



AGENDA

CABINET SCRUTINY COMMITTEE

Tuesday, 20th February, 2007, at 10.00 am Ask for: **Peter Sass**
Darent Room, Sessions House, County Hall, Telephone **01622 694002**
Maidstone

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 Minutes
 - (a) 24 January 2007
 - (b) 2/7 February 2007
- A3 Informal Member Group on "Kent - What Price Growth?" - 22 January 2007 (Pages 13 - 16)
- A4 Informal Member Group on Budgetary Issues - 2 February 2007 (Pages 17 - 18)
- A5 Cabinet Scrutiny Committee - Standing Report to February 2007 (Pages 19 - 24)

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

No items.

C. CABINET DECISIONS

- C1 Free Travel for 11-16 Year Olds (Pages 25 - 34)
Mr K A Ferrin MBE, Cabinet Member for Environment, Highways and Waste; Mr P Raine, Managing Director, Environment and Regeneration; and/or Mr D Hall, County Transportation Manager, Kent Highway Services, have been invited to attend the meeting at 10.45 am to answer Members' questions on this item.

C2 Lorry Parking Issues (Pages 35 - 40)

Mr R W Gough, Cabinet Member for Regeneration and Supporting Independence; Mr K A Ferrin MBE, Cabinet Member for Environment, Highways and Waste; Mr P Raine, Managing Director, Environment and Regeneration; and/or Mr M Sutch, Head of Planning and Transport Strategy, Environment and Regeneration Directorate, have been invited to attend the meeting at 11.30 am to answer Members' questions on this item.

C3 Other Cabinet Decisions

Any Member of the Committee is entitled to propose discussion and/or postponement of any other decision taken by the Cabinet at its last meeting.

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

D. CABINET MEMBER DECISIONS

No items.

E. OFFICER AND COUNCIL COMMITTEE DECISIONS

E1 The Kent Commitment (Pages 41 - 44)

Mr P B Carter, Leader of the Council; and Mr P Gilroy, Chief Executive, have been invited to attend the meeting at 10.00 am to update Members on the Kent Commitment.

E2 Other Officer and Council Committee Decisions

No other Officer or Council Committee decisions have been proposed for call in but the Committee may resolve to consider any other 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 other 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

Monday, 12 February 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.

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 January 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, Mr C J Capon, Mr B R Cope, Mr D S Daley (substitute for Mrs T Dean), Mr J B O Fullarton, Mr C Hart, Mr E E C Hotson, Mr P W A Lake, Mr C J Law, Mrs M Newell, Mr R J E Parker, Mr J E Scholes, Mrs P A V Stockell and Mr C T Wells.

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive and Mr S C Ballard, Head of Democratic Services.

UNRESTRICTED ITEMS

46. Minutes
(Item A2)

RESOLVED that the Minutes of the meeting held on 13 December 2006 are correctly recorded and that they be signed by the Chairman.

47. Informal Member Group on Budgetary Issues – 11 January 2007
(Item A3)

RESOLVED that the notes of the meeting of the Informal Member Group on Budgetary Issues held on 11 January 2007 be noted.

48. Cabinet Scrutiny Committee – Standing Report to January 2007
(Item A4 – Report by Assistant to the Chief Executive)

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

49. Implications of the Local Government and Public Involvement in Health Bill for the Overview and Scrutiny Functions of KCC
(Item A5 – Report by Corporate Policy Unit)

Mr M Ayre, Senior Policy Manager, Corporate Policy Unit, attended the meeting for this item.

(1) As an update, Mr Ayre reported that the Government had published its Implementation Plan for the Local Government White Paper on the day before the meeting. This showed that the Community Call for Action (mentioned in the White Paper but not the Bill) and the extension of Councils' powers to enable them to scrutinise the actions of other public bodies would be implemented with effect from 1 April 2008, and that the Department for Communities and Local Government would consult on the detailed arrangements from April 2007 onwards.

(2) Members discussed the following issues:-

- the proposals in the Bill for Councils to establish independent Local Involvement Networks (LiNs) to replace the Public and Patient Forums which currently represented public and patient interests in NHS Overview and Scrutiny;
- the resources required to enable Members to undertake their new local responsibilities relating to Community Call for Action (CCfA) and the overview and scrutiny of other public bodies, and to enable the Council to handle the additional work that this would inevitably involve;
- the seeming inconsistency whereby the generic CCfA provisions in the White Paper and the Bill would enable residents to refer matters for action equally to both district and county councillors, whereas the CCfA powers in the Police and Justice Act 2006 in respect of crime and disorder issues were limited to referring such matters to the local CDRP via district councillors only;
- whether the proposals in the White Paper and the Bill actually gave additional powers to Councils or whether they simply paid lip-service to localism.

(3) RESOLVED that:-

- (a) Mr Ayre be thanked for attending the meeting to discuss his report with Members;
- (b) the report be noted and referred to the Going Local Informal Member Group for consideration.

50. Commission for Social Care Inspection – Annual Performance Review Report for Adult Social Care
(Item C1)

(1) Mr K G Lynes, Cabinet Member for Adult Services; Mr O Mills, Managing Director, Adult Services; and Mr N Sherlock, Performance Manager, Adult Services Directorate, attended the meeting to answer Members' questions on this item.

(2) In an introductory statement, Mr Mills asked the Committee not to lose sight of Adult Services' achievement in achieving a three star rating (the maximum possible). KCC was one of only four authorities which had achieved a three star rating for adult services for five years running.

(3) Mr Mills went on to describe the process by which CSCI carried out its annual performance assessment of Adult Services. He explained that Part 2 of the Performance Assessment was essentially a working paper for CSCI. It contained personal references and was written in a very informal way. With hindsight, he questioned whether it should have appeared in the public domain. He had included it in the report to Cabinet only because CSCI had already published it on its website.

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

Data Shown as "Missing" in Part 2 of the CSCI Assessment

(5) In answer to a question from Dr Eddy, Mr Mills explained that the County Council had provided all the information which CSCI had requested. However, as an excellent authority, KCC was exempted from providing certain information. Unfortunately, the CSCI

assessment document was a generic template which was completed automatically. As a result, if data was not supplied by any council, even though it was not required to be supplied, it was shown as “missing” in Part 2 of the assessment.

(6) Mr Mills said that, as a matter of good practice, Adult Services had provided CSCI with an Information Pack containing all relevant information. *(Copies of the Information Pack were circulated at the meeting and can be inspected on request).*

Support for Swindon Borough Council

(7) In answer to a question from Mr Lake, Mr Mills explained that KCC had a three-year partnership with Swindon designed to move that Council up from zero stars to two stars in both Adult Services and Children’s Social Services. Swindon had achieved one star in the first two years. 2005/06 was the final year but the results would not be known until November. All KCC’s costs for the Swindon partnership were met by Government.

Direct Payments

(8) In answer to a question from Mr Lake, Mr Mills said that the number of clients on direct payments had trebled since the end of 2004/05 to 1,200. The target was 1,400 by 31 March 2007. This demonstrated that the change to direct payments was permanent and sustainable.

(9) Mr Lynes said that direct payments had attracted a number of new clients because of the choice which the new system offered. This had created some budgetary pressures. There were also challenges around the distinction between social care and medical care when clients used direct payments.

Discharges from Hospital

(10) In answer to questions from Mr Lake and Mr Daley, Mr Mills said that KCC was responsible for only 10-11% of delayed discharges from hospital at present. Nevertheless, as CSCI had identified, the reduction in beds in acute hospitals and local (convalescent) hospitals was likely to lead to patients being discharged from hospital at an earlier stage, thus requiring a higher level of input from Adult Services. The Government’s intention was that, as this happened, the savings made by the NHS would be transferred to intermediate care provided by councils and GPs. Mr Lynes said that, although there was good partnership working between the NHS in Kent and Adult Services, he was concerned at the risk that the NHS would retain its savings in order to cut costs, leaving councils with an additional burden.

Care Staff

(11) In answer to a question from Mrs Newell, Mr Mills said that Adult Services had just entered into a contract with South Kent College for the training of carers and care staff and this should help bring about the required improvement in training for independent sector care staff.

(12) A new national recruitment campaign for care staff had just begun and Adult Services was working with the independent sector to try to make social care work a more attractive career.

(13) RESOLVED that:-

- (a) Mr Lynes, Mr Mills and Mr Sherlock be thanked for attending the meeting and answering Members' questions;
- (b) the Committee place on record its thanks to staff of the Adult Services Directorate for their hard work and dedication which had helped secure for the County Council a three star rating for adult social care for the fifth year running;
- (c) the Managing Director, Adult Services be asked to pursue with CSCI the Committee's concerns about publication of Part 2 of the Record of Performance assessment, as follows:-
 - (i) while the document was useful for Members and officers, the personal references and conversational tone made it inappropriate for wider publication;
 - (ii) use of the word "missing" in relation to the provision of information by KCC Adult Services was misleading and gave readers the incorrect impression that Adult Services was failing to meet CSCI's requirements for the provision of information;
 - (iii) in view of this CSCI be asked to remove Part 2 of the Record of Performance Assessment from its website forthwith.

51. Replacement of Service at Dymchurch, Horsmonden and Whitfield Libraries (Decisions 06/00903-5)
(Item D1)

(1) Mr P M Hill, Cabinet Member for Community Services; Mr D Crilley, Director of Libraries, Youth, Culture and Sport; and Ms S Sparks, Strategic Manager, Libraries and Archives, Communities Directorate, attended the meeting to answer Members' questions on this item.

(2) At the outset, Mr Hill outlined the strategy for libraries. He said that there had been a significant increase in book issues (bucking the national trend), and increased customer satisfaction, particularly in those libraries that had been refurbished. However, some libraries had been considered unfit for their purpose because of poor premises or under use. These libraries were being reviewed on a case by case basis. The reviews of Dymchurch, Horsmonden and Whitfield libraries had concluded that the only way to improve the service was to close the existing premises and replace the service with a mobile library.

(3) The Committee went on to consider each of the three libraries separately.

Dymchurch

(4) Mr Crilley and Ms Sparks explained that Dymchurch library was housed in rented accommodation which was inadequate as a library or for any other KCC use, not least because it had no water supply. The local Member, Mr Wood-Brignall, understood the problems and believed that the proposed new mobile library service would be an improvement. The local Parish Council had been invited to comment but had not done so.

(5) The possibility of re-locating the library to the local primary school had been explored but rejected because of security concerns. Shepway District Council had been approached but had no suitable premises in the area which could accommodate the library.

Horsmonden

(6) Mr Crilley and Ms Sparks explained that Horsmonden library was housed within the local primary school. OFSTED and the school's governors had expressed concern about the possible impact of the library on the safety of pupils and, as a result, the library's opening hours had been restricted. The possibility of relocating the library within the school had been explored but it had proved impossible to overcome the safety concerns. The local Member, Mr A J King, accepted that the safety of school pupils was paramount and that the library should be replaced by a mobile service. There had been a great deal of helpful discussion with the local Parish Council but this had not led to the identification of any alternative site within the village. The Parish Council had originally supported the alternative service proposal but had now suggested some other options, which would be explored.

Whitfield

(7) Mr Crilley and Ms Sparks explained that Whitfield library was housed in the village hall. The local Member, Mr Cope, supported the proposal to replace the library with a mobile service. The local Parish Council had been invited to comment but had not done so. The Village Hall Management Committee regretted that the library might close. The possibility of relocating the library elsewhere in Whitfield had been fully explored but without success.

(8) In response to suggestions from Members of the Committee, Mr Crilley agreed to incorporate additional information in any future reports on changes in the libraries service.

(9) RESOLVED that:-

- (a) Mr Hill, Mr Crilley and Ms Sparks be thanked for attending the meeting and answering Members' questions;
- (b) the agreement by the Director of Libraries, Youth, Culture and Sport to incorporate in future reports on changes in the libraries service:-
 - (i) the views of the local Member;
 - (ii) the views of the local Parish Council;
 - (iii) greater range of usage statistics (eg footfall, membership, visitors per hour, etc);
 - (iv) greater details of survey of users, etc (eg copy of survey and number sent to individual library users,be welcomed;
- (c) the Director of Libraries, Youth, Culture and Sport be asked to explore alternative means of enabling people affected by the closure of Dymchurch, Horsmonden and Whitfield libraries to use public access computers (eg mobile library vehicle equipped with PCs).

52. A229 Royal Engineers Way/Stacey Street Roundabout, Maidstone (Decision 06/00916)
(Item D2)

(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, and in answer to the issues raised by Members, made the following points:-

- the proposal to remove the bus lane had been made because it did not meet the relevant criteria and was ineffective. A left-turn lane for all traffic would have a more beneficial effect on reducing congestion;
- neither full implementation of the Maidstone UTMC, nor redevelopment of Maidstone East Station (with its improved public transport interchange) was likely to change the balance of advantage for removal of the bus lane;
- the local bus operator, Arriva, had not objected to removal of the bus lane;
- the existing planter and tree would, regrettably, have to be removed for highway safety reasons;
- the cost of the works would be met from the highway maintenance budget. The costs was justified by the contribution which the works would make to reducing congestion.

(2) RESOLVED that:-

- (a) Mr Ferrin and Mr Hall be thanked for attending the meeting and answering Members' questions;
- (b) the report and the information provided at the meeting be noted without comment.

KENT COUNTY COUNCIL

CABINET SCRUTINY COMMITTEE

MINUTES of the Special Budget meeting of the Cabinet Scrutiny Committee held at Sessions House, County Hall, Maidstone on Friday 2 and Wednesday 7 February 2007.

PRESENT: Dr M R Eddy (Chairman), Mr D Smyth (Vice-Chairman), Mr A R Bassam (7 February only), Mr A H T Bowles, Mr J R Bullock MBE (2 February only), Mr C J Capon, Mr A R Chell (substitute for Mr A R Bassam on 2 February and for Mr J R Bullock MBE on 7 February), Mr B R Cope, Mrs T Dean, Mr C G Findlay (substitute for Mrs P A V Stockell on 7 February only), Mr J B O Fullarton (2 February only), Mr C Hart (2 February only), Mr W A Hayton (substitute for Mr E E C Hotson on 2 February only) Mr C Hibberd (substitute for Mr C T Wells on 2 February only), Mr P W A Lake, Mr C J Law (2 February only), Mrs M Newell, Mr R J E Parker, Mr J E Scholes and Mrs P A V Stockell (2 February only).

IN ATTENDANCE: Mr J Wale, Assistant to the Chief Executive, and Mr S C Ballard, Committee and Member Services Manager.

UNRESTRICTED ITEMS

53. Draft Medium Term Plan 2007-10 (incorporating the Budget and Council Tax setting for 2007/08)
(Item 2)

(1) A supplementary report was tabled at the 2 February meeting summarising the comments on the draft Medium Term Plan and Budget made at the following meetings:-

- (a) Communities Policy Overview Committee – 26 January 2007;
- (b) Environment and Regeneration Policy Overview Committee – 29 January 2007;
- (c) Corporate Policy Overview Committee – 30 January 2007;
- (d) Adult Services Policy Overview Committee – 1 February 2007.

(2) A further supplementary report was tabled at the 7 February meeting summarising the comments on the draft Medium Term Plan and Budget made at the following meeting:-

- (e) Children, Families and Education Policy Overview Committee – 6 February 2007.

(3) Mr N J D Chard, Cabinet Member for Finance; Ms L McMullan, Director of Finance; Mr B Smith, Group Manager, Finance; and Mr K Abbott, Director of Finance and Corporate Services, Children, Families and Education Directorate, attended both the 2 and 7 February meetings to answer Members' questions on this item.

(4) After an introductory statement by Mr Chard, the Committee questioned Mr Chard, Ms McMullan, Mr Smith and Mr Abbott about the following issues:-

(a) Effect of being "Floor" Authority

In answer to questions from Mr Hart, Mr Parker, Mr Smyth and Dr Eddy, Mr Chard and Ms McMullan explained that "floors" were part of the Government's grant distribution arrangements. Without the "floor" (which was worth £1.9m to KCC) KCC would receive a worse grant increase. Recent changes to the funding arrangements meant that floor authorities received no additional Government funding for the revenue effects of "supported borrowing", and so the revenue costs had to be met by the Council Taxpayer.

(b) Reduction in Capital Programme

In answer to questions from Mr Smyth, Mrs Dean and Dr Eddy, Mr Chard explained that he was proposing that the capital programme should be reduced by £20m because of the additional revenue cost to the Council Taxpayers. This would be the first time that the Government's offer of supported borrowing had not been taken up in full. This was because of the recent change in funding arrangements. He said that one example of the capital projects which would not now go ahead was the redevelopment of Greenhithe Station.

In answer to questions from Mrs Newell, Mr Chard explained that the Greenhithe Station project had originally been included in the capital programme because it was expected that there would be additional revenue support to cover the costs of borrowing (although the County Council would obviously have preferred a capital grant). Now that the revenue impact of borrowing basically fell to council taxpayers, the scheme had had to be reconsidered alongside other priorities.

In answer to a question from Mr Smyth, Mr Chard said he thought it unlikely that the decision not to take up the full allocation of supported borrowing would prejudice the County Council in the future, not least because a number of other "floor" authorities had also decided they could not afford to take up their full supported borrowing allocation. He added that it would be dangerous to leave the Greenhithe Station project in the capital programme and rely on slippage on other schemes. He was keen to focus resources on improving management of the capital programme by, for example, improving the accuracy of forecasting the progress of projects.

(c) Adult Services

In answer to a question from Mrs Newell, Mr Chard said that for 2007/08 he proposed a budget increase of 6% for Adult Services compared with an increase in FSS of only 4.4%.

Ms McMullan said that KCC had worked with the Kent Districts and the Department of Work and Pensions to set up the Kent Benefits Partnership which had been successful in encouraging pensioners to claim the benefits to which they were entitled. She accepted that some people who were just over the benefit limit would have to pay the full cost for their care services. This was a national issue which she was pleased to see had been taken on board by the Lyons Inquiry.

(d) Turner Contemporary

In answer to questions from Mr Hart, Mrs Dean and Dr Eddy, Mr Chard said that the £15m costs previously quoted by the Leader of the Council related only to the building. The £17.4m shown in the budget included other elements such as inflation.

Ms McMullan added that she was reasonably confident that the £17.4m figure was accurate but it could not be guaranteed until contracts were let. Any change in the cost at that stage would be reported to Members in the usual way.

(e) Climate Change

In answer to a question from Mrs Dean, Mr Chard explained that the costs of implementing the recommendations of the Climate Change Select Committee had not been identified separately in the budget but were included within the relevant budget lines. It would be possible to identify climate change issues more clearly in Directorate Business Plans.

(f) Kent Film Project

In answer to questions from Mrs Dean, Dr Eddy, Mr Bullock and Mr Law, Ms McMullan said that the cost shown for the Kent Film Project was an estimate. Because the project had not yet started, no assumption had been made about income at this stage, although she confirmed that it was the intention that the project should generate income.

(g) KCC Asset Base

In answer to a question from Dr Eddy, Ms McMullan said that there were two main areas of work taking place – and nearly completed – to accurately establish KCC’s asset base, as follows:-

- (i) Kent Property Services were co-ordinating a list of all properties owned or leased by KCC;
- (ii) Kent Highway Services, with PricewaterhouseCoopers, were reviewing highways.

(h) Localism

In answer to questions from Mr Bullock, Dr Eddy and Mr Smyth, Mr Chard explained that there was too little certainty as yet about localism and improved two-tier working for any additional resources to be identified for this in the 2007/08 budget, although he accepted that additional resources may need to be identified in the budgets for future years.

(i) Dedicated Schools Budgets

In answer to a question from Mr Smyth, Mr Abbott explained the difficulties in estimating DSG because actual figures were not announced by the DfES until June each year. This was a major flaw in the current DSG system and KCC and other councils had lobbied – and would continue to lobby – for changes.

The current system also did not reflect the merger between education and children’s social services which all councils had been required to make.

Finally, the headroom on DSG had been significantly reduced by such factors as a clawback by Government last summer, and an increase in Teachers' Superannuation contributions from January 2007. Mr Abbott expected the lack of headroom to cause problems for all schools over the next 3-4 years, particularly for those with falling rolls.

(j) Transition of Clients from Children's to Adult Services

In answer to a question from Dr Eddy, Mr Chard and Mr Abbott explained that disaggregation of the Social Services budget took place as a one-off event last year and so was reflected in the current year's budgets for Children and Family Services and Adult Services. A more detailed breakdown of the budgets showing how transition was covered would be supplied.

(k) Special Educational Needs

In answer to a question from Mr Smyth, Mr Abbott explained that the £1m pressure would be dealt with by tightening up the eligibility criteria by which the County Council provided support to schools, although no decision had yet been taken on how the criteria might be changed. This might have an impact on schools' budgets but it recognised that the bulk of the increase in Government funding to the County Council was through the Dedicated Schools Grant.

In answer to a question from Mr Parker, Mr Abbott said that SEN was the only area where KCC budget savings might have a direct impact on schools' budgets.

(l) Clusters

In answer to questions from Mrs Newell, Mr Abbott explained that the budget for Clusters was not being reduced but an identified pressure of £299k to enhance management support could not be met. Where Clusters identified additional management support posts as being necessary, these could be funded by contributions from the budgets of the schools within that cluster, as happened already.

(m) Fostering

In answer to a question from Mrs Newell, Mr Abbott explained that the Director of Children's Social Services was carrying out a major review of fostering to identify areas for savings, including cost-effectiveness of placements, length of placements and reduction in the use of independent fostering agencies. He emphasised that there was no intention to move any child from one placement to another simply to reduce costs.

(n) Business Start-up Units

In answer to a question from Mr Smyth, Mr Abbott explained that start-up units were being established on some secondary school sites for businesses which could offer vocational education, work experience and possible longer-term job opportunities for pupils.

(o) Building Schools for the Future

In answer to a question from Mrs Newell, Mr Abbott said that the £216.43m identified in the Education and School Improvement Portfolio Investment Plan was for BSF in Gravesham and the start of BSF in Thanet.

(p) Maintenance of School Buildings

In answer to a question from Mrs Dean, Mr Chard and Mr Abbott explained that the £4m reduction in the maintenance programme for school buildings in both 2007/08 and 2008/09 could safely be made because of the Building Schools for the Future programme, which involved:-

- (i) new schools which did not require so much maintenance;
- (ii) PFI schemes, where the provider, rather than the County Council, was responsible for the maintenance costs for the life of the scheme.

(q) SureStart Grant

In answer to a question from Mr Smyth, Ms McMullan explained that the £13m shown for SureStart grant in the breakdown of the 'Grant Income and Contingency' line of the Education and School Improvement Portfolio Budget was the best estimate of the grant that the County Council would receive. Calculation of the grant was not straightforward as part of it came via the Local Area Agreement and confirmation of the grant figures from Government was still awaited. Whatever the eventual level of grant received, it was the Council's policy to spend the entire amount on SureStart projects.

(r) Duty of Care for Looked After Children

In answer to a question from Dr Eddy, Mr Abbott explained that no provision had been made in the 2007-10 Medium Term Plan for this, because it was still the subject of consultation by Government. The new Duty of Care certainly raised significant resource issues and the Council would highlight this in its response to the Government consultation, and also make the point that this was another area where there was inconsistency between Government departments in the grant arrangements for children's services. Depending on the outcome of the consultation, provision for Duty of Care would be included in future years' Medium Term Plans.

(s) Council Tax Increase

In answer to a question from Dr Eddy, Mr Chard said that he would have preferred to propose a Council Tax increase of lower than 4.95% but this would have required unacceptable cuts in the Council's services to the Council Taxpayers.

In answer to a question from Mr Smyth, Mr Chard said that he was pleased that the Government had moved away from the old SSA system. Nevertheless he was concerned at the opaqueness of the Government's method of calculating block grant. Mr Chard said that he awaited the outcome of the Lyons Review and CSR07 with interest. He expressed concern that there might be a delay beyond the planned date of June/July in the announcement of the outcome of CSR07. Dr Eddy offered to raise this issue with Kent Labour MPs when he met them in March.

(5) RESOLVED that:-

- (a) Mr Chard, Ms McMullan, Mr Smith and Mr Abbott be thanked for attending the meetings to answer Members' questions;
- (b) the Committee place on record its congratulations to the staff of KCC for consistently delivering high quality services within budget;
- (c) the Cabinet Member for Community Services be requested to provide the Committee with information about how the £580k savings from the review of the Library Services was expected to be achieved, including details of any anticipated job losses; and the likely impact of the review on education services;
- (d) the Chairman write to the Chancellor of the Exchequer on behalf of the Committee urging that there be no delay beyond the planned date of June/July in the announcement of the outcome of CSR07;
- (e) the Committee's discussions, as set out above, be drawn to the attention of Cabinet on 8 February.

NOTES of a meeting of the Cabinet Scrutiny Committee's Informal Member Group on "Kent - What Price Growth?" held on Monday, 22 January 2007.

PRESENT: Mr D Smyth (Chairman), Mrs T Dean and Mr J E Scholes.

ALSO PRESENT: Mr R W Gough, Cabinet Member for Regeneration and Supporting Independence.

OFFICERS: Mr N Smith, Head of Development and Investment, Environment and Regeneration Directorate; Ms D Benton, Staff Officer to Mr Gough; and Mr S C Ballard, Head of Democratic Services.

1. Notes of Previous Meeting

The notes of the meeting of the Informal Member Group held on 24 April 2006 were noted.

2. Developer Contributions *(Item 2)*

(1) Mr Smith gave a Powerpoint presentation on Developer Contributions. He explained that, following Cabinet's approval in principle to the draft Developers' Guide last September, it had been the subject of public consultation. The final version of the Guide, taking account of the comments made during the public consultation, would be submitted to Cabinet at its meeting on 12 March 2007 for adoption as part of KCC's Community Strategy. This would mean that District Councils would be required to have regard to it in drafting their own community strategies and planning policies.

(2) Mr Smith said that the guiding philosophy was that developer contributions should be used to create proper communities, not just housing estates, and to protect services to existing communities. This was done by using developer contributions to fund community infrastructure – schools, nurseries and pre-schools, libraries, adult education facilities, youth and community provision, adult social services facilities, highways and public transport.

(3) The key elements of the Guide were methodologies for calculating developer contributions, which meant that developers could estimate the contribution that would be required from them before submitting their planning application. Evidence for the methodologies came from the provision planning teams in each directorate and the accurate demographic information which had been obtained from a MORI survey commissioned by KCC on all new (up to 5 years old) housing developments in the County.

(4) It was important to recognise that this approach did not amount to a simple roof tax. The calculation of developer contributions was site specific and took account of, for example, vacancies in existing local schools.

(5) Up to now, KCC's policy had been to seek developer contributions for all developments over 10 units. However, the new Guide had no minimum figure because, for example in West Kent, most developments were small-scale but had a cumulative impact on demand for KCC services, and so it was right, on the grounds of equity and consistency, that developer contributions should be sought for such developments. Ultimately however, the final decision on the threshold for developer contributions rested

with the District Council concerned, as local planning authority, and a number of District Councils did not feel that they had the necessary resources to be able to collect developer contributions for small sites.

(6) Nevertheless, there was close working with District Councils, particularly on major sites, where it was now normal practice to set up joint KCC/District Council multi-disciplinary teams to negotiate developer contributions, sometimes jointly commissioning legal advisers.

(7) Mr Smith referred to the Barker Report, which proposed a Planning Gain Supplement which would, in effect, be a national tax on the enhancement of the value of land arising from the granting of planning permission. There were concerns that, if the Government adopted the Planning Gain Supplement proposal, not all the money collected would be returned to local authorities to fund site-related community infrastructure. However, KCC's Developers' Guide could be used to demonstrate to Government the level of funding required.

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

Capital vs Revenue Funding

Mr Smith explained that developer contributions could only be used to fund capital spending, not revenue spending. For Adult Social Services therefore, the methodology was based on physical provision, which could include multi-agency, integrated community facilities such as health and social care centres, community centres, and extended schools.

Contributions to Non-KCC Community Infrastructure

Mr Smith explained that KCC and the District Councils were used to seeking developer contributions, but other public bodies, such as Health PCTs, Fire and Police, were only just becoming aware of this possibility and, even then, tended to react to planning applications after they had been submitted, rather than negotiating with developers in advance.

Location of Community Infrastructure

Mr Smith said that the closeness of the community provision to the development concerned varied according to the service. For example, primary schools had to be within 2 miles, and secondary schools within 3. This was particularly important where developer contributions from different but nearby developments were combined to provide one facility.

Time Lag Between Receipt of Contribution and Provision of Facility

Mr Smith said that, where a time lag did occur, this was usually because contributions were being collected from a number of developments for the provision of one facility or because a particular facility was to be provided once a certain number of units within a major development had been completed.

Involvement of Local Members

There was a discussion about how local Members could find out about and influence decisions about the various facilities, both KCC and District Council, to be

provided from developer contributions. The discussion covered the following issues:-

- Local Boards;
- co-ordination between KCC and relevant District Council, possibly through Joint Local Boards where they existed;
- how agreed developer contributions were shown in KCC budgets (Mr Smith agreed to check this point – **Action: NS**);
- whether planning permission was made conditional on an agreed developer contribution, or the contribution was negotiated after planning permission had been given. The former was to be preferred and heads of terms could then be included in the report on the planning application to the relevant Council's Planning Committee;
- a request that the quarterly schedules of developer contributions obtained by KCC should be circulated to Members. (**Action: NS**)

Street Lighting

Mr Smith agreed to check whether developer contributions for highways included the provision of street lighting. (**Action: NS**)

Administrative Costs

Mr Smith explained that it was normal accepted practice to require developers to meet the costs of negotiating and preparing the legal agreement covering the developer contributions.

(9) Conclusions

The IMG:-

- (a) thanked Mr Smith for a helpful and interesting presentation;
- (b) **recommends to the Cabinet Scrutiny Committee that:-**
 - (i) **the KCC Planning Applications Unit should be requested to include heads of terms for developer contributions in reports to the Planning Applications Committee on all relevant planning applications;**
 - (ii) **the Regeneration and Economy Team should be supported in their efforts to encourage District Councils to include heads of terms for developer contributions in reports to their Planning Committees on all relevant planning applications;**
 - (iii) **KCC Directorates should be requested to consult local Members (either individually or through Local Boards) on the details of the facilities to be provided in accordance with their provision planning policies from developer contributions.**

3. Date and Topic for Next Meeting

The Group agreed that its next meeting should be held as soon as appropriate in order to review progress on “Kent - What Price Growth?”. **(Action: SCB/RH)**

07/os/imgok-wpg?/012207/notes

NOTES of a meeting of the Cabinet Scrutiny Committee's Informal Member Group on Budgetary Issues held on Friday, 2 February 2007

PRESENT: Mr D Smyth (Chairman) and Mr C J Capon.

ALSO PRESENT: Mr N J D Chard, Cabinet Member for Finance, Dr M R Eddy.

OFFICERS: Ms L McMullan, Director of Finance; Mrs C Head, Chief Accountant; Mr R Fitzgerald, Performance Monitoring Officer; John Wale, Assistant to the Chief Executive; and Mr S C Ballard, Head of Democratic Services

1. Notes of Previous Meeting

(Item 1)

Noted.

2. Revenue and Capital Budget Monitoring Exception Report

(Item 2 – Report to Cabinet)

(1) Mr Chard gave a brief summary of the current position.

(2) In answer to concerns expressed by Mr Smyth and Dr Eddy about the future of the Archaeological Research Centre project, Mr Chard and Ms McMullan explained that the intention now was to prepare a business case for the project so that external funding could be sought. Ms McMullan offered to provide a detailed note on this. **(Action: LM/CH)**

3. National 2005/06 BVPI Comparisons

(Item 3)

(1) Mr Fitzgerald gave a brief introduction. He explained that, for those BVPIs that were comparable with previous years, KCC's performance had been good overall. The new PIs showed a need for improvement, but latest figures indicated that they would improve overall for 2007/08.

(2) Mr Fitzgerald added that the present BVPI system would end in March 2008, when a new basket of 200 PIs (yet to be specified) would be introduced.

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

Environment and Regeneration (page 5)

(4) In answer to questions from Dr Eddy and Mr Smyth, Mr Fitzgerald accepted that the results had worsened for 2005/06 but pointed out that road casualties had reduced in 2006/07 and thus would improve the relevant PIs. In addition, the opening of the Allington waste to energy plant would improve the results of the PIs for waste.

Comprehensive Performance Assessment

(5) In answer to a question from Mr Smyth, Mr Fitzgerald said that he thought that the latest results would put KCC in a good position for CPA next year. However, for CPA, the Audit Commission would be looking at a much wider range of indicators, some of which depended on the performance of KCC's partners as well as KCC itself.

07/so/BudlssIMG/020207/Notes

REPORT TO: CABINET SCRUTINY COMMITTEE 20 FEBRUARY 2007
BY: ASSISTANT TO THE CHIEF EXECUTIVE

CABINET SCRUTINY AND POLICY OVERVIEW
Standing Report to February 2007

Summary

1. The report summarises in Table 1 outcomes of the most recent Cabinet Scrutiny Committee (CSC) meeting held on 24 January 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 8 February.
2. Additionally, in Table 2 the report provides an updated report on the current programme for Select Committee Topic Reviews. An update will be given at the meeting on any changes made by the Policy Overview Co-ordinating Committee at its meeting on 15 February 2007.

Recommendations

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

Contact Officer: **John Wale 01622 694006**

Cabinet Scrutiny Committee 8 February 2007
Table 1

ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY COMMITTEE 24 January 2007.

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
A2 Minutes of Cabinet Scrutiny 13 December 2006	These were agreed.
A3 IMG on Budgetary Issues 11 January 2007	Noted.
A4 Cabinet Scrutiny Committee: Actions and Outcomes	Noted.
A5 Local Government and Public Involvement in Health: Implications for Overview and Scrutiny Functions in KCC	<p>Mr M. Ayre of the Chief Executive's Policy Unit attended and was thanked for answering questions on the paper he had prepared for the Committee.</p> <p>(a) Mr Smyth asked if there was anything in LGWP Implementation Plan about strengthening local democracy. Action: Martyn Ayre</p> <p>(b) The report be noted and referred to the Going Local Informal Member Group for consideration. Action: S Ballard/M Ayre; "Going Local" IMG</p>
C1 Commission for Social Care Inspection- Annual Performance Review Report for Adult Social Care	<p>Mr K Lynes, Mr O Mills and Mr N Sherlock attended for this item and were thanked for answering Members' questions relating to the report and appendices presented to Cabinet on 15 January 2007. After discussion, Members resolved as follows:</p> <p>(a) Details of programme for implementing Crisis Home Treatment Service across county to be supplied to Members. Action: Oliver Mills</p> <p>(b) The Committee place on record its thanks to staff of the Adult Services Directorate for their hard work and dedication which had helped secure for the County Council a 3 star rating for adult social care for the 5th year running. Action: Oliver Mills</p> <p>© The Managing Director, Adult Services, be asked to pursue with CSCI the Committee's concerns about publication of Part 2 of the Record of Performance Assessment, as follows:-</p> <p>(i) while the document was useful for Members and officers, the personal references and conversational</p>

Cabinet Scrutiny Committee 8 February 2007
Table 1

ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY COMMITTEE 24 January 2007.

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
	<p>tone made it inappropriate for wider publication; (ii) use of the word “missing” in relation to the provision of information by KCC Adult Services was misleading and gave readers the incorrect impression that Adult Services was failing to meet CSCI’s requirements for the provision of information; (iii) in view of this CSCI be asked to remove Part 2 of the Record of Performance Assessment from its website forthwith. Action: Oliver Mills</p>
<p>D1 Replacement of Services at Dymchurch, Horsmonden and Whitfield Libraries (Decisions 06/00903; 06/00904; and 06/00905</p>	<p>Mr M Hill, Mr D Crilley and Ms S Sparks attended for this item and were thanked for answering Members’ questions. After discussion, Members agreed that:</p> <p>(a) Figures showing use of Dover Discovery Centre by residents of Whitfield to be circulated to Committee (Action: Sue Sparks)</p> <p>(b) Other statistics relating to usage of Dover, Horsmonden and Whitfield libraries (footfall, membership, visitors per hour, etc) to be circulated to Committee. (Action: Sue Sparks)</p> <p>(c) Decisions 06/00903-5 can now be implemented (Action: Democratic Services; Sue Sparks, Des Crilley)</p> <p>(d) The agreement by the Director of Libraries, Youth, Culture and Sport to incorporate in future reports on changes in the libraries service:-</p> <ul style="list-style-type: none"> - the views of the local Member; - the views of the local Parish Council; - greater range of usage statistics (eg footfall, membership, visitors per hour, etc - greater details of survey of users, etc (eg copy of survey and number sent to individual library users), be welcomed <p>(e) The Director of Libraries, Youth, Culture and</p>

**Cabinet Scrutiny Committee 8 February 2007
Table 1**

**ACTIONS FOR CABINET/DIRECTORATES FROM CABINET SCRUTINY
COMMITTEE 24 January 2007.**

Item/Issue	Actions and Outcomes from Cabinet Scrutiny Committee
	Sport be asked to explore alternative means of enabling people affected by the closure of Dymchurch, Horsmonden and Whitfield libraries to use public access computers (eg mobile library vehicle equipped with PCs). (Action: Des Crilley, Sue Sparks)
D2 A229 Royal Engineers Way/Stacey Street Roundabout, Maidstone (Decision 06/00916)	Mr K Ferrin and Mr D Hall attended for this item and were thanked for answering questions from the Committee, who concluded that: (a) Criteria for bus lanes to be circulated to Committee, (b) Decision 06/00916 can now be implemented (i) The report and the information provided at the meeting be noted without comment.

Table 2

**Select Committee Topic Reviews:
Programme following Policy Overview Co-ordinating Committee 15 February
2007* (*Subject to confirmation of Minutes by Chairman and Spokespersons)**

Policy Overview Committee/ Topic Review/Chair	Current Topic Review status and other topics (in no particular order*) agreed for the period February 2007 to July 2008
<p><i>Children Families and Education :</i></p> <p>PSHE-Children's Health: Chair Ms CJ CRIBBON</p> <p>Developing the Creative Curriculum</p> <p>Primary School Attainment</p> <p>Young People's Spiritual, Moral, Social and Cultural Development</p>	<p>Inaugural meeting of the Select Committee was held on 5 October. Hearings and visits were held during November. It is anticipated that the Select Committee report will be submitted to Cabinet in April 2007. (Research Officer: Gaetano Romagnuolo)</p> <p>Dates to be agreed*</p> <p>POCC agreed this topic review was being dealt with through a cross-party mechanism. It was therefore removed at the request of CFE POC.</p> <p>Dates to be agreed within 2007/08.</p>
<p><i>Communities</i></p> <p>Accessing Democracy</p> <p>Student Voice –Consultation and Participation with Young People</p> <p>Provision of Activities for Young People</p>	<p>Dates to be agreed* Preliminary discussions are being held to assess how this work will compliment the work of the “Going Local” Informal Member Group.</p> <p>Dates to be agreed.*</p> <p>Dates to be agreed.*</p>

<p>Communities/Public Health (to be agreed) Alcohol and Related Issues</p>	<p>To start in Spring 2007.</p>
<p>Adult Services</p> <p>Carers in Kent</p> <p>Transition from Childhood to Adulthood: MR A BOWLES</p>	<p>Dates confirmed as Spring to Autumn 2007.</p> <p>Inaugural meeting of the Select Committee was held on 9 October 2006; hearing sessions commenced on 26 October and are due to end on 20 December 2006. It is anticipated that the Select Committee report will be submitted to Cabinet in May 2007. (Research Officer: Susan Frampton).</p>
<p>Environment and Regeneration</p> <p>Impact of Supermarkets, Out of Town Shopping Malls and Retail Parks on Businesses in Kent</p>	<p>Dates to be agreed.*</p>

jhw/sc 19 February 2007

** Order to be agreed in consultation with POCC Chairman, Vice-Chairman and Liberal Democrat Spokesperson.*

CABINET SCRUTINY COMMITTEE – 20 FEBRUARY 2007

Report Title:	Free Travel for 11-16 Year Olds
Documents Attached:	Report to Cabinet, 8 February (Item 4) <i>Cabinet approved the recommendations in the report.</i>
Purpose of Consideration:	(a) to explore how the budget for the pilot schemes was arrived at, and how it relates to the Council's existing school transport budget; (b) to ascertain how the pilot scheme areas, and the schools covered, were selected. To explore why independent schools have been included; (c) given that the scheme is likely to be more attractive to older children, to explore why the age group selected is 11-16 year olds and not, for example, 13-18 year olds.
Possible Decisions:	The Constitution (<i>Appendix 4 Part 8</i>) 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: Keith Ferrin, Cabinet Member for Environment, Highways and Waste
Pete Raine, Managing Director – Environment and Regeneration

To: Cabinet – 8 February 2007

Subject: Free Travel for 11-16 Year Olds

Classification: Unrestricted

Summary: This report seeks approval from Cabinet to establish free travel pilot schemes in Tonbridge/Tunbridge Wells and Canterbury using the criteria set out in Appendix 1. If these are successful and affordable, a countywide roll-out will take place from 2009/10.

FOR DECISION

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 In order to test the feasibility of introducing free travel, two pilot schemes are being established in Tonbridge/Tunbridge Wells and Canterbury. It is hoped to commence the pilots in June 2007.

1.3 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 for young people outside school hours.
- Encouraging longer term use of public transport by young people.

2. Pilot Schemes

2.1 Negotiations are well underway with bus service providers across Kent for the establishment of free travel trials in areas covered by Tunbridge Wells Borough Council and Canterbury City Council, and Tonbridge town. All secondary schools in these areas will be included and as set out in Appendix 2. There has been a lukewarm response to participation in the scheme by Kent rail operator Go Via and it is not proposed to include this mode of travel in the pilot schemes. We will continue to work with Go Via so that free rail travel will be included in the countywide scheme from 2009/10.

2.2 Given the significant level of investment in extra buses to be committed by the operators, the pilot schemes will need to run for a minimum of two years to ensure that they recoup this investment.

3. Financial Implications

3.1 The County Council has commissioned MCL Transport Consultants, the UK's leading consultancy on concessionary travel, to assess bus capacity in the Canterbury area and to calculate the likely cost of a countywide free scheme. This work is now in final draft form.

3.2 MCL have estimated that around 12 additional buses will be required on existing corridors to cater for the new demand generated by free travel in Canterbury. It is likely that a scheme in Tonbridge / Tunbridge Wells will be broadly comparable.

3.3 The difficulty of establishing an accurate level of funding for the pilot schemes at this stage is based upon housing 12 estimated additional buses per pilot area, exactly how many new students will take up the pass and how many are currently not entitled to free school travel but are paying their own fare for bus travel.

3.4 However, based upon the MCL work, Officer's judgement is that each pilot scheme will cost in the region of £1 million per annum based upon a pass charge of £50 for peak and off-peak travel for non-entitled children and £50 for off-peak travel for those entitled to free school travel.

3.5 Appendix 3 details the cost (at 2006/07 prices) of introducing a countywide free scheme. The proposed cost of £50 for both types of card may dampen some demand although a cautious approach at this stage is recommended due to the potential high overall cost of free transport and the levels of uncertainty. The relatively high cost of providing free travel in the pilot areas (£2 million out of a total of £8.3 million) reflects the concentrated nature of school travel demands in these towns and the lack of spare bus capacity currently available. In other words, the pilot areas are the most difficult and expensive to provide because of the complex and busy nature of school travel in these towns. On the other hand, if the scheme is successful in these areas, this would offer considerable re-assurance about the feasibility of a countywide roll out.

3.6 Discussion with bus operators has taken place on the introduction date for the pilot free travel schemes. Both Arriva and Stagecoach are concerned that a start in September 2007 will prove difficult due to the very busy nature of this month. It is therefore proposed to commence the pilot schemes after the summer half-term 2007. This is the quietest time for school travel and will provide a good test of the use of off-peak travel for cultural activities during the summer holidays.

3.7 A budget of £1.5 million per annum has been allocated for both pilot schemes in 2007/08 which does not reflect the full cost but should be adequate for this financial year. There is a further £3.5 million available in 2008/09 and a further £3 million in 2009/10 for a countywide roll-out.

4. Risk

4.1 MCL has established that a net £8.3 million will be required at present day prices to offer a countywide free scheme for 11-16 year olds. There is a risk that costs will be in excess of this as take-up and usage are simply that – estimates only.

5. Administration

5.1 It is very important that all administrative arrangements relating to the pilot scheme operation are effective. This includes pass issuing, reimbursement to all bus operators and general monitoring of usage. It is therefore proposed to ask MCL Transport Consultants to assist with the reimbursement to bus operators and Commercial Services to handle the general administration, queries and pass issuing alongside the administration of the existing home to school transport arrangements. Application forms will require a declaration from parents that their daughter/son will use the pass on a regular basis.

6. Recommendation

6.1 It is recommended that Cabinet give approval to:

- i) the introduction of pilot free travel schemes as detailed in appendix 1 for a minimum of two years
- ii) the Director of Environment and Regeneration be given delegated authority, in consultation with the Cabinet Member for Environment, Highways and Waste, to approve detailed elements of the scheme and to enter into any necessary agreements or contracts as appropriate with the transport operators.

Contact:

David Hall: 01622 221982

Background Documents: Canterbury Bus Capacity Study by MCL Consultants

Appendix 1

Pilot Scheme Statement

The pilot scheme includes:-

- All children living in Kent aged 11-16 in secondary school education in years 7 to 11. Year 11 students will not be included between June and September 2007.
- All secondary (including private) schools in the Boroughs of Tunbridge Wells, Canterbury and Tonbridge town.
- The pass is valid on all registered local bus services in Kent. Private bus services of any description are excluded. Rail is excluded.
- Existing entitlement to free school travel arrangements will be unchanged. A pupil meeting the above criteria may purchase a pass giving off peak bus travel for £50 (after 0930 Monday to Friday and all day on Saturday and Sunday).
- Children not currently entitled to free school travel may purchase a pass giving free peak and off-peak for £50.
- All passes will require photo-card identity.
- Passes may be issued at any time during the year but the full charge of £50 will apply at all times.
- Passes will be renewed annually from September 2008.

Free Travel Pilots – Participating Secondary Schools

Canterbury

The Archbishops School
Barton Court Grammar School
Canterbury High School
Chaucer Technology College
The Community College, Whitstable
Herne Bay High School
Montgomery School
Simon Langton Grammar School for Boys
Simon Langton Grammar School for Girls
St Anselm's Catholic School

Independent Schools

The Kings School (12 – 18)
St Edmund's School (13 – 18)
Canterbury Steiner School (Cross phase)
Kent College (Canterbury) (11 – 18)
Junior King's School (8 – 13)
Stafford House College (Cross phase)

Special Schools/Pupil Referral Units

Chartham LR Centre
Grosvenor House – Herne Bay
East Kent Hospital School
Orchard School
St Nicholas' School

Tonbridge

The Hayesbrook School
Hillview School for Girls
Hugh Christie Technology College
The Judd School
Tonbridge Grammar School
Weald of Kent Grammar School for Girls

Independent Schools

Tonbridge School (13 – 18)
Hilden Grange School (3 – 13)
Sackville School (11 – 18)

Special Schools/Pupil Referral Units

Ridge View School

Tunbridge Wells

Angley School – A Sports College
Bennett Memorial Diocesan School
Cranbrook School
Mascalls School
St Gregory's Catholic Comprehensive School
The Skinners' School
Tunbridge Wells Girls' Grammar School
Tunbridge Wells Grammar School for Boys
Tunbridge Wells High School

Independent Schools

Benenden School (11 – 18)
Marlborough House School (3 – 13)
St Ronan's School (3 – 13)
Kent College Pembury (11 – 18)
Beechwood Sacred Heart School (9 – 18)
Holmewood House School (9 – 18)
Rose Hill School (3 – 13)
Yardley Court (3 – 13)
Bethany School (11 – 18)
Dulwich Preparatory School (8 – 13)
Bedgebury School (3 – 18)

Special Schools/Pupil Referral Units

Broomhill Bank School
Oakley School
Charles Street Centre

The Free Travel Proposal - Summary

	Free Travel Proposal
Total in Age Group	87060
Number taking up Pass	32930
“Home to School” Travel:	
Journeys	10352590
Growth	21%
Leisure/Other Travel:	
Journeys	2530089
Growth	53%
All Travel	
Journeys	12882679
Growth	25.8%
Total Net Cost (at 2006/07 prices)	£8,337,538

07/exe/cab/020807/Item 4 – Free Travel for 11-16 Year Olds

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CABINET SCRUTINY COMMITTEE – 20 FEBRUARY 2007

Report Title:	Lorry Parking Issues
Documents Attached:	Report to Cabinet, 8 February (Item 5) <i>Cabinet agreed that a response should be made to the Highways Agency based on the discussion in sections 3 and 4 of the report and other points made at the Cabinet meeting.</i>
Purpose of Consideration:	To explore in more detail possible options for replacing Operation Stack, including the environmental considerations relating to those options.
Possible Decisions:	The Constitution (<i>Appendix 4 Part 8</i>) 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: Roger Gough: Cabinet Member for Regeneration and Supporting Independence
Keith Ferrin: Cabinet Member for Environment, Highways and Waste
Pete Raine: Managing Director - Environment and Regeneration

To: Cabinet

Date: 8 February 2007

Subject: Lorry Parking Issues

Summary

A response to the Highways Agency's consultation document on Policy for Service Areas and Other Roadside Facilities is recommended

For Decision

1. Introduction

1.1 The Highways Agency published the consultation document "Policy for Service Areas and Other Roadside Facilities" in November 2006, with a closing date on 8 February, 2007.

1.2 The consultation document mainly covers issues related to Motorway Service Areas – determining need, spacing, signing, retail activities, standard of facilities and potential for park and ride facilities; similar issues on trunk road service areas, use of laybys but little on lorry parking. It is considered that the County Council needs to respond on lorry parking issues related to overnight use and Operation Stack.

2. Lorry Parking

2.1 The document sets out Government's objective for the provision of roadside facilities that provide the opportunity for road users to make safe and efficient journeys. It aims to achieve this for lorry drivers by extending the range of facilities provided for lorry drivers, particularly in areas where inadequate provision is known to exist.

2.2 However, since 1992, Government policy has been that the private sector should take the initiative in identifying and acquiring sites for Motorway Service Areas (MSAs), although some older MSAs are still owned by Government and leased to private operators. It has always been left to the private sector to bring forward lorry parking facilities off the motorways.

2.3 The document also states that the Highways Agency is aware of concerns regarding problems arising from lorry parking in inappropriate places due to a lack of suitable locations and facilities. The Agency is specifically asking how can the role of the private sector in the provision of lorry parking be maximised.

3. Kent's Particular Lorry Parking Problems

Operation Stack

3.1 Since the end of November, there have been a number of occasions when Phase 2 of Operation Stack was initiated (i.e. stacking lorries on the M20 coast bound carriageway between Maidstone and Ashford) – on and off between 28-30 November, 5-6 December, 7-9 December and 11-12 January. One of these incidents was due to a strike by French workers, but the rest were due to bad weather – strong winds in certain directions which seriously disrupt ferry sailings into and out of ports of Dover and Calais.

3.2 The effect of stacking cross-Channel lorries on the M20 is significant traffic congestion on the A20 when all other traffic is diverted off the motorway and impacts on local residents and businesses causing staff lateness, lost sales and output, and late or cancelled meetings. There is also a perception that Operation Stack has a negative effect on attempts to attract new businesses to East Kent.

3.3 Other concerns are that the police do not initiate Operation Stack quickly enough causing increased problems in Dover and that the police do not always separate out particular flows within the two queues of lorries in the Stack well enough so that unaffected lorries could be sent on (eg Channel Tunnel flows when ferries are affected or Norfolk Line ferry flows (Dover – Dunkerque) when Calais is adversely affected).

3.4 The Highways Agency is looking at the detailed design of a Quick Moveable Barrier (QMB) which could be deployed relatively quickly to form a two-lane contraflow on the London-bound carriageway of the M20 between Junctions 12 and 11, enabling strategic traffic to remain on the motorway in both directions, whilst international lorries are stacked on the coast bound carriageway. The Agency is due to complete its design in February and will consult before submitting the case to Ministers. The concerns some have over this method is that it only deals with Phase 1 of Stack (i.e. when some 850 lorries are parked on the motorway near the Channel Tunnel entrance). Phase 2 of Operation Stack is when lorries are parked between M20 Junctions 8 and 9 (Hollingbourne to Ashford (West)) which can accommodate (with Phase1) up to 4,500 parked lorries. Another criticism of the QMB is that it undermines the case for an emergency lorry park in the longer term.

3.5 The County Council considers that a permanent solution to Operation Stack should be found as quickly as possible and will be working with partners to identify a suitable emergency lorry parking site before meeting with Government Ministers within the next few weeks.

Overnight Lorry Parking

3.6 Research by the County Council and partners (including the Highways Agency) found a shortage of appropriate facilities for lorry drivers to park overnight of some 550 spaces in Kent. The consequences are drivers parking in inappropriate places such as laybys, industrial estates, and supermarket car parks with no facilities. This leads to problems associated with public health (no toilets), crime (unsecured sites), road safety (poor parking and slow acceleration out of laybys) and damage to the highway. Problems are particularly acute around Dover, Folkestone and Ashford, but the problems are growing and the detrimental effects of overnight parking are spreading throughout the county.

3.7 What is required is more secure lorry parking and when this is delivered, enforcement by the police to ensure the capacity is used. Although there is an acute shortage of parking at present, it is known that many lorry drivers cannot afford or chose not to use good lorry parking facilities at Motorway Service Areas, Ashford Truckstop or smaller private facilities to save money.

3.8 A solution to this problem is difficult as Government is adamant that that it will not devote any public money to lorry parking, although this is an international problem. It sees it is the responsibility of lorry drivers' employers to provide rest facilities for their employees, but the road haulage industry is not structured in such a way to deliver this and when 75% of lorries crossing the Channel are foreign registered and originate in many countries from mostly relatively small companies, it is highly unlikely that the finance will come from this direction.

3.9 A more likely source of funding is from developers providing lorry parking facilities as part of a larger development, as the profits to be made out of lorry parking are relatively small - particularly in Kent where fuel costs are so much higher than over the Channel.

Queuing from Dover Eastern Docks

3.10 In 2006, 2.32m lorries passed through the port of Dover – a 13.6% increase on 2005 and growth is forecast to grow to some 3.1m lorries in 2014. Currently there is regular queuing of lorries on the A20 right through the town in the mid-week evenings and when there are peaks of tourist traffic. These queues cause the town to seize up with additional air quality problems and increased severance of the town from the seafront.

3.11 Ways of relieving this problem include encouraging more lorry traffic to travel to and from Dover via the A2/M2 corridor and the construction of a Lower Thames Crossing would encourage the switch from the A20/M20 to the A2/M2. Additionally, Dover Harbour Board is proposing a free-flow slip road from the docks to the A20 which would stop queues trying to exit the port impeding traffic trying to get in; and redevelopment of the Western Docks and the relocation of some ferry services there, reducing the numbers of lorries passing right through the town. Finally, there are proposals for a Buffer Zone – an out of town parking facility to be used when queues in the town develop and where lorries can be held and released in batches which can be readily handled by the port.

4. What is Required?

4.1 The requirements are for:

Short Term

The County Council to work with District Council partners to identify a suitable site for an emergency lorry park which can replace the need for the closure of the M20 during Operation Stack

Government to take a proactive role in reaching solutions caused by the ever-increasing lorry traffic

Government to alter its position on not providing finance for lorry parking

The Police to investigate how effectively the segregation of Dover and Channel Tunnel lorries is currently achieved in the Stack

Eurotunnel and Ferry Companies to investigate how tickets can be interchangeable when Operation Stack is initiated

Longer Term

The Highways Agency with the County Council and District Councils to seek sites for lorry parking adjacent to the M20 and M2 for overnight lorry parking

The Highways Agency and the County Council, once sufficient appropriate lorry parking is provided, to restrict physically or by traffic regulation orders access to inappropriate sites

The Police to actively enforce the traffic regulation orders

The County Council and relevant District Council to positively advise private developers to bring forward lorry parking facilities in appropriate locations.

The Highways Agency to provide appropriate VMS signs to enable all Dover traffic or Dover ferry traffic which is running freely to be routed via A2/M2 to avoid the Stack and for similar arrangements if Channel Tunnel is unaffected via A2/M2/A260

Recommendation

It is recommended that a response is made to the Highways Agency based on the discussion in Sections 3 and 4 of the report.

Contact :

Mick Sutch 01622 221612

Background Documents:

Kent Overnight Lorry Parking Study – KCC, DfT, Highways Agency, DDC, ABC, Port of Dover, July 2005.

Policy for Service Areas and Other Roadside Facilities on Motorway and All-Purpose Trunk Roads in England: Highways Agency, November 2006

CABINET SCRUTINY COMMITTEE – 20 FEBRUARY 2007

Report Title:	Kent Commitment
Documents Attached:	(a) The Kent Commitment, as signed by the Leader of the County Council and the 12 Kent District Councils; (b) Briefing note on progress (to follow).
Purpose of Consideration:	(a) to receive an update on progress, including any further detailed commitments entered into by the Chief Executive on behalf of the County Council, since the Kent Commitment was signed; (b) to explore the financial implications for the County Council of the work being undertaken under the Kent Commitment.
Possible Decisions:	The Constitution (<i>Appendix 4 Part 8</i>) requires the Committee to take one of the following decisions:- (a) make no comments; or (b) make comments to the Chief Executive; or (c) report to the Council; or (d) refer any issues arising from its debate for consideration by a Policy Overview Committee or the Cabinet.
Previous Consideration:	Council, 23 January 2007.
Background Documents:	None.

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“The Kent Commitment”

Statement of Intent from Kent’s Local Government Leaders

1. We want Kent to have the best local government in the UK. We believe that we can build upon the current two-tier arrangements to help to achieve this. We are therefore not submitting any bids for unitary or pathfinder status. For us success means achieving 5 key outcomes:

- An excellent **customer** experience for all the people of Kent who use local government, with fair, simple and equitable access to services and improved satisfaction rates
- Greater engagement of local **communities** so that communities are more involved in shaping their local quality of life through decision making being taken at the lowest possible level
- More **clout** in shaping the economic growth and regeneration of each part of the county, by effectively combining the decisions and resources held by national and regional bodies with those of the County Council and District Councils.
- An ambitious programme of **cost** reduction, so that cost savings are driven out of the opportunities for 13 councils to work together in Kent through sharing best practice, best providers and common infrastructure
- A combined set of outstanding **capabilities**, so that the councils nurture between them the internal talent and external suppliers who can deliver the ambitions which the councils have for the people of Kent

This is our vision for Kent – if we can achieve it, it will give the people of Kent the best local government in the UK.

2. Kent is a large and diverse county. We believe that the two tier arrangements provide the opportunity to best respond to this diversity and to benefit from the scale of the county as a whole. Our current structure provides a rich mix of councils, which together can build on previous success to provide Kent with the best local government in the UK. There are 12 District Councils who are best placed to respond to the local circumstances of their area and to nurture the engagement of local communities in shaping the local area and refining the public services available. The County Council is best placed to deliver county-wide personal services in care and education, as well as to engage with district councils and other partners to tackle the major strategic issues of transport, environment and economic development where they cut across the county as a whole. The County Council and District Councils are able to combine and join-up their roles in each district, whilst groups of councils can come together to tackle issues of common concern.

3. However, we believe that there are a range of positive opportunities to work together even more closely in the next few years to innovate and improve the quality of life of people in Kent. Over coming months, we will work together to tackle these opportunities. In deciding on the priorities, we will build upon the diversity of Kent to find a range of solutions which work for individual councils and individual areas of the county. We can achieve this in two ways. Firstly, the County Council is enthusiastic to respond flexibly to each of its partner councils. Secondly, we can tap into the different strengths of each council to find the right alliances to support other councils achieving their priorities in delivering the vision for Kent local government.

4. If we are to further improve Kent’s local government, we will need the support of our key partners. We will need central government and regional bodies to join our endeavour, committing themselves to our vision and exploring how their flexibility, decision-making and delivery capacity can be better aligned

with our new approaches. We will need to work closely with our Kent-based public sector partners, for example in Medway Council, in policing and in health, to refine our partnerships with them and to give them the opportunity to shape and benefit from the new approaches we are developing. Most importantly, we will need the support of local communities in the county, through their parish / town councils and voluntary groups, to help us shape and deliver the vision.

5. We are launching an action plan to tackle the opportunities:

- (a) Each District Council will work individually with the County Council to identify a package of improvements to two-tier working within the district. This will include the opportunity to devolve decision-making or service provision to a district level, to improve the joint working of County and District Councillors, and to integrate functions which improve the effectiveness and efficiency of both councils. Each district-based partnership of the County and District Council will also agree on the potential for improved engagement with local communities through their frontline County / District councillors, parish / town councils and/or voluntary groups.
- (b) All Councils will explore the potential to share services, especially in back office functions such as finance, IT, HR, property and procurement. It is anticipated that each council will indicate where it believes it is well placed to offer a service to others and where it would be keen to either receive a service from another council or to combine functions together with another council. On the basis of this match-making, individual councils will explore with potential partners how shared services might benefit them, testing out the assumptions through a rigorous business case process.
- (c) The existing county-wide partnership structure will be reviewed so that county-wide issues are dealt with more effectively. This will include the design of how the Kent councils shape and decide upon the Local Area Agreement, which in turn shapes the relationship between us all and central government. In order to maximise the county's clout on growth and regeneration, there will be an intensive discussion with the key national and regional bodies about how national, regional and local agendas for Kent can all be better achieved by new ways of working.
- (d) We all recognise the work of East Kent in developing a cluster model. The four District Councils and the County Council will continue to work together as a cluster, based on an agreed working document, to consider intensively the opportunities for much greater integration of policy and delivery. As well as considering the issues listed in (a) to (c), the East Kent cluster will consider how to further combine policy and influence across the 4 district areas, the potential to share a wide range of public-facing services and whether there are ways to combine management structures and improvement programmes. Other councils in Kent are keen to learn from this review in East Kent and to consider whether it suggests opportunities in other parts of the county.

6. We are committed to completing this action plan by the late summer of this year, reviewing the options available and shaping up our priorities. On the basis of this work, we intend to announce both individually and together our conclusions and implementation plans in September. At that time, we will commit ourselves to two year plans which deliver real benefits by the Autumn of 2009, including many quicker wins. In order to hold ourselves to account, we will commit to clear measurable targets based on customer experience, community engagement, clout on growth and regeneration, cost reduction and capability.

7. We look forward to working with each other, our public sector partners and local people to realise our vision for the local government of Kent. As we apply ourselves to the immediate action plan, we will, as the Leaders of our Councils, take personal responsibility for ensuring that we fully grasp the potential we have between our councils and to overcome the barriers to realising this potential.