



AGENDA

CABINET SCRUTINY COMMITTEE

Wednesday, 12th December, 2007, at 10.00 am
Darent Room, Sessions House, County Hall,
Maidstone

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

Refreshments will be available from 9.45 am. 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

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 - 24 October 2007 (Pages 1 - 10)
- A4 Informal Member Group on Libraries and Archives' Unit Business Plan - 19 November 2007 (Pages 11 - 14)
- A5 Informal Member Group on Budgetary Issues - 29 November 2007 (Pages 15 - 18)
- A6 Cabinet Scrutiny Committee - Standing Report to December 2007 (Pages 19 - 24)
- A7 Webcasting of Meetings
To consider whether future meetings of the Committee should be webcast.

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

No items.

C. CABINET DECISIONS

- C1 Draft Proposal for a Public Health Observatory for Kent (Pages 25 - 42)
Mr G K Gibbens, Cabinet Member for Public Health, and Ms M Peachey, Director of Public Health, Chief Executive's Directorate, will attend the meeting from 10.15 am to 11.15 am to answer Members' questions on this item.

C2 Free Travel for 11-16 Year Olds (Pages 43 - 56)

Mr R F Manning, Lead Member for Environment, Highways and Waste; Mr A Wilkinson, Managing Director, Environment and Regeneration; and Mr D Hall, County Transportation Manager, will attend the meeting at 11.15 am to 12 noon to answer Members' questions on this item.

C3 KCC International Activities Annual Report 2006/07 (Pages 57 - 66)

The Committee's Chairman and Spokesmen have requested additional information on the costs/benefits of international activities. These will be reported at the meeting so that the Committee can consider whether it wishes to take any further action on this item.

C4 KCC Environment Policy (Pages 67 - 72)

To consider referring this item to the Climate Change Select Committee, which will be meeting in January to monitor implementation of its recommendations.

C5 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 meetings on 26 November or 3 December.

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

D. CABINET MEMBER DECISIONS

D1 Second Homes Money, Thanet (Decision 07/01074) (Pages 73 - 78)

The Committee's Chairman and Spokesmen have requested additional information about this decision. This will be reported at the meeting so that the Committee can consider whether it wishes to take any further action on this item.

D2 Borough Green and Platt Bypass (Decision 07/01078) (Pages 79 - 84)

To consider referring this item to the Environment and Regeneration Policy Overview Committee for that Committee to monitor implementation of this Decision.

D3 Future of National Fruit Collection, Brogdale (Pages 85 - 88)

Mr R W Gough, Cabinet Member for Regeneration and Supporting Independence; and Mr S Gibbons, Head of Rural Regeneration, Environment and Regeneration Directorate, will attend the meeting at 12 noon to answer Members' questions on this item. A representative of the Friends of the National Fruit Collection at Brogdale will also attend the meeting to give evidence.

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 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, 4 December 2007

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.

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KENT COUNTY COUNCIL

CABINET SCRUTINY COMMITTEE

MINUTES of a meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Wednesday, 24 October 2007.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Mr A R Bassam, Mr A H T Bowles, Mr J R Bullock MBE, Miss S J Carey, Mr B R Cope, Mrs T Dean, Mr M J Fittock (substitute for Mrs M Newell), Mr C Hart, Mr C Hibbard (substitute for Mr J E Scholes), Mr G A Horne MBE, Mr E C C Hotson, Mr P W A Lake, Mr C J Law, Mr M Northey (substitute for Mr A R Chell), Mrs E Rowbotham (substitute for Mr R Truelove), and Mrs P A V Stockell.

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive and Mr P D Wickenden, Overview and Scrutiny Manager.

UNRESTRICTED ITEMS

23. Minutes – 26 September 2007
(Item A3)

RESOLVED that the Minutes of the meeting held on 26 September 2007 are correctly recorded and that they be signed by the Chairman.

24. Matters Arising

(1) On Minute 21, the Chairman informed the Committee that a press release on the changes to domiciliary care charges published following the last meeting of the Committee was withdrawn as it did not reflect the Committee's deliberations and two further press releases were produced.

(2) On Minute 20, Mr Fittock expressed concern that the press release relating to the Future of Post Office Network and Services in Kent referred to the word "scrutinise" which he was not sure was the role of Cabinet.

(3) Mr Law informed the Committee of the process since the Cabinet were made aware of the proposals in July to the formal announcement of Future of Post Office Network and Services in Kent published on 2 October 2007.

25. Informal Member Group on Budgetary Issues – 26 September and 11 October 2007
(Item A4)

(1) RESOLVED that the notes of the meetings of the Informal Member Group on Budgetary Issues held on 26 September and 11 October 2007 be noted.

Matters Arising

(2) Mr Smyth, Vice-Chairman of the Informal Member Group, informed the Committee that the IMG on Budgetary Issues would be keeping a close eye on the issue of Direct Payments and their administrative costs.

(3) Mrs Dean expressed her disappointment that it would be difficult to calculate how the back-office costs relating to Direct Payments compared to those relating to the provision of a traditional care service. Mrs Dean indicated that it was important in her view that these comparative costs were provided.

26. Informal Member Group on Kent Highway Services' Business Plan – 3 October 2007
(Item A5)

(1) RESOLVED that the notes of the meeting of the Informal Member Group on Kent Highway Services' Business Plan held on 3 October 2007 be noted.

Matters Arising

(2) Mr Hart raised concern at the lack of detail in the Business Plan and the correlation with the operation of Kent Highway Services.

(3) The Committee asked that the Director of Kent Highway Services be asked to provide information on the new structure and staffing as soon as possible. This information would be made available to the Informal Member Group and also to all Members of the Cabinet Scrutiny Committee.

(4) The Committee acknowledged that for the Business Plan 2008/09 it was important to have the views of the new Managing Director for Environment and Regeneration.

(5) Mrs Dean commented that whilst evidence within the Plan suggested performance was improving, anecdotal evidence from Parish Councils in her area was the opposite. She stressed that information from annual questionnaires sent to Parish Councils needed to be quantitative as well as qualitative. For example, it would be useful to display in the spreadsheet how many outstanding repairs there were together with an indication of how long it had taken to get those outstanding repairs actually repaired.

(6) Mr Law referred to the Kent Highway Services Alliance and commented that there was provision to monitor against a wide range of best value performance indicators and to compare complaints against jobs completed. Mr Bullock added that the list of faults needed to refer to non-parished areas as well as those with Parish Councils.

(7) In response to a question relating to the relationship between the Joint Transportation Board, the Highways Advisory Board, the Environment and Regeneration Policy Overview Committee, and the Cabinet Scrutiny Committee, the Overview and Scrutiny Manager informed the Committee that he had been asked to look at this as an outstanding issue by the Leader of the Council.

(8) Mr Hart asked for confirmation of the first meeting of the newly reconvened Thanet Joint Transportation Board which had not met since April 2007.

27. Cabinet Scrutiny Committee – Standing Report to October 2007

(Item A6 – Report by Assistant to the Chief Executive)

(1) RESOLVED that the report on the actions taken as a result of the Committee's decisions at previous meetings, and the updated report on progress with Select Committee Topic Reviews, be noted.

Matter Arising – Select Committee report on Accessing Democracy

(2) In response to a question on whether the Accessing Democracy Select Committee was to commence in Autumn 2007, the Overview and Scrutiny Manager informed the Committee that the Policy Overview Co-ordinating Committee at its meeting on 5 November 2007 would be asked to reaffirm this topic as its next priority for review. Resources to support this review had already been identified.

28. Proposed Additional Meeting – April 2008

(Item A7)

Members noted that Wednesday 23 April 2008 at 10.00 am had been reserved for a possible additional meeting of the Committee should it be needed following the additional Cabinet meeting, arranged for 14 April 2008, which had been established to consider Directorate Business Plans for 2008/09.

29. Clostridium Difficile Outbreaks at Maidstone & Tunbridge Wells NHS Hospitals Trust – Report by the Healthcare Commission

(Item C1)

(Dr M R Eddy indicated that he was no longer a non-executive director of the Strategic Health Authority having given up that appointment some two years previous)

(Mr P W A Lake declared that he was a non-executive director of the Kent and Medway Social Care Partnership Trust)

(1) Mr A J King, Deputy Leader of the Council, (in the Leader's absence); Mr G Gibbens, Cabinet Member for Public Health; Ms M Peachey, Director of Public Health, Chief Executive's Directorate; and Ms L McMullan, County Finance Officer, Chief Executive's Directorate, were in attendance for this item.

(2) The Chairman informed the Committee that the urgent report to Cabinet on 15 October had been called before the Committee for scrutiny with a view to:-

- (a) obtaining more details of the likely cost to the County Council of the Cabinet's decisions and how they are to be funded;
- (b) to examine how the proposed "healthwatch" is intended to work and, in particular, how it will relate to KCC's NHS Overview and Scrutiny Committee and to the Independent Local Involvement Network for Health and Social Care which the County Council will be required to establish from 1 April 2008 under the proposals contained within the Local Government and Public Involvement in Health Bill.

(3) The Committee had before them the draft decision of the Cabinet which was as follows:-

- “1 AGREED the Leader and Chief Executive be authorised to negotiate with NHS colleagues a package of measures through which the County Council can help provide public reassurance on long-term improvement;
- 2 APPROVED the setting up as soon as possible of a local “healthwatch” which provides the public an independent route for registering concerns about their local Health services.”

(4) To assist the Committee in the scrutiny of this item, the Committee had a background note on NHS Scrutiny Patient and Public Involvement and complaints mechanisms. Tabled at the meeting was a table setting out the Auditor’s Local Evaluation scores for NHS Trusts in Kent and Medway for 2006/07, together with the Department of Health final outturn figures for 2006/07.

(5) The Chairman informed the Committee that the NHS Overview and Scrutiny Committee would be looking at the issue of clostridium difficile outbreaks in Maidstone & Tunbridge Wells NHS Hospitals Trust when they met on 9 November 2007. The Overview and Scrutiny Manager explained that the meeting of the NHS Overview and Scrutiny Committee on 9 November was not purely about clostridium difficile but was about the whole issue of infection control and how this is tackled by the acute Hospital Trusts across Kent and Medway.

(6) The Committee noted that the recommendation in the Cabinet report with regard to “healthwatch” was to undertake a feasibility study, whereas the draft minutes of the Cabinet deliberations was approval to the setting up as soon as possible of a local Healthwatch which provides the public with an independent route for registering concerns about their local health services.

Package of Measures Including Offer of £5m Loan

(7) Mr King informed the Committee that the decision to bring forward an urgent paper to Cabinet on 15 October was intended to create a position where the County Council were supporting the Maidstone & Tunbridge Wells NHS Trust. It was also intended to demonstrate the County Council’s confidence on the way forward and to offer support to the Health Trust to assist them to put things right. He added that he regretted that both Dr Eddy and Mrs Dean, who had been invited to attend the Cabinet meeting, had been unable to attend.

(8) He said this was not a political issue, it was an issue of public confidence in the way we move forward. Mr King informed the Committee that the Interim Chief Executive of the Maidstone & Tunbridge Wells, Mr Glenn Douglas, had attended the Cabinet meeting on 15 October 2007 and had taken part in the discussions of the Cabinet meeting. He added that the Chairman of the Maidstone and Tunbridge Wells NHS Trust, Mr Lee, had resigned the previous week and on 23 October a new Interim Chairman had been appointed, Mr Jenkins, who is currently Chairman of the East Kent Hospitals Trust.

(9) Mr King reaffirmed that the Cabinet were keen to offer what help they could to assist the Maidstone & Tunbridge Wells NHS Trust. No detailed discussions had taken place either by the collective Cabinet or through individual Cabinet Member decisions.

On the offer of a £5m loan, he added that if Maidstone & Tunbridge Wells NHS Trust had Foundation Trust status then making a loan to a Foundation Trust would be straightforward. However, with regard to a loan to a Health organisation without Foundation Trust status he said that this may require the approval of the Secretary of State for Health. He added that the West Kent Primary Care Trust and the Maidstone & Tunbridge Wells NHS Trust were looking at a package of measures and the offer of support from the County Council was in the spirit of support and public confidence. The offer had been made on the understanding there would be no impediment to the County Council.

(10) Mr King informed the Committee that Mr Lynes and he had visited Kent & Sussex and Pembury Hospitals on Monday 22 October 2007. During those visits the indication was that the loan offer made by the County Council had been well received by the staff.

(11) The Chairman indicated that any decision to make a loan would have to come before the Cabinet Scrutiny Committee because it would be a deviation from the budget. He then asked whether there had been any discussions with the Chief Executive and Chairman of the West Kent Primary Care Trust. Mr King responded and apologised for leaving this out of his initial response, but the Chief Executive, Peter Gilroy, was in the process of engaging both the Chief Executive of the West Kent Primary Care Trust and the Maidstone & Tunbridge Wells NHS Trust with respect to a number of specific questions relating to: the £5m loan, including:-

- (a) its legality;
- (b) the terms and conditions which would be attached to the loan;
- (c) would the money come from reserves or elsewhere;
- (d) would it be interest free;
- (e) what impact might a loan have on the County Council's revenue budget;
and
- (f) what the loan would be used for?

were responded to as follows.

Mr King informed the Committee that the loan was an offer in principle. It would probably be drawn from the reserves which currently stood at £26m. Mr King added, as a loan it would be repayable.

(12) Ms McMullan said that provision for the loan would either be from general reserves or existing budgets. At this stage it was not known what Health would want the loan for and therefore whether it would be capital or revenue. Before any loan is made the County Council would ensure that the loan is quite secure. This would follow advice taken from the Audit Commission, the Health bodies auditors, and our own auditors, PricewaterhouseCoopers. Ms McMullan confirmed that, given the level of general reserves at £26m, if terms and conditions for repayment of the loan could be agreed, she would be comfortable in a loan being made.

(13) In response to a question would a £5m loan put restraints on the County Council doing other things, ie in Social Services for example, bearing in mind difficulties in the past, eg the 1999/2000 budget overspend, Ms McMullan responded there was greater robustness in finance strategy and planning when setting the budget. She added that the County Council was now better prepared than when the overspend occurred in 1999/2000. If the loan was made it would still leave £21m of general reserves available.

(14) Mr King added that the reserves were not generous but they were better than they were ten years ago. What the County Council was doing was demonstrating its well-being and leadership role. He wanted to take action now rather than waiting for what might be a bureaucratic process if approaching the Department of Health, Richmond House, London. He added hospital boards and other health organisations were not subject to democratic scrutiny as local government is.

(15) In response to a series of questions as to:-

- (a) why an offer of £5m loan had been made and not £½ m, £2m, £3m, or £8m;
- (b) who the offer was made to; and
- (c) why should it result in other parts of the County funding one particular area of the County?

Mr Gibbens responded that it was important that the County Council and the County Council's Cabinet demonstrated their willingness to help and support all Kent residents across the whole of Kent. Mr King added it was a matter of public confidence, what had been offered was a loan. There would be appropriate terms and conditions attached to the loan. The Committee had been informed that reserves were adequate if the loan was to be made. There was the potential impact on other services, eg adult social care. It was therefore important that the whole of the Health Service in the Kent Health economy was strong. It was hoped to restore public confidence across the whole of Kent but in particular for those people who look to the Maidstone & Tunbridge Wells NHS Trust for their services.

(16) Responding to a series of questions:-

- (a) was it the right package;
- (b) how was the package arrived at;
- (c) was the package agreed with Mr Douglas, the Interim Chief Executive of the Maidstone & Tunbridge Wells NHS Trust, and was the Chairman of the NHS Overview and Scrutiny Committee aware of the package being offered?

Mr King responded that the NHS Overview and Scrutiny Committee Chairman had not been consulted. During a series of conversations at County Hall between officers, the Leader and Chief Executive during Thursday 11 and Friday 12 October, the Cabinet recognised immediately that this was an issue of public confidence. The Chief Executive and Leader recognised that Maidstone & Tunbridge Wells NHS Trust would need some considerable support. The Leader then reported to Cabinet on 15 October.

(17) Ms Peachey added that the West Kent Primary Care Trust had been contacted on the Thursday and Friday and the offer of support had been welcomed by the Primary Care Trust. Mr Phoenix, Chief Executive of the Primary Care Trust, had discussed the offer of support with Board Members of the Primary Care Trust and this was welcomed by the Board.

(18) Mr Gibbens informed the Committee that the Chief Executive of the Primary Care Trust, Mr Steve Phoenix, and the interim Chief Executive of the Maidstone & Tunbridge Wells NHS Trust, Mr Glenn Douglas, were present at the Cabinet meeting.

(19) One Member said that the offer of the loan had not therefore been agreed by the Health bodies. In addition, it had just been acknowledged that the Maidstone & Tunbridge Wells NHS Hospitals Trust and its Board were weak in the use of its resources.

(20) The Chairman referred Members to the press release. Mr Gibbens reaffirmed again that discussions over the £5m loan offer were ongoing. Mr King added that it was important not to conduct the negotiation with the Cabinet Scrutiny Committee. The issue was a matter of public confidence and the County Council were seeking to restore public confidence in the Health Service.

(21) Asked whether there was any risk in making a £5m loan, Ms McMullan responded that she would not recommend to the County Council making a loan if she felt there was any risk.

(22) Asked whether the County Council had received advice on the overall financial position of the Maidstone & Tunbridge Wells NHS Hospitals Trust, bearing in mind Maidstone Borough Council had five years ago raised similar concerns, Mr King answered by informing the Cabinet Scrutiny Committee of the latest advice on which further clarification was being sought about the underlying deficit of the Maidstone & Tunbridge Wells NHS Hospitals Trust of £17m which had been set aside. Asked whether the fact that Mr King had just given to the Committee was a material factor and part of the decision-making process before the £5m offer of a loan was made, the response was it was not a material factor.

(23) In response to a question from about the recent Audit Commission report and how funding surpluses were made available to hospital trusts across the UK and whether that funding would help to restore confidence in respective trusts, Mr King said that that this was a matter for the Department of Health and he could not comment further.

(24) Asked why the Healthcare Commission report on the investigation into the outbreaks of Clostridium Difficile in the Maidstone & Tunbridge Wells NHS Hospitals Trust which it was understood had been available in May/June of this year had only just been published, Mr King said that he felt that this was not constructive. However, it was a matter for the County Council's Health Overview and Scrutiny Committee.

(25) Asked whether it would have been wiser to spend money on delayed discharge, Mr Gibbens responded that he would respond to this question outside of the meeting.

(26) In answer to a question if the loan was made would it be subject to contract and collateral security, Ms McMullan responded that it would be a legal contract but it was not possible to put a charge on the Crown Estate.

(27) One Member of the Committee expressed the view that he did not expect the National Health Service to accept the loan.

(28) Mr King was congratulated by a Member in defending the indefensible. In responding to a question whether a loan would have an impact on the County Council's revenue budget, Ms McMullan acknowledged that there would be an impact on the revenue budget if the County Council did not cover the marginal costs.

(29) Asked:-

- (a) why there had to be such a bold public announcement; and
- (b) whether there was a need for additional funding?

The Member asking the question expressed the view that it was a sense of a real political announcement "a knee-jerk reaction" – "gesture politics".

Mr Gibbens initially responded saying it was not a political decision, it was about reassuring the people across Kent. A series of negotiations were now being undertaken. Mr King added he did not expect to get accused of political advantage. He said there was an obligation on all of us. The Healthcare Commission report into the investigation of outbreaks in Clostridium Difficile at Maidstone & Tunbridge Wells NHS Hospital Trust was a shocking document and it was important that a contribution was made by the County Council to restore public confidence. He added that the County Council's Cabinet/Council would not stand idly by. It would denounce the County Council if the County Council were not taking the situation seriously. This was not a political issue. Mr Gibbens added that doing nothing as a County Council to respond to the Healthcare Commission report was not an option.

(30) One Member expressed the view that he felt that there was a better way that the issue could have been tackled in making its offer rather than publicly announcing a £5m loan. Mr King said that he had listened very carefully, but he was surprised that what the Member was suggesting would have had the same impact. The offer of a £5m loan was judged to be an amount to put forward without presenting a high risk. The judgement was designed to provide:-

- (a) a life-line to the Trust; and
- (b) demonstrate that the County Council were trying to help to resolve a difficult situation.

He said that the accusation that it was a political decision demeaned the County Council.

(31) Asked how long the loan would remain on the table, Mr Gibbens responded that the County Council were still in the process of negotiation and these discussions would continue and the outcomes made public.

Kent Healthwatch

(32) Dr Eddy referred to the press release which referred to the setting up of an independent Healthwatch as a precursor to the Local Involvement Networks (LINK) which were soon to be established. He asked what was intended by the press release

when it referred to the word “independent”. He added that there were differences between the criterion under which Health operated to that of Social Care and as a result he questioned whether the County Council would be establishing a body which was solely independent. The response from the Cabinet Members was that there was a working group of officers looking at all those issues.

(33) In response to a question as to why the recommendation to the Cabinet on 15 October 2007 was to “approve a feasibility study for setting up a local “Healthwatch” which provide the public an independent route for registering concerns about their local Health services”, had changed in the draft minute to approve the setting up as soon as possible of a local “Healthwatch” which provides the public an independent route for registering concerns about their local Health services and what had happened to the feasibility study, Mr Gibbens said there were no proposals and no details about the local Healthwatch. Cabinet were keen to look at restoring public confidence. He said it was about listening to patient and public concerns which he felt was not part of the current Patient and Public Involvement Fora or the soon to be created Local Involvement Networks.

(34) A Member asked who the group of officers were looking at Healthwatch, Mr King said there was a small group of officers being led by the Chief Executive and a member of the Chief Executive’s staff with senior Members and officers of the Health Overview and Scrutiny Committee. He added that it did include the Director of Trading Standards.

(35) A Member stated that what was being proposed to be established was an independent complaints body, in advance of a Local Involvement Network being established, where the people would not be medically qualified. Asked whether there was any realistic chance of this happening in the next three months prior to the Local Involvement Network being established in April 2008, Mr Gibbens responded that the Local Involvement Network would include the local Healthwatch but there were currently no proposals available.

(36) Responding to a question about the arrangements being made for promoting the tender document amongst Health and Health and Social Care to establish the Local Involvement Network by 1 April 2008, Mr Gibbens said that this would be an open tender document.

(37) Asked why the same name was being used as had been put forward in the Conservative Group’s manifesto in 2005 which was eventually abandoned, Mr Gibbens responded that the Healthwatch was a working title. An independent Healthwatch would have to be compatible with the Local Involvement Network.

(38) Asked whether Healthwatch would happen before the Local Involvement Networks are established, Mr Gibbens responded yes by the end of the year.

(39) One Member spoke about the interrelationship between the former Community Health Councils which were replaced by Patient and Public Involvement Forums, and their relationships with the Patient Advisory Liaison Service, and the Independent Complaints Advisory Service, etc. The Member suggested that the County Council should be challenging the Government because no patient and public voice organisations had the opportunity to “bed down” before it was replaced. Mr Gibbens responded that work was ongoing to establish a Local Involvement Network which was appropriate for Kent. This work would include a number of public engagement events and was a great opportunity for the County Council to explore how it can work most

effectively with Primary Care Trusts, Borough and District Councils, across the Health and Social Care agenda, etc.

(40) In answer to a question about the compatibility with the Local Involvement Network to be established and whether there would be an ongoing role for a local "Healthwatch" after the Local Involvement Network is established, Mr Gibbens said that it was quite possible that something would continue after the Local Involvement Network had been established.

(41) One Member said that he did not feel that the press release inspired confidence and asked whether it was the County Council's role to secure the host organisation for the Local Involvement Network. He also asked what a Councillors' role would be and what the interrelationship would be with the Government's proposals for Community Calls for Actions. Mr Gibbens responded that it would be for the County Council to put out a tender to secure a host organisation for managing the Local Involvement Network. It was important that people across the County had a voice. Mr Gibbens added that it was increasing the ways of providing the public with the means of making their concerns known.

(42) Asked whether:-

- (a) Healthwatch was intended to be a Health and Social Care Watch because LINKs when established related to health and social care; and
- (b) the County Council were putting money into something it should not when there was a Patient Advisory Liaison Service;

Mr Gibbens acknowledged that the points were well made but what was being proposed was something that would be compatible with the Local Involvement Network.

Conclusions

(43) The Committee then debated at length what it had heard in response to the questions put to Mr King, Mr Gibbens, Ms McMullan and Ms Peachy. The Committee unanimously RESOLVED that:-

- (a) Mr King, Mr Gibbens, Ms McMullan and Ms Peachy be thanked for attending the meeting to answer Members' questions;
- (b) the commitment of Cabinet to support the Maidstone & Tunbridge Wells NHS Hospitals Trust is to be commended but the pledge of support could have been improved if there had been more detailed discussions with the Health bodies on an agreed package of support prior to the announcement being made;

and by a majority (12 votes to 3)

- (c) Cabinet be recommended to make every effort to establish the Local Involvement Network (LINK) for Kent by 1 April 2008, or before, rather than establishing any other non-statutory fora such as a "Healthwatch".

NOTES of a Meeting of the Cabinet Scrutiny Committee's Informal Member Group on the Libraries and Archives Unit Business Plan held on Monday, 19 November 2007.

PRESENT: Dr M R Eddy (Chairman) and Mr D S Daley.

ALSO PRESENT: Mr P M Hill, Cabinet Member for Community Services; Ms Cath Anley, Head of Libraries; and Mrs Diane Chilmaid, Business Support Manager, Libraries and Archives Unit.

OFFICER: Mr S C Ballard, Head of Democratic Services.

1. Libraries and Archives Unit Business Plan 2007/08

Terms of Reference

- (1) The Informal Member Group had been established by Cabinet Scrutiny Committee at its meeting on 23 May 2007 to examine the Libraries and Archives Unit Business Plan for 2007/08.

Core Services and Forecast Activity Levels (pages 9-11 of Business Plan)

- Libraries

- (2) In answer to a question from Dr Eddy, Ms Anley confirmed that, since the Business Plan had been written, two libraries had closed leaving a total of 104. There had been no change in – and there were no plans to change – the number of mobile libraries (11).
- (3) Mr Hill explained that it had not been possible to forecast any library closures at the time that the Business Plan had been written. It was true that some libraries had been causing concern at that time but no decisions had been taken on how to resolve those concerns. While closure was an option, there were also other options available such as revitalising the existing library, or making some alternative provision.

- Museums

- (4) In answer to a question from Dr Eddy, Ms Anley said that KCC only directly operated the museums at Folkestone and Sevenoaks, although Folkestone was likely to be removed from the register and so visits to it no longer counted towards BVPI 170. The largest element of KCC's museum funding was grant aid to the Museum of Kent Life (MKL) and the continued high level of grant required was causing concern. Mr Daley declared a personal interest as a Trustee of MKL. Mr Hill and Ms Anley confirmed that discussions were taking place with MKL to look at ways of putting it on a more sustainable financial footing.
- (5) Ms Anley added that the Library and Archives Unit also had a role in providing advice to other museums in Kent and, as part of this, hosted the

Projects, Developments, Key Actions

- Modernising Library Premises (pages 1 and 12)
 - (6) In answer to a question from Dr Eddy, Ms Anley explained that the list of libraries to be modernised was changing all the time to take advantage of opportunities as they arose. For example, Margate Library would re-open in January 2008 in new premises shared with Thanet District Council and a Gateway. At Tenterden, there was a new proposal to relocate the library in the existing Post Office building as a shared facility with the Post Office, Ashford Borough Council and a Gateway. At Snodland, there was the potential to swap premises with a nearby shop.
 - (7) Thirteen libraries were planned to be modernised before 2010 (in accordance with Towards 2010 Target 26), and 4 of these were expected to be completed during 2007/08, Ms Anley agreed to supply a full list to Dr Eddy and Mr Daley. **(Action: Cath Anley)**
- Kent History Centre Development (pages 5 and 15)
 - (8) In answer to questions from Dr Eddy and Mr Daley, Mr Hill agreed that it was vital to develop a new Kent History Centre within the next 5 years in order to avoid the loss of KCC's accreditation. He explained that negotiations were currently taking place with a number of developers to provide a new central library and Kent History Centre somewhere in Maidstone. The value of the existing library site at Springfield would be used as a contribution towards the cost and a bid was also being made for a grant from the Heritage Lottery Fund.
- Library Opening Hours (page 13)
 - (9) In answer to a question from Dr Eddy, Ms Anley said that increased opening hours had proved popular with the public and, while there were no plans to cut them back, resources were not available to allow any further significant extension. However, the new opening hours were being reviewed and this might result in minor modifications to the opening hours of some libraries to better match public demand.
- Implementation of Revised Staffing Structure (page 14)
 - (10) In answer to a question from Dr Eddy, Ms Anley confirmed that the revised staffing structure had taken effect on 1 September 2007. Within this structure, the three Strategic Managers each had a specific role (previously these posts had been generic), one on modernisation; one on innovation; and the other on projects (mainly relating to buildings and equipment). Mrs Chilmaid explained her role as Business Support Manager. Ms Anley said that there had been no customer feedback so far on the revised staffing structure but that was good news, because the changes were designed to

be unnoticed by customers. A review of the new structure to check how it was working was planned for 2008/09.

Income Generation (page 5)

- (11) Ms Anley explained that the bulk of external income shown in the Unit's budget (page 7) came from contracts with Medway Council (for the Open Access service) and the Home Office (for the Prison Library Service).
- (12) In answer to a question from Dr Eddy, Ms Anley said that the joint project with MLA South East to investigate new ways of generating income had now made its recommendations and these were being followed up. Mrs Chilmaid reported that the loan period had been extended and charges for DVD loans had been reduced because this was seen as a way of increasing income from this source overall. Merchandising was being increased, learning lessons from Brighton and Hove City Council, and the possibilities of selling copies of old maps, photos, etc held by Archives, and of marketing spoken word and classical music downloads, were being investigated.

Setting Priorities

- (13) In answer to questions from Dr Eddy, Ms Anley explained that most of the Unit's budget was taken up with relatively fixed costs, such as premises, staff, IS, etc, and so only a small proportion was available for alignment specifically with non-financial targets. Of this, the Book Fund was the biggest element and this was reviewed regularly.
- (14) Revitalising stock at newly-modernised libraries was seen as contributing to meeting Towards 2010 Target 26 ("Modernise the library service to act as a focal point for KCC services and widen access to Kent's rich culture"). However, this target was not exclusively about the library service and encouraged the Unit to work with partners – both internal and external – to contribute towards other Towards 2010 Targets such as those on health and the environment. In addition, the Unit had a part to play in contributing to targets in other documents, such as the Early Years target in the Local Area Agreement.
- (15) A senior management Improvement Planning Team looked at the possible contributions which the Unit could make to wider KCC targets (as well as the Unit's own targets) and the budget available, and made recommendations on priorities to the Management Team.

Performance Against Forecast/Targets/Performance Indicators (pages 9-11 and 26)

- (16) In answer to questions from Dr Eddy, Mrs Chilmaid said that the Unit's budget was on target to balance at the end of the year and that book and audio-visual material issues were on target. Physical visits to libraries were declining but, as from this year, virtual visits could also be included, and the figure for physical and virtual visits combined was up so far this year. Ms Anley agreed to provide half-yearly performance figures where these were available. **(Action: Cath Anley)**
- (17) On museums, Mrs Chilmaid explained that the 2007/08 targets had been altered after the Business Plan had been written. The target for BVPI 170(a) (number of

visits/use made per 1,000 population) was now 117 and the current forecast was for this target to be exceeded. The target for BVPI 170(b) (number of visits in person per 1,000 population) was now 99 and the current forecast was for this target to be exceeded. The target for BVPI 170(c) (number of pupils visiting in organised school groups) was now 9,400. The current forecast was slightly below target but it was still hoped to achieve the target by the year-end.

Conclusions

(18) The IMG:-

- (a) thanked Mr Hill, Ms Anley and Mrs Chilmaid for providing information about the Unit's progress against its Business Plan, and looked forward to receiving the half-yearly performance figures (where these were available) from Ms Anley in due course;
- (b) noted with pleasure the increase in book issues and the big increase in the percentage of users who found the book they wanted;
- (c) noted the action being taken to deal with the following problems:-
 - (i) need to develop a new Archives facility within the next 5 years;
 - (ii) financial sustainability of the Museum of Kent Life.

NOTES of a meeting of the Cabinet Scrutiny Committee's Informal Member Group on Budgetary Issues held on Thursday, 29 November 2007.

PRESENT: Mr D Smyth (Chairman), Mr C J Law and Mrs T Dean.

ALSO PRESENT: Mr N J D Chard, Cabinet Member for Finance.

OFFICERS: Mr A Wood, Head of Financial Management; Mr B Gould, Strategic Finance Adviser, Environment and Regeneration Directorate (for Item 2(b)); Mr R Fitzgerald, Performance Monitoring Officer (for Item 3); Mr J Wale, Assistant to the Chief Executive, and Mr S C Ballard, Head of Democratic Services.

1. Notes of Previous Meeting

(Item 1)

(1) It was noted that two action points from the previous meeting were still outstanding.
(Action: CH)

(2) On note 3 (Direct Payments), Mrs Dean reported back on some further discussions she had had with the Managing Director, Kent Adult Social Services.

2. Revenue and Capital Budgets, Key Activity and Risk Monitoring

(Item 2(a))

School Reserves (para 2.2 (page2))

(1) The IMG noted that schools were projecting a drawdown from reserves of £15m. However, Mr Wood pointed out that it was many years since total school reserves had actually reduced.

(2) Mr Chard added that the Government had proposed, then backed down from, imposing a clawback on school reserves. The major problems were that:-

(a) the extent of reserves in any school did not seem to relate in any way to the size, type or location of the school;

(b) the reason for a school to hold reserves varied widely from saving up for a planned building project at one extreme to unplanned accumulation through good budget management at the other.

(3) Mrs Dean added that the existing system contained a number of perverse incentives. For example, whereas one school might build up and then use its reserves for a building project, another might choose to keep its reserves and seek funding for its building project from the LEA.

Prudential Borrowing (Appendix 1, para 9 (page 19))

(4) In answer to a question from Mr Smyth, Mr Wood said that the Prudential Indicator for investments was set by the Council itself. Decisions to vary from the Indicator were therefore delegated appropriately. In any such case, careful consideration would always be given to the long-term cash flow implications before the decision was taken.

Kent Adult Social Services (Annex 2)

(5) In answer to a question from Mrs Dean, Mr Chard said that it had been recognised that management action could only go so far without seriously affecting service provision, and this was why, even after management action, KASS was forecasting an overspend this year of £1.9m. He said that the pressures causing this year's overspend, such as demographics and the shortfall of Government funding, would be taken into account in the preparation of the 2008/09 budget. However, it needed to be recognised that increasing the budget share of KASS inevitably meant reducing the budget shares of other Directorates.

Libraries – DVD/CD Rentals (Annex 4, para 2.3 (page 93))

(6) Mr Law expressed doubt that the revised rental and income figures for DVDs/CDs were achievable.

Kent Works (Annex 5, para 1.1.7 (page 95))

(7) In answer to a question from Mr Smyth, Mr Wood said that it had always been intended that Kent Works would be self financing from 1 April 2008, and the current review was intended to ensure that this happened.

Reporting Format

(8) Mr Chard and Mr Wood pointed out that the monitoring report was becoming very lengthy and over-complicated. They intended to review the format to try to find ways in which it could be shortened and made clearer (for example, on capital, where a scheme was 100% grant funded and so any underspend did not accrue to KCC; and to categorise reasons for slippage) without sacrificing any openness and transparency. They would discuss the outcome of the review with the IMG in due course.

3. Environment and Regeneration Directorate Budget Position

(Item 2(b))

(1) Mr Gould highlighted the main points on Environment and Regeneration's current budget position (as set out in Annex 3 of the latest budget monitoring report) and the IMG discussed the following issues:-

Allington Waste to Energy Plant (para 1.1.3.5 (page 69))

(2) Mr Gould pointed out that, because Allington was not working, waste was having to be diverted to landfill, leading to a forecast net underspend of £2.3m. While landfill was currently cheaper than Allington, the situation would gradually reverse in future years as Landfill Tax increased and the availability of landfill sites reduced.

(3) Mr Law and Mrs Dean expressed concern that, because of technical problems, Allington might never come into full operation. Mr Gould said that KCC could manage without Allington until around 2010, when it would no longer be possible to carry forward banked landfill permits, particularly as the year on year increase in the waste tonnage appeared to have slowed significantly.

(4) **The IMG agreed to recommend to Cabinet Scrutiny Committee** that the future risks of a waste disposal strategy which relied on incineration as a significant element should be referred to the Environment and Regeneration Policy Overview Committee for investigation.

(5) In answer to a question from Mrs Dean, Mr Chard said that, in accordance with the Council's normal practice, the underspend on waste disposal would (barring emergencies) remain within E&R until the end of the financial year, and was then likely to be rolled forward for re-allocation within E&R.

(6) **The IMG expressed its support** for the Council's established principle of retaining underspends and overspends within the Directorate concerned.

Country Parks (para 1.1.3.8, page 69)

(7) In answer to a question from Mrs Dean, Mr Gould said that it was believed that the reduction in income from country parks was due to the poor summer weather rather than the increase in car parking charges. Mr Chard pointed out that regular users of country parks could save money by buying a car parking season ticket. Mrs Dean suggested that greater publicity should be given to the availability of season tickets. **(Action: BG)**

De-Dualling Project, Fort Hill, Margate (para 1.1.3.9 (page 69))

(8) Members noted that it appeared that the de-dualling project was only required in order to allow the Turner Project to go ahead. Mrs Dean asked to be provided with an up-to-date figure for the cost of the Turner Project, including all associated works such as this. **(Action: AW)**

Kent Regeneration Fund (para 1.1.3.13, page 70)

(9) In answer to a question from Mr Smyth, Mr Chard said that the income from the Kings Hill development varied from year to year depending on the amount of development land released. Mr Wood said that the Council's budget assumed a contribution of £1m from Kings Hill each year, and the smoothing reserve was used to iron out any year on year fluctuations in the actual contribution. 50% of any distributable receipts in each year (up to a maximum of £1.5m) went to the Kent Regeneration Fund, with the other 50% going into the smoothing reserve.

New Highway Depots (para 1.2.4.1, page 73)

(10) Mr Gould reported that the revamped Hayesden depot had just re-opened and that construction work on the Ashford super depot was progressing well. However, there were major delays on the Wrotham super depot and the Sandwich depot upgrading because of local objections.

Waste Tonnage (para 2.1, page 77)

(11) Mr Chard said that it was interesting that overall tonnage had declined slightly from last year. Given that the number of households had increased, this suggested a real reduction in the waste tonnage per household.

Winter Salting (para 2.2, page 78)

(12) In answer to a question from Mrs Dean, Mr Wale said that national trials had shown that the use of pre-wetted salt was more efficient and more environmentally friendly but there was an upfront cost in purchasing the equipment. Mr Gould said that, although Kent was due to start using pre-wetted salt, the budget assumptions for salting runs had not yet been changed.

4. BVPI Mid Year Monitoring 2007/08
(Item 3)

(1) Mr Fitzgerald introduced the latest set of forecasts and reported that they showed a good performance with 70% of indicators forecast to be on target. The position was less good with some of the CFE indicators but these were against targets set by central Government which were not necessarily appropriate to KCC. However, even here there had been improvements.

(2) Members' questions covered the following issues:-

BV43a and b (page 3)

(Statements of Special Educational Need prepared within 18 weeks)

(3) Mrs Dean asked for the actual number of pupils to whom these PIs related.
(Action: RF)

BV181a, b and c (page 4)

(14 year old pupils achieving Level 5 or above in Key Stage 3 in English, Maths and Science)

(4) In answer to a question from Mr Smyth, Mr Fitzgerald said that he understood from the CFE Directorate that KS3 results were not seen as important by employers. As a result, schools focused instead on achieving good GCSE and vocational qualifications.

BV197 (page 5)

(Teenage pregnancies)

(5) Mrs Dean asked how many schools had health centres to offer confidential advice to pupils on sexual health matters. **(Action: RF)**

5. Dates of Future Meetings
(Item 4)

The Group agreed that future meetings should be held at 9.00 am on the following dates:-

Thursday 10 January

Friday 1 February

Thursday 13 March

Thursday 10 April

Wednesday 7 May

Wednesday 11 June

Thursday 10 July

(Action: SCB)

REPORT TO: CABINET SCRUTINY COMMITTEE 12 December 2007
BY: ASSISTANT TO THE CHIEF EXECUTIVE

CABINET SCRUTINY AND POLICY OVERVIEW
Standing Report to December 2007

Summary

1. The report summarises in Table 1 outcomes of the most recent Cabinet Scrutiny Committee (CSC) meeting held on 24 October 2007. Cabinet Members and Chief Officers were provided with a copy of the action sheet and asked to respond as appropriate. The report includes any subsequent responses and actions by Cabinet Members and Senior Officers up to and including the meeting of Cabinet held on 3 December 2007.
2. Additionally, in Table 2 the report provides an updated report on the current programme for Select Committee Topic Reviews. This programme was reviewed and agreed at Policy Overview Co-ordinating Committee on 5 November 2007.

Recommendations

3. Members are asked to note:
 - (i) progress on actions and outcomes from the meeting of Cabinet Scrutiny Committee held on 24 October 2007 as set out in Table 1;
 - (ii) the current position on Select Committee Topic Reviews.
-

Contact Officer: **John Wale 01622 694006**

ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY COMMITTEE 24 October 2007

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
A2 Declarations of Interest	None, other than: (i) Dr Eddy informed the Committee that he was a former member of the Strategic Health Authority, but not within the past two years. (ii) Mr Lake informed the meeting that he was a Non-Executive Member of the Kent and Medway Partnership Trust.
A3 Minutes of Cabinet Scrutiny Committee 26 September 2007	The minutes were agreed. Two issues were raised relating to: (i) a Press Release relating to the last meeting being withdrawn since it appeared to differ from what the Committee had agreed. (ii) a question by Mr Fittock on whether KCC could “scrutinize” the operations of the Post Office. Mr Law responded that in his opinion, questions had been answered and facts had been exchanged at the meeting, and these had helped to raise wider awareness of future process.
A4 Informal Member Group on Budgetary issues – 26 September and 11 October 2007.	The minutes were noted. (i) Mr Smyth commented that the IMG would keep a watching eye on Direct Payments and their administrative costs. (ii) Mrs Dean also expressed disappointment that it took 18 months to obtain a report on back-office costs, and yet there was still no information on comparative costs, which in her view were still needed.

ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY COMMITTEE 24 October 2007

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
A5 Informal Member Group on Kent Highway Services' Business Plan- 3 October 2007.	<p>The report was noted. This was followed by discussion in which the following points were raised:</p> <ul style="list-style-type: none"> (i) Concern at the apparent lack of detail in the budgets set out within the Business Plan (Mr Hart). (ii) The IMG had serious reservations that the staff structure in the Plan bore no resemblance to that in operation. (Mr Law). Note: The current restructuring post-dated the 2007/08 Business Plan. The Committee asked the Director of Kent Highway Services to provide the information on new structures as soon as possible. ACTION: Mr G Harrison-Mee (iii) It was important to have the views of the new Managing Director for Environment and Regeneration in the next Business Plan 2008/09. (Mr Law) (iv) Mrs Dean commented that whilst evidence within the Plan suggested performance was improving, anecdotal evidence from Parish Councils in her area was the opposite; information from customer questionnaires needed to be quantitative as well as qualitative. (v) Mr Bullock added that the list of faults needed to refer to non-parished areas as well as those with Parish Councils. (vi) Mr Law referred to the KHS Alliance and commented that there was provision to monitor against a wide range of BVPIs and to compare complaints against jobs completed. (vii) Mr Hart asked for confirmation of the first meeting date for the reconvened Thanet Joint Transportation Board. Action: G Harrison-Mee.
A6 Cabinet Scrutiny Committee: Standing Report to October 2007	<p>Report was noted.</p> <p>Referring to Table 2, Dr Eddy asked about the timetable for the proposed Select Committee on Accessing Democracy.</p> <p>Mr Wickenden responded that the agenda for POCC on 5 November would include reference to this item.</p>

ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY COMMITTEE 24 October 2007

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
A7 Proposed Additional Meeting-23 April 2008	Members noted that Wednesday 23 April 2008 at 10:00am has been reserved for a possible additional meeting of the Committee should it be needed following the additional Cabinet meeting arranged for 14 April to consider Directorate Business Plans for 2008/09.
C1: Clostridium Difficile Outbreaks at Maidstone and Tunbridge Wells NHS Hospitals Trust- Report by the Healthcare Commission (Report to Cabinet 15 October 2007)	<p>Mr A J King (Deputy Leader), Mr G Gibbens (Cabinet Member for Public Health, Ms L McMullan (Director of Finance), and Ms Meradin Peachey (Director of Public Health) were present for this item and responded to Members' questions.</p> <p>There was extensive discussion about the Cabinet Report dated 15 October with particular emphasis on:</p> <ul style="list-style-type: none"> (i) the offer of a returnable loan of £5 million to the Maidstone and Tunbridge Wells Health Trust; and (ii) the proposals to introduce a Local Health Watch in Kent. <p>Following extensive questioning of the Cabinet Members and Chief Officers, the Committee resolved as follows:</p> <ul style="list-style-type: none"> (i) to thank them for attending and explaining in detail the background to the proposals; (ii) the Cabinet's commitment to support the Health Trust is to be commended (iii) the proposals, whilst being helpful, would be improved through consultation and support of the NHS Trusts concerned; (iv) that every effort be put in to the establishment of LINKs as soon as possible, and at the latest by April 2008, rather than creating an additional non-statutory forum such as Health Watch. <p>Resolutions nos (i) to (iii) above were agreed unanimously. Resolution (iv) above was put to the vote and carried by 12 votes for to 3 votes against.</p>

**Select Committee Topic Review Programme
Reviewed at Policy Overview Co-ordinating Committee 5 November 2007.**

Policy Overview Committee/ Topic Review/Chair	Current Topic Review status and other topics agreed for the period July 2007 to July 2008 * Updated to December 2007.
<p>Children Families and Education :</p> <p>PSHE-Children's Health: Chair Ms CJ CRIBBON</p> <p>Developing the Creative Curriculum#</p> <p>Young People's Spiritual, Moral, Social and Cultural Development#</p> <p>Vulnerable Children</p>	<p>The Select Committee's report was accepted by Cabinet on 16 April 2007, and was debated at full County Council on 24 July 2007. Annual review scheduled for April 2008. (Research Officer: Gaetano Romagnuolo).</p> <p>#POCC agreed 5/11/2007 that this should be re-bid with other potential topics in February 2008.</p> <p>#POCC agreed 5/11/2007 that this topic should also be re-bid with other potential topics in February 2008.</p> <p>POCC agreed 5/11/2007 this Topic Review should commence in early 2008 when resources become available.</p>
<p>Corporate: Accessing Democracy</p>	<p>POCC agreed 5/11/2007 this Topic Review should commence in late 2007/early 2008 when resources become available.</p>
<p>Communities</p> <p>Student Voice –Consultation and Participation with Young People#</p> <p>Provision of Activities for Young People</p>	<p>#POCC agreed 5/11/2007 that this should be re-bid with other potential topics in February 2008.</p> <p>POCC asked 5/11/2007 for an updated scoping exercise for this work, which POCC will consider in February 2008.</p>

<p>Communities</p> <p>Alcohol Misuse Chairman: MR D HIRST</p>	<p>Inaugural meeting held on 16 May 2007; Hearings were held mid June to the end of July. In view of the importance and complexity of this topic Members of POCC agreed unanimously on 5/11/2007 to an extension of the reporting phase. The Draft Report will be completed in December 2007 and presented to Cabinet in the first quarter of 2008. (Research Officer: Gaetano Romagnuolo)</p>
<p>Adult Services</p> <p>Carers in Kent: MR L CHRISTIE</p>	<p>Inaugural meeting of the Select Committee was held on 5 June 2007, with hearings being held in July/August 2007. The report is on target for presentation to Cabinet in December 2007. (Research Officer: Pippa Cracknell)</p>
<p>Environment and Regeneration</p> <p>Flood Risk MRS S HOHLER</p>	<p>POCC having agreed that this topic review should proceed as soon as possible, hearings were held during July and August. The report was agreed by Cabinet on 26 November 2007 and will proceed to County Council for full debate in March 2008. (Research Officer: Susan Frampton)</p>

Jhw/sc 30 December 2007

CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

- Report Title: **Draft Proposal for a Public Health Observatory for Kent**
- Document Attached: Report to Cabinet, 3 December (Item 7)
- Cabinet accepted the recommendation in the report.*
- Purpose of Consideration:
- (a) To explore why the existing South East Public Health Observatory is unable to produce the information required; why KCC needs to be directly involved; and how KCC will benefit from its involvement.
 - (b) To obtain more details of the proposal, including such matters as the administrative structure, reporting arrangements (particularly within KCC), funding sources (particularly the likely commitment from KCC), and staffing and other costs.
- Possible Decisions: The Constitution (*Appendix 4 Part 8*) requires the Committee to take one of the following decisions:-
- (a) make no comments; or
 - (b) express comments but not require reconsideration of the decision; or
 - (c) require implementation of the decision to be postponed pending reconsideration of the matter by the Cabinet in the light of the Committee's comments; or
 - (d) require implementation of the decision to be postponed pending reconsideration of the matter by full Council.
- Previous Consideration: None.
- Background Documents: None.

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By: Graham Gibbens – Cabinet Member for Public Health
Meradin Peachey, Director of Public Health

To: Cabinet - 3 December 2007 - Item No.7

Subject: Draft Proposal for a Public Health Observatory for Kent

Classification: Unrestricted

Summary:

This paper recommends the establishment of a Kent Public Health Observatory in liaison with the South East Public Health Observatory. This will improve health intelligence to the NHS and KCC as an integrated service . The paper outlines the principles and functions of the observatory. It provides the rationale for a restructure of the current NHS Public Health Informatics Service which will be based on a specification for a modern integrated health intelligence service.

The service will contribute health improvement and reduction of health inequalities by ensuring that Kent has the most efficient and effective provision of Public Health Intelligence and Knowledge Management services in a defined unit called the Kent Observatory for Public Health (KOPH).

A phased approach is proposed to allow for the early establishment of the service to gain short term benefits, but also allowing for future developments to enhance the service and realise its full potential. The new service will be closely aligned with KCC priorities and strategic objectives and link closely with Public Health across Kent.

For Information

1. Recommendation

Cabinet is asked to:

(i) NOTE the report and is asked to AGREE the establishment of the Kent Observatory of Public Health and SUPPORT its implementation in due course.

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**PROPOSAL FOR A
PUBLIC HEALTH
OBSERVATORY FOR
KENT**

DRAFT

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DRAFT

1. THE BACKGROUND TO THE PROPOSAL AND THE RATIONALE FOR RESTRUCTURING PUBLIC HEALTH INFORMATION SERVICES

1.1 National Antecedents

In the 2001 report of the Chief Medical Officer (1) it stated that it was his aim to improve and intelligence skills and capacity throughout England.

This was further emphasized in the “NHS fully engaged scenario” as recommended by Derek Wanless (2) in relation to Securing Good Health through Public Health Evidence.

The report of the Public Health Information & Intelligence (I&I) Task Force about the Public Health workforce seeks to deliver enhanced training, career pathways and technical capabilities for the Public Health Intelligence function(3).

1.2 Background to the shaping of PCTs and Public Health intelligence services in Kent.

The last two NHS reorganisations have been instrumental in determining the current shape of public health intelligence in Kent and in presenting an opportunity for modernisation. In England, in 2002, NHS Regional Offices were abolished, Health Authorities (HA s) were reorganised down to fewer Strategic Health Authorities and over three hundred Primary Care Trusts (PCT s) emerged. This resulted in 8 PCTs in Kent and one SHA for Kent and Medway.

In 2006 the number of Strategic Health Authorities were reduced to ten, and the number of PCT s were reduced by half. In Kent as at October 1st 2006, the eight former PCTs were merged into two. At the same time, the eight former directorates of Public Health were combined into one, with a Director jointly appointed by, and accountable to, the two new PCTs and the County Council.

Before the changes in 2002 there were two Health Authorities for Kent and Medway, each with integrated Public Health analytical services. There was also a shared, Kent and Medway wide, Public Health library service, hosted by one of the HA s. Following the changes the library services remained central (first hosted by the SHA and then a PCT), and the analytic services were reorganised. The two previously integrated HA services were amalgamated into a single service. This was moved from direct Public Health management into a unitary function managed by the Kent & Medway Informatics Service, (itself hosted in the acute hospital sector). The primary aim was to maintain a critical mass of analysts able to support each other and to support Public Health at PCT s, through dissemination of their services.

This arrangement had three closely related disadvantages. The first was that the service was no longer integral within Public Health Departments, unlike the analytic services supporting finance, medicines management, commissioning and community and child health services. This meant it was separated from other related functions such as evidence base developments or PCT priorities. The second related to the difficulties perceived in responding equitably to the competing demands of eight directors of public health and their departments. The third was a lack of strategic leadership in public health matters. In spite of these structural disadvantages the service was seen to be innovative and hard working under difficult circumstances.

The latest restructuring of the PCT s and the development of a single Director of Public Health for Kent presents an opportunity to reintegrate analytic service within Public Health and to unite them with the evidence and intelligence service. At the same time the injection of strategic leadership, the opening of potential routes for linking up information with partner agencies, and the development of other functions will provide a completely new and broader function which will become the Kent Public Health Observatory.

1.3 Partner Integration

There are a myriad of sources of Public Health Data available in the community. Because of the previous nature of NHS, we have tended to focus on a limited number of traditional data sources. Data pertaining to crime, employment, housing and other environmental functions, social services, disability and a range of other elements, can substantially augment public health. All of these are available to our partners. However, our access to their data and their access to ours is often cumbersome and time consuming to achieve. To allow these data sources to deliver valuable public health information efficiently, we need to maximise use of our methodological, analytic, and knowledge management skills, through closer integration with partner agencies.

1.4 Critical mass and economies of scale

The emergence of Regional Public Health Observatories has provided Public Health partners with access to a wealth of information and instruments for improving the health of their populations. These units have demonstrated the power of economies of scale, through developing resource intensive innovations and mass producing them across different populations or making them available for use through internet applications.

With reconfiguration of Primary Care Trusts and technological developments in the use of data from multiple sources, we have a unique opportunity. The new shape of Public Health should be able to extract the same sorts of economies and dissemination advantages seen through the success of regional observatories. The rationale behind developing a facility of this nature is to enable the public health and partners in Kent to provide an expert and reliable population, clinical, social and wider intelligence, applicable at a local level and which is fit for purpose.

It is increasingly important to use such services for organisations, which are seeking to strengthen commissioning and enhance responsiveness to local population needs, through increasing ill health prevention and service redesign. The Chief Executives of Eastern and Coastal Kent and West Kent Primary Care Trusts and Kent County Council have expressed their support to see services develop in this manner.

1.5 Supporting Mainstream Public Health Strategy

Improvement of the health of the population, and the reduction of inequalities, through the Kent Public Health Strategy and the development and delivery of Local Area Agreement targets, underpin the value of shared information. Specific examples, such as alcohol use, injury and policing the night time economy, or the immunisation status of cohorts of vulnerable children, (such as those in care), can demonstrate how the use of diverse local data sources can provide knowledge greater than the sum of its parts. Health Improvement Plans underpin the central strategies of the PCTs, the County Council and all of the District Councils in Kent, the establishment of the Public Health Observatory will greatly enhance future planning for health improvement.

“The Framework for procuring External Support for Commissioners (FESC) was developed in response to the vision set out in Health Reform in England: update and commissioning framework (July 2006) for stronger and more effective commissioning, as a key element of a comprehensive programme of health reforms. It is intended to provide Primary Care Trusts with easy access to a framework of expert suppliers who can support them in undertaking their commissioning functions.”

The Commissioning Framework recognises that PCTs will need to develop excellent skills in a range of commissioning processes, for example, in actuarial approaches to population risk assessment, in data harvesting and analysis, social marketing, opinion surveys, service evaluation and redesign, procurement and performance management. Part of the purpose of the FESC is to allow for development and sharing of skills across organisations, particularly where partners have worked in different parts of the NHS and in other healthcare systems. The Public Health Observatory, through direct participation or as a conduit, will provide a catalyst for this function.

1.6 Supporting Decision Makers

The Public Health Observatory for Kent is envisaged as a 'virtual organisation', which would facilitate cooperation and joint working between analytic and knowledge management staff from different parent agencies. We envisage the sharing of population based information, within the appropriate permissible frameworks, to provide greatly enhanced local knowledge. By pooling staff and intellectual capacity from different agencies / organisations, virtual teams can provide greatly enhanced information to a broader spectrum of customers. Through the application of different skills and resources (eg. software packages and expertise) different ways of looking at issues can be developed. Such enhanced expertise becomes self generating, having the potential to attract other expertise along with external resources for development, research and broadening overall effective capacity.

The development of such a service envisages workforce development and training across a range of analytical and knowledge management staff to broaden the overall understanding of public health, and to further enhance our access to and use of information derived through the application of epidemiological principals and practice.

The service would address issues raised in the report of the Public Health Information & Intelligence (I&I) Task Force 'Project plan for the Workforce sub-group on Increasing the I&I capabilities & capacity of the public health workforce' (See *Appendix 1*)

The development of such a service would enable the establishment and refinement of a Kent wide Public Health Intelligence work programme to support annual reporting, assessment and analysis of needs, health impacts, health equity, health surveillance, and epidemiological questioning. By channelling this enhanced capacity into strategic planning, commissioning will be strengthened.

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2. THE PLAN FOR CHANGE

2.1 Aim

To improve health and reduce inequalities by ensuring that Kent has the most efficient and effective provision of Public Health Intelligence and Knowledge Management services in a defined unit called the Ken Observatory for Public Health (KOPH).

2.2 Objectives

To enhance service provision through, strategic public health leadership, senior management directly accountable to the Kent Director of Public Health, and centralised consolidation and virtual expansion through formal linkages to wider intelligence teams and data systems.

To enhance service provision and support for Public Health Teams, through clear lines of accountability to Director and to Deputy Directors of Public Health.

To ensure equitable access for and substantial development input from public health localities and specialists

To deliver an implementation plan

To establish an initial work programme, comprising annual public health report, health needs assessment, a surveillance development agenda, specific topic and population data requests, support for the public health strategy including routine analysis of public health targets and support for configuration and service reviews.

To establish a development work programme.

To develop the reputation of the unit as a timely provider of high quality information.

To build on the expertise and calibre of the team members through protected time and targeted learning. This will enable the Observatory to further its reputation and attract highly competent professionals in Public Health Information and Knowledge Management and to maintain high standards of service and staff satisfaction.

To develop career pathways in these specialist fields. To provide opportunities for creative workforce placements and secondments, and develop a hub of excellence which attracts a range of professionals and those in training.

To provide a substantial part of a comprehensive public health information strategy as recommended by the Health Information and Intelligence Task Force (see appendix 1).

To monitor and enhance the service through appropriate structures.

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2.3 Time frame for change

	Oct 07	Nov	Dec	Jan	Feb	Mar	Apr	May 08
Proposal to PH Board	19th							
Proposal to Boards & Cabinet		3 dates						
Consultation period			xxxxxx	xxxxxx	xxxxxx			
Interviews						xxxxxxxx		
Structure in place with partners							xxxxx	xxxxxxxx
Data linkage development			xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Partner issues			xxxxx	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx

2.4 Over view of proposed work programmes for KOPH

- Work programmes will be developed on the basis of one and three year planning and will reflect the commissioning cycles of the PCTs and partner commissioners.
- Annual Public Health Report for Kent, to be published - To be published in third quarter each year.
- Needs Assessments – Joint Strategic Needs Assessments will become an iterative process, and there will be routine priority setting to establish and refresh projected one and three year work programmes.
- Surveillance - Development of robust surveillance systems for Kent relating to Screening Programmes, Immunisation Programmes, Infection Control, Deaths, Suicides, LAA, PSA, HCC, and DH target monitoring.
- Support the monitoring and delivery of the Kent Strategy for Public Health
- Support to DPH and Deputy DsPH - As required with responsive programmes.
- Support for strategic planning - Population and other modeling
- Support for practice based commissioning - Refinement of locality, cluster and practice information.
- Support for mainstream commissioning - Specific analyses of hospitals' activities in relation to effectiveness of care issues and clinical indicators.
- Creating and maintaining a 'Development Agenda' – For example economic modelling of ill health burdens and the costs and impacts of related preventive intervention strategies.
- Public Health Information provision - Regular public health briefings, status reports
- Evidence based health care provision - Clinical and public health evidence data-base collation and updating
- Scientific Development programme – the observatory will in due course seek to attract participants and additional funds in specific areas, eg. funding for evaluating interventions such as would be associated with community alcohol strategies, the observatory would at the same time seek to attract public health researchers, through the etc.
- Business Development Programme
- Dedicated networking activities – Participation in Public Health Information Networks, Health and Social Care Library and Intelligence Networks, Association of Public Health Observatories, Cross channel Public Health Observatory partnership.

2.5 Service Delivery

Methods of service delivery will be comprehensive and will involve:

- extensive development of electronic data access web based services,
- appropriate geographic dissemination of staff and partnership working, with some staff possibly based on more than one site, as well as provision for hot desking
- collaborative working with public health consultants, specialist and specialist registrars and trainees, and key partner officers
- interface arrangements (such as honorary contracts for staff in different organisations) and appropriate data linkage (such as joint licence arrangements, joint commissioning and innovative partnership agreements).

2.6 Outputs

Outputs will be measurable in many areas and these would be part of an annual plan and subsequent report. Likely areas would include:

Needs, health impact and equity assessments / audits delivered
Modelling – such as with Fit for the Future
Programme Budgeting
Forecasts against burdens of ill health, and actuarial forecasting.
Surveillance
Specific PH support outputs
Specific Commissioning support outputs
Specific social marketing and segmentation outputs
Specific profiling support outputs

2.7 Monitoring and evaluation

Consideration will need to be given to an oversight body to monitor the functions, direction and performance of the observatory. This could be subsumed by the Public Health Board or conducted by a subgroup thereof or by a separately constituted group.

The observatory will be expected to produce an annual report and to be guided by the oversight group on any modifications to its constitution or objectives.

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3. ORGANISATION AND STAFFING

3.1 Principles

The proposal is for a Kent Public Health Observatory (KPHO), to be part of the Kent Department of Public Health.

The organisation structure is designed for form to follow function.

3.2 The major functions of the observatory are defined by the following programmes:

- Public Health Reporting Programme – Includes APHR, Strategy for PH reporting /updating, Public Health Information provision
- Technical Work Programme – Includes Needs Assessments, ad hoc analyses,
- Surveillance Programme - Development and maintenance of robust surveillance systems for Kent
- Strategic Planning and commissioning Support Programme
- Development Programme.
- Evidence based health care support programme-
- Scientific programme – the observatory will in due course seek to attract participants and additional funds in specific areas, eg. funding for evaluating interventions such as would be associated with community alcohol strategies, the observatory would at the same time seek to attract public health researchers, through the etc.

3.3 Resources structure and staffing:

This will be determined following the development of a specification agreed with the partner agencies.

3.4 Customers / Clientelle

Existing users of Public Health Intelligence and Knowledge Management include:

- All levels of Public Health professional within PCTs and Local Government including the wider NHS workforce (health promotion, health visitors, etc)
- PCT staff (commissioners, primary care, etc)
- SHA staff
- Specialised Commissioning Unit
- Kent Cancer Network
- CHD Collaborative
- Health Protection Unit
- Children's Trust/Services
- Partners and associated groups (Crime Disorder Reduction Partnerships, SureStarts etc)
- Academic organizations
- General Public

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4. IMPLEMENTATION

The ethos of the direction is to work towards creating an environment of quality and excellence that will assist and motivate people to achieve desired end results. It is proposed to move forward in three phases.

4.1 The establishment phase

- Work with HIS to align Public Health analysts functions with PCTs to support needs assessments.
- PBC, Commissioning, and Surveillance of Targets and technical advice.
- Work with partners to explore joint development opportunities.
- Identify KCC and other agency information analysts and information staff to join the observatory team.
- Establish interim team for primary observatory functions, surveillance, annual reporting , PCT support
- Work with HIS to align Public Health analysts functions future Observatory functions.
- Work up proposed structure in response to recommended service specification report.

4.2 The Transition Period

- Public Health Knowledge Services to come under the leadership of a Public Health Consultant as part of Kent Public Health Department.
- Steering Group (KPHSG) to meet to agree TORs Membership, Agenda shape and to report through its minutes to the Public Health board.
- Core work programme to be agreed.
- Links with partners to be explored and reported on to KPHOSG
- Build upon the current partnership work and arrangements recently established by the services.
- Consolidation of Annual Public Health Reporting Process through agreed development programme.
- Consolidation of Needs Assessment Agenda (including equity audit and health impact assessments), through agreed development of rolling programme
- Expansion of complete work agenda

4.3 The early development phase

- Programme development will proceed as soon as the proposed new structure is put in place
- A virtual team will be established with KCC, PCT & HIS and other information colleagues and specialist subject meetings to be in place according to series of target dates, which address the major linkages.
- An observatory skills network will be established to involve analysts, consultants and specialists in project lead and support roles, target dates for specific milestones will be devised.
- Identify the access and maintenance agenda for databases of health related data
- A communication and reputation enhancement strategy with a programme of presentations will be developed.

4.4 Later potential developments

Subject to attracting appropriate resources

- Close working with Acute Trust Teams on specific clinical data analysis to do with clinical effectiveness and prevention.
- Academic and R&D links furthered

4.5 Career Structures and Capacity

In spite of National moves there is as yet no definitive career structure for Public Health Intelligence / Information. Career development and education for existing and new staff will be a feature of the Observatory and attracting trainees to build future capacity.

5. GOVERNANCE

There is a 'wider Public Health workforce' who are making increasing demands upon Public Health Information. Local LAA and LDP targets in Public Health have been and continue to be developed, Health Equity Audits and Area Needs Assessments are becoming increasingly important in the planning and delivery of local services and in turn placing an ever increasing demand on the public health information resource.

The recent use of Public Health Information in supporting Practice Based Commissioning is a new key area and the Kent & Medway PHIT have produced GP Cluster profiles to strengthen this relationship and need. Work continues in this area with Senior Analysts working closely with GPs and PBC groups to further develop the GP Cluster profiles.

There is an increasing demand for public health information from many of our partner organizations. With the appointment of a joint DPH across the PCTs and KCC, the demand for high quality public health information support will inevitably rise and the team is already engaged with many KCC departments who require that form of support.

Partnership work with Local Authorities is also crucial for the delivery of the local components of the LAA and LDP agenda. Work for and with CDRPs is also on the increase, with more and more requests for health related information by the local police force for example.

There is an immediate agenda to address and start rolling out. There will not be a large amount of resource to devote to capacity planning so it will be sensible to operate on the side of 'prudence' and keep the initial agenda tight and to look to the future for developing and providing broader services.

The development agenda will be important in due course for the motivating and creating a reputation of quality and service in the new environment.

It will be critical to show that the service is of the highest quality and meets user requirements. A primary aim will be to build up the reputation of the KPHO as a provider of a cutting edge, technically robust and appropriate service. An overseeing panel representing stakeholders and service users will agree an annual programme of work. The panel would include members from the Public Health Board, Kent County Council, PCTs, other service users and senior KPHO staff. The panel will have the role of performance management of the service and would expect to receive regular performance information from the KPHO. It would constitute a sub group of the Public Health Board. The suggested membership of the panel could include: The DPH, one PCT DDPH, one PCT DCE, one KCC DAS, one LA CE, one Academic Epidemiologist.

Declan O'Neill
21st November 2007

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APPENDIX 1

Report of the Public Health Information & Intelligence (I&I) Task Force **Project plan for the Workforce sub-group on: Increasing the I&I capabilities & capacity of the public health workforce**

Background

This Strategy aims to guide and develop a vision for the Public Health Information and Intelligence skills in England over the period 2006-9 for the three categories defined in the Chief Medical Officer's Report: To Strengthen the PH function¹. The Strategy outlines in detail the detail of what can be achieved in the three years to enable and support public health capacity and capability and better equip staff in the decision making process about the health and social care of the population.

"The public health agenda originally set out in 'Saving Lives: Our Healthier Nation' is huge, challenging and complex. The NHS plan affirms its place in the mainstream of NHS activity and, at the same time, acknowledges that it is everyone's business and is a corporate responsibility, not just the province of specialists". (Foreword from Liam Donaldson¹)

The Chief Medical Officer's (CMO) report¹ on the public health function, recommends action under six headings:

- Increasing workforce capacity
- Strengthening multidisciplinary public health
- Strengthening capabilities
- Education, training and organisation development
- Leadership and management development
- Strengthening academic public health.

*'Choosing Health: making healthier choices easier'*² states that the key to national health improvement is more people making healthier choices more of the time. The paper also indicates that the changes set out will only occur if the right people, with the right skills, are in place to deliver them at all levels.

The overall strategy of *'Choosing Health'* is *'to develop and build capacity for health improvement at all levels of the system, with the backing of a national competency framework for health to support the development of the necessary education and skills'*.

The most recently published White Paper *'Our Health, our care, our say: a new direction for community services'*³, continues the Government's drive to reduce health inequalities, which they say:

"remain too stark – across social class and income groups, between different parts of the country and within communities. The new emphasis on prevention will help close the health gap".

Building public health capability and capacity is fundamental to closing the health gaps. The aim of this Strategy is to ensure that the social and health care workforce is equipped to deliver improved health by providing basic information and intelligence skills and knowledge, and to support the development of effective specialist public health practice and leadership.

Partnerships

Nationally there are many providers of skills for a variety of audiences, this initiative will scope all current providers, e.g. Learning and Skills Council, Public Health Observatories, Health Knowledge, Colleges of Further Education and work with these providers to ensure a joined-up approach. The Canadian Enhanced Surveillance training resource is mentioned in the task section, in addition to this a scoping exercise will identify what resources are available from other international bodies and universities to ensure duplication of effort is minimised.

Aim

To improve public health information and intelligence skills and capacity throughout England for the three levels of the public health workforce as defined by the "Report of the Chief Medical Officer's Project to Strengthen the Public Health Function" published in 2001 (see appendix 1). This will be overseen by the Public Health I&I Workforce Steering Group.

Objectives

The objectives have been defined to support the delivery of "Choosing Health: making healthier choices easier", the "NHS fully engaged scenario" as defined by Derek Wanless and the Teaching Public Health Networks initiative.

1. **Career Pathways:** To improve recruitment and retention of high quality specialist public health I&I staff by developing career pathways and peer support networks as well as nationally approved job descriptions and person specifications.

2. Training Strategy:

a) To support the personal and professional development of public health I&I workforce.

b) To support the personal and professional development of the public health workforce in England through the availability of increased access to public health I&I and general public health training resources.

c) To support the provision of public health skills in undergraduate and post graduate curricula.

3. **On-line Training Resources:** To increase access to training resources for public health information, intelligence and general public health knowledge and skills in England, making them readily available in a central on-line repository.

Outputs/Deliverables

1. **I&I Career Pathways:** work with the DH PH workforce planning directorate and Skills for Health to support current and future specialist I&I staff and ensure they can deliver the requisite support to the NHS.

This will be achieved by:

a. Developing career pathways for I&I specialists that are both vertical and horizontal

b. Exploring with the IDeA common skills bases and career pathways.

c. Identifying the skill and knowledge levels required to move within a defined career framework

d. Developing model job descriptions and person specifications in line with Agenda for Change

e. Ensuring that the salary grades at each level are explicit, justified and competitive in line with agenda for change

f. Oversee a census of public health I&I staff conducted by APHO.

2. **Training strategy:** develop a training strategy that will support the development of public health skills for all staff.

This will be achieved by:

a. Supporting the personal and professional development of the I&I

- workforce through robust induction and developmental training programmes
- b. Supporting the personal and professional development of the public health workforce in England.
 - c. Identifying current resources and commissioning new training resources to meet the needs of the I&I workforce, public health workforce and academic curricula
 - d. Work with the Teaching Public Health Networks who will be working with WDDs, Universities and Colleges, professional bodies and monospecialist societies (e.g. Royal Colleges) regarding their curricula and identifying new areas to be included in undergraduate and post graduate training
 - e. Piloting and evaluating I&I training using identified resources across all sectors, disciplines and organisations
 - f. Setting up training the trainers to enable local training cascades

3. On-line Training resources: identify a repository to contain toolkits and courses to support those aiming to improve their skills and general public health knowledge in public health information and intelligence (this will cover the widest range of public health skills such as health needs assessment, health equity audit, health scrutiny, critical appraisal, evaluation and health impact assessment for 3 levels of CMO PH workforce).

This will be achieved by:

- a. Identifying current materials to support public health intelligence skills development
- b. Organising focus groups to establish what I&I tools are required to support training needs
- c. Identifying gaps between existing materials and the results of users' needs assessment
- d. QA and adapt existing materials to include teacher notes
- e. Commissioning of appropriate new materials and training courses
- f. Working with the defined repository to define cataloging system
- g. Identifying how QA, evaluation & updating of repository will be done.
- h. Ensuring that the outputs of this project link into the knowledge management strategies of PheNet and the National Library for Public Health and IDeA.

The workplan below outlines the operational side of the strategy, identifying expected timescales and costs, as well as the lead person responsible for delivery of each area.

¹ Department of Health. The Report of the Chief Medical Officer's Project to Strengthen the Public Health Function. 2001

² Department of Health. Choosing Health: Making healthy choices easier: 2004
Work force sub group: Katie Enock 2
20 February 2006

³ Department of Health. Our Health, Our Care, Our Say: a new direction for community services. 2006
Work force sub group: Katie Enock 3
20 February 2006
Work force sub group: Katie Enock 4
20 February 2006

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CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title:	Free Travel for 11-16 Year Olds
Documents Attached:	<p>(a) Report to Cabinet, 3 December (Item 10) <i>Cabinet agreed the recommendations in the report.</i></p> <p>(b) Minute of the Committee's previous consideration of this item. (20 February 2007, Minute 59)</p> <p>(c) Note of IMG on Budgetary Issues' previous consideration of this item. (12 April 2007)</p>
Purpose of Consideration:	<p>To seek further information on:-</p> <p>(a) number of passes issued and the usage made of them;</p> <p>(b) take-up of passes by those entitled to free home to school transport;</p> <p>(c) how usage of the passes is being monitored;</p> <p>(d) how the success of the passes in reducing traffic congestion is being monitored.</p>
Possible Decisions:	<p>The Constitution (<i>Appendix 4 Part 8</i>) requires the Committee to take one of the following decisions:-</p> <p>(a) make no comments; or</p> <p>(b) express comments but not require reconsideration of the decision; or</p> <p>(c) require implementation of the decision to be postponed pending reconsideration of the matter by the Cabinet in the light of the Committee's comments; or</p> <p>(d) require implementation of the decision to be postponed pending reconsideration of the matter by full Council.</p>
Previous Consideration:	<p>Cabinet, 8 February 2007 Cabinet Scrutiny Committee, 20 February 2007 IMG on Budgetary Issues, 12 April 2007</p>
Background Documents:	None.

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By: Keith Ferrin, Cabinet Member for Environment, Highways and Waste
Adam Wilkinson, Director of Environment and Regeneration

To: Cabinet – 3 December 2007 – Item 10

Subject: Free Travel for 11 – 16 Year Olds

Classification: Unrestricted

This report sets out the progress to date in the introduction of free travel for 11 – 16 year olds and suggests a programme of additional implementation in 2008 leading to a full Kent wide roll out in 2009.

1. Background

- 1.1 In September 2006, Kent County Council published “Towards 2010” (T2010) with an aspiration to introduce free travel for school children in secondary education aged 11 – 16.
- 1.2 The key policy aspirations of free travel for 11 – 16 year olds are:
 - A reduction in peak hour congestion.
 - Improved social inclusion through improved mobility of young people outside school hours.
 - Encourage longer term use of public transport by young people.

2. Pilot Schemes

- 2.1 In June 2007 two free travel pilot schemes called the Kent Freedom scheme were introduced in Tonbridge/Tunbridge Wells and Canterbury. Excellent press coverage was gained from the launch events in Canterbury and Tonbridge.
- 2.2 These pilots were chosen on the basis of the complexity of the transport arrangements to the secondary school catchment areas and the high level of congestion which is evident at peak times. It was considered that a successful introduction in these complex areas would provide sufficient evidence to make a clear decision on the feasibility of free county-wide travel for non-entitled 11-16 year olds. 4800 passes have been issued to date.
- 2.3 Additional bus capacity has been provided by bus operators in the pilot areas to cope with extra demand given that most existing service buses are full in the morning peak. Eight additional vehicles in each pilot area from 4 June ensured a seamless introduction of free travel providing sufficient capacity for the extra demand. This was increased to 10 from the start of the September term although the number has been reduced after initial peak use in September and October. We have taken the approach of asking the

incumbent operators to provide additional capacity, used on a flexible basis. This is the most efficient way of providing additional seats as trying to set up “competing” additional KCC funded services on commercially provided routes would undermine local bus networks and would be outside the free market spirit of the Transport Act 1985. We have received excellent support from the South Eastern Traffic Commissioner for this approach.

- 2.4 Detailed work has been undertaken on the usage of passes in the two pilots and the cost to the County Council in 2007-08 is estimated at £1.4m with a full year cost of £1.9m. In other words, the additional take-up has not directly translated to additional costs. The operators are reimbursed on the gap in their income as a result of the scheme on an open book accounting basis. This is largely income from students who previously paid a fare plus the cost of providing additional capacity.
- 2.5 The Kent Freedom scheme has proved very popular in the pilot areas. Survey results from Freedom pass holders show that 27% of users previously travelling to school by car now use the bus which is most encouraging. Impact studies on congestion are being measured and will be reported when meaningful results are available. There is evidence that students are using Freedom passes for travel at weekends and evenings which was a key aspiration of the Kent Youth County Council. Students also have the travel flexibility to use after school clubs which has been greatly appreciated by a number of correspondents.

3 Promotion

- 3.1 There have been a number of high profile events to launch and promote the Freedom scheme. A specially liveried bus was provided by Stagecoach and this has been particularly effective in promoting Freedom in Canterbury. Arrangements are being made to use a liveried bus in each of the pilot areas next year. A special event was held to mark the issue of the 4000th Freedom pass in October, with further events, aimed at the west of Kent planned over the next few months. A promotional film is also available on KentTV.
- 3.2 The involvement of the Youth County Council throughout the introduction of Freedom has been particularly helpful and has enable students to participate in the various promotional activities. Members of the Youth County Council will attend the Cabinet meeting on 3rd December.
- 3.3 Linked with Freedom is some valuable work on barriers to young people travelling on public transport being undertaken within Children, Families and Education. Work is being undertaken with Kent Youth County Council (Transport committee), to link into and expand work on personal safety, particularly on projects dealing with unacceptable behaviour and travel training, including a buddy system for students and those with special educational needs. They will make links with organisations such as Help the Aged and Age Concern as they have very similar issues in terms of breaking down perception. A recent NFER survey shows that public transport access and affordability is a key barrier to young people participating in sporting activities. The Freedom scheme is helping to overcome this important issue which also has significant positive health implications for those who are now able to participate in healthy activities.

- 3.4 Kent County Council received the Halcrow Transport Authority of the Year Award in November 2007 and the innovative Freedom concept was a significant reason for this accolade.

4 The Future

- 4.1 Concern has been raised about the ability of bus operators to provide the vehicles necessary to cater for the new demand a county-wide roll out of the Freedom scheme would generate. Cabinet approved the pilot schemes on 8 February 2007 with a view to county-wide roll-out in 2009/10. This matter has been discussed with Arriva and Stagecoach and they have agreed that an extension to the existing pilot schemes in June 2008 would be possible and would make it easier to achieve a full county-wide scheme in 2009/10. This is a complex issue as the County Council will need to achieve a balance of operational issues with public expectation which will require factors such as child deprivation to be considered. An early decision is required in order to ensure that additional vehicles required for the scheme extension are in place by June 2008.
- 4.2 Concern has been expressed by some Members about the administration fee of £50. Evidence suggests, however, that there has been no adverse reaction to this charge with many recipients praising its excellent value for money. It is suggested therefore, that the charge of £50 be retained in 2008/09.
- 4.3 There is scope for Kent to seek funding from Government. Under the Education & Inspections Act 2006, LEAs have been invited to bid for pathfinder status. Up to 20 pathfinders are likely to be selected for introduction in 2009 for a period of 4 years. Each initiative can receive up to £200k pump priming and there is up to £12m available pa across all of the pathfinder schemes. An 'in principle' bid is under preparation for submission by the deadline of 30 November 2007 linked to the pathfinder criteria of supporting children in education beyond 16, the use of technology through smartcards or overcoming potential barriers to take up from disadvantaged households from the charge. Although the financial benefit is fairly limited a full bid is proposed in the summer 2008 based on the results of the pilot.

5 Financial Implications

- 5.1 In 2008/09, the County Council has allocated £5 million for the Freedom scheme which will enable us to introduce a further roll-out as appropriate. Our consultant, MCL has suggested that at current prices, a sum of £8.3 million net (£12 million gross) will be required to operate on a countywide basis, although this does include travel by rail. However, in view of the higher than expected bus travel take-up which is likely to translate into the County-wide roll out, rail costs would be additional and are un-quantified at present as they are not being assessed as part of the existing pilots. In 2009/10, the County Council has allocated £8 million so with some flexibility to adjust funding between financial years, there will be sufficient funding at current prices to fund the bus service element of the scheme. In 2010/11, a £11.4 million allocation is provided which appears adequate but does not take into

account inflation which is estimated at 5% per annum (approximately £500 K increase p.a).

- 5.2 Once free travel has been introduced on a countywide basis, it is recommended that the home to school transport mainstream and Freedom budget are administered from one source to ensure that financial and procurement efficiencies can be made.
- 5.3 We have received some criticism for not extending the freedom scheme to 17 and 18 year olds in full time education. Cabinet may wish to consider this point in the context of congestion reduction as these students are increasingly using the car as a method of travelling to school. There is a significant cost implication likely to be in the region of £5 million as these students are outside the free transport provisions of the 1944 Education Act.
- 5.4 There has been considerable discussion about the inclusion of rail in the countywide roll-out of the Freedom scheme. There are sound arguments not to include rail and the operator South Eastern remains unenthusiastic about participating. If rail is not included, this will reduce the potential revenue burden by an estimated £1 million per annum.

6 Smart Cards

- 6.1 Greater accuracy of the usage of Freedom passes could be achieved through the introduction of smart cards. Such cards could also be used for a range of other purposes such as libraries and school meals. A barrier to this in the past has been the price of on-bus readers which cost around £1000 each. With 800 buses operating in Kent, the capital cost of implementation would be high. Stagecoach and Arriva have indicated that their groups are investing in a new design of ticket machine which included a smart card reader. There may be a willingness to allocate these machines to Kent but some capital pump-priming would be required. It is suggested that discussions are held with operators to explore the feasibility of new ticket machines with smart card readers.

7 Conclusion

- 7.1 The introduction of the Kent Freedom scheme has been successful and well received. This success is significantly attributable to the partnership working between bus operators and the County Council. It is recommended that formal discussions are held with bus operators with a view to extending the pilots in June 2008. There is sufficient funding next year to accommodate an extension to three/four more District areas. The introduction of smart cards would be highly beneficial in operational and monitoring terms.

8 Recommendations

- 1) Cabinet considers an extension to the pilot schemes in June 2008.
- 2) Cabinet agree in principle to pump prime the introduction of smart cards.
- 3) Officers consider how efficiencies could be gained once the Freedom scheme is rolled out Countywide.
- 4) Rail is not included in the additional 2008 schemes.

Contact; David Hall 01622 221982

Background Documents; None

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Extract from MINUTES of a meeting of the Cabinet Scrutiny Committee held at Invicta House, County Hall, Maidstone on Tuesday, 20 February 2007.

59. Free Travel for 11-16 Year Olds
(Item C1)

(1) Mr K A Ferrin, Cabinet Member for Environment, Highways and Waste, and Mr D Hall, County Transportation Manager, Kent Highway Services, attended the meeting to answer Members' questions on this item, which covered the following issues:-

(a) Eligibility for Scheme

In answer to questions from Mr Christie and Mr Lake, Mr Ferrin explained that any child aged 11-16 who lived in Kent and attended any of the schools listed in Appendix 2 to the report to Cabinet was eligible to purchase a pass for £50 which would entitle them to free bus travel anywhere in the pilot areas at any time on any day. There would be no reduction for those children who already received free home to school transport.

In answer to a question from Mr Christie, Mr Ferrin said that it would be for the Children, Families and Education Directorate to decide whether or not to purchase passes for Looked After Children but he hoped that they would.

In answer to a question from Dr Eddy, Mr Ferrin said that the 11-16 age group had been chosen rather than the 13-18 age group because it was the age range for compulsory secondary school attendance. It would obviously be a matter for parents to decide what use of the scheme their children should make.

(b) Charge for Pass

In answer to a question from Mrs Stockell, Mr Ferrin said that the possibility of a means test for the £50 charge, and of offering an instalment payment scheme, had both been considered but had been rejected because they would dramatically increase the administrative cost of the scheme. Mr Ferrin said that he hoped that schools might be willing to assist by, for example, accepting payments in cash from parents who had no bank account.

(c) Choice of Areas to be Included in Pilot Scheme

In answer to questions from Mr Hart and Mr Christie, Mr Ferrin explained that Canterbury had been chosen because much of the work of the Select Committee on Home to School Transport was based on Canterbury. Canterbury was served by Stagecoach and he had been keen to include an area served by the other major Kent bus operator, Arriva. Of the areas served by Arriva, Tonbridge/Tunbridge Wells had been selected because school travel patterns were relatively complex and thus the area was likely to provide useful lessons for the pilot. Mr Ferrin added that the areas had not been chosen because of their relative affluence. It had been necessary to limit the pilot scheme to two areas because of the capacity issue. It was clear that additional bus seats would be needed during the morning peak as a result of increased demand generated by the scheme. Bus operators

would therefore need to bring in additional vehicles, provide garaging facilities for them, and recruit additional drivers. The capacity issue also meant that, if the pilot scheme was successful, any extension to the rest of the County would have to be done in phases.

(d) Costs of Pilot Scheme

In answer to questions from Mrs Dean, Mr Hall said that the number of children eligible for the pilot scheme was 9,000 in Canterbury and 14,000 in Tonbridge/Tunbridge Wells. Mr Ferrin explained that the detailed costings for the pilot scheme were at present subject to commercial confidentiality but agreed to provide them to Members of the Committee in confidence. Mr Ferrin explained that once the scheme was up and running, the agreement with the bus operators involved use of an open-book accounting system so there would be complete transparency. He agreed to provide half-yearly financial reports to Members of the Committee.

Mr Ferrin said that the pilot scheme was not expected to have any impact on KCC's costs in providing free home to school transport, but if the scheme was extended County-wide, the consultants predicted that the scheme would offset the home to school transport budget by some £3m.

Mr Ferrin said that there might also be savings to KCC on supported bus services because the increase in demand generated by the scheme could lead to some supported services becoming commercially viable.

Mr Hall added that the pilot scheme was expected to increase bus operators' profits and the operators had said that they would plough this profit back into improving local bus services.

(e) Length of Pilot Scheme

In answer to a question from Mrs Stockell, Mr Ferrin said that the pilot scheme would run for two years because the bus operators required a commitment that the scheme would run for at least this length of time before they could commit themselves to bringing in the additional buses and drivers needed. However, the success of the scheme should be capable of being judged well within two years and, if it was successful, the scheme could be extended before the two year period expired.

(f) Inclusion of Independent Schools in Pilot Scheme

In answer to a question from Mr Christie, Mr Ferrin explained that parents who lived in Kent and sent their children to independent schools were as entitled to benefit from the scheme as parents who sent their children to publicly-funded schools. Furthermore, one of the main purposes of the scheme was to reduce traffic congestion caused by the school run and parents of independent school pupils contributed to this in just the same way as other parents.

(g) Congestion

In answer to questions from Mrs Dean, Mr Ferrin said that there were a number of different methods of measuring congestion and a method would

need to be selected shortly in order to measure the impact of the pilot scheme on reducing congestion. Mr Hall pointed out that bus journey times were already monitored and these could give an indication of changes in the level of congestion.

(h) Impact on Parents' Choice of Schools

In answer to a question from Mrs Dean, Mr Ferrin emphasised that the bus pass scheme did not involve any changes in the current arrangements relating to eligibility for free home to school transport. Nevertheless, he accepted that the availability for £50 of a pass offering free bus travel might have the effect of increasing parents' choice of schools for their children where this might otherwise be constrained by transport costs. Mr Ferrin said that he had urged headteachers to point out to parents that they should not make their choices of school on the basis of the pilot scheme, because it might not be renewed after the initial two year period.

(2) RESOLVED that:-

- (a) Mr Ferrin and Mr Hall be thanked for attending the meeting and answering Members' questions;
- (b) the Cabinet Member for Environment, Highways and Waste be recommended to change the title of the scheme to "**Assisted** Travel for 11-16 Year Olds";
- (c) the Cabinet Member for Environment, Highways and Waste be urged to determine a means of measuring congestion without delay, so that the success or otherwise of the scheme in terms of reducing congestion could be judged;
- (d) the Managing Director, Children, Families and Education be advised of the possible impact of the scheme on secondary school admission applications;
- (e) the Managing Director, Children, Families and Education be recommended to make clear in all information to parents about secondary school admissions for September 2007 and 2008 that, in making their choice of school, parents should not rely on the assisted travel scheme continuing beyond the two-year pilot period;
- (f) the Cabinet Member for Environment, Highways and Waste's agreement to provide Members of the Committee, in confidence, with detailed costings for the pilot scheme, be welcomed;
- (g) the Cabinet Member for Environment, Highways and Waste's agreement to provide Members of the Committee with half-yearly reports on costs and take-up of the scheme, be welcomed.

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2. "Freedom Pass" (Assisted Travel for 11-16 Year Olds) – Detailed Costings for Pilot Scheme
(Item 2)

- (1) In answer to a question from Dr Eddy, Mr Hall explained that the scheme had been re-named "Freedom Pass" because officers were concerned that use of the term "Assisted Travel Pass", as suggested by the Cabinet Scrutiny Committee, could cause confusion with the existing statutory free school transport arrangements which were also known as assisted travel.
- (2) Mr Hall updated the IMG on progress with the introduction of the pilot schemes in Tonbridge/Tunbridge Wells and Canterbury which were budgeted to cost £1m each. The pilot schemes would now be launched in June which would allow them to bed in during the quietest part of the school year so that any teething troubles could be resolved prior to the start of the new school year in September.
- (3) All the bus operators in Tonbridge/Tunbridge Wells and Canterbury had volunteered to include all their registered stage carriage services in the pilot schemes and negotiations were currently taking place with them on reimbursement arrangements. Because the pilot schemes were being run under the Transport Act 1985 the scheme had to leave operators no better or worse off than before its introduction. As a result, operators were having to provide KCC with a great deal of commercially-sensitive information to allow reimbursement levels to be calculated. Mr Hall circulated a paper setting out the principles of the scheme and the reimbursement arrangements.
- (4) Cost effective agreements had been reached with the principal operators in Tonbridge/Tunbridge Wells and Canterbury for the provision of additional capacity to cope with the extra demand expected to be generated in the morning peak. This additional demand, and where it was likely to occur, had been estimated by using postcode data. Part of the purpose of the pilots was to establish exactly where additional capacity was needed.
- (5) Although rail services were not currently included in the pilot schemes, Mr Hall was pursuing the possibility of including them in the future.
- (6) In answer to questions from Dr Eddy, Mr Hall said that not allowing children attending independent schools to participate in the Freedom Pass scheme would reduce the cost but the size of the reduction could not be quantified at present. However, the pilot schemes would show the relative take-up, and thus the costs, of the scheme from children attending different types of school.
- (7) Mr Hall offered to provide a detailed analysis on the operation of the pilot schemes to the IMG in 12 months time, in addition to the previously agreed half-yearly reports to Members of the Cabinet Scrutiny Committee on costs and take-up of the pilot schemes.
- (8) In answer to a question from Mrs Stockell, Mr Hall said that, although the pilot schemes did not include Park and Ride services, the possibility of using Park and Ride sites as drop-off points where children could catch dedicated buses to take them on to their schools was being explored.

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CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title: **KCC International Activities Annual Report
2006/07**

Document Attached: Report to Cabinet, 3 December (Item 4
(excluding Appendix 1))

*Cabinet agreed the recommendations in the
report.*

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By: Alex King, Deputy Leader
Peter Gilroy, Chief Executive

To: Cabinet – 03 December 2007 – Item No.4

Subject: KCC International Activities Annual Report 2006/7

Classification: Unrestricted

1. Introduction

- 1.1 The International Activities Annual Report 2006/7 is the second annual report covering the diverse range of international work in which KCC is involved.
- 1.2 The report utilises the following headlines to report activity across KCC in the past year - The Global Economy; Developing Global Citizenship; Ensuring World-Class Services. The report also groups information by geographical region. This format follows the structure of the draft KCC International Strategy (Appendix 1).

2. 2006-7 Headlines

- 2.1 Headline successes in 2006-7 include:
- Determining a realistic EU Funding target for Kent of €100 million over the next programming period 2007-13.
 - More than 1000 students and teachers have undertaken international visits in 2006-7. There has been significant emphasis on vocational education and professional development.
 - Successful premises relocation of the Kent Brussels Office with KCC as leaseholder.
 - Successful bid to host the prestigious EBN Congress 2007 in Canterbury around the theme of Transatlantic Cooperation between SMEs in Innovation & Technology.
 - A renewed Memorandum of Understanding (MoU) was signed by the current Governor of the Commonwealth of Virginia, Tim Kaine and the Leader of KCC, Paul Carter to further develop joint work across a range of areas of common interest.

3. Costs / Benefits

Directorate	Unit / Project	Costs (£m p/a)	Financial Benefits (£m p/a)
Adult Social Services & Communities	International Perspectives Unit	0.07	£2.1m
Chief Executive's Department	European Affairs Group	0.321	£20m
Children, Families & Education	International Development Unit	0.08	£2.1m
Environment & Regeneration	Kent/Virginia	0.315 (*2007)	(to be confirmed)
	Smithsonian	0.225 (*2007)	(to be confirmed)
	PASCAL	0.058	£100k
TOTALS		£1.069m	£24.3m

* Time limited – Costs 2005-2007

4. An International Strategy for Kent County Council

4.1 In a changing world, Kent must remain firm in its understanding of, and commitment to, international activity, and its relevance and benefits for the people of Kent. Kent has always looked outwards and a good measure of its prosperity has been derived from its geographical situation – but this factor alone is no longer enough to ensure competitiveness. As the world grows ever smaller and more inter-dependent, it is vital that KCC keeps pace with change to allow the people and businesses of Kent to profit from future opportunities.

4.2 As such, KCC's first corporate International Strategy (Appendix 1) has now been produced to bring together the key strands of this work. The strategy addresses the following issues:

- Why must Kent work internationally?
- Spheres of Influence
- Principles
- Monitoring & Evaluation
- Communication

It is grouped by geographical area and under the following headlines:

- The Global Economy
- Developing Global Citizenship
- Ensuring World-Class Services

4.3 The strategy is a crucial tool in bringing greater coherence to KCC's international activities and through the strategy, Members are asked to acknowledge and support the ongoing development of this area of business for the benefit of the people of Kent.

4.4 As part of this developing work, a strategy for engaging with China is in development and will be brought separately to Members and officers in the near future.

5. Recommendations

Cabinet is asked to:

- (i) NOTE the contents of the 2006-7 Annual Report, and
- (ii) DISCUSS & APPROVE the draft International Strategy (Appendix 1)

Background Documents: None

Contact Officer:

Tom Pelham

Staff Officer to Deputy Leader

Tel: 01622 696947

1. SUMMARY OF ACTIVITIES

1.1 The Global Economy

Europe

- Influencing European Policy and future EU funding programmes
- Responding to consultations and influencing the outcome of EU and government key policy proposals, including the shape of new Interreg cross-border programmes; DTI State Aid Review (extension of Kent's coverage); EU Strategic Guidelines; National Strategic Reference Framework; EU Urban Regeneration.
- Drafting a high-quality bid for Interreg IVA Managing Authority.
- Securing the only Local Authority place on Interreg IVA North Programme Working Group.
- Securing membership of S.E. EU Competitiveness Programme drafting group and lobbying for targeting of resources on coastal strip and Kent ports.
- Securing, for the first time, participation in new EU North Sea Transnational Cooperation Programme 2007-13.
- Securing a realistic EU Funding target for Kent of €100 million over the next programming period 2007-13.

- The Strategic Innovation Gateway Network (SIGN)
- Technology transfer of two technologies prompted by the Centre for Innovative Technology (CIT), Virginia.
- SIGN vital to the success of the bid to host the prestigious EBN Congress 2007.
- Influencing the accreditation of Kecskemét Business Innovation Centre (BIC) by EBN.

To the West

- Kent-Virginia Project
- A renewed Memorandum of Understanding (MoU) was signed on 14th November 2006 by the current Governor of Virginia, Tim Kaine and the Leader of KCC, Paul Carter. The MoUs now cover the following areas for co-operation:
 - Trade and business relationships for commercial, economic and social benefit,
 - New approaches to tourism development jointly between the Virginia Tourism Corporation and the Kent Tourism Alliance building on and beyond the 2007 Quadricentennial events,
 - Links between the land based economies in Virginia and Kent,
 - Educational and cultural links between Virginia and Kent,
 - Virginia's economic and commercial presence in UK and Europe and Kent's economic and commercial presence in the US,
 - Performance Management
 - Health and Medical Administration including social care, fostering and adoption
 - Energy Use and Comprehensive Energy Policy
 - Agribusiness and Farm Preservation
 - Sharing experience and best practice in any field that the parties agree to be relevant for mutual benefit
- In addition, a Statement of Intent on Staff Exchanges was signed in July 2006 by Stephen Adkins, Virginia Department of Human Resources and Amanda Beer, KCC.

To the East

- Emerging Links with China
- The economic and social drivers behind China's rapid and ongoing development mean that there are now significant opportunities for KCC to engage with China. A number of activities have already been identified which are relevant to this intention to develop closer links with China. A strategy for engagement will be developed and implemented in 2007-8 and beyond.
- The Children, Families and Education Directorate has already undertaken a visit to China (Shanghai, Chongquin & Zhangqui), hosted a return delegation and looked at a number of innovative proposals for future links.
- The University of Kent has an established Anglo-Chinese Business & Management Centre which has educational and commercial partnerships in China, including jointly-awarded academic qualifications.
- The University of Greenwich is soon to commence an adult-nursing programme with a partner university in China.
- Representatives from KCC and Locate in Kent have also met with Strategic China with a view to engaging with their high-level links with relevant government agencies and trade bodies.

Inward Investment

- Locate in Kent Ltd. (LiK) is Kent's investment promotion agency and one of the most successful agencies of its kind in the UK. During 2006-7, LiK recorded 65 successes, creating 1358 new jobs and retaining a further 1596 jobs. The following companies provide a sample of the continuing achievements of LiK:
- CFSI (Cabot) - Cabot has shut down a facility in Bradford and consolidated its whole operation at Kings Hill in Kent because of a greater quality of staff and much higher level of staff retention in Kent. This underlines Kent's ability to be home to a significant and growing financial services business where the right skills can be accessed and -with the forthcoming expansion to new premises on Kings Hill- the right support can be given as expansion takes place.
- Over C (UK) Ltd - A new start-up assisted by LiK over a period of 4 years. Over-C specialises in the design and development of advanced web application software tightly integrated with Near Field Communication (NFC) mobile phones and works in partnership with Nokia. The technology created is utilised within the security industry as well as event management and many others.
- SearchFlow expansion project - SearchFlow is an electronic conveyancing search service. It provides a one-stop solution for sending and receiving property searches. Originally a success from 2003, Searchflow recently expanded and currently employs over 90 people.
- James Villa Holidays - Operating from the 20/20 Business Park in Maidstone, the company outgrew its premises. Maidstone proved to be a fertile ground for staff recruitment and the company moved in July 2006 to the AA Building. The staff is expected to grow from 85 to 160 over the next three years.
- Hitachi - A new rail and maintenance depot is being constructed in Ashford for the Hitachi high-speed train. It is estimated that the depot will be completed in June 2007. The depot will employ 97 staff primarily from three sectors (Rail, Engineering & Military). LiK has advised on recruitment, tax and accounting issues and made links with other Japanese companies in Kent and Ashford.

1.2 Developing Global Citizenship

Europe

- International Student Visits
 - More than 1000 students and their teachers have undertaken international visits in 2006-7. Schools have also been encouraged and supported to link with other education establishments across the world.

- Hardelet Centre
 - Managing the Hardelet Centre in northern France and growing its potential to aid the development of global citizenship in schools. Although the Centre is mainly used by schools and youth organisations, it is also open to other groups when available and during 2006-7, the Centre increased it's bookings by 20%.

- Support to Schools
 - Giving expert advice and support to schools and providing opportunities to forge links, particularly with our partners in Nord Pas de Calais, Virginia, Aix-Marseille and South Africa;

- EVOLVE
 - The EQUAL-funded Development Partnership focuses on the most deprived districts in Kent and promotes the employability of disadvantaged groups through three types of service; Vocational training, mentoring, advice and guidance. The transnational element involves partnering with Finland, the Netherlands and Austria.

- Bien-être: Healthy Schools and Communities Project
 - This Interreg IIIa partnership project, facilitated and managed by the Kent & Medway NHS Health & Europe Centre also included Kent County Council and schools in the Dover Cluster. The objectives of Bien-être were to create cross-border and local learning networks – comprised of those involved with the health and education of children and the well-being of communities – in order to learn from different cultures, to foster mutual understanding of different methods of health and educational service delivery and to explore opportunities for reducing health inequalities in schools and local communities. By focusing on food, the project stimulated interest in healthier lifestyles through professional, social and cultural exchanges and increased community involvement in local projects.

1.3 Ensuring World-Class Services

Europe

- Strengthening and developing strategic partnerships
 - Strengthening partnership working with Nord-Pas de Calais, including Joint Political Declaration signed with Regional Council on 5 April 2006 and close cooperation to mutual benefit on the future Interreg Cross-Border programme 2007-13. Adult Services managers are developing concrete joint activity between social care functions on both sides of the Channel and key themes include the isolation of older people, learning and physical disabilities, and strategic workforce issues. Potential is also being explored at a low-key level around themes relevant to Sport, Leisure & Olympics, Cultural Development and Libraries & Archives.

- Renewed impetus for work with Bács-Kiskun County Council, including Kent involvement in their Structural Funds projects following a meeting with the new Leader in December 2006.
- The established protocol between Kent and Southern Finland has been refreshed and renewed, one key focus being exchanges for young people and relevant staff. The new agreement also allows for the future involvement of other KCC services to be explored in 2007/8.
- Implementing Kent's strategic priorities through EU funding
 - Ongoing implementation of a range of EU-funded projects (including Interreg IIIA, B & C; Urban; Objective 2; Leader; ESF)
 - 14 new Interreg IIIA projects (out of 24 approved across programme area) amounting to an additional £1 million ERDF.
- Providing a strong representation for Kent's interests in Brussels
 - Effective lobbying on key issues such as 'Operation Stack' and Eurostar. With the support of the Committee of the Regions, KCC brokered a joint KCC-NPDC meeting and Communiqué regarding Eurostar on 7 December in the presence of high level Commission officials, SEEDA and SNCF.
 - Kent Brussels Office (KBO) leadership of UK Brussels Office Regional Policy Group and joint chair of UKBO Health Group.
 - Successful premises relocation of KBO with KCC as leaseholder.
- Information, intelligence and advice to KCC and partner organisations
 - Regular policy updates and range of briefings for partners in Brussels and Kent including meetings of Regional Policy Thematic Group, Kent Breakfast Meeting.
- Bidding for the European BIC Network (EBN) Congress 2007
 - There has been a successful bid for the Congress to be held in Canterbury, 20-22 June 2007 around the theme of Transatlantic Cooperation between SMEs in innovation & technology.
 - Kent will be positioned as an international conference centre, tourist destination for the 2012 Olympics and will gain an enhanced profile.
- European Network on Community Safety (ENoCS)
 - Community Safety, along with Kent Police, is working to establish a European best practice and staff (warden) exchange network – no such forum exists at present in Europe. This will involve known partners in the short term, and will revolve around an annual conference.
- International Professional Development
 - Working with 12 key international partnerships, 2006-7 has provided opportunities for more than 200 teachers, headteachers and education professionals to engage in international professional development. This has been achieved through a number of themed study visits across Europe, (France, Finland), America (Virginia) and further afield (Canada, Sri Lanka, and South Africa). In 2006-7 these visits have had an emphasis on vocational education, allowing both students and their teachers to explore the relevance of the Global Economy.
- LET'S TALK
 - Developed in partnership by the Kent & Medway NHS Health & Europe Centre with Kent Teenage Pregnancy Partnership and the Conseil General de la Somme, this

two year Interreg action research project aims to explore the values and attitudes of groups of teenagers and professionals to sex and relationships, sexual health and teenage pregnancy. The information gathered from the Project has been used by young people and professionals to develop new ways of looking at education and health services, with the aim of tackling teenage pregnancy.

To the West

- International Staff Exchange Programmes
- The Seattle Adult Services exchange programme, which has a focus on older people, mental health, and adults with learning disabilities, continues to make a valuable contribution to the Staff Care package, notably around the motivation and retention of staff. Opportunities have been available to five mainly front-line staff during this financial year, offering personal and professional development and best practice exchange.
- Building on the successful Adult Services programme and at the request of the Chief Executive, a pilot exchange with King County Council, Seattle, has taken place. A range of future potential co-operation themes was identified, with a strong focus around democratic processes and the modernisation of local government.

To the East

- PASCAL International Observatory
- PASCAL is an international research and policy development alliance sharing new and emerging ideas about Place Management, Social Capital and Learning Regions. It was established in November 2003 by the University of Stirling, the Royal Melbourne Institute of Technology (RMIT) University, the State Government of Victoria (Australia), the Scottish Executive and Kent County Council. Key successes in 2006-7 include:
- The development of joint vocational education programmes between RMIT University and KCC notably in the field of advanced engineering.
- A 2nd PASCAL book, published by NIACE further establishing credibility as a cutting edge, research driven initiative.
- A Memorandum of Understanding signed between KCC and RMIT University.
- The prestigious PASCAL international conference 2008 will be held in Kent.

2. Resources & Benefits

Directorate	Unit / Project	Costs (£m p/a)	Financial Benefits (£m p/a)
Adult Social Services & Communities	International Perspectives Unit	0.07	£2.1m
Chief Executive's Department	European Affairs Group	0.321	£20m
Children, Families & Education	International Development Unit	0.08	£2.1m
Environment & Regeneration	Kent/Virginia	0.315 (*2007)	(to be confirmed)
	Smithsonian	0.225 (*2007)	(to be confirmed)
	PASCAL	0.058	£100k
TOTALS		£1.069m	£24.3m

* Time limited – Costs 2005-2007

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CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title: **KCC Environment Policy**

Document Attached: Report to Cabinet, 3 December (Item 9)

Cabinet agreed the recommendations in the report.

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By: Keith Ferrin Cabinet Member Environment, Highways and Waste/Amanda Honey – Managing Director Communities

To: Cabinet 3 December 2007 - Item 9

Subject: KCC Environment Policy

Classification: Unrestricted

Summary:

KCC's existing Environment Policy is overdue for review. Both the Chief Officers Group and the Climate Change Cabinet Working Group agreed in August that this review is needed urgently. The purpose of this report is to get feedback and approval from Cabinet for the new KCC Environmental Policy.

For Information

1. Introduction

1.1 KCC's Environment Policy is the statement of our commitment to improving our own corporate environmental performance. The scope of the Policy covers our own estate, operations, activities and decision-making. It is therefore related to but separate from our wider policy commitments to protect and enhance Kent's environment as a whole (as set out in the Vision for Kent, the Kent Environment Strategy, Kent Prospects and the Kent and Medway Structure Plan); it is the way in which we demonstrate that we lead by example within our own organisation.

2. Revising KCC Environment Policy

2.1 It is essential that the updated policy:

- Provide a clear and renewed public commitment to improving our corporate environmental performance
- Reflect key strategic policy drivers such as Towards 2010, Putting Kent First, the KCC Climate Change Action Plan as well as the emerging Kent Agreement 2 and the high level aims of the Joint Environmental Prospectus produced by the LGA and Defra.
- Be underpinned by strong practical guidance and solutions, measurable targets and standards (Towards 2010), with clear resourced action plans, which identify potential for cost savings and efficiencies wherever possible.

3. The vision for the revised KCC Environmental Policy

The proposed KCC Environment Policy statement is attached in **Annex 1**. This is a high-level statement and will be underpinned by detailed action plans and guidance. The vision comprises three complementary pillars:

- To stabilise and progressively reduce KCC's environmental footprint
- To progressively reduce our carbon dioxide emissions and make sure our estate and services are adapted to the future impacts and opportunities of climate change
- To contribute positively to Kent's character, local environmental quality and natural environment

In addition to publishing the high-level statement in stand-alone format on our external webpages and in our buildings, we propose the main reference point for KCC colleagues is publication of the Policy on KNet.

4. Process

The process for the revision of the KCC Environment Policy to date has included:

- discussion and agreement by all KCC's Directorate Senior Management Teams, and key KCC Officers
- discussion and agreement by the KCC Environment Board on the 26 September 2007
- discussion and agreement by COG 7th November
- an assessment of implications which has been consulted on with the Environment Board, as well as Directorate Senior Management Teams and key officers
- starting the development of a detailed set of action plans and guidance to ensure effective and well planned implementation

5. Changes to the policy

There has been a challenge regarding the lack of aspiration with regards to the waste target. Baseline data for waste will not be available until late November. When this is available, this target will be reviewed and a revised target put forward for approval. Details of the target once approved will be widely circulated.

6. Recommendation

Cabinet is asked to:

- (i) NOTE and SUPPORT the contents of the report
- (ii) Agree the KCC Environment Policy
- (iii) Delegate authority to the Managing Director for Communities in consultation with the Cabinet Member for Environment, Highways and Waste to approve the revised waste target.

Background Documents: None

Contact: Carolyn McKenzie – Environment and Regeneration 1916

Annex 1: Draft revised KCC Environment Policy

KCC Environment Policy

At Kent County Council, elected members and staff alike recognise that protection and enhancement of the environment is the key to sustaining a high quality of life in Kent. We recognise that our own activities have an impact on the environment, that we have a responsibility to ensure that these impacts are positive, and that our use of natural resources is minimised.

Our vision

To stabilise and progressively reduce our environmental footprint; to progressively reduce our carbon dioxide emissions and make sure our estate and services are adapted to the future impacts and opportunities of climate change; and to contribute positively to Kent's character, local environmental quality and natural environment

We will do this by applying an evidence led approach to sustainability, identifying the potential for cost savings wherever possible and committing to environmental policies and standards in the following areas:

Our decisions

We will:

- Expect every manager and decision-maker in KCC to demonstrate how they comply with this Policy
- Integrate environmental considerations into our strategic and day-to-day decision-making processes, and give significant weight to them where they conflict with other objectives
- Assess key decisions for their environmental impact, taking a pragmatic whole-life-cost view, and use such assessments to fully inform decision-making
- 'Climate proof' decisions to ensure they reduce our contribution to climate change and help us prepare for the impacts and opportunities of unavoidable climate change, including where appropriate enabling biodiversity and coastal areas to adapt to climate change in line with the KCC Climate Change Action Plan
- Continue to comply with all relevant environmental legislation and statutory duties
- Seek to embrace new environmental technology and methodologies to ensure we are at the leading edge of developments and solutions, within a well-managed risk-analysis and cost-benefit framework

Our estate

We will:

- Reduce energy use within our estate to meet carbon reduction targets of 10% by 2010 and 20% by 2015
- Increase the proportion of the energy needs of our existing estate met from renewable sources
- Reduce water use by 7.5% by 2010 across our estate
- Reduce waste generation across our estate by 10% by 2010, and increase the proportion of our corporate waste which is reused or recycled to 50% by 2010
- Maximise the efficient use of land in our Estate by reusing previously developed land and buildings wherever practical, before using greenfield land.
- Protect, enhance and restore biodiversity, the natural and historic environment within both our buildings and open space, including measures that support climate change adaptation
- Minimise light, noise, air and other forms of pollution arising from our estate
- Ensure KCC-owned highways comply with the relevant parts of this Policy

Our travel and transport

We will:

- Reduce our members and employees' need to travel, including through our estate strategy, locations selected for council events, use of public transport, teleconferencing and other sustainable solutions
- Achieve reductions in total business mileage travelled by employees, encourage greater car sharing and other sustainable solutions, without adversely affecting end-user service delivery
- Promote the use of fuel efficient vehicles and technologies through our vehicle fleet and lease car scheme

Our procurement

We will:

- Increase the proportion of goods and services sourced locally where there are environmental or employment benefits and in compliance with broader UK and EU purchasing legislation
- Work with our suppliers to ensure that they are taking action to reduce the environmental impacts of their businesses
- Identify those goods, including timber and paper, which can be obtained from certified sustainable sources and ensure that these supplies are used
- Work with suppliers to develop markets for environmental technologies, goods and services

Our construction

We will:

- Meet high standards of sustainable construction in all new KCC buildings and refurbishments, and in all developments on KCC-owned land. The BREEAM 'very good'/Code for Sustainable Buildings level 3 or equivalent standard is required as a minimum
- Require all new KCC buildings and refurbishments to assess the feasibility of developing on-site renewable energy to help meet energy needs
- Ensure that our estate and roads are planned and managed in ways which minimise the risk of flooding and do not increase the risk of flooding elsewhere
- Seek to avoid adverse impacts on biodiversity and comply with policy and legislative requirements

Our workforce

We will:

- Ensure that our members and employees understand the implications of environmental legislation and regulation, and exceed minimum environmental standards where possible
- Ensure that environmental awareness is raised and good environmental behaviour encouraged through our corporate training, performance appraisal and reward strategies
- Raise awareness of how to comply with all relevant environmental legislation and statutory duties

Our leadership role in the community

We will:

- Lead Kent's communities to a better understanding of the importance of our environment and help them value and enhance the environment locally and globally
- Set out and deliver a vision of environmental excellence with our partners in the Kent Partnership through regular review and implementation of the Kent Environment Strategy

We will set out detailed action plans and guidance for delivery of these commitments, so that colleagues across KCC have a clear basis for decision-making.

This Policy is owned by the KCC Environment Board who may choose to call decision-makers to account for compliance with these commitments and escalate as necessary to the Leader and Chief Executive. Any proposed exceptions to this Policy will need to provide a sound business case based on whole-life economic, social and environmental costs and benefits.

Kent County Council's Corporate Environmental Performance Group will oversee provision of advice and support, monitoring and reporting. In particular, the Group will lead embedding of these commitments in ISO14001 accreditation for the County Council as a whole by 2010. The Group will report via the KCC Environment Board to the Leader and Chief Executive.

[signed]

Paul Carter
Leader

[signed]

Peter Gilroy
Chief Executive

Published [November] 2007. This Policy and its successful implementation will be reviewed annually by the KCC Environment Board, escalating any changes as necessary to the Leader and Chief Executive.

CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title: **Second Homes Money, Thanet (Decision 07/01074)**

Document Attached: Report to Cabinet Member for Finance published on 31 October 2007

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To: Nick Chard, Cabinet Member for Finance

From: Lynda McMullan, Director of Finance

Date: October 2007

Allocation of Second Homes Monies – Thanet 2005-06

1. The new powers contained in the Local Government Act 2003 allowed billing authorities to reduce the Council Tax discount applicable to “Second Homes” from 50% to 10% with effect from 2004-05. The majority of the additional income collected by Kent District Councils as a result of these powers accrues to KCC.
2. Following written consultation with Local Board Members, proposals for the use of the 2005-06 allocation for the Thanet area have come forward from the Local Board Chairman as detailed in appendix A attached to this report.
3. Attached at appendix B to this report are guidelines which are used by Local Board Chairmen in assessing the suitability of proposals for funding from these second homes monies.

Recommendation

- (1) It is recommended that you consider and, if thought fit, confirm the proposed allocation of these resources to the projects set out in Appendix A, taking account of the guidelines set out in Appendix B to this report.

Lynda McMullan
Director of Finance

Bids for Thanet Second Homes Monies

Bid	Amount
	£
<ul style="list-style-type: none"> <p>▪ Investment in improving the appearance of some external Council operated 'off street' car parks.</p> <p>This application has been made by Cllr Bill Hayton and the request is for funds previously allocated under Decision No. 06/00764 to install an interactive sign on the A299 Thanet Way, to be transferred to this project. The reason for the request for change in use is that upon investigations undertaken into the viability of providing the new interactive sign it was found that the project would exceed the budget by approximately £22k. In addition to this KCC have aspirations to implement an Urban Traffic Management Control in Thanet over the next 3 to 5 years; Cllr Hayton therefore believes the funds would be better used elsewhere.</p> 	30,000
TOTAL	30,000

KENT COUNTY COUNCIL

LOCAL BOARDS: SECOND HOMES FUNDS

These guidelines set out the framework and criteria for assessing the suitability of proposals for allocating grants from second homes money.

Eligibility:

- ◆ Grants will only be given to organisations that are 'properly constituted'. This includes organisations such as parish and town councils, district councils and KCC, voluntary and community groups, churches, societies and charities. Organisations will be required to provide copies of latest accounts, or minutes of latest AGM, or Charity Commission registration number with application as evidence.
- ◆ The funding is one-off with no on-going revenue or capital commitments.
- ◆ All expenditure must be in line with KCC's Constitution, Financial Regulations and related guidelines – funding should not simply replace funding from another source.
- ◆ The money can be spent on revenue or minor capital items.

Decision-making criteria:

Priority will be given to projects that:

- ◆ Support KCC's "Next Four Years" strategy and/or
- ◆ Underpin the "Vision for Kent" and Public Service Agreement and/or
- ◆ Enhance KCC's Supporting Independence Programme.

Payment of Grant:

- ◆ Funding will normally be released to a bank account by BACS transfer and only in exceptional circumstances in the form of a cheque.
- ◆ Recipients of funding will be required to provide written evidence that the expenditure has been incurred for the purpose it was provided and to give details of the benefits achieved.
- ◆ If, for any reason, the purpose for which the funding is provided is not fulfilled, the grant will be repayable to KCC by the receiving organisation.

Other Key Points of Framework:

- ◆ The timing of expenditure decisions and any associated local publicity must comply with the Code of Practice on Local Authority Publicity and have specific regard to the provisions relating to the conduct in the run up period to local elections.
- ◆ In an election year, no commitment or expenditure will be made within the financial year until after the annual meeting of the County Council immediately following the election.
- ◆ Members must have regard to the Code of Member Conduct when proposing any expenditure and must specifically comply with any requirements relating to the declaration of personal or prejudicial interests.
- ◆ Due regard will be had to any officer advice on the legality of proposed expenditure. In this respect the final arbiters are the County Secretary and the Strategic Director (Resources).
- ◆ All payments must be dealt with through the Council's normal authorisation and payments processes.

CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title: **Second Homes Money, Thanet (Decision 07/01074)**

Document Attached: Report to Cabinet Member for Finance published on 31 October 2007

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RECORD OF DECISION



**DECISION TAKEN
BY**

**Mr Paul Carter
Leader of the County
Council**

**DECISION
NO.**

07/01078

If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972

Subject:

BOROUGH GREEN & PLATT BYPASS

Decision:

That:

- a) the County Council conclude an agreement with H+H UK for the acquisition of land at Borough Green for a bypass to Borough Green & Platt
- b) the County Council submit a new planning application for a bypass to Borough Green & Platt
- c) expenditure from budgets be approved

Any Interest Declared when the Decision was Taken

None

Reason(s) for decision including alternatives considered

1. A recent "called in" Public Inquiry for a block making plant at Borough Green, and the construction of a bypass to Borough Green & Platt, was abandoned when the applicant, H+H UK, withdrawing the application.
2. At the Inquiry it became clear that a Certificate of Lawful Proposed Development issued by the County Council for the completion of the bypass was the subject of judicial review. Following Counsel advice, the Council did not contest the legal challenge on the basis that the decision was vulnerable to the challenge as evidence within the application was insufficient for the Council to have come to the conclusion it did. The decision was not a determination that planning permission did not exist for the development. Subsequent consideration of the planning history has however established that the planning permission for the bypass has lapsed.
3. H&H UK have put in process a claim for costs from the County Council, although costs are not normally awarded in "called in" Planning Inquiries. The County Council has entered a counter claim. It is for the Planning Inspectorate to determine whether either case for costs is appropriate.
4. An Agreement H+H UK has been drafted that would see H&H UK and the County Council not pursuing claims, on the basis that the County Council will pursue a new planning application for a bypass to Borough Green & Platt and that H+H UK will allow the County Council to acquire land for the bypass for a sum of £1. A number of environmental matters, not least the management of pollution on the land to be acquired, will remain with H&H UK. The County Council is not therefore taking on liabilities that cannot be assessed in the short term.
5. The Agreement does not bind the County Council to implementing a bypass, only to submitting a new planning application for the bypass within 24 months, an achievable programme.
6. The Leader of the County Council has already publicly committed the County Council to submitting a new

application for a bypass to Borough Green & Platt.

7. The cost of promoting a new planning application is estimated to be some £200k.
8. Funding for the work in the 2007/08 financial year can be absorbed from realignment of budgets for similar work. In 2008/09 funding would be from float in the limited revenue budget for forward design. Costs are expected to be some £50k in 2007/08 and £150k in 2008/09. However, these costs might rise as surveys are progressed, and depending on the level of debate promoted by local bodies.
9. A report, as a matter of urgency, was made to the Leader of the County Council as H&H UK and the County Council had until 9 November 2007 to formally decide whether to opt not to formally pursue the claims for costs. This was the cut-off date for rebuttals to either party's case and a lack of agreement would have seen all evidence submitted to date made public. That could have exposed both parties to adverse public comment. Had the agreement not been concluded the Planning Inspectorate would then have determined the case for costs, with the County Council at risk.
10. In accordance with the requirements of the Constitution, the Chairman and Spokesmen of Cabinet Scrutiny Committee have been consulted about the urgency of this decision.
11. The Chairman of the Cabinet Scrutiny Committee, Dr Eddy, commented as follows:-

"I feel that consultation on this highly contentious and difficult issue could and should have begun earlier in the day, given that the lawyers completed their negotiations yesterday evening and it must then have taken someone in E&R an hour or two to put together the accompanying report. As it is, I have been left with only an hour and a quarter to come to a view.

This strikes me as the last and possibly the least serious of many misjudged actions in this sorry saga.

A full and detailed report on this matter needs to be taken to members of the E&R POC and Cabinet Scrutiny Committee at the earliest possible opportunity in order to inform the management actions which are required to ensure similar situations do not arise in future. As such, while nothing can be done to prevent this decision being taken at the present stage, I am minded to call it in to the next meeting of Scrutiny.

I would also like to add that I feel that the recommendations at the bottom of the report should read as follows:

'13. The Leader of the County Council is recommended to agree that:

- a) *the County Council conclude an agreement with H+H UK that will see H&H UK not pursuing its claim on the basis that the County Council will pursue a new planning application for a bypass to Borough Green & Platt, which will see the County Council acquiring land sufficient for the bypass for a sum of £1, and which would then mean the County Council would not pursue its claim for costs*
- b) *the County Council submit a new planning application for a bypass to Borough Green & Platt*
- c) *expenditure from budgets be approve'*

This more accurately reflects paragraphs 4 and 10 of the report, and also reflects the need for urgency **as it has been identified in paragraph 10:**

'10. This report is made to the Leader of the County Council as a matter of urgency as H&H UK and the County Council have until 9 November 2007 to formally decide whether to opt not to formally pursue the claims for costs. This is the cut-off date for rebuttals to either party's case and if there is not an agreement to not pursue the claims all evidence submitted to date will be made public. That may well expose both parties to adverse public comment. It would then be for the Planning Inspectorate to determine the applications for costs, with the County Council at risk.'

12. The Conservative Group Spokesman on the Cabinet Scrutiny Committee, Mr Law, commented that,

having been made aware of the options, he understood the situation and consequently supported the recommendations in the report.

Background Information:

Report by the Managing Director of the Environment & Regeneration Directorate to the Leader of the County Council dated 9 November 2007

.....
Leader of the Council

9 November 2007

FOR COUNCIL SECRETARIAT USE ONLY

Decision Referred to Cabinet Scrutiny			
YE S		N O	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YE S		N O	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published			

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CABINET SCRUTINY COMMITTEE – 12 DECEMBER 2007

Report Title:	Future of National Fruit Collection, Brogdale
Background:	<p>The Department for Environment, Food and Rural Affairs (DEFRA) put the future management of the National Fruit Collection, currently located at Brogdale, Faversham, out to open competition earlier this year. A number of bids are believed to have been submitted.</p> <p>The Cabinet Member for Regeneration and Supporting Independence wrote to DEFRA on 10 May 2007 setting out KCC's view on a particular bid for the future management of the National Fruit Collection.</p> <p>The Cabinet Member's letter was sent as a matter of routine business and was not the subject of a formal Cabinet Member Decision. However, as an "action taken" by a Cabinet Member, it can still be subject to review or scrutiny by this Committee.</p>
Document Attached:	Letter from Cabinet Member for Regeneration and Supporting Independence to DEFRA dated 10 May 2007.
Purpose of Consideration:	<p>To explore why the Cabinet Member chose to express support for the bid submitted jointly by Brogdale Horticultural Trust, Imperial College and East Malling Research, which proposed relocating the National Fruit Collection to East Malling.</p> <p>A representative of the Friends of the National Fruit Collection at Brogdale, who support the principle of keeping the collection at the Brogdale site (there are thought to be three bids that propose this), will attend the meeting to give evidence.</p>
Possible Decisions:	<p>The options available to the Committee are to:-</p> <ul style="list-style-type: none"> (a) make no comments; or (b) recommend the Cabinet Member to reconsider the view expressed in his letter to DEFRA; or (c) submit a report on the matter to Council; or (d) refer any issues arising from its debate on the matter for consideration by a Policy Overview Committee or Cabinet.

Previous Consideration: None.

Background Documents: None.

Roger Gough
Cabinet Member for Regeneration and Supporting Independence
Member for Darent Valley

Email: roger.gough@kent.gov.uk

Emma Hennessey
Programme Manager for Water Quality and Use (Agriculture)
Room 4b
Nobel House
17 Smith Square
London
SW1P 3JH

10th May 2007

Dear Ms Hennessey

Management of the National Fruit Collection – options for the future

I understand an open competition is underway to establish how best to manage the National Fruit Collection in the future. Kent County Council strongly supports the retention of the collection in Kent. This letter represents the Council's official position regarding this matter.

There are significant historical connections between Kent and the fruit industry at a local, national and international level. The 'Garden of England' branding of Kent is inextricably linked with both soft and top fruit. East Malling Research has a long history of scientific excellence in relation to the fruit industry, and is renowned worldwide for this. We feel it is particularly important for the collection to be retained in its entirety in one location.

I understand if the collection is to be retained on the Brogdale Site, Tony Hillier, the landlord, is committed to working effectively with the successful bidder. He has indicated his intention to upgrade its facilities as a visitor attraction, including a restaurant, commercial garden centre and units for rural businesses, along with the on-going scientific research and management of the collection.

To date we have been made aware of only one bid from Kent, involving East Malling Research and the Brogdale Trust. If this bid is successful I believe it would involve moving the collection to the East Malling site. I understand there are plans to create a focal point for the national fruit industry, using the collection as an on-going research platform, along with a high quality educational/visitor centre to raise the profile of the value of fruit nutritionally, culturally and economically.

I am unaware of any further bids, but appreciate there may be other organisations within Kent interested in taking on the collection.

At this stage we believe the bid that provides the most robust scientific future for the collection is the one most likely to be favoured. From the information we have received to date we believe this to be the East Malling option, as it would provide a particularly strong scientific connection.

I hope this helps clarify KCC's position. I look forward to learning of the final outcome.

Yours sincerely



Roger Gough

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