr Horne asked Mr Kneale whether he thought that the increase was acceptable – Mr Kneale responded by saying that any increases were driven by the phasing of investments.
- (11) Mr Parker stated that he did not see how there would ever be any competition in the water industry. Mr Kneale explained that there would be eventually, the water companies were originally privatised because there was a lack of investment and the Government couldn't afford to fund improvements to the networks. Large commercial companies using over 50million litres of water per year could already chose their water supplier – it was the intention of the water industry regulator OFWAT to increase this choice.
- (12) Ms Carey asked how Southern Water found working with Kent County Council, particularly the Highways Service, and how customers should resolve problems, particularly long term problems. Mr Kneale confirmed that he had consulted his colleagues and the relationship with Kent Highways Service was very good and long term problems with Southern Water services should be addressed to the Customer Services Director. In response to a further question from Ms Carey Mr Kneale stated that the UK Drinking Water Inspectorate report confirmed very high quality water.
- (13) Mr Parker asked how Southern Water was planning for the future, an increase in houses would bring an increase in consumption and whether there were plans to bring in additional water. Mr Kneale explained that Southern Water was aiming for a 10% reduction in usage through universal metering rather than an increase in supply and there were no plans to bring in additional supply up to 2015.
- (14) Mr Horne raised the issue of green programmes focusing on a reduction in water usage and Mr Kneale explained that new properties were the opportunity to install water saving measures and reduce water usage.
- (15) Mr Parker asked whether Southern Water had any schemes for elderly or low income families who could not afford to replace their bath with a shower system, for

example, but who might want to install water saving measures. Mr Kneale confirmed that Southern Water had tried such schemes in the past but they had struggled to find an adequate uptake of the offers. Building regulations did not require water efficient measures, it was a voluntary process, most customers were unmetered and so there was no real incentive to use less water.

- (16) Ms Carey asked whether metered houses could have a system allowed for a level of lower cost water depending on usage. Mr Kneale confirmed that a pilot 'rising block' tariff system was being trialled in Ashford (by South East Water) that mirrored similar electricity schemes. As universal metering was introduced and technology improved metering would provide further opportunities, in the meantime there was a need to change residents' behaviour.
- (17) Ms Carey referred to page 22 of the draft business plan and mains drainage scheme. Past experience highlighted occasions where residents were initially pleased with the mains drainage scheme but refused to pay the connection charge when the scheme was complete as it was increased substantially. Ms Carey asked whether Southern Water could provide an assurance to customers at the start of a mains drainage scheme of the cost of connection that would not increase once the scheme was complete. Mr Kneale explained that mains drainage schemes were mostly driven by environmental concerns such as leaks from cess pools causing pollution. OFWAT stated that if a new sewer was laid the cost should be met by the resident; there was no method for subsidy.
- (18) Mr Horne asked about fluoridisation and whether Southern Water had any plans to introduce it. Mr Kneale confirmed that there were no plans but that the health authority could make a determination to require that fluoridisation was implemented.
- (19) Ms Carey commented that Southern Water seemed very focussed on core business, Mr Kneale confirmed that that was the case, there was a history of Southern Water being involved in many additional activities but the bottom line was that there were plenty of other companies who could undertake the activities in a more effective and efficient manner.
- (20) Ms Carey asked about the strategic relationship with KCC and Mr Kneale confirmed that it was a good one and that a Water Forum existed to inform officers at KCC and Southern Water.

Conclusion

- (21) Members of the IMG:-
 - a. Thanked Mr Kneale for attending the IMG and for answering Members questions.
 - b. Thanked Mr Kneale for his kind offer to answer further queries Members might have.
 - c. Request that Kent Highway Services confirm that they have a copy of the definitive map of public sewer ownership and that this is available for inspection by the public.

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By: Dr M R Eddy, Chairman of the Cabinet Scrutiny Committee
Mr P Sass, Head of Democratic Services and Local Leadership

For: Cabinet Scrutiny Committee – 8 April 2009

Subject: Round Two and Round Three Children's Centres

Classification: Unrestricted.

Background

By 2010 it is anticipated that every community will be able to access children's services through a children's centre. The centres serve children under five years old and their families and offer a wide range of services to cater for the needs of the community including integrated early education and childcare and support for parents ensuring that every child gets the best start in life. Each children's centre location would have either existing accommodation refurbished or new buildings to house the centres.

Children's centres have already opened in a number of locations across Kent. In Round One Kent had a target to develop 20 children's centres to serve families living in areas of Kent that had the greatest need. In Round Two a further 52 centres are being developed and in Round Three there will be 30 more bringing the total to 102. On average, a children's centre will serve a community with about 800 children under five years old.

(a) Round Two Children's Centres

Appendix A contains an explanation for the delays in the Round Two Children's Centres.

(b) Round Three Children's Centres

The report accompanying the Cabinet Member decision to approve the proposed locations for Round Three Children's Centres (Tranche One) and receive information regarding the outstanding proposals (Tranche Two and Three).

Possible Decisions

The Committee may either:

- a) comment to the Chief Executive and the relevant Managing Director
- b) report to the Council
- c) refer any issues arising from its debate for consideration by a Policy Overview Committee or the Cabinet

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Mike Eddy
St Helena
28 St Richards Road
Deal
Kent CT14 9JR

Kent Early Years and
Childcare Operations Unit
Stable Block
Oakwood House
Oakwood Park, Maidstone
Kent ME16 8AE

Local Members where there are delayed Round Two
Children's Centres

Tel: 01622 761050
Fax: 01622 762270
Ask for: Alex Gamby
Email: alex.gamby@kent.gov.uk
Date: 5th March 2009

Dear Mr Eddy

Round Two Children's Centres: Delays with Building Programme

We are writing to you to apologise for and explain the delay in the Round Two Children's Centre planned for your area.

The Children's Centre Building Programme in Kent is managed by Kent County Council's (KCC's) Property Group. In 2006 the Property Group was commissioned by the Children Centre Team to project manage 52 Children Centres as part of the Round 2 programme, with a Government allocated capital grant of £10.1m. Sites were identified by the Children Centre Team to enable feasibilities to be carried out, subsequent to which the Property Group advised that the budget was grossly insufficient. Part of the reason for the overall delay was therefore the need to identify how the shortfall in funding was to be met. KCC itself ultimately agreed to do this, contributing an additional £7 million to the budget.

In January 2007 framework consultants were commissioned to act as Employers Agent for the build programme. Further to a full tendering process, refurbishment contractors were appointed to take forward the refurbishment of children's centres and a single contractor for new builds. Refurbishment contractors commenced on site during the summer holidays of 2007. The new build children centres, however, were called into Member Scrutiny Committee and the programme was put temporarily on hold until the process had been completed.

Throughout this period, concerns had been emerging with regard to the framework consultants, which after rigorous monitoring and consultation through the framework process lead to their involvement in the programme ceasing in July 2008. Alternative consultants were subsequently appointed as the new Employers' Agent with effect from August 2008.

The performance of the new build contractor has also been an issue, with neither Employer's Agent having been successful in ensuring their compliance with KCC or brief requirements, nor in achieving swift resolution of issues or responses for information. As a result of this, Property Group took the decision (in consultation with the Children Centre

Graham Badman MA FRSA
Managing Director

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CHILDREN, FAMILIES & EDUCATION



INVESTOR IN PEOPLE

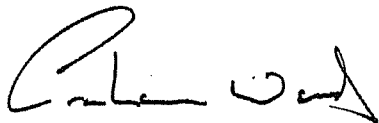
Team) to look at the contract conditions and following legal advice, re-tendered the new build sites, with an anticipated programme completion by the end of 2009.

This decision was not taken lightly, but Property Group advice is that there has been a significant change in market conditions since the tender of the original contract. It is envisaged, that significant savings can be made due to the current climate in order to achieve the best possible outcome and value for money and that new contractors will achieve improved delivery.

We trust that this information is helpful and goes at least some way to explaining the delay. We appreciate that this must have been a very frustrating period for you, but want to assure you that we are doing everything we can do to bring this programme to completion as soon as possible.

Thank you.

Yours sincerely



Grahame Ward
Director Resources

CC Alan Rogers, LCSP Manager
Martyn Doole, Area Children's Service Officer
Leanne Phipps, Children's Centre Manager

By: Ian Craig, Interim Managing Director, Children, Families & Education

To: Mark Dance, Cabinet Member for Operation, Resources and Skills, CFE

Subject: **Round Three Children's Centres**

Classification: Unrestricted

Summary: **To approve the proposed locations for ten Round Three Children's Centres (Tranche One) and receive information regarding the outstanding proposals (Tranche Two and Three)**

Background

1 (1) Following the targets of 20 children's centres in Round One and 52 centres in Round Two, KCC has a target to deliver 30 new centres in Round Three (April 2008-March 2010), bringing the total number of centres in Kent to 102. All children living in Kent will then have access to a children's centre.

(2) An agreed process for identifying the final 30 centres has been developed and implemented (Appendix 1), mapping gaps across the county where communities do not have access to Children's Centres developed in Round One or Two (Appendix 2).

(3) Extensive work has taken place involving the central Children's Centre Team and the Children's Centre Capital Projects Team, working with Local Children's Services Partnerships (LCSP), KCC Area Planning and Development Officers and Estates to identify feasible location/models for centres within these areas.

(4) In line with Department for Children, Schools and Families guidance, the portfolio of Round Three centres will be comprised of a mixture of models, including new builds, refurbishments and centres based on existing services and provision, such as health clinics or libraries. Each centre will serve between 800 to 1200 children, although the reach for centres in rural areas may be below 800.

(5) A 'sign-off' matrix (Appendix 3) has been developed to ensure stakeholders/KCC officers confirm their approval of the location/model. The distribution list for this matrix is as follows:

- Relevant Local Children's Services Partnerships Manager (representing all local stakeholders and KCC Officers including External Services Managers and Childcare Development Officers);
- Relevant Area Children's Services Officer;
- Principle Advisor for Early Years and Childcare;
- Relevant Children, Family and Education Area Planning and Development Officer;
- County Council Client Project Manager (Property Group);

Additionally, the local KCC Member is asked to approve relevant proposals.

(6) Proposals that receive stakeholder approval go forward to Children, Families and Education Senior Management Team for agreement, followed by Cabinet level sign off.

(7) When full approval is in place, the centre location will be released to the press.

Tranche One

2 (1) The following 10 locations have received stakeholder sign-off and CFE SMT approval.

	Location	LCSP	Site/Model	Local members
1	Painters Ash	Gravesham	Site:Painters Ash Primary School Model: Modular New Build	Cllr Ray Parker Cllr Mike Snelling
2	Meopham	Gravesham	Campus/cluster model: building on existing provision, with delivery from a range of sites	Cllr Mike Snelling
3	Westborough	Maidstone 1	Site: Westborough Primary School Model: Modular New Build	Cllr Dan Daley Cllr Jeffrey Curwood Cllr Paulina Stockell
4	Eastborough	Maidstone 2	Site: Eastborough Primary School Model: Modular New Build	Cllr Ian Chittenden Cllr Paul Carter
5	Headcorn	Maidstone 2	Site: Headcorn Primary School Model: Modular New Build	Cllr Paulina Stockell
6	Kings Hill	Malling	Site: The Discovery School Model: Modular New Build	Cllr Richard Long
7	Westerham	Sevenoaks	Site: Churchill CEP School Model: Modular New Build	Cllr Richard Parry Cllr Peter Lake
8	Dunton Green	Sevenoaks	Site: Dunton Green Primary School Model: Modular New Build	Cllr John London Cllr Richard Parry Cllr Nick Chard
9	Pembury	Tunbridge Wells	Site: Pembury Primary School Model: Modular New Build	Cllr Kevin Lynes Cllr Alex King Cllr James Scholes
10	West Kingsdown	Swanley	Site: West Kingsdown CEP School Model: Modular New Build	Cllr Roger Gough Cllr David Brazier

(2) Round Three centres will serve areas of greater affluence than the previous project phases and will offer a less intensive level of service. The design of the Round Three centres will reflect this.

(3) To enable feasibility studies to take place, a minimum accommodation brief has been developed, consisting of one large meeting room, a small office/reception and toilet facilities.

The Remaining 20 centres

3 Potential locations and models have been determined for 16 of the 20 remaining sites. These proposals are at different stages of activity to establish their feasibility. Identification of locations and models for the final four is still in process. It is anticipated that the next ten sites will be brought forward by February/March and the final ten by March/April.

Recommendation

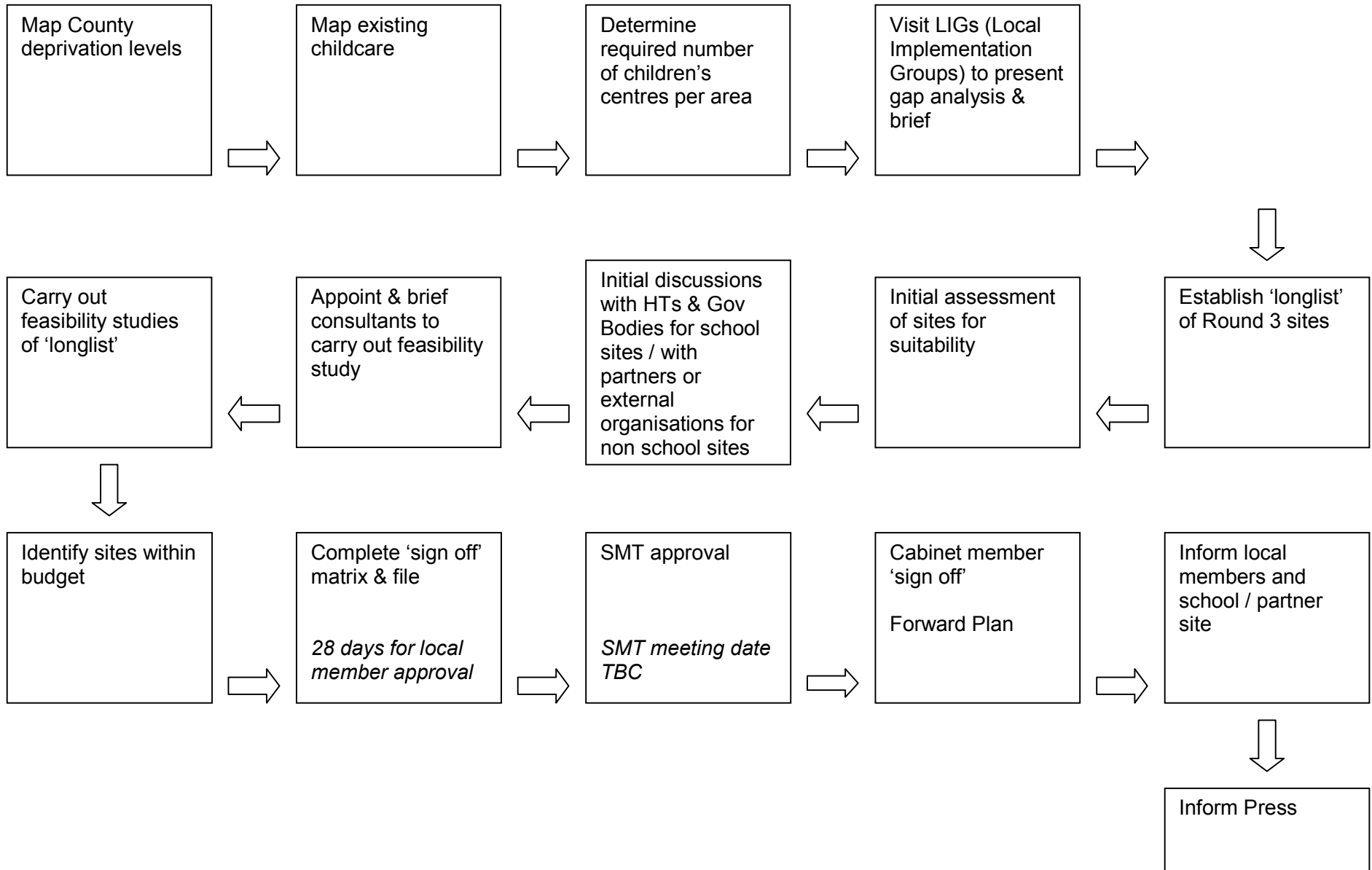
4 The Cabinet Member for Operations, Resources and Skills, is requested to agree to the locations identified in this report for Tranche One of Round 3 and receive information regarding the remaining Round 3 sites.

Alex Gamby
Head of Early Years and Childcare (Operations)
01622 761050
Alex.gamby@kent.gov.uk

Background Documents

None

Appendix 1 Process for identification of children's centre sites Round 3



Appendix 2 Round 3 Gap Analysis

Area	Number of Round 3 centres anticipated
Ashford 1	2
Ashford Rural	1
Canterbury City & Country	2
Cranbrook & Paddock Wood	1
Dartford East	1
Deal & Sandwich	1
Gravesham	3
Maidstone 1	3
Maidstone 2	4
Malling	4
Sevenoaks	4
Swanley	1
Tonbridge	1
Tunbridge Wells	2
TOTAL	30

Appendix 3: Stakeholder ‘sign – off’ matrix

Stakeholder Partner	Please put yes in relevant box		Comments.
Local Partnership Manager	Approve	Not approve	
Area Planning and Development Manager	Approve	Not Approve	
Jennie Landsberg Principal Adviser, Early Years And Childcare	Approve	Not approve	
Rebecca Frier (Asset Management Officer - Estates Team) / David Jenkins (Project Support Officer)	Approve	Not approve	
Area Children’s Services Officer	Approve	Not approve	
Client Project Manager (property Group)	Approve	Not approve	

Appendix 4: Children’s centres for which there is no proposed location/model (19.1.09)

	LSCP	Tranche	Wards to be covered	Reach (0-4 year olds)	Previous proposals that have been followed up but have proved not to be feasible
1	Canterbury City and Country	3	Barham Downs(s)	147	Pilgrims Way has been suggested but LSCP stakeholders feel this is too close to Riverview. Chaucer Technology School rejected for the same reason. Both cover larger part of Barton Ward.
			North Nailbourne	127	
			Barton (partial cover)	178	
			Little Stour	132	
2	Maidstone 1	3	Marden and Yalding	477	
			Staplehurst	359	
3	Maidstone 2	3	Bearsted	403	
			Downswood and Otham	195	
			Leeds	118	
4	Malling	3	Borough Green and Long Mill	386	
			Hildenborough	303	
			Ightham	131	

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Location	LCSP	Site/Model	Reach area Deprivation levels in each ward. (* Indicates centre location)	No of children in Reach Area	Background Why was this site selected? Where other sites considered?								
1	Gravesham	Site:Painters Ash Primary School Model: Modular New Build	<table border="1"> <thead> <tr> <th>Ward</th> <th>Deprivation levels</th> </tr> </thead> <tbody> <tr> <td>Isted Rise</td> <td>89.59% 94.15%</td> </tr> <tr> <td>* Painters Ash</td> <td>60.34% 81.27% 39.63% 70.69%</td> </tr> <tr> <td>Part of Woodlands</td> <td>67.39% 60.70% 62.94%</td> </tr> </tbody> </table>	Ward	Deprivation levels	Isted Rise	89.59% 94.15%	* Painters Ash	60.34% 81.27% 39.63% 70.69%	Part of Woodlands	67.39% 60.70% 62.94%	738	<ul style="list-style-type: none"> - This site was proposed by Heather Robinson, Gravesham Children's Centre Coordinator, and the Gravesham Local Children's Service Partnership (LCSP) - As this site is a viable option for a children's centre, no other sites have been investigated.
Ward	Deprivation levels												
Isted Rise	89.59% 94.15%												
* Painters Ash	60.34% 81.27% 39.63% 70.69%												
Part of Woodlands	67.39% 60.70% 62.94%												
2	Gravesham	Campus/cluster model: building on existing provision, with delivery from a range of sites	<table border="1"> <thead> <tr> <th>Ward</th> <th>Deprivation levels</th> </tr> </thead> <tbody> <tr> <td>* Meopham North</td> <td>89.72% 64.54% 93.77%</td> </tr> <tr> <td>Meopham South and Vigo</td> <td>58.80% 70.88% 88.51%</td> </tr> <tr> <td>Shorne, Cobham and part of Luddesdown</td> <td>61.96% 72.17%</td> </tr> </tbody> </table>	Ward	Deprivation levels	* Meopham North	89.72% 64.54% 93.77%	Meopham South and Vigo	58.80% 70.88% 88.51%	Shorne, Cobham and part of Luddesdown	61.96% 72.17%	525	<ul style="list-style-type: none"> - This site was proposed by Heather Robinson, Gravesham Children's Centre Coordinator, and Julie Maynard, Children's Centre Manager and was supported by the Gravesham Local Children's Service Partnership (LCSP) - Meopham Primary School was investigated as a possible location. However, there wasn't sufficient space on the site. Meopham Youth Club and football changing rooms were also visited but the facilities were not suitable and the timescales of the development project do not meet the children's centre timescales of March 2010
Ward	Deprivation levels												
* Meopham North	89.72% 64.54% 93.77%												
Meopham South and Vigo	58.80% 70.88% 88.51%												
Shorne, Cobham and part of Luddesdown	61.96% 72.17%												

3	Westborough	Maidstone 1	Site: Westborough Primary School Model: Modular New Build	<table border="1"> <thead> <tr> <th data-bbox="566 107 646 560">Ward</th> <th data-bbox="646 107 774 560">Deprivation levels</th> </tr> </thead> <tbody> <tr> <td data-bbox="566 560 646 672">Allington</td> <td data-bbox="646 560 774 672">95.96%</td> </tr> <tr> <td data-bbox="566 672 646 784"></td> <td data-bbox="646 672 774 784">93.67%</td> </tr> <tr> <td data-bbox="566 784 646 896"></td> <td data-bbox="646 784 774 896">97.49%</td> </tr> <tr> <td data-bbox="566 896 646 1008"></td> <td data-bbox="646 896 774 1008">96.37%</td> </tr> <tr> <td data-bbox="566 1008 646 1120"></td> <td data-bbox="646 1008 774 1120">96.95%</td> </tr> <tr> <td data-bbox="566 1120 646 1232">Barming</td> <td data-bbox="646 1120 774 1232">93.12%</td> </tr> <tr> <td data-bbox="566 1232 646 1344">Bridge</td> <td data-bbox="646 1232 774 1344">38.58%</td> </tr> <tr> <td data-bbox="566 1344 646 1456"></td> <td data-bbox="646 1344 774 1456">61.62%</td> </tr> <tr> <td data-bbox="566 1456 646 1568"></td> <td data-bbox="646 1456 774 1568">87.30%</td> </tr> <tr> <td data-bbox="566 1568 646 1680">Fant</td> <td data-bbox="646 1568 774 1680">48.18%</td> </tr> <tr> <td data-bbox="566 1680 646 1792"></td> <td data-bbox="646 1680 774 1792">71.68%</td> </tr> <tr> <td data-bbox="566 1792 646 1904"></td> <td data-bbox="646 1792 774 1904">35.56%</td> </tr> <tr> <td data-bbox="566 1904 646 2016"></td> <td data-bbox="646 1904 774 2016">42.65%</td> </tr> <tr> <td data-bbox="566 2016 646 2128"></td> <td data-bbox="646 2016 774 2128">75.74%</td> </tr> <tr> <td data-bbox="566 2128 646 2240">* Heath</td> <td data-bbox="646 2128 774 2240">62.80%</td> </tr> <tr> <td data-bbox="566 2240 646 2240"></td> <td data-bbox="646 2240 774 2240">48.49%</td> </tr> <tr> <td data-bbox="566 2352 646 2240"></td> <td data-bbox="646 2352 774 2240">91.48%</td> </tr> </tbody> </table>	Ward	Deprivation levels	Allington	95.96%		93.67%		97.49%		96.37%		96.95%	Barming	93.12%	Bridge	38.58%		61.62%		87.30%	Fant	48.18%		71.68%		35.56%		42.65%		75.74%	* Heath	62.80%		48.49%		91.48%	1618	<p>- This site was proposed by Bruce MacQuarrie, Capital Strategy Manager. The Maidstone 1 LCSP Manager, Mike Thompson, was consulted on the proposal and supported the site being investigated further.</p> <p>- Part of this catchment area was originally a Round 2 children's centre proposal. Heath, Bridge and Allington were proposed to be served by a children's centre at Brunswick House Primary. Due to planning complications the site was deemed to be unfeasible and the children's centre was deferred to Round 3.</p>
Ward	Deprivation levels																																									
Allington	95.96%																																									
	93.67%																																									
	97.49%																																									
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	75.74%																																									
* Heath	62.80%																																									
	48.49%																																									
	91.48%																																									

4	Eastborough	Maidstone 2	Site: Eastborough Primary School Model: Modular New Build	<p>The Maidstone 2 LCSP has provisionally proposed that this children's centre will cover all of East ward and 50% of Boxley, North Downs and Detling & Thurnham. A second proposal has been developed for a children's centre to be located in North Ward and serve the remaining 50%. Full statistics for these areas are detailed below:</p> <table border="1"> <thead> <tr> <th>Ward</th> <th>Deprivation levels</th> <th>No. of children in reach area</th> </tr> </thead> <tbody> <tr> <td>* East</td> <td>75.57% 93.67% 73.93% 82.93%</td> <td rowspan="4">1364</td> </tr> <tr> <td>Part of Boxley</td> <td>71.59% 86.46% 65.45% 99.42% 99.77% 84.51%</td> </tr> <tr> <td>Part of Detling and Thurnham</td> <td>70.78% 96.95%</td> </tr> <tr> <td>Part of North Downs</td> <td>45.64%</td> </tr> </tbody> </table>	Ward	Deprivation levels	No. of children in reach area	* East	75.57% 93.67% 73.93% 82.93%	1364	Part of Boxley	71.59% 86.46% 65.45% 99.42% 99.77% 84.51%	Part of Detling and Thurnham	70.78% 96.95%	Part of North Downs	45.64%	<p>- This site was proposed by governors and head teacher of East Borough Primary School. The Maidstone 2 LCSP manager, Hilary Macdonald, was consulted and fully supported the site being investigated further.</p> <p>- As this site is a viable option for a children's centre no other sites were proposed for this catchment area.</p>
Ward	Deprivation levels	No. of children in reach area															
* East	75.57% 93.67% 73.93% 82.93%	1364															
Part of Boxley	71.59% 86.46% 65.45% 99.42% 99.77% 84.51%																
Part of Detling and Thurnham	70.78% 96.95%																
Part of North Downs	45.64%																
5	Headcorn	Maidstone 2	Site: Headcorn Primary School Model: Modular New Build	<table border="1"> <thead> <tr> <th>Ward</th> <th>Deprivation levels</th> <th>No. of children in reach area</th> </tr> </thead> <tbody> <tr> <td>Harrietsham and Lenham</td> <td>73.41% 75.37% 57.51%</td> <td rowspan="2">556</td> </tr> <tr> <td>* Headcorn</td> <td>58.64% 96.97% 54.42%</td> </tr> </tbody> </table>	Ward	Deprivation levels	No. of children in reach area	Harrietsham and Lenham	73.41% 75.37% 57.51%	556	* Headcorn	58.64% 96.97% 54.42%	<p>- This site was proposed by the Maidstone 2 LCSP Manager, Hilary Macdonald, and the Extended Schools Development Manager, Lyn Devlin.</p> <p>- Swadelands Secondary School was also investigated as a possible location but due to a lack of available land the site was deemed as unfeasible.</p>				
Ward	Deprivation levels	No. of children in reach area															
Harrietsham and Lenham	73.41% 75.37% 57.51%	556															
* Headcorn	58.64% 96.97% 54.42%																

6	Kings Hill	Malling	Site: The Discovery School Model: Modular New Build	Ward * Kings Hill	Deprivation levels 96.93% 74.23%	706	- This site was proposed by the Malling LCSP and fully supported by the LCSP manager, Tony Froud. - As this site is a viable option for a children's centre no other sites were proposed for this catchment area
7	Churchill	Sevenoaks	Site: Churchill CEP School Model: Modular New Build	Ward Brasted, Chevening and Sundridge Leigh and Chiddingstone causeway Penshurst, Fordcombe and Chiddingstone * Westerham and Crockham hill	Deprivation levels 87.07% 62.80% 94.12% 62.85% 78.71% 64.54% 77.22% 93.78% 84.13% 51.44%	943	- This site was proposed by the Sevenoaks South LCSP - As this site is a viable option for a children's centre no other sites were proposed for this catchment area
8	Dunton Green	Sevenoaks	Site: Dunton Green Primary School Model: Modular New Build	Ward * Dunton Green and Riverhead Seal and Weald Sevenoaks and Kippington	Deprivation levels 68.96% 95.63% 99.84% 67.10% 85.01% 78.95% 81.81% 96.50% 95.70%	985	- This site was proposed by the Sevenoaks South LCSP - As this site is a viable option for a children's centre no other sites were proposed for this catchment area

9	Pembury	Tunbridge Wells	Site: Pembury Primary School Model: Modular New Build	Ward Capel Park * Pembury	Deprivation levels 72.22% 82.10% 61.85% 79.51% 95.89% 87.42% 76.77% 74.65% 63.93%	895	- This site was proposed by the Tunbridge Wells LCSP - As this site is a viable option for a children's centre no other sites were proposed for this catchment area
10	West Kingsdown	Swanley	Site: West Kingsdown CEP School Model: Modular New Build	Ward Farningham, Horton Kirby and South Darenth * Fawkham and West Kingsdown Swanley Christchurch and Swanley Village	Deprivation levels 64.40% 76.36% 69.80% 77.62% 53.69% 62.99% 83.47% 54.80% 89.60% 95.46% 78.05%	835	- This site was proposed by Swanley and District LCSP Manager, Paul Shallcross. - As this site is a viable option for a children's centre no other sites were proposed for this catchment area

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By: Dr M R Eddy, Chairman of the Cabinet Scrutiny Committee
Mr P Sass, Head of Democratic Services and Local Leadership

For: Cabinet Scrutiny Committee – 8 April 2009

Subject: Kent Freedom Pass

Classification: Unrestricted.

Background

Members of the Cabinet Scrutiny Committee discussed the issue of Kent Freedom Pass at our last meeting in February. Concerns were raised over:

- a. The eligibility under the scheme of children who live within the administrative county of Kent but who travel outside of the area to attend school;
- b. The possible adverse impact on the lawful rights of a number of young people to travel freely, together with details of the number of young people affected by what the Committee believes is an anomaly within the current scheme;
- c. An assessment of the degree to which the scheme is promoted across Kent and the takeup of the scheme particularly in areas of relative deprivation;

Information on the Kent Freedom Pass scheme states that

“For clarity, this means that non-Kent residents attending schools in Kent and Kent residents attending school outside of Kent (such as Medway, East Sussex, London etc) are not eligible to apply”. www.kent.gov.uk/kentfreedompass

Documents attached

- Information leaflet for parents and students
- The concessionary travel scheme for young people in Kent scheme definition (with effect from 1 April 2009)
- Participating schools – Scheme year 2009/10
- Participating operators – Scheme year 2009/10
- Terms and Conditions – Scheme year 2009/10

Possible Decisions

The Committee may either:

- a) comment to the Chief Executive and the relevant Managing Director;
- b) report to the Council;
- c) refer any issues arising from its debate for consideration by a Policy Overview Committee or the Cabinet.

Background Documents (available on request)

- a) Minutes of Cabinet Scrutiny Committee 10 February 2009
- b) Report to Cabinet 'Free Travel for 11 – 16 Year Olds' 3 December 2007
- c) Minutes of Cabinet 3 December 2007
- d) Report to Cabinet 'Free Travel for 11 – 16 Year Olds' 8 February 2007
- e) Minutes of Cabinet 8 February 2007

WILL THERE BE ANY NEW BUS SERVICES PROVIDED?

No additional services will be provided as part of the Kent Freedom Pass scheme. Where a capacity problem arises, KCC have made funds available to local bus companies in order to provide larger or additional vehicles on existing routes. Should you wish to discuss the availability of services in your area please contact your local bus operator(s).

I HAVE LOST MY KFP.

HOW CAN I REPLACE IT?

You can only apply for **ONE** replacement during each scheme year. A £10 administration fee applies. To pay by credit or debit card please call **01622 605540**. Alternatively, please send a cheque or postal order, made out to Kent County Council, to the address below, along with a covering note.

**Kent Freedom Pass,
Transport Integration, Gibson Drive,
Kings Hill, West Malling, Kent ME19 4QG.**

HOW LONG WILL

MY PASS LAST FOR?

All KFPs issued during the scheme year 2009–10 will expire on **31 August 2010**, irrespective of the date of application. Therefore the earlier you apply the more value you will get from the pass. The annual charge of £50 and the replacement fee of £10 are also fixed and apply at all times until 31 August 2010.

CAN I GET A REFUND?

No – the KFP has been set up to be simple to administer and therefore refunds are not given. The £50 charge is to cover the cost of administering the scheme, with the cost of travel being met by KCC.

I HAVE A STATEMENT OF SPECIAL EDUCATIONAL NEEDS – WHAT ARRANGEMENTS ARE IN PLACE TO HELP ME?

As with any child who receives free home to school transport from Kent County Council, your existing arrangements will continue unchanged, whether you apply for a Kent Freedom Pass or not.

If you are in receipt of the Higher Rate Mobility Component of the Disability Living Allowance, or fulfil one of 7 statutory categories of disability, you can apply for an English National Concessionary Travel Pass, which gives you free off-peak local bus travel anywhere in England. These are issued free of charge – more details are available from www.direct.gov.uk/.

District Councils can also issue discretionary companion passes, which enable disabled pass holders to take someone with them when they travel. As the conditions for these companion passes vary, please contact your district council in the first instance.

It remains a parental responsibility to ensure that a child using a Kent Freedom Pass is able to access public bus services on their own, or to accompany the child if necessary, even if the child is provided with an escort by KCC for their home to school travel.

ABUSE IT - LOSE IT

All passengers, including Kent Freedom Pass holders, are responsible for their own behaviour when travelling and KFP holders are expected to follow the KFP Code of Conduct at all times. Additionally, passengers who breach the operator's Conditions of Carriage, which are published by each bus company, may be refused travel or have their passes confiscated. In serious circumstances, the bus company may involve the Police or ban a passenger from their services. KFPs used fraudulently will be withdrawn.

WHAT ELSE DO I NEED TO KNOW?

The Kent Freedom Pass does not entitle any student to travel on a particular service and does not guarantee space on any vehicle. Problems regarding the availability of bus services or space on a particular service should be directed to the relevant bus operator.

All KFPs remain the property of Kent County Council and must be shown or surrendered on request.

HOW DO I GET

FURTHER INFORMATION?

This leaflet provides the basic information which you need to consider before making an application, as the charge of £50 is not refundable. Full terms and conditions, and further information about schools and participating operators, are available at www.kent.gov.uk/kentfreedompass or by written request to the address below.

If you still have a query, you can contact us in the following ways:

Phone: **08458 247 247**

Email: kentfreedompass@kent.gov.uk

Minicom: **08458 247 905**

**Kent Freedom Pass,
Transport Integration, Gibson Drive,
Kings Hill, West Malling, Kent ME19 4QG**

This leaflet is available in alternative formats. Please contact **08458 247 247**.



Kent Freedom Pass

INFORMATION FOR PARENTS AND STUDENTS

For the scheme ending 31 August 2010

Original bus artwork by Stagecoach South East Stagecoach



Scheme year
2009/10

WHAT IS THE KENT FREEDOM PASS?

Kent County Council (KCC) introduced the Kent Freedom Pass (KFP) scheme in June 2007 to make travel easier and more affordable for young people. The principle aims of the scheme are to empower young people, improve safety, financially assist families, promote healthier lifestyles, encourage greater use of sustainable transport, reduce congestion and journey times (especially during the school runs), and ultimately increase quality of life across the county.

The cost of the pass is £50 for the scheme year, and allows students to travel on any **public** bus at any time, including weekends and school holidays. The scheme has been rolled out so far by districts in which the schools are located. From 2009 onwards, all schools within the boundary of Kent County Council will be covered, whether they are state or independent schools.

The KFP scheme is one of the most generous travel passes of its kind outside of London and is wholly funded by KCC.

WHO IS ELIGIBLE TO APPLY?

To apply for a KFP, students must meet ALL of the following criteria:

- Attending a school or other educational establishment in Kent and approved by the Scheme
- In academic year 7 – 11 from September 2009 onwards
- A resident of Kent (i.e. paying Council Tax to a Kent district council for KCC services)

WHEN CAN I APPLY?

Students attending school in Ashford, Dartford, Gravesham and Sevenoaks districts can apply for a pass from March 2009 onwards, and passes will be valid from **June 2009**. Students in all other districts can apply from June 2009 onwards, and passes will be valid from **September 2009**. From September 2009 onwards, an application for any district can be made at any time of the year. However the charge is the same throughout the year, even if you do not apply until more than half way through the year. All passes expire on **31 August 2010**.

WHY HAS THE KFP ONLY BEEN AVAILABLE IN CERTAIN AREAS UNTIL NOW?

Introducing a scheme across the whole county in one go would have been too big a project, given that there are no similar examples elsewhere in the country. It was important that the scheme was successful from the outset and a lot of research and planning was needed.

By rolling the scheme out gradually KCC has been able to resolve problems which have arisen, and ensured that the scheme works well for bus operators, schools and students, and that the terms and conditions are fair.

WHEN CAN I USE MY KFP?

The KFP is valid at any time of day, including evenings, weekends and school holidays. There are no restrictions on the number of journeys you can make.

WHICH SERVICES ACCEPT THE KFP?

The KFP allows free travel at the point of use on virtually all **public** bus services in Kent operated by participating operators. A list of operators, and the most important service exceptions, is available at www.kent.gov.uk/kentfreedompass. You can travel over the county border provided that no change of service is made, and can return on any direct service into Kent. Please note that Transport for London bus services do not accept the Kent Freedom Pass, but young people can travel for free if they have an Oyster® Card.

ARE THERE ANY EXCEPTIONS?

You cannot use the KFP on any service that is not a public bus. This includes private bus services, often arranged by schools or Kent County Council. These services are not available to the general public and do not accept fares of any kind. Some services which are tailored to schools are designated as special services within the scheme and there is an additional cost to travel on these services, further details of which are available at www.kent.gov.uk/kentfreedompass. You should check that the services you wish to use are part of the scheme by contacting the bus operator prior to applying.

HOW DO I FIND OUT THE TIMES AND ROUTES OF BUSES?

Public transport information is available online at www.kent.gov.uk/publictransport and more detailed information by school is provided at www.11-19travel.info.

Each local bus company will be able to provide timetables for their public services.

Additionally, schools often hold copies of relevant timetables.

A Journey planning facility, the Traveline service, holds details of all public bus and rail services across the county.



HOW DO I APPLY FOR THE FIRST TIME?

You can collect an application form from your participating school, or download one (after 01.10.09) from www.kent.gov.uk/kentfreedompass.

Please return to the address shown on the form, along with a passport-size photo and your payment. Please do not send cash by post.

KFPs are distributed via the school. You will be sent a letter to let you know that your KFP is ready to collect. If you hold a KCC home to school bus pass you must exchange this when you collect your KFP. Please refer to the panel opposite for further details.

HOW DO I RENEW MY 2008/09 KFP?

Your KFP will not be renewed automatically. If you still meet the criteria you can renew your KFP for the annual charge of £50. Please fill in a new application form and tick the "renewal" box at the top. You do not need to send in a new photo. Your new KFP will be sent to the school in September to be exchanged for your expired KFP.

You must apply for your renewed KFP by 17 July 2009 to ensure it's available at the beginning of the new academic year.

I ALREADY RECEIVE FREE HOME TO SCHOOL TRANSPORT – HOW DOES THIS AFFECT ME?

Your entitlement to free transport is unaffected by the KFP scheme. If you decide to upgrade your existing pass you may do so for the normal £50 fee. This will then allow you to travel on any participating bus service at any time of day. If you currently travel by bus, we will print these details on your Kent Freedom Pass which you can then exchange for your current bus pass. You will not be issued with a Kent Freedom Pass until you surrender all relevant tickets issued to you by KCC. If you travel by train you will be issued with a Kent Freedom Pass in addition to your rail ticket.

If you already receive free home to school transport, the details you give on your KFP application form will be checked against your last recorded address. If the addresses are different we may need to contact you and your application is likely to be delayed. If you have moved address since you were granted free home to school transport and have not informed KCC, your application will be delayed and your entitlement will be reconsidered by KCC's Admissions and Transport office. If you decide not to apply for the scheme your home to school bus pass will be renewed as normal.

WHEN WILL MY PASS BE READY?

For Ashford, Dartford, Gravesham and Sevenoaks, you must apply by **30 April** to ensure that your KFP will be available on 1 June 2009.

An application for any area can be made at any time after 8 June but you must apply by **17 July 2009** to be sure of having your pass ready for the start of the new school year in September.

Between summer and October half-term applications can take up to 28 working days to process and you are liable for all transport costs while your application is being processed. If you apply after October half-term your pass is likely, but not guaranteed, to be processed within 10 working days.

THE CONCESSIONARY TRAVEL SCHEME FOR YOUNG PEOPLE IN KENT
SCHEME DEFINITION (with effect from 1 April 2009)

1. Definitions and Interpretation

1.1 In this Document and in the Arrangements for Reimbursement Document the following expressions (arranged in alphabetical order and in certain instances incorporating in their definitions expressions defined elsewhere in this Document) shall have the meaning set out below::

- i) “Act” means the Transport Act 1985 (as amended);
- ii) “Administering Authority” means the authority responsible for administering the Scheme;
- iii) “Arrangements for Reimbursement” means the most recently published Arrangements for Reimbursement associated with the Scheme;
- iv) “Concession Period” means the period of 12 calendar months starting on 1 April in any year;
- v) “Eligible Person” means a person residing in Kent and in full-time education at years 7 to 11 inclusive, attending a school located in Kent (see Schedule 1 for list of schools) or a person aged 16-18 in Kent County Council Local Authority care, and those aged 18-20 and known as “Care-Leavers” (as defined in The Children Act 1989 and The Children (Leaving Care) Act 2000);
- vi) “Entitled Person” means an eligible person in possession of a valid pass issued under the terms of this scheme;
- vii) “Eligible Services” shall be construed in accordance with section 146 of the Transport Act 2000 as modified by the Travel Concessions (Eligible Services) Order 2002 (SI12002No 1016) and any subsequent order, or any other local service registered with the Traffic Commissioner;
- viii) “Excluded Services” means those Public Passenger Transport Services and/or specified journeys on those services and/or at specified times on which concessionary travel cannot be undertaken under the terms of the Scheme;
- ix) “Included Services” means those Eligible Services and/or Public Passenger Transport Services and/or specified journeys on those services on which concessionary travel can be undertaken under the terms of the Scheme;
- x) “Issue Charge” means any payment required from an Eligible Person in return for making a Scheme Pass available to that person excluding any charge to recover the cost of providing a photograph and/or the cost of providing a replacement Scheme Pass at a time other than the normal date of renewal.
- xi) “Off-peak” means a scheduled or actual departure time (whichever is the later) of between 0930 and 0430 the following day on weekdays that are not public holidays and

any time on Saturdays, Sundays and public holidays unless otherwise specified by the Administering Authority;

- xii) "Participating Operator" shall be construed as any transport operator providing Included Services in accordance with the terms set out in this Scheme Description;
 - xiii) "Passenger Journey" means the act of a person being transported by bus from one location to another;
 - xiv) "Principal Area" shall be construed in accordance with Section 93 (2) of the Act as the area comprising the Administrative Area of the County of Kent and for the avoidance of doubt, this excludes the administrative area of Medway Council;
 - xv) "Public Passenger Transport Service" shall be construed in accordance with Section 63 (10)(a) of the Act;
 - xvi) "Regulations" means the Travel Concessions Schemes Regulations 1986 and any subsequent modifications and/or additions thereto, together with any other relevant regulations;
 - xvii) "Scheme" means The Concessionary Travel Scheme For Young People In Kent as described herein;
 - xviii) "Scheme Pass" means a pass, to be known as a Kent Freedom Pass, that entitles the person to whom it was issued to travel without the payment of a fare on any Included Service; and at any time of day;
 - xix) "Special Services" means those Eligible Services whose primary function is to provide transport to and/or from schools and colleges, and which carry no or very few passengers paying single or return fares.
- 1.2 Reference to any statute or order shall include any statutory extension modification or re-enactment therefore and any order regulation or byelaw made thereunder
- 1.3 Words importing the singular number only shall include the plural number and vice versa and words importing any particular gender shall include masculine feminine and neuter genders
- 1.4 The provisions of Schedule 1 of this Document shall form part of this Document as if set out here.
- 1.5 All notices to be given under this Document shall:
- 1.5.1 be in writing;
 - 1.5.2 be delivered personally or sent by pre-paid recorded delivery post addressed to the party to be served at the address set out in this Document or such other address as may from time to time be notified for the purpose by notice in writing; and
 - 1.5.3 be deemed to have been served in the case of a notice delivered personally at the time of delivery or in the case of a notice sent by pre-paid recorded delivery post at the expiration of 48 hours after the notice was delivered into the custody of the postal authorities

- 1.6 The headings in this Document are inserted for convenience only and shall not affect the construction or interpretation thereof
- 1.7 This Document may not be assigned by the Participating Operator without the written consent of the Administering Authority
- 1.8 A person who is not a party to this Document has no rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any terms of this Document but this does not affect any right or remedy of a third party which exists or is available apart from such Act

2 Administration of the Scheme

- 2.1 KCC is the Administering Authority and the Scheme is established and administered under the provisions laid down in the Act.
- 2.2 The Act encourages voluntary participation in the Scheme, backed where necessary by a process of compulsion and the Scheme is founded on this principle.

3 Responsibilities of the Administering Authority

The Administering Authority will:

- 3.1 manage and operate the scheme in accordance with the requirements of the Act and other relevant legislation
- 3.2 issue Scheme Passes to Eligible Persons
- 3.3 reimburse Participating Operators of Included Services in respect of the proper use of Scheme Passes upon confirmation from those operators that the Passenger Journeys have been made and in accordance with the separately published Arrangements for Reimbursement document.

Issue of Scheme Passes

- 4 It is the responsibility of Eligible Persons to apply for their Scheme Pass and applicants are responsible for any costs incurred in making their application including the cost of providing any photograph that may be required for security purposes and in obtaining and/or presenting the necessary proof of their eligibility. The Administering Authority will issue a Scheme Pass at the published Issue Charge to any Eligible Person that applies in the correct manner.
- 5 Concessionary Travel under the Scheme will only be permitted upon the production of a valid Scheme Pass in the form and subject to the terms and conditions specified from time to time by the Administering Authority.
- 6 Any arrangements for an alternative pass and/or other types of concession are not part of the Scheme.
- 7 Passes will normally expire on 31 August following the end of the school year during which the Eligible Person attains the age of 16.
- 8 In cases where a Scheme Pass is stolen, lost, badly damaged or destroyed, the Administering Authority may at its sole discretion provide a replacement Scheme Pass during the currency of

one that has already been issued but reserve the right to make an administration charge to cover the cost of so doing.

Transport Services

- 9 Concessionary Travel is available under the Scheme for Passenger Journeys on Included Services:
- i) Between places in the Principal Area, and;
 - ii) Subject to any specified exclusions (see paragraph 11), between places in the Principal Area and other places in its vicinity providing that the Passenger Journey does not involve a change of bus outside the Principal Area.
- 10 Transport services that may be included within the Scheme and which are defined as Included Services are:
- a) all Eligible Services operating within to and/or from the Principal Area;
 - b) any other Public Passenger Transport Service for which arrangements regarding participation have been agreed between the Administering Authority and the operator of that service;
- 11 Notwithstanding 10 above, the Administering Authority reserves the right to exclude specified services (and/or parts of services) from the Scheme where these would otherwise enable Passenger Journeys beyond the vicinity of the Principal Area. Details of any and all exclusions and any changes thereto shall be published from time to time by the Administering Authority.
- 12 Notwithstanding 10 above and subject to prior consultation with all Participating Operator(s) providing services that may be affected, the Administering Authority reserves the right to exclude specified services (and/or specified journeys on specified services) from the Scheme where they have good reason to do so. Participating Operators may also request the Administering Authority to agree to exclusions on similar grounds, such agreement not unreasonably being withheld. Details of any and all exclusions and any changes thereto shall be published from time to time by the Administering Authority.
- 13 Operators participating in the Scheme shall be reimbursed on the basis specified in the separately published Arrangements for Reimbursement, and shall recognise and accept valid Scheme Passes in the form and subject to the terms and conditions specified by the Administering Authority and allow the rightful holders of such Scheme Passes to travel free of charge only upon production of a valid Scheme Pass when they commence their Passenger Journey.

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Pilot Schools – June 2007 onwards

Mainstream LEA school, pupil referral units, special needs centres and independent school are all included. Please refer to the list below:

<p><u>Canterbury</u></p> <p>A C P (Riverside Centre) A R C (Aylesham) A R C (Canterbury) Barton Court Grammar School Canterbury High School Canterbury Steiner School Chartham LR Centre Chaucer Technology College East Kent Hospital School Greenfinch Education Centre Grosvenor House – Herne Bay Herne Bay High School Junior King’s School Kent College (Canterbury) Orchard School Prince of Wales Youth Centre Project 15 Simon Langton Grammar School for Boys Simon Langton Grammar School for Girls Spires Academy (previously Montgomery School) Star Challenge Project St Anselm’s Catholic School St Edmund’s School St Nicholas’ School Stafford House College The Archbishops School The Community College, Whitstable The Kings School Voices</p>	<p><u>Tunbridge Wells</u></p> <p>A C P (Ridgeway) Angley School – A Sports College Apex Project Bedgebury School Beechwood Sacred Heart School Benenden School Bennett Memorial Diocesan School Bethany School Broomhill Bank School Charles Street Centre Cranbrook School Dulwich Preparatory School Holmewood House School Kent College Pembury Marlborough House School Mascalls School Oakley School Rose Hill School St Gregory’s Catholic Comprehensive School St Ronan’s School The Skinners’ School Tunbridge Wells Girls’ Grammar School Tunbridge Wells Grammar School for Boys Tunbridge Wells High School West Kent Health Needs Education Service Yardley Court</p>
<p><u>Tonbridge</u></p> <p>A R C Tonbridge A C P (West Kent College) Hilden Grange School Hillview School for Girls Horizon Project - Tonbridge Hugh Christie Technology College Ridge View School Sackville School The Hayesbrook School The Judd School Tonbridge Grammar School Tonbridge School Weald of Kent Grammar School for Girls West Kent Health Needs Education Service YWCA</p>	

Extension Schools – June 2008 onwards

<p><u>(Tonbridge &) Malling</u> (in addition to those above)</p> <p>Aylesford School Grange Park College Holmesdale Community School Malling School Wrotham School</p>	<p><u>Shepway</u></p> <p>A C P (Folkestone) A R C (Folkestone) Brockhill Park School Brook Education Centre Environmental Therapy Project Folkestone Academy (previously Channel School) Folkestone School for Girls Foxwood School Harvey Boys Grammar Highview School Marsh Academy (previously Southlands) Oakwood School (Folkestone, Independent) Pent Valley High School St Marys Westbrook Threshold (Folkestone) Warm Stone Project</p>
<p><u>Maidstone</u></p> <p>A C P (Maidstone, Shepway Estate) A R C (Maidstone) Astor of Hever Bower Grove School Cedars PRU Charlton Court School Cornwallis School Dandelion Trust Five Acre Wood School Gatland House Invicta Grammar School Kings Reach Link Employment Services Maidstone Grammar School for Girls Maidstone Grammar School Maplesden Noakes Oakwood Park Grammar Oldborough Manor (New Line Learning) Senacre (New Line Learning) Shepway Youth & Community Centre St Simon Stock Sutton Valence School Swadelands School Threshold (Howard de Warden YC) Threshold (Maidstone) Threshold (Ringlestone) Up 2 U Valley Park Community West Kent Health Needs Education Service Youth & Adult Training Centre, Bedford Place</p>	<p><u>Dover</u></p> <p>A C P (Dover) Archers Court School Aspen Unit II Astor College Brewood Centre Castle Community School Concept Training Connexions (Dover) Dover Boys Grammar Dover College* Dover Girls Grammar Duke of York's Royal Military School Harbour School Learning Opportunities Centre (Ringwold) MXCP (Dover) Northbourne Park Old School (Capel) Old School (St Margarets) Portal House Ripplevale School Sandwich Technology School Sir Roger Manwoods School South Kent College – New Start Centre St Edmunds (Dover) Threshold (Dover) Triangles Community Centre Up 2 U (Deal) Up 2 U (Dover) YMCA (Dover) Walmer School</p>

*Dover College students are eligible to apply, but the pass is not accepted on transport operated by Dover College

Phase 3 Schools – January 2009 onwards

<u>Swale</u>	<u>Thanet</u>
Abbey School	A C P Thanet
A R C Sheerness	Charles Dickens School
Borden Grammar School	Chatham House Grammar School
Boulters Learning and Skills Centre	Clarendon House Grammar School
Challenger Project Centre	Dane Court Grammar School
Cheyne Middle School	Ellington School for Girls
Danley Middle School	Foreland School
Fulston Manor School	Hartsdown Technology College
Highsted Grammar School	Hereson School
Hill View School	King Ethelbert School
Hythe House Education	Laleham Gap School
Integrated Services Programme	Marlowe Academy
Meadowfield School	Northwood Centre
Minster College	Project 15 (Ramsgate)
Queen Elizabeth's Grammar School	St Anthony's School
Sittingbourne Community College	St George's CE Foundation School
St George's CE Middle School	St Lawrence College
Threshold Learning Centre	Stone Bay
Westlands School	Ursuline College
	Thanet College
	Wellesley House
	Westwood Project
	Westwood School (NCH)

Countywide Roll-out – June 2009 onwards

<p><u>Ashford</u></p> <p>A R C (Ashford) Ashford School Ashford & Shepway Alternative Curriculum PRU Ashford Christ Church School Goldwyn Community Special School Heath Farm School Highworth Grammar School for Girls Homewood School North School Norton Knatchbull School Threshold (Ashford) Towers School Wyvern School</p>	<p><u>Dartford</u></p> <p>Barn End Centre Dartford & Gravesham Alternative Curriculum PRU Dartford Girls Grammar Dartford Grammar Dartford Technology College Grammar School for Girls Wilmington Helen Allison School Leigh Technology Academy Leyden Hatch Study Centre Longfield Academy Phoenix Centre Rowhill Special School Spectrum Centre Swan Valley Community School Wilmington Enterprise College Wilmington Grammar School for Boys</p>
<p><u>Gravesham</u></p> <p>Cobham Hall School Gravesend Grammar School Gravesend Grammar School for Girls Ifield School Meopham School Nick Hornby School Northfleet School for Girls Northfleet Technology College St Georges Church of England Secondary St John's Catholic Secondary Thamesview School West Kent Health Needs Education Service</p>	<p><u>Sevenoaks</u></p> <p>Bradbourne School Combe Bank School Furness School Hextable School Milestone School New Beacon School Sevenoaks School Sevenoaks Preparatory School Solefield School St Michael's School Swanley Technology College Valence School Walthamstow Hall School Wildernesse School</p>

Kent Freedom Pass – Participating Operators

The following list details all local bus operators that will accept the Kent Freedom Pass.
Please note that these operators may also run services that are not included in the scheme, such as private hire contracts or services wholly in another council's area.

- Arriva+
- AMK
- ASD Transport
- Autocar
- Bigfield's Coaches
- Brighton & Hove Bus & Coach Co
- Brookline Coaches
- Buzzlines
- Cardinal Coaches
- Carr (AJ & NM)
- Chalkwell
- Clarke's of London
- Clarke's Minibuses
- Classic Omnibus
- Coastal Coaches
- Countryliner
- County Town Coaches
- Crosskeys Coaches
- Eastbourne Buses
- Eastonways
- Ensign Bus
- Farleigh Coaches
- Flights Hallmark
- Grangeville
- Griffin Bus
- Hams Travel
- High Rocks
- Jaycrest
- Jempsons
- KCC Passenger Services
- Kent Coach Tours
- Kent Top Travel
- The King's Ferry
- Kingsman International
- Lehane Travel
- Lewis Travel
- Manns Travel
- Marshopper
- Meopham Community Bus
- Metrobus
- New Enterprise
- Nu-Venture
- Owen's
- P&O
- Poynters Coaches
- Redroute
- Regent Coaches
- Renown Coaches
- Romney, Hythe & Dymchurch Railway
- Royal Mail Postbus
- Sam's Taxis
- C D Smith
- Southdown PSV
- Spot Hire
- Stagecoach*
- TT Travel
- West Kent Buses
- Zee Bus

+ Maidstone Borough Council's Park & Ride services, operated by Arriva, do not accept the Kent Freedom Pass

* Stagecoach enforces certain restrictions in order to manage capacity within their network of services, such as on services 4X and 6X (Herne Bay to Canterbury) and 160 (Hythe to Folkestone). Alternative services are available - please contact Stagecoach for details (0870 243 3711).

Although London Buses (TfL) do not accept the Kent Freedom Pass for travel, 11 – 15 year olds can apply for an Oystercard, which gives free travel on their services, within Kent and across the whole of Greater London. Application forms are available from Post Offices and for further information please contact TfL on 0845 330 9876 or visit www.tfl.gov.uk.

Operators of registered services that are not open to the public and therefore not included in the scheme:

- MTC
- Roberts
- Scotland & Bates

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Kent Freedom Pass

Terms and Conditions for scheme year 2009/10

These Terms and Conditions should read in conjunction with the explanatory leaflet provided.

Definition

Kent is defined as the administrative area of Kent County Council as defined by the Local Government Act 1992 (as amended).

The date of application is defined as being the date on which the application is received at KCC's Transport Integration office.

Scheme Year

The Scheme Year is defined as follows:

Schools in the districts of Ashford, Dartford, Gravesham, Sevenoaks – from 1 June 2009 until 31 August 2010.

Schools in the districts of Canterbury, Dover, Maidstone, Shepway, Swale, Thanet, Tonbridge & Malling and Tunbridge Wells – from 1 September 2009 until 31 August 2010.

The Pass

The Kent Freedom Pass (hereinafter referred to as KFP) remains the property of Kent County Council.

Payment of the fee (currently £50) and submission of an application form is deemed to be acceptance of these Terms and Conditions. The fee is a one-off charge and does not vary during the period until August 2010, irrespective of the date of application or issue. No refunds shall be made under any circumstances.

All passes expire on 31 August 2010.

Eligible persons

A pupil in academic year groups 7 - 11 from September 2009 onwards, normally resident within Kent, and enrolled at a school specified in the list of Countywide Participating Schools, is eligible to apply. A pupil enrolled at a school outside of Kent, but attending an educational establishment in Kent on a part-time basis is not eligible to apply. A pupil enrolled at an educational establishment in Kent but not one specified in the list of Countywide Participating Schools, is not eligible to apply, unless the establishment is subsequently accepted into the scheme by the Children, Families and Education directorate.

Students moving to a participating school will not be issued a pass until they are attending the school.

Young People in Care:

A person aged 16 – 18 in Kent County Council Local Authority Care is eligible to apply.

Applicants must live within Kent and have their form endorsed by Catch 22 (formerly Rainer)

Kent Services within the Children, Families and Education directorate. They are eligible until the end of the scheme year in which they reach the age of 18. For those in residential care, Catch 22 Kent Services will meet the £50 administration fee. For those in foster care, the foster carer, through the young person's transport allowance, must meet the £50 administration fee.

Care Leavers:

A person aged 18 – 20 as defined in the Children Act 1989 and the Children (Leaving Care) Act 2000. Applicants must live within Kent and have their application endorsed by Catch 22 (formerly Rainer) Kent Services within the Children, Families and Education directorate. Care leavers can apply for a pass until the end of the scheme year in which they reach the age of 20. Catch 22 Kent Services will meet the £50 administration fee.

Educated at Home:

Applicants must live within Kent and be registered as Educated at Home with the Admissions and Transport team within the Children, Families and Education directorate. There is no need to have the application form endorsed prior to submission, as this will be checked as part of processing the application. Any applicant not registered as Educated at Home, may be subject to further investigation by the Children, Families and Education directorate.

Application Process

The closing date for applications is 31 May 2010. Kent County Council will not be liable for, and will not refund, transport costs incurred while applications are processed or transport costs incurred during the period between 1 June or 1 September and the date when the school is open for the pass to be collected. It is the responsibility of the applicant to contact Kent County Council if the pass is not available to collect within 28 days of the scheme start date (1 June 2009) or date of application, whichever is later.

KCC reserves the right to specify dates during the scheme year by which time applications must be made in order to manage the volume of applications and plan for bus service capacity.

Replacement Pass

Only one application for a replacement KFP will be accepted during the period until August 2010. A charge of £10 will be made irrespective of the circumstances in which it is required and will not be waived. In the event that the replacement pass itself is lost, damaged or stolen, a new application with a fee of £50 will be required.

Replacement applications will normally be processed within 10 working days of receipt however Kent County Council will not be liable for, and will not refund, transport costs incurred while replacement pass applications are being processed. If an application for a replacement pass is made but the pass has not been received 28 days after the application, it is the responsibility of the passholder to contact Kent County Council.

Eligibility for free home to school transport

Applications from pupils already entitled to free home to school transport, either by virtue of the Education Act 1944 (as amended), or by discretionary transport policy of KCC, will be checked against the last recorded home address. No passholder can have two permanent addresses and any discrepancy between the addresses given will be investigated, which may result in entitlement to free transport being withdrawn.

Change of circumstances

A passholder who no longer qualifies for the scheme (for example by virtue of a change of home address or school to outside of Kent) must return the pass to Kent County Council with immediate effect.

A change of circumstances that does not affect eligibility for the scheme, such as change of address within Kent, must be notified to the Council within 14 days of the event.

Limitations of Use

The KFP is valid on virtually all registered local bus services which start and/or finish in Kent, except for those of operators who elect not to participate in the scheme, or where a restriction agreed by Kent County Council applies. Some bus services, by virtue of their limited operation, are designated as special services within the scheme and require an additional payment arrangement to the KFP. Additional payments for special services can only be required by operators and/or schools where this has been agreed by KCC. Arrangements for the payment of any such additional payments will remain subject to the operator and/or school's normal terms of business. Exceptions and special services are listed in the list of Participating Operators and Services.

Coach and private bus services (such as vehicles hired to provide school transport under the Education Act 1944 (as amended)) are not included. Rail travel, with the exception of the Romney, Hythe and Dymchurch Railway, is not included. It is the passholder's responsibility to ensure that the KFP is valid for travel on the service on which it is intended to be used.

There are no restrictions on the times when travel can be made or the number of journeys that can be made on any day.

Bus travel can be undertaken where the intended journey starts or finishes in Kent.

Any student that cannot produce a valid pass must pay the appropriate fare in order to travel. Passes will not be accepted for travel, and must be replaced, if they become damaged such that the student's name or photograph or the Kent County Council logo are not clear, or give rise to legitimate concern about the validity of the pass. The standard replacement charge will still apply in these circumstances.

Conditions of Carriage

All travel undertaken by the passholder is subject to the Conditions of Carriage of the relevant operator and the Kent Freedom Pass Code of Conduct. The passholder is responsible for their own behaviour when travelling. All bus companies have their own Conditions of Carriage and operators have the right to refuse travel or withdraw a KFP in the event that Conditions of Carriage are breached. In serious circumstances, the bus operator may ban the passholder from their services permanently and ask the Police to take action against those involved in serious anti-social behaviour or fraudulent use of passes.

A passholder who has their KFP withdrawn and is also entitled to statutory free home to school transport, should report this to Kent County Council with immediate effect. A replacement KFP will not be issued but a statutory free home to school pass may be provided.

Liability and disclaimer

The KFP does not entitle or guarantee a space (whether standing or seated) on any bus service at any time, nor does it give any expectation of new bus services being provided, or the continuation of existing bus services.

Kent County Council accepts no liability for any consequential loss, delay or injury arising from the use, or intended use of the KFP. Any complaint arising from a journey which is not operated as expected should be addressed to the operator of the service concerned.

KCC reserves the right to amend these Terms and Conditions during the course of the scheme year in response to changes of circumstances.

Any correspondence regarding these Terms and Conditions, or the Kent Freedom Scheme in principle should be addressed to:

Kent Freedom Pass
Sustainable Transport
Kent Highway Services
1st Floor Invicta House
County Hall
Maidstone
ME14 1XX

Telephone: 08458 247 247
Email: kentfreedompass@kent.gov.uk

By: Head of Democratic Services and Local Leadership
 To: Cabinet Scrutiny Committee – 8 April 2009
 Subject: ANNUAL UNIT BUSINESS PLANS 2009/10
 Classification: Unrestricted

FOR DECISION:

1. Members are asked to consider which individual unit Business Plans for 2009/10 should be selected for detailed scrutiny to report back at the next meeting on 29 April 2009.
2. In past years, the Committee has selected three Business Plans, each from a different Directorate, and established Informal Member Groups, with a cross-party membership of 3 (1:1:1) to consider them in detail and report back to the Committee. The Committee may wish to follow the same process for 2009/10. Experience has shown that the most useful time for the IMGs to meet is during the autumn, when progress in meeting Business Plan targets can be assessed.
3. It may help the Committee to know that in previous years the following Business Plans have been subject to detailed scrutiny:-

2004/05	Youth Service Occupational Therapy and Sensory Disabilities Commercial Services' Transport Services
2005/06	Emergency Planning Youth Offending Team Asylum-Seekers and Refugee Service
2006/07	Public Health Clusters Supporting People
2007/08	Kent Highways Service Libraries and Archives Community Safety
2008/09	Kent Highways Service Communications and Media Centre Clusters & Local Children's Services Partnerships

4. Appendix 1 sets out the Business Plans for 2009/10 and which units each business plan contains.

RECOMMENDATION

Members are invited to consider which unit Business Plans for 2009/10 should be selected for detailed scrutiny for decision at the Cabinet Scrutiny Committee meeting on 29 April 2009.

APPENDIX 1

2009/10 Business Plan Units

CHILDREN, FAMILIES & EDUCATION DIRECTORATE

Standards and Achievements Division

- Early Years and Childcare Unit
- Primary Unit
- Secondary Unit
- Strategic Development Unit
- Partnerships and Professional Development Unit

School Organisation

- School Organisation Admissions and Transport
- Early Years and Childcare
- 14 – 24 Innovation
- School Governance

Local Children's Services Partnerships

- Behaviour Service
- Cognition and learning
- Additional Education Needs Inclusion
- Communication and Interaction
- Education Welfare
- Extended Schools
- Alternative Curriculum
- Partnership Nurses
- Ethnic Minority Achievement support services
- Hands-on Support
- Specialist physical and sensory teachers
- Child-care development officers (surestart)
- Children's Centres
- Primary Excellence project

Commissioning

- Additional Educational Needs and Resources Service
- Attendance and Behaviour
- Educational Psychology
- Joint Commissioning Unit
- Minority Communities Achievement Service
- Specialist Teaching Service

Children's Social Services

- Children and Families Districts Services
- Specialist Children's Services: Including Disabled Children's Services, Adoption, Fostering, Integrated Looked After Children's Support Service
- Services for Unaccompanied Asylum Seeking Children
- Family Group Conferencing

- Out of Hours
- Professional Development Unit (Training)
- Business and Performance Management Unit

Finance & Corporate Services

- Finance Function, including compliance, trading, statutory support to schools, schools forum
- Awards: Free school meals and transport
- Personnel and development
- Support Services purchased from CED
- Contingency

Strategy, Policy & Performance

- Policy and Performance (Vulnerable Children) including support to Kent Children Safeguarding Board
- Strategic Planning and Review including Kent Children's Trust developments
- Management Information
- Extended Services Development
- Directorate and Democratic Services
- Kent Music School
-

KENT ADULT SOCIAL SERVICES 2009/10

East Kent

- Kent Contract and Assessment Service (KCAS)
- Assessment and Enablement
- Careline
- Kent Sensory Service
- East Kent Provision for LD, PD and OP
- Community based Preventative Service
- Self Directed Support
- OT
- Strategic Commissioning Unit

Mental Health

- Mental Health Assessment
- Mental Health Advice
- Mental Health Treatment
- Opportunities to positive life experiences
- Joint Commissioning and priorities with NHS

Supporting People

- Contracting
- Financial Issues
- Monitoring
- Performance Review
- Policy and Strategy
- Setting of Eligibility Criteria

Kent Wide

- County Duty Service
- Kent Sensory
- Gypsy and Traveller
- Community Services Team
- Kent Supported Employment

ENVIRONMENT & REGENERATION

Resources

- Engagement and Improvement
- Finance
- Performance and Technology
- Standards and Support
- Strategic Management

Environment and Waste

- Area of Outstanding Natural Beauty
- Country Parks
- Countryside Access
- Greener Kent
- Heritage Conservation
- Natural Environment and Coast
- Waste Management

Kent Highway Services

- Community Operations
- Countrywide Improvement
- Technical Services
- Network Management
- Transport and Development

COMMUNITIES

Kent Youth Service

- Youth Participation Support
- Alternative Curriculum Programme
- Duke of Edinburgh's Award
- Positive Activities for Young People
- Services for Young People Leaving Care
- Residential/Outdoor Education

Youth Offending Service

- Initiatives to prevent young people offending and re-offending including:
- Pre-Court and Court Services
- Secure Accommodation and Accommodation for 16/17 year olds known to the Service
- Interventions for Young People subject to Community Penalties and Custodial Penalties

- Restorative Justice Services
- Parenting Services
- Victim Liaison Services

Kent Drug and Alcohol Action Team

- Commissioning by the KDAAT partnership of a wide range of treatment services across three key client groups
- Children
- 16 – 24 year olds
- Older adults
- Delivery of the 2008 National Drug Strategy

Libraries and Archives Service

- Library Services
- Book Fund
- Stock Services
- Access Services
- Archives and Local History
- Information Services
- Family and Lifelong Learning Support
- Museums

Kent Arts Development Unit

- Strategic Leadership and co-ordination for the development of the arts in Kent
- Ensure that arts are realising their full potential for community engagement and empowerment
- Support to the regeneration, tourism, and volunteering agendas
- Development of a cultural strategy for Kent

Sport, Leisure and Olympics Service

- A strategic co-ordinating and promotion function for sport in the County including communication and website development
- Leading and managing the Kent Campaign for the 2012 Games to ensure maximum benefit and long term legacy across the areas of sport; tourism; economic development; transport; education; the arts and volunteering
- Specialist advice and guidance on sports facility development
- Development of school sport opportunities, including development of the Kent School Games
- Development of Disability Sport
- Support for the voluntary sector through the governing bodies of sport/coach/club, and also via volunteer development
- Support for the development of talented performers

Kent Adult Education and KEY Training

- Learning for adults and families to meet their needs for skills, personal development and enjoyment
- Collaborative work with a range of public, private and third

sector partners, delivering skills and training to raise aspirations and contribute to economic success

- KEY Training Services – providing a diverse range of training and educational opportunities to young people and young adults to promote engagement in life long learning
- Increased participation in vocational training in key sectors and also generic literacy, numeracy and basic skills among school leavers and adults

Community Safety Service

- Lead on the co-ordination of cross-directorate work to achieve KCC's aim to reduce crime and the fear of crime
- Communication and monitoring of the delivery of Section 17 of the Crime & disorder Act 1998
- Support of a wide range of community reassurance schemes, including Community Wardens, HandyVan & Safer Schools
- Community Safety Training Partnership

Trading Standards Service

- Effective action against businesses that deliberately or persistently break the law, particularly those engaged in door-to-door sales
- Restriction of access for children and young people to harmful age-restricted goods
- Provision of support and advice to Kent businesses and consumers to support a fair and safe trading environment
- Effective action in relation to the storage and supply of dangerous goods
- Maintenance of food standards and assistance to help people make informed healthy choices
- Prevent the spread of animal disease and take action in relation to instances of unnecessary suffering in livestock at critical control points including points of export

Emergency Planning Service

- Planning for and responding to a broad range of emergencies that could occur within the authorities area of service
- Promoting the benefits of business continuity to the local community thus enhancing community resilience and response
- Retention and development of high quality detailed emergency planning and business continuity activities
- Delivery of key training and exercising activities
- Development and improvement of emergency response arrangements
- Continued contribution and leadership to countrywide resilience activities
- Continued development of key relationships with all stakeholders

Registration Service

- Registration of births, deaths, marriages and civil partnerships
- Safe storage of registers of births, deaths, marriages and civil partnerships and provision of certified copies of the registered entries
- Conduction of civil marriage, civil partnership, renewal of vows, welcoming, citizenship and civil funeral ceremonies
- Licensing of venues where civil marriage and civil partnership ceremonies may be solemnized and other ceremonies celebrated
- Provision of a Nationality Checking Service

Coroners Service

- Inquiries into deaths reported that appear to be violent, or sudden or unknown causes
- Establishment of cause of death by way of a post mortem or inquest if necessary
- Investigation into deaths in certain circumstances such as the death of a person in custody or a death resulting from a person's occupation

Kent Scientific Services

- A calibration, enforcement analysis and scientific advice service under the Food Safety Act, the Agricultural Act, and Weights and Measures Act, in partnership with Hampshire Scientific Services, involving:
 - KSS analytical laboratory
 - KSS calibration laboratory

Turner Contemporary

- Support for the construction of the Turner Contemporary gallery
- A public arts programme of exhibitions, new commissions, talks and events, education and out-of-reach work
- Support for the creation of an independent charitable trust to operate the gallery building after completion

Policy and Resources

- Development of Strategy and Policy
- Management of Resources
- Management of Processes and Procedures
- Business Development and Project Management, including Kent Volunteers

Supporting Independence Programme

- Preventative (within 14-24 Innovation Unit) and Responsive Services for the ten SIP archetypes, namely:
 - Young people with low attainment and aspiration
 - Young people in care or leaving care
 - Adult and young offenders

- Lone parents and teenage pregnancy
- Working Age Welfare Benefit recipients
- Adults with low qualifications and skills
- Alcohol and other drug misusers
- Adults with physical and learning disabilities
- Transient or seasonal groups
- Vulnerable older people

CHIEF EXECUTIVE'S DIRECTORATE

Personnel and Development

- Delivery of the Reward Strategy
- Development and application of personnel policy
- Employee relations and ensuring compliance with employment law
- Trade Union consultation and pay bargaining
- Development and delivery of the workforce strategy
- Ensuring equality and diversity in the workforce
- Personnel administration, recruitment payroll and expenses services
- Personnel Business Support to Chief Executive's Department, Environment & Regeneration and Communities Directorates
- Personnel Information and Systems Development
- Provision of a personnel service to schools
- Learning and Development
- Employee and Organisational Wellbeing
- Corporate Health and Safety Policy and Compliance

Communication and Media Centre

- Media and public relations services and advice to members and colleagues
- Positive national, regional and local coverage of KCC's outputs
- An improved and more interactive website and intranet
- Two issues of *Around Kent*, KCC's magazine for residents
- Timely and accessible communication of key messages to staff
- An award winning toolkit to improve communication standards across KCC
- A publications spreadsheet that will capture spend on all publications across KCC

Strategic Development Unit

- Contact Kent
- Consumer Direct South East
- Gateways
- Kent Film Office
- Kent TV
- Kent Graduate Programme
- Access Kent
- Chief Executive Support

Kent Public Health Department

- Strategic leadership and development of the public health function in Kent
- Development of Kent Health Watch
- Production of the Public Health Strategy for Kent, the Kent Health Inequalities Action Plan, the Director of Public Health's Annual Report, Joint Strategic Needs Assessments and a Tobacco Control Strategy
- Projects to demonstrate more effective ways of working and engaging with target populations
- Roll out of the House campaign (T2010 Target 50)
- Expansion of partnership working including district councils, the private and voluntary sectors and the NHS to promote healthier lifestyles and address health inequalities

Corporate Finance

- Corporate budgeting and Financial and Resource Planning
- Accounting, Monitoring and Final Accounts
- Taxation compliance and advice
- Treasury Management
- Exchequer Services
- Administration of the Pension Fund
- Insurance, Audit and Risk

Commercial Services

- Procurement of commodities and services primarily for KCC (at cost) and other public bodies, leveraging aggregation of volumes
- Provision of services directly to KCC
- Market moderation
- Delivering KCC service level agreements (Transport Integration; Community Equipment Services; Facilities Management and Staff Care Services)
- Service brokering (LASER), always in open competition
- The supply of a wide range of goods and services to, primarily, public bodies and local authorities, across the UK
- In addition, co located but operating independently of Commercial Services, the incorporates companies also offer further value for money in supplying both public and private sector clients

Legal & Democratic Services

- Members & Cabinet Support
- Democratic Services
- Local Boards
- Data Protection
- Legal Services

Strategy, Economic Development & ICT

- Corporate Policy – forward thinking policy development to influence change in the interests of Kent residents and businesses
- Performance Improvement and Engagement – redefining excellent internally, ensuring excellence through partnerships and connecting with communities
- Information Services – the innovative application of information technology enabling change, flexibility and freedom for front-line managers
- International Affairs – seeking to maximise the benefits to KCC and Kent from the county's geographic position as the UK's gateway to Europe
- Research & Intelligence – shaping, influencing and supporting, projects, policy and decision-making throughout KCC and in partners organisations
- Regeneration & Economy – promoting regeneration and sustainable economic development to secure Kent's long-term future as a vibrant and beautiful place where people want to live, work and visit
- Integrated Strategy & Planning (interim) – the formulation and implementation of planning and transport policy

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