



AGENDA

CABINET

Monday, 12th May, 2008, at 10.00 am

Ask for: **Karen Mannering /
Geoff Mills**

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

Telephone **(01622) 694367/
694289**

UNRESTRICTED ITEMS

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

1. Declaration of Interests by Member in Items on the Agenda for this meeting
2. Minutes of the Meeting held on 14 April 2008 (Pages 1 - 4)
3. Collaboration between Essex and Kent Police (Presentation)
4. Revenue & Capital Budget Monitoring Exception Report (Pages 5 - 14)
5. Ashford's Future: Proposed Formalisation of the Ashford's Future Partnership and the Related Incorporation of a Special Purpose Vehicle (Pages 15 - 20)
6. Kent Thameside Delivery Board: Review and Future Direction (Pages 21 - 28)
7. Establishing Joint Working Arrangements with Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council (Pages 29 - 54)
8. Kent Concessionary Travel Scheme of Over 60's & Disabled (Pages 55 - 56)
9. Decisions from Cabinet Scrutiny Committee - 23 April 2008 (Pages 57 - 60)
10. Other items which the Chairman decides are relevant or urgent

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 Gilroy
Chief Executive
Thursday, 1 May 2008**

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.

This page is intentionally left blank

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held at Sessions House, County Hall, Maidstone on Monday, 14 April 2008.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr M C Dance, Mr K A Ferrin, Mr G K Gibbens, Mr R W Gough, Mr M Hill, Mr A J King , Mr K G Lynes and Mr C Wells.

OFFICERS: Mr P Gilroy, Chief Executive; Ms A Honey, Managing Director, Communities, Ms L McMullan, Director of Finance and Ms M Peachey, Director of Public Health. Dr L Davies was present on behalf of the Managing Director for Regeneration and Environment, Mr B Anderson was present on behalf of the Managing Director for Children Families and Education and Mr S Leidecker was present on behalf of the Managing Director for Adult Social Services.

UNRESTRICTED ITEMS**1. Minutes of the Meeting held on 17 March 2008**

Subject to the correction of a typographical error in paragraph 2.1, the Minutes of the meeting held on 17 March 2008 were agreed as a true record.

2. Revenue and Capital Budget Monitoring Exception Report

(Item 3 – Report by Mr Nick Chard, Cabinet Member for Finance, and Ms Lynda McMullan, Director of Finance)

(1) Mr Chard said that this was the last Monitoring Exception report before the submission of the outturn. There was still a forecast underspend of some £7.4m and he placed on record his thanks to officers for the part they had played in achieving this. However, some £3,8m still remained to be recovered on asylum costs so that needed to be taken into account when looking at the final outturn figures. Mr Carter reported on a recent meeting of the LGA Task Group on Asylum and Refugees. He also reported that the County Council would be hosting a seminar at the House of Lords on 23 April 2008 under the Chairmanship of Lord Bruce-Lockhart with other Joint Council Members in order to make the situation more widely known to MP's and Peers. However, it was understood that the Government had now arranged a meeting with representatives from the LGA on 22 April 2008, and the outcome from that meeting would be fed into the discussions taking place on 23 April 2008.

(2) Mr Chard said that there was a residual year end pressure of some £800,000 in respect of Adult Education Services and that would need to be rolled forward with progress monitored against an agreed action plan. Mr Hill said that there were issues relating to the Adult Education budget and that would be the subject of a report to a future meeting of Cabinet.

(3) Cabinet then noted the latest forecast Revenue and Capital Budget Monitoring position for 2007/08; the Revenue virement detailed in Section 1.2 of the Cabinet report; and the additional revenue funding from the Learning and Skills Council to fund specific projects with Health to address Teenage Pregnancy Issues, as detailed in Section 2.2.1 of the Cabinet report.

3. Annual Unit Business Plans

(Item 4 – Report by Mr Paul Carter, Leader of the County Council and Mr Peter Gilroy, Chief Executive)

See Record of Decision on Page 4.

4. Decisions from Cabinet Scrutiny Committee – 26 March 2008

(Item 5 – Report by Overview, Scrutiny and Localism Manager)

(1) This report set out the decisions from the Cabinet Scrutiny Committee held on 26 March 2008 and invited responses from Cabinet.

Kent Health Watch

Mr Gibbens confirmed that in response to a request from the Scrutiny Committee, he would arrange to submit a monitoring report to its meeting in December 2008. Mr Gibbens also said that data collection issues and confidentiality would be considered along with NHS colleagues as part of the implementation process and protocols and procedures would be signed off by the Kent Health Watch Policy Board. Mr Gibbens also said that it had always been the intention that Kent Health Watch would ultimately become an independent entity and that an exit strategy would be devised once other issues became clearer around matters such as Making Experiences Count and LINK. With regard to the Gateway programmes, discussions had already be opened with colleagues as to how that can be linked into KHW. Mr Gibbens also confirmed the procurement arrangements and gave details of the transition period for LINK. Also a review of LINK and Kent Health Watch would be undertaken in November 2008 to ensure there were not any operational conflicts.

Mr Carter said that together with the Chief Executive he had met last week with the Chief Executive and Chairman of the South East Coast Strategic Health Authority to discuss the introduction of Kent Health Watch. Mr Carter said that during these discussions the Chairman of the Health Authority was gracious enough to accept that had a Kent Health Watch been in place at the time of the problems experienced at Maidstone and Tunbridge Wells Hospitals, these may have come to light earlier and earlier action taken to address them. Mr Carter also said that the focus now needed to be on the launch of Kent Health Watch to ensure it is effectively marketed and publicised.

A21 and East Coast Access Phase 2 – Cost Increases

Mr Ferrin said that as the A21 Improvement Scheme was being undertaken by the Highway Agency, it was difficult for KCC to argue that its costs should be lower without employing independent consultants. He said that the cost increases were extraordinary but the proportional increase in the construction costs of the East Kent Access Phase 2, demonstrated that controlling cost increases was very difficult. What was essential was to ensure that the A21 Scheme remained a priority with the Highways Agency road building programme and the County Council needed to do all that it could to keep up pressure on the government to ensure that the money to construct this scheme was made available. Mr Carter said that the Highway Agency should be asked to demonstrate how it had costed this scheme and held to account as to how these costs had increased to the degree that they had. The County Council needed to see what it could do to bring down scheme costs and understand the component parts of how the scheme had increased in price. Mr Chard said there was a lot of concern within the local community about whether this scheme would be built. It would be an essential link to the new PFI hospital to be built at Pembury and therefore everything had to be done to ensure that it did not drop out of the road building

programme. Mr King said the original reason to upgrade the A21 was to generate economic recovery particularly as the southern end of the A21 and to reduce congestion at the northern end. There was now another priority for the road which was to provide speedy access to the proposed new hospital at Pembury. It was therefore essential that this scheme was commenced as soon as possible.

Modernisation of Queen Elizabeth Resource Centre, Dartford

Mr Lynes said that he welcomed the opportunity to debate this matter but the Scrutiny Committee discussion had been very lengthy and he raised some concerns that he had regarding the mechanics and process of how the matter was dealt with. On the points raised by the Scrutiny Committee, Mr Lynes said that there was a detailed response to these set out in paragraph 3 of the Cabinet report. With regard to the request to undertake a consultation, Mr Lynes said the County Council would always do this if it related to one of its own services and indeed there was a protocol setting out the procedures to be followed in those circumstances. However, with a service provided either through the private or voluntary sectors, then it was not feasible to expect the County Council to undertake a consultation exercise, particularly in circumstances where there was an urgent need to take action. Therefore, whilst there had been a useful, albeit lengthy debate on this matter, he would not commend any action being taken on the question of undertaking a consultation exercise. This was agreed. Mr Carter said that he was concerned at the point which had been raised regarding the management processes and said he would ask the monitoring officer to ensure that the protocols for the management of the scrutiny process were being adhered to.

Award of Construction Contract for 24 New Build Centres

Cabinet noted that in the light of the information provided, in response to questions, the Scrutiny Committee had not forwarded any formal comments for consideration by Cabinet.

Mr Carter concluded discussion on this item, saying that he welcomed the new process for considering the decisions and feedback from meeting of the Cabinet Scrutiny Committee and it was right that Cabinet provided a proper and considered response to the points raised.

**KENT COUNTY COUNCIL
RECORD OF DECISION**



DECISION TAKEN BY

Cabinet 14 April 2008

DECISION NO.

08/01170

3. Annual Unit Business Plans

(Item 4 – Report by Mr Paul Carter, Leader of the County Council and Mr Peter Gilroy, Chief Executive)

(1) The Annual Unit Business Plans identify the Medium Term priorities and goals within the County Council’s Directorates and also include the 2008/09 annual plans for individual units. The Business Plans represent the operations of the Council’s Services within the context of its Policy Framework and underpins its Medium Term Plan and budget as approved by the County Council of 19 February 2008.

(2) During the course of discussion, Cabinet discussed the need to streamline the business planning process and how information was presented. Mr Carter said and it was agreed, that a report should be submitted to a future meeting of Cabinet which discussed ways of improving the way information was presented and ensured that this was done consistently across directorates. The report also needed to reflect upon ways in which technology could be used to present information and reduce the amount of paperwork produced.

(3) Cabinet agreed the Annual Unit Business Plans for 2008/09 and noted that there would be a report to a future meeting on the business planning process.

(Signed)
Chief Executive

April 2008

FOR COUNCIL SECRETARIAT USE ONLY

Decision Referred to Cabinet Scrutiny			
YES		NO	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YES		NO	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published
DD/MM/YY

To: CABINET – 12 May 2008
 By: Nick Chard, Cabinet Member – Finance
 Lynda McMullan, Director of Finance

REVENUE & CAPITAL BUDGET MONITORING EXCEPTION REPORT

1. Introduction

- 1.1 This exception report highlights the main movements since the monitoring exception report presented to Cabinet on 14 April 2008. There has been a £1.6m reduction in the overall net revenue position this month, as shown in table 1 below. This is largely as a result of:
- reductions in client numbers within KASS partially offset by increased Direct Payments,
 - further funding secured from the Eastern & Coastal Kent PCT in respect of intermediate care proposals and services for patients leaving hospital and requiring social care,
 - a lower level than budgeted of pre-salting runs required on Kent roads due to the mild weather,
 - re-phasing of projects such as Supporting Independence Programme.
- 1.2 The current underlying net revenue position by portfolio after the implementation of assumed residual action, compared with the net position reported last month, is shown in **table 1** below.

Table 1: Net Revenue Position after Proposed Residual Action

Portfolio	Gross Position £m	Proposed Final Actions £m	Net Position after action £m		Movement £m
			This month	Last month	
OR&S (CFE) *	+1.846	-0.212	+1.634	+1.287	+0.347
CF&EA	-1.394	-	-1.394	-1.044	-0.350
KASS	+1.520	-	+1.520	+1.751	-0.231
EH&W	-2.535	-	-2.535	-2.230	-0.305
R&SI #	-1.163	-	-1.163	-0.775	-0.388
Communities	+1.408	-0.278	+1.130	+1.130	-
Public Health	-0.050	-	-0.050	-0.050	-
Corporate Support	-0.896	-	-0.896	-0.509	-0.387
Policy & Performance	-0.224	-	-0.224	-0.068	-0.156
Finance	-7.135	-	-7.135	-6.974	-0.161
Total (excl Asylum)	-8.623	-0.490	-9.113	-7.482	-1.631

* Of the £1.634m residual pressure within the OR&S (CFE) portfolio, +£1.394m relates to budgets managed within the CFE directorate and +£0.240m relates to budgets managed within the Chief Executives directorate (Kent Works).

Of the £1.163m underspend within the R&SI portfolio, -£0.915m relates to budgets managed within the E&R directorate and -£0.248m relates to budgets managed within the Chief Executives directorate (Supporting Independence).

- 1.3 In addition to the projected portfolio variances, there remain two projected overspends as previously reported:
- a) The Asylum Service is expected to overspend by £3.805m.
 - b) Schools are projecting a draw-down of their reserves of £15m.

- 1.4 **Table 2** shows the forecast underlying gross position **before** the implementation of proposed residual action, compared with the gross position reported last month.

Table 2: Gross Revenue Position before Residual Final Action

Portfolio	Variance		Movement £m
	This Month £m	Last Month £m	
Operations, Resources & Skills (OR&S) (CFE)	+1.846	+1.849	-0.003
Children, Families & Educational Achievement (CF&EA)	-1.394	-1.044	-0.350
Kent Adult Social Services (KASS)	+1.520	+2.251	-0.731
Environment, Highways & Waste (EH&W)	-2.535	-2.230	-0.305
Regeneration & Supporting Independence (R&SI)	-1.163	-0.775	-0.388
Communities	+1.408	+1.130	+0.278
Public Health	-0.050	-0.050	-
Corporate Support	-0.896	-0.509	-0.387
Policy & Performance	-0.224	-0.068	-0.156
Finance	-7.135	-6.974	-0.161
Total (excl Asylum)	-8.623	-6.420	-2.203
Asylum	+3.805	+3.805	-
Total (incl Asylum)	-4.818	-2.615	-2.203

- 1.5 The gross underlying revenue position (excluding schools & Asylum) is currently an underspend of £8.623m as shown in table 2 above, but this underspend is expected to increase to £9.113m by year end, after assuming the implementation of final action, as shown in table 1. However, with the inclusion of the Asylum pressure of £3.805m, this reduces to an overall underspend of £5.308m. The final pressure on the Asylum budget at year end will depend on the assumptions we make about the level of grant we expect to receive from the Special Circumstances bids when we close the accounts and this will be based on the best information available at the time from the ongoing negotiations with Government. The £3.805m pressure currently reported is the gross pressure, above what is available in the reserve, before making any assumptions about the level of grant we might receive from the 2007-08 Special Circumstances bids. Any residual pressure, after allowing for our assumed level of success with these bids, will need to be met from the underspending within the Financing Items budgets of the Finance portfolio. On 22 April, the Leader attended a top level meeting with the Home Office and DCSF Ministers, the LGA and London Councils to discuss the outstanding funding for unaccompanied asylum seeking children. This was followed by a lobby at the House of Lords on 23 April, where Kent and nine other local authorities briefed an audience of MPs, Peers, children and refugee charities and local authority members and officers. As a result, Ministers have agreed to negotiate with these affected councils to find a solution to this funding crisis in the next few weeks.
- 1.6 Table 1 identifies that even after management action, residual pressures remain forecast within the Operations, Resources & Skills (CFE) (ORS (CFE)), Kent Adult Social Services (KASS) and Communities portfolios.
- The net residual pressure on the ORS (CFE) portfolio has deteriorated this month, but this is offset by an improvement in the position of the Children, Families & Educational Achievement (CFEA) portfolio. The improvement in the position of the CFEA portfolio has reduced the level of action required within the ORS portfolio, in order for the CFE directorate to balance overall.
 - The net residual pressure within the KASS portfolio has improved this month largely due to a reduction in client numbers and further funding secured from the Eastern & Coastal Kent PCT in respect of intermediate care proposals and services for patients leaving hospital and requiring social care. As reported last month, it is probable that the residual pressure on this portfolio at year end will need to be offset by the underspending within the Finance portfolio, otherwise this overspend would roll forward to 2008-09. It is considered that with the increasing demands on these services, it would not be prudent to start the new financial year with a deficit to manage.
 - The net residual pressure within the Communities portfolio remains unchanged from last month. This includes £0.3m of mediation and litigation costs incurred on the original Turner Gallery which, if we are successful with our case, will be recovered. In the meantime, this pressure will also need to be offset by underspending within the Finance portfolio.
- 1.7 Within the capital programme, there has been a further £13.583m of re-phasing of projects forecast this month. This is extremely disappointing. Details of the main changes are provided in section 3 of this report. The current forecast capital position by portfolio, compared with the

position reported last month is shown in **table 3** below and **table 4** shows the impact of this variance on each of the funding sources.

Table 3: Capital Position

Portfolio	Variance		Movement £m
	This Month £m	Last Month £m	
Operations, Resources & Skills (CFE)	-13.102	-6.806	-6.296
Children, Families & Educational Achievement	-1.281	-1.035	-0.246
Kent Adult Social Services	-1.417	-1.122	-0.295
Environment, Highways & Waste	-9.606	-3.607	-5.999
Regeneration & Supporting Independence	-2.637	-1.772	-0.865
Communities	-0.662	-0.570	-0.092
Corporate Support	-0.261	-0.320	+0.059
Policy & Performance	-0.037	-	-0.037
Finance	-0.535	-0.723	+0.188
Total (excl Schools)	-29.538	-15.955	-13.583
Schools	-0.133	-0.133	-
Total	-29.671	-16.088	-13.583

Table 4: 2007-08 Capital Variance analysed by funding source

	Capital Variance £m
Supported Borrowing	-7.789
Prudential	-8.142
Prudential/Revenue	-3.325
Grant	-7.793
External Funding - Other	-0.136
External Funding – Developer Contributions	-0.213
Revenue & Renewals	+0.794
Capital Receipts	-1.922
General Capital Receipts (generated by Property Enterprise Fund)	-1.145
TOTAL	-29.671

1.8 Table 4 shows that there is a reduced requirement for borrowing (both prudential and supported) of £19.3m against the revised capital cash limits for the current year, this is in addition to the £34.669m of re-phasing of projects funded by borrowing reflected in the 2008-11 MTP. This reduced requirement for external borrowing in the current year compared to the budget assumption is a significant factor in the revenue underspend reported within the Finance portfolio.

2. 2007-08 REVENUE MONITORING POSITION BY PORTFOLIO

2.1 Operations, Resources & Skills (CFE) (ORS (CFE)) portfolio:

The forecast gross position for this portfolio before proposed final actions has only marginally changed this month from a pressure of £1.849m to £1.846m due to a slight reduction in the pressure on Kent Works. Residual final action is expected to reduce this position further by £0.212m to £1.634m (£1.394m relates to budgets managed within the CFE directorate and £0.240m relates to Kent Works, managed within the Chief Executives directorate). Details of this residual final action are provided in section 2.3 below.

2.2 Children, Families & Educational Achievement (CFEA) portfolio:

2.2.1 The underspend for this portfolio has increased by -£0.350m this month, from £1.044m to £1.394m. This is due to an increase in the underspend in the Voluntary Sector.

2.2.2 Asylum:

The forecast pressure for Asylum remains unchanged from last month at £3.805m, which is made up as follows:

- +£4.720m pressure in the current year.
- +£0.757m pressure relating to 2006-07 arising from the data matching exercise which has reduced the main Asylum claim and increased the special circumstances bids for that year, of which, to be prudent, we assume we will only receive a proportion although lobbying will continue to ensure a successful resolution.
- -£1.672m balance in the Asylum reserve which will be drawn down to offset these pressures. (This includes an additional £0.550m contribution to the reserve following the virement reported last month).

Negotiations with Government regarding this potential funding shortfall are progressing well but, despite the positive meetings and lobbying held on 22 & 23 April (as reported in paragraph 1.5 above), it is likely that we will have to make assumptions about the funding solution in closing the accounts for 2007-08, pending absolute agreement.

2.3 Overall Children, Families & Education (CFE) directorate position and details of outstanding final action:

The overall forecast position for the CFE directorate remains a balanced position at year end with a forecast underspend on the CFEA portfolio of £1.394m offsetting a pressure of £1.394m on the budgets managed by CFE within the ORS (CFE) portfolio. However, this balanced position assumes a further £0.212m of action within the ORS (CFE) portfolio. As reported last month, if necessary, this action will be achieved by seeking Schools' Funding Forum approval to charge the pension and redundancy costs associated with closing schools to one-off DSG underspend from the previous financial year. To do this we would need to demonstrate to the Forum that there has been an overall saving in the schools budget, such as that arising from a school closure under the Primary Strategy. However the initial stages of the closing of accounts process indicate that the CFE position is improving and we are hopeful that the position will improve sufficiently that this will not be necessary. If the position does not improve, CFE would call an Emergency School's Funding Forum Executive meeting to seek their approval to this.

2.4 Kent Adult Social Services:

- 2.4.1 The latest forecast indicates a pressure of £1.520m, which is a reduction of £0.731m in the gross pressure since last month. This position includes all financial savings generated through Management Actions, together with the additional funding secured from the Eastern and Coastal Kent PCT, in respect of intermediate care proposals and services for patients leaving hospital and requiring social care.

Management Action plans were finalised in August which, at the time, were anticipated to bring KASS back to a breakeven position. Although there has been progress against these plans as highlighted in previous reports, there has always been the concern that the full value of the savings would not be achieved, and this has proved to be the case. Therefore a year end pressure, after Management Action, of £1.520m is forecast, which is a reduction of £0.231m from the last report.

- 2.4.2 The movements over £0.1m this month in the gross position, before management action, are:

- -£0.560m Older People – an increase in the underspend from £0.954m to £1.514m. Although there has been an increase in the number of Direct Payments clients, there have been further reductions in the numbers of permanent clients in residential and nursing care because of higher than anticipated levels of attrition. The funding secured for the Eastern & Coastal Kent PCT has helped to allay some of the overall pressures within Older People.
- -£0.124m Learning Disability – a reduction in the pressure from £4.859m to £4.735m. This follows a small drop in the number of permanent residential placements and a reduced day-care forecast following review by West Kent, although this has been off-set in part by an increase in Direct Payments. There continues to be a high level of demand for services due to on-going demographic, and price pressures within all main areas of expenditure.
- -£0.191m Physical Disability – a reduction in the pressure from £1.414m to £1.223m which primarily results from a number of clients reaching the age of 65, whose costs are then charged to the Older People budget. The resultant impact on Older People has been

suppressed to an extent because of attrition and the funding received from Eastern & Coastal Kent PCT. As with Learning Disabilities, there remain significant pressures across all services, but primarily direct payments, where increases are not matched by decreases elsewhere, and supported and other accommodation.

- +£0.215m Other Services – a reduction in the underspend from £1.923m to £1.708m. Primarily this results from an increase to the provision reported last month, in respect of costs relating to delayed implementation of client billing on Swift.

2.5 Environment, Highways & Waste portfolio:

The underspend for the portfolio has increased by £0.305m this month to £2.535m. The main changes are:

- -£0.340m Kent Highways Services largely due to a reduced call on Winter pre-salting runs (the previous report assumed full usage of budget).
- -£0.110m further underspending within Waste Management.
- +£0.130m Resources mainly due to reduced income, increased staff costs and a higher estimate of the provision required for outstanding debts.

A decision on the funding of £0.706m of emergency expenditure arising from the floods, gales, tidal surge and the earthquake in Folkestone will be made at year end.

2.6 Regeneration & Supporting Independence portfolio:

The underspend for the portfolio has increased by £0.388m this month to £1.163m. The main changes are:

2.6.1 Environment & Regeneration Directorate:

-£0.140m mainly due to reduced spend on Waste Local Development Framework and Kent International Gateway, and increased income from planning application fees.

2.6.2 Chief Executives Directorate:

-£0.248m as a result of the re-phasing of activity supporting the T2010 target 9, Kent Supporting Independence Programme. This budget will be required to roll forward.

2.7 Communities:

2.7.1 The gross pressure on this portfolio has increased by £0.278m from £1.130m to £1.408m this month. The main movement is an increase of £0.106m within the Coroners service, which is mainly due to claims from Coroners for long inquests and further unexpected price increases for mortuary provision. The risk of the impact of long inquests, which are outside of our direct control, had previously been identified. Communities staff are continuing to work with the Coroners to identify trends and the reasons for variations between the 4 coroner districts. They are also working with Medway Council to introduce an improved service level agreement to better reflect the split of costs of the Maidstone and Medway Coroner between Medway Council and KCC. The balance of the increased pressure this month is an accumulation of smaller variations across a number of services which have come to light during the initial stages of the closing of accounts process.

2.7.2 It is expected that this £0.278m increase in the pressure will be offset by a further review and draw down from specific and relevant reserves to avoid rolling forward a further deficit into 2008-09, other than that for Adult Education. The use of one-off reserves money to offset these issues is not a cause for concern as the underlying issues have largely been addressed in the 2008-09 budget. If this review of reserves is successful in identifying £0.278m to offset these new pressures, this will leave a residual year end pressure of £1.130m, as previously reported, which is made up of £0.830m in respect of Adult Education and £0.3m of mediation and litigation costs incurred on the original Turner Gallery. The former will need to be rolled forward and addressed during the 2008-09 and 2009-10 with progress monitored against an agreed action plan and the latter will be offset by underspending within the finance portfolio as explained in paragraph 1.6 above.

2.8 Corporate Support:

The underspend on this portfolio has increased by £0.387m to £0.896m. The main movements are:

- -£0.237m additional internal income as a result of increased activity within Legal Services.
- -£0.050m increased project related income within Information Services.

- -£0.042m within the Strategic Development Unit mainly due to the re-phasing of the Route Development Fund into 2008-09.

Excluded from this forecast position is the Home Computing Initiative which, due to the accounting treatment, will require a scheduled overspend of £0.262m to roll forward into 2008-09 to be met from staff salary deductions in that year.

2.9 Finance:

The underspend on this portfolio has increased by £0.161m to £7.135m. The main movements are:

2.9.1 Chief Executives Directorate:

- -£0.065m increased income within the Finance Group relating primarily to Exchequer Services. This will be requested to roll forward for system upgrades in 2008-09.

2.9.2 Financing Items:

- further savings of £0.080m on the Interest on Cash Balances / Debt Charges budgets largely as a result of further re-phasing of the capital programme therefore reducing the level of new borrowing required in the current year.

2.10 Policy & Performance:

The underspend on this portfolio has increased by £0.156m to £0.224m mainly relating to the costs of modernisation and re-structure of the Corporate Communications unit and communication methods being less than the one-off £350k funding provided to achieve these aims. £50k of this underspend within Corporate Communications will be requested to roll forward to fund some Web project work.

3. 2007-08 CAPITAL MONITORING POSITION BY PORTFOLIO

3.1 There has been some cash limit adjustments this month as detailed below:

	£000s
1. As reported to Cabinet on 17 March 2008	268,660
2. DCLG grant to provide 2 mobile construction training centres in North Kent and 1 permanent construction & engineering training centre in Sittingbourne (Eurolink Estate) (Vocational Programme – OR&S (CFE) portfolio)	2,100
3. LSC contribution to establish a vocational unit at Marsh Academy (OR&S (CFE) portfolio)	50
4. Additional external funding via the Diocese for the Modernisation project at High Halden Primary School (OR&S (CFE) portfolio)	274
5. Additional Growth Area Funding grant (GAF2) for Ashford Ring Road Arts project within Major Scheme Design (EH&W portfolio)	39
6. DCLG grant for Major Scheme Design (EH&W portfolio)	33
7. Revenue Contribution from Dover District council towards Neighbourhood Forums (P&P portfolio)	45
8. Residual Thanet second homes funding added to the Small Community Capital grant budget per member decision 07/01062 (P&P portfolio)	3
	<hr/>
	271,204
9. PFI	11,593
	<hr/>
	282,797

3.2 Overall there is a further -£13.583m of re-phasing of projects this month, as identified in table 3, the main movements are detailed below:

3.3 **Operations, Resources & Skills (CFE) portfolio:**

The forecast variance for the portfolio has moved by -£6.296m from -£6.806m to -£13.102m this month. The main changes are:

- -£3.000m Kingsmead (Development Opportunity) – the site purchase for the new school site has been delayed until planning consent for residential development on the current school site has been obtained.
- -£2.279m Special Schools Review – the forecast for a number of projects within this programme have changed, the main changes are:
 - -£1.406m Meadowfield School – the need for additional works and the need to secure additional funding have caused delays. The additional works include changes required as a result of legislation changes, fitting window controls and claims from the contractor due to the time extension, which was outside of their control.
 - -£1.104m Rowhill School – significant re-phasing due to the major reworking of the school design.
- -£1.164m Modernisation Programme 2006/07/08 – the main changes are:
 - -£0.587m Phoenix School – the project has been delayed whilst additional works and the subsequent funding has been secured.
 - -£0.305m Crockham Hill – previous estimates of the net cost to KCC have been overstated.
- -£0.533m Children's Centres – the majority of this re-phasing relates to Extended Schools grants devolved to schools who now find that they are unable to complete their expenditure in 2007-08 and have requested to roll forward to 2008-09.
- -£0.296m Site Acquisitions – the purchase of the site for the intended new school at Warden Bay has been delayed whilst site size and access issues are resolved.
- -£0.231m St James the Great Primary School (Development Opportunity) – the project has been delayed pending certainty of obtaining capital receipt funding. The delay has been exacerbated by the need to agree a time extension on access to the school site.

These reductions have been partially offset by:

- +£0.510m Modernisation Programme 2004/05/06 – the most significant change in this programme is at Wrotham Road Primary School (+£0.333m), where additional engineering, electrical and maintenance works have been necessary.
- +£0.344m Academies – most of this increase relates to early development costs of Maidstone Academies (+£0.781m), Spires & Marsh Academy (+£0.438m), partially offset by delays on Folkestone Academy (-£0.500m) where demolition work only will take place in 2007-08, and Sheppey Academy (-£0.375m), where progress has not been as fast as expected.
- +£0.285m Maintenance Programme – a review of all of the maintenance headings, most of which are demand led, indicate an overall overspend in 2007-08.
- +£0.280m The Oaks, Ashford (an Implementation of Primary Strategy Project) – this has increased following the late approval to include ASD (Autistic Disorder Provision) in the project, some of which has taken place in 2007-08.

3.4 Children, Families & Educational Achievement portfolio:

The forecast for the portfolio has moved by -£0.246m from -£1.035m to -£1.281m this month. This is due to:

- -£0.179m re-phasing of costs into 2008-09 on the Windchimes Centre. Although the Respite Centre is complete, there are a number of ancillary issues still to be completed which include the installation of additional air conditioning equipment and the supply and installation of outside play equipment.
- -£0.067m - the vehicles on order for the Windchimes and Fairlawn Centres were not delivered by the end of the financial year.

3.5 Kent Adult Social Services portfolio:

The forecast for the portfolio has moved by -£0.295m from -£1.122m to -£1.417m this month. The main movements are:

- -£0.150m System Replacement Project (SRP) – this re-phasing is due to delays in the Swift (client activity system) Implementation Timetable.

- -£0.133m Dignity In Care Grant – further re-phasing associated with delays in work carried out in residential homes.
- -£0.098m Home Support Fund – re-phasing of committed funds where work/adaptations were not complete by the end of the financial year.
- +£0.244m Broadmeadow – Ongoing negotiations with the contractors have now highlighted the need for creditors to be set up.

There are also a number of smaller movements across a range of projects.

3.6 Environment, Highways & Waste portfolio:

The forecast for the portfolio has moved by -£5.999m from -£3.607m to -£9.606m. The main movements are detailed below:

- There has been some significant re-phasing into 2008-09 of the following KHS projects:
 - -£2.185m Integrated Transport Programme.
 - -£0.374m Improving the Quality of Roads and Footpaths.
- -£2.112m Highway Major Maintenance – this is due to a previous over-optimistic forecast of the work that could be completed before the year end. The anticipated outturn for the year is now very close to the revised phasing of the programme, as reflected in the 2008-09 MTP.
- -£0.475m Re-shaping KHS Accommodation – the judicial review process has prevented construction at the Wrotham site.
- -£0.455m East Kent Access Phase 1 – re-phasing into 2008-09 due to slower than expected progress in finalising cost details.
- -£0.362m Everards Link Phase 2 – programme re-phasing into 2008-09.
- -£0.140m Country Park Access & Development – re-phasing of Lullingstone Car Park work.
- -£0.138m Energy Usage Reduction Programme – one large project transaction did not occur before year-end.
- -£0.134m Shorne Wood & Country Park – re-phasing due to a delay in carrying out access improvement works.
- -£0.125m Safety Camera Partnership, reflecting further re-phasing of activity into 2008-09.

These reductions have been partially offset by:

- +£0.242m Non TSG Land, Compensation & Blight – adjustment needed due to the reassessment of the purchase price of a blighted property.
- +£0.184m Major Scheme Preliminary Design following a major push on the East Kent Access phase 2 scheme.
- +£0.103m Thamesway – higher cost outturn than previously estimated. The costs remain within the overall budget allocation.

3.7 Regeneration & Supporting Independence portfolio:

The forecast for the portfolio has moved by -£0.865m from -£1.772m to -£2.637m. The main movements are:

- -£0.461m Empty Property Initiative – the expected level of provision of loans to landlords did not occur before the year-end.
- -£0.204m Arts & Business Centre at Folkestone Academy – further re-phasing due to weather and archaeology findings.
- -£0.167m Fastrack Delivery Executive – lower capital costs than anticipated of ticket vending and associated systems. This will be matched by a reduction in the grant funding.
- -£0.121m Gravesend Community Arts Complex – there is further re-phasing on this project mainly due to funding uncertainty.
- -£0.070m Fort Hill De-dualling works – progress on the design has not been as fast as expected.
- +£0.138m Eurokent Spine Road – the contract progress is better than previously anticipated.

3.8 Communities portfolio:

The forecast variance for this portfolio has moved by -£0.092m this month, from -£0.570m to -£0.662m. The main changes are as follows:

- -£0.162m Mortuaries Refurbishment – the works at the Medway Maritime Hospital were forecast by the hospital to be complete by the end of 2007-08, but remain ongoing resulting in re-phasing to 2008-09.
- +£0.106m Sevenoaks Kaleidoscope – there has been a considerable delay in trying to reach agreement on the final cost with the contractor. The QS has still to finalise the accounts but has advised that in his view there remains costs to pay including fees above the provision made last year for creditors and retention. This will result in an overspend on the project which will need to be funded from underspending elsewhere within the Communities capital programme. The current forecast is his best estimate but it could increase.

3.9 Corporate Support portfolio:

The forecast variance for this portfolio has moved by +£0.059m this month, from -£0.320m to -£0.261m. The main changes are as follows:

- +£0.265m increased expenditure on the Maidstone Gateway, where progress has been better than previously forecast.
- -£0.205m re-phasing on IT related projects due to supplier delays.

3.10 Finance portfolio:

The forecast for the portfolio has moved by +£0.188m from -£0.723m to -£0.535m this month. The main movement is an increase of £0.248m due to a reduction in the previously forecast re-phasing of the Modernisation of Assets programme.

4. RECOMMENDATIONS

Cabinet is asked to:

- 4.1 Note the latest forecast revenue and capital budget monitoring position for 2007-08.
- 4.2 Note the changes to the capital cash limit as reported in section 3.1.

This page is intentionally left blank

By: Roger Gough, Cabinet Member for Regeneration and Supporting Independence
Adam Wilkinson, Managing Director, Environment & Regeneration

To: Cabinet: 12th May 2008

Subject: Ashford's Future – proposed formalisation of the Ashford's Future Partnership and the related incorporation of a Special Purpose Vehicle

Classification: Unrestricted

Purpose of Report:	To inform Members of
For Information	<ol style="list-style-type: none"> 1. the proposal for formalising and restructuring the Ashford's Future Delivery Board 2. the work in progress on developing a Special Purpose Vehicle (SPV) as a key new element in the delivery structure for Ashford's Future in delivering growth to Ashford

1.0 Introduction

1.1 The Ashford Growth Area is entering a new phase of delivery. Given the scale of infrastructure that needs to be provided to support the doubling of the size of the town it is acknowledged that the Ashford's Future Partnership will need to adapt and strengthen its programme and project management capacity. Accordingly it is proposed that current arrangements be revised to ensure the efficient delivery of key projects, and the securing of resources. The revision of arrangements will also meet the Government's requirement as a condition of future funding support.

2.0 Proposals and Progress

2.1 The Ashford's Future Delivery Board (AFDB) is currently an informal partnership of the key partners involved in the regeneration of Ashford. It is proposed to formalise and rename the Board the 'Ashford's Future Partnership Board' (AFPB), with reviewed membership arrangements. This will continue to be a public sector-led partnership, retaining formal control of the overall Ashford's Future Programme.

2.2 A Partnership Agreement between the four Founder Partners (ABC, KCC, SEEDA, and EP) will establish a decision-making framework, and make provision for decisions solely by the four Founding Partners.

2.3 The AFDB has agreed on the incorporation of a company limited by guarantee to act as a special purpose vehicle (SPV) to support the delivery of the Ashford's Future Programme.

2.4 At the County Council's instigation, the need for an SPV has been questioned with DCLG. The case was put that the same outcome could be achieved by strengthening the existing partnership arrangements and that an SPV may be inefficient in financial terms. However, it is accepted that private sector input in the SPV will bring expertise, challenge and a new approach. The SPV will also bring a culture change and a perception that Ashford is entering a new phase of delivery. In addition, DCLG confirmed that future Growth Area Funding for Ashford would be dependent on a commitment to the establishment of an SPV under private sector influence.

2.5 To date, activity has been driven and co-ordinated by the Ashford's Future Core Team and by

officers drawn from the partners, in support of the AFDB. It is proposed that a new SPV team will subsume the existing Ashford's Future team, and will be led by a Managing Director. Recruitment is under way for the new Managing Director. Other vacant posts will be filled subsequently.

It is anticipated that the SPV team will be fully operational by the Autumn.

There are no plans to formally second or otherwise transfer the employment of any County Council officers to the SPV.

2.6 The SPV will have two clear functions; firstly, ensuring the delivery of key projects, to include bringing forward town centre sites where a number of different partners are involved in delivery. The second function of the SPV is to provide programme management for the entire Programme for Development on behalf of the AFPB (see para 2.7 below). In this role the SPV will ensure that all organisations with a responsibility for projects are delivering on time and on budget, and will report to the AFPB.

The relationship between the AFPB and the SPV is appended (Appendix 1). The proposed staffing structure for the SPV is also appended (Appendix 2)

2.7 Since the decision by the AFDB to proceed with the development of the SPV, the Ashford's Future team has submitted a Programme for Development (PFD) to Government, setting out key project priorities for Ashford's growth, for all main partners to support and assist in delivering. DCLG has subsequently awarded Growth Area (GAF 3) funding to Ashford totalling £23m for the three year period 2008 to 2011, providing a significant statement of commitment to the Ashford Growth Area. It is expected that DCLG will meet the full operational costs of the SPV, although this is yet to be finalised. Other partners (such as English Partnerships) may wish to channel their funding via the SPV.

2.8 Work has been proceeding on the drafting and negotiation of the legal documents and other matters that will be required to support the proposed arrangements.

The proposed draft documents comprise:

- a non-binding Partnership Agreement between the four Founding Partners (Ashford Borough Council (ABC), KCC, the Regional Development Agency (SEEDA), English Partnerships (EP)) to put the overall Ashford's Future Partnership on a more formal basis,
- a Memorandum and Articles of Association for the Ashford SPV, and
- a Members' Agreement between the four 'Founder Members' of the SPV (ABC, KCC, SEEDA, EP) to regulate their approach to the operation of the SPV and outline the decisions that can only be made by their unanimous agreement.
- The company documents require the SPV to act in accordance with a Business Plan that has been given prior approval of the Members under the Members Agreement. The Business Plan is being drafted, and will outline the activities that the SPV proposes to carry out in delivering aspects of the Programme for development.
- Accountable Body procedures

2.9 The SPV will have a Board of Directors (the SPV Board) comprised of representatives from ABC, KCC, SEEDA and EP, and up to four directors chosen from the private sector, one of whom will act as Chair of the Board and who will exercise a casting vote at Board level. The four founder members are each entitled to nominate a Director. The AFDB has approved the appointment of Robin Pyle, Senior Director of Land Securities as private sector Chairman for the new SPV Board. The other three private sector Directors are in the process of recruitment.

2.10 The Founding Partners are each in the process of seeking their necessary approvals to participate in the SPV and revised Ashford's Future Partnership Board. Ashford Borough Council's Executive Committee approved the proposals on 6th March 2008.

2.11 This matter was reported to the County Council's Environment and Regeneration Policy Overview Committee on 31st January 2008, where the POC gave in principle support to the establishment of the SPV, subject to funding being available to cover the costs.

3.0 Implications for the County Council

3.1 The implications for the County Council are in terms of financial liability/exposure and risk.

3.1.1 Finance

Ashford Borough Council is the Accountable Body for GAF 3 government funding and other monies, and receives and holds the funding on behalf of the Founding Partners. Funds are then drawn down by partner organisations responsible for specific projects in delivering the Programme for Development.

For projects where the County Council is the lead organisation, it is anticipated that funding will be drawn down from ABC by the County Council in accordance with Accountable Body procedures and GAF 3 Funding Guidance. These monies are both outside and additional to the County Council's own budgets.

3.1.2 Partner contributions and risk

It was anticipated that partners (such as SEEDA) would contribute assets to the SPV, and that the SPV would attract private sector investment. Asset and other contributions to the SPV by the partners are not yet clear. However, the County Council's position is that it will only provide contributions in kind to the SPV, through the provision of dedicated specialist staff to deliver particular projects eg transport.

It is not proposed to transfer of funds from the County Council's base budgets to the SPV.

The SPV will be a company limited by guarantee, with each of the Founding Members liable for a contribution of £1 towards any debts that may be outstanding on the winding up of the company.

The nominal value of this guarantee means that the creation of an SPV under these terms does not present a direct financial risk to KCC.

4.0 Reporting

4.1 The County Council representative on the AFPB will have responsibility for ensuring there is appropriate co-ordination within KCC, and will report to Cabinet on progress. The SPV Business Plan and Ashford's Future 'Programme for Development' will also be reported to Members for approval. The County Council's normal democratic rights will not be compromised.

4.2 The process of developing the new arrangements has highlighted the need for a strengthening of the County Council's own procedures, business planning and reporting in respect of the Ashford Growth Agenda. Accordingly, procedures will be developed for ensuring that corporate objectives are agreed prior to inputting to the Ashford Growth Agenda.

5.0 Conclusions

5.1 The proposals as outlined in this paper will help take forward the growth agenda in Ashford, enabling more effective delivery and reflecting the County Council's priorities. KCC is already heavily involved in supporting growth proposals in Ashford. The establishment of the SPV should help to ensure that these resources are more effectively deployed, together with an improvement in the collective capacity of the Ashford's Future Partnership to deliver a coherent and co-ordinated programme of projects and other activity to deliver growth in Ashford.

By adopting the new arrangements as outlined, the Ashford's Future Partners will be able to provide greater confidence that the desired outcomes will be achieved. Additional input from the private sector should also enhance perceptions that Ashford has moved effectively into the delivery mode.

5.2 This is an interim report and a fuller examination of the proposals and implications for KCC will be made to the June meeting of Cabinet.

Recommendation: Cabinet is requested to

- i) Note progress on the revised arrangements for Ashford's Future, to include a proposal to submit a full report to the June meeting of Cabinet.

- ii) Request all County Council Managing Directors to consider the implications of the proposed Ashford's Future SPV and Programme for Development on their service areas
- iii) Note that a further report will be submitted seeking approval of the terms of the Ashford's Future Programme for Development and the SPV Business Plan

Contact Officer

Val Hyland x1373

Appendices

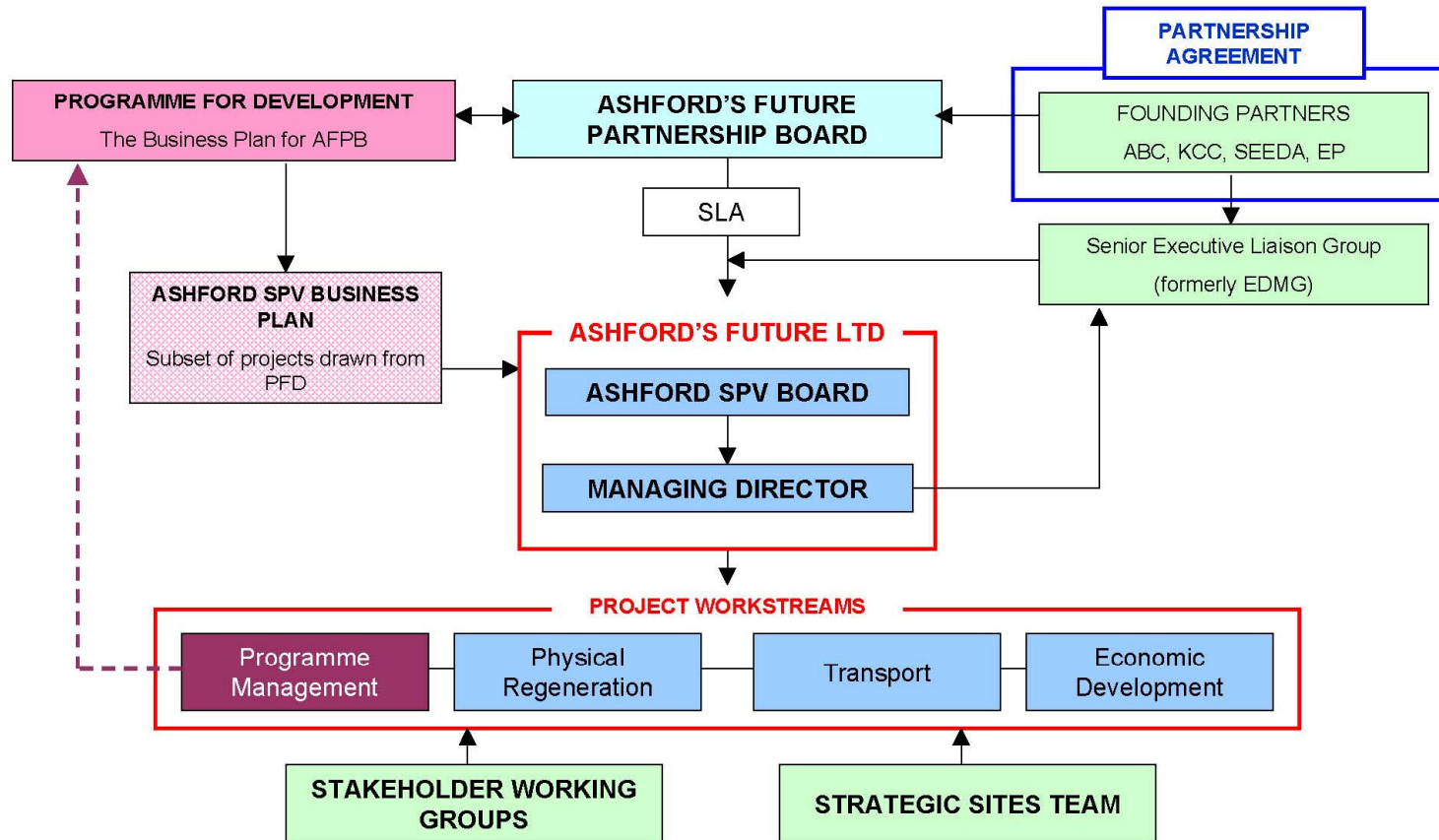
1. The relationship between the AFPB and the SPV
2. The proposed SPV staffing structure

Background Documents

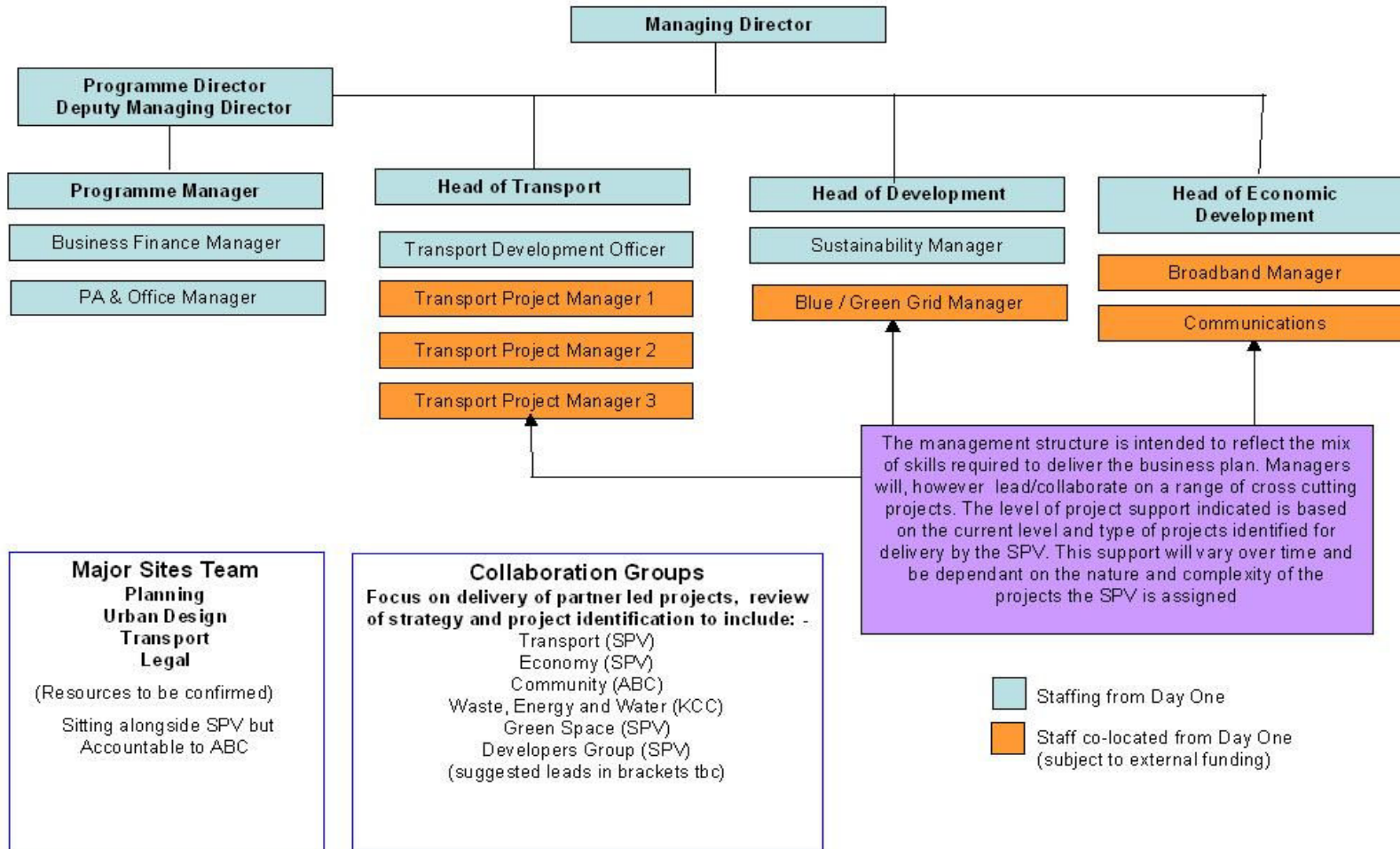
Ashford's Future: The Programme For Development

Appendix 1: Proposed Relationship between the Ashford's Future Partnership Board and the SPV

DELIVERY OF ASHFORD'S FUTURE RELATIONSHIPS & RESPONSIBILITIES



Appendix 2: Proposed Staffing Structure



By: Roger Gough, Cabinet Member for Regeneration & Supporting Independence
 Adam Wilkinson, Managing Director, Environment & Regeneration

To: Cabinet, 12 May 2008

Subject: **Kent Thameside Delivery Board: Review and future direction**

Classification: Unrestricted

Summary: The paper proposes a review of the partnership arrangements in Kent Thameside and discusses the implications for KCC.

Cabinet is asked to:

- i) **endorse the way ahead** for KCC in Kent Thameside as set out in this paper; and
- ii) **authorise** the Cabinet Member for Regeneration and Supporting Independence and the Managing Director for Environment & Regeneration to negotiate with partners and agree a way ahead for the Kent Thameside Delivery Board that meets KCC's strategic objectives.

1. Introduction: The Current Delivery Structure in Thames Gateway Kent

(1) Across the 40 mile extent of the Thames Gateway (see map at Appendix 1) the structure of delivery is complex, with a host of agencies, local authorities and delivery vehicles involved in delivery, providing infrastructure to support growth or attempting to co-ordinate delivery. The Thames Gateway itself covers:

- ◇ three Government Regions and Regional Development Agencies;
- ◇ sixteen local authority areas;
- ◇ three sub-regional regeneration partnerships;
- ◇ two Urban Development Corporations and seven local regeneration partnerships;
- ◇ an estimated sixty-six principal partner organisations plus other public and voluntary sector organisations; and
- ◇ private sector developers, landowners and companies.

-
- (2) Along with Thames Gateway London, and Thames Gateway South Essex, the Thames Gateway Kent Partnership is one of the three Area Partnerships in the Gateway. The TGKP brings together representatives of the three Kent and Medway Delivery vehicles (Kent Thameside, Medway Renaissance and Swale Forward), together with the local authorities and private sector representatives. See diagram at Appendix 2.
 - (3) At the Thames Gateway Forum last November, the Prime Minister launched the Government's Thames Gateway Delivery Plan. The high level targets for this Plan are to develop 160,000 houses and attract 225,000 jobs to the Thames Gateway in the period to 2016. This paper looks at the current structure of delivery in Kent Thameside, outlines the drivers for change short-medium term and considers the implications for KCC.
 - (4) Co-ordination of activities across the Gateway is undertaken by the **Thames Gateway Strategic Partnership**. This is the high level grouping bringing together various departments of Government with the three Thames Gateway Area partnerships (see 1(2) above), representatives of the local delivery vehicles (Urban Development Corporations and regeneration partnerships) and some of the local authorities. It is chaired by the Minister for Housing and Planning (currently Caroline Flint). It is the key vehicle in co-ordinating policy and delivery across the whole of the Gateway, and as the medium for dialogue between Government and delivery organisations.

2. Kent Thameside Delivery Board

- (1) The Kent Thameside Delivery Board was established to co-ordinate delivery in Kent Thameside and as a requirement for the acceptance of funding from the former Office of the Deputy Prime Minister and current Department of Communities and Local Government. Established as the Kent Thameside Association in 1993 it became the KTDB in 2003.
- (2) Chaired since 2003 by Lord Bruce-Lockhart, the KTDB brings together the local authorities in Kent Thameside (Dartford and Gravesham Boroughs and KCC) together with Government agencies such as SEEDA and EP and key private sector stakeholders such as Land Securities. Its Vice-Chairman is Stephen Jordan of London and Continental Railways. Roger Gough and Adam Wilkinson are the nominated KCC representatives on the Delivery Board (in addition to Lord Bruce-Lockhart as Chairman). The Chairman has a seat on the Thames Gateway Strategic Partnership, see para 1(4) above.
- (3) KCC acts as Accountable Body for the KTDB, which as a voluntary partnership has no separate legal identity. The KTDB team totals nine members of staff formerly headed by Chief Executive Michael Ward, until his resignation with effect from the end of April 2008. The total income for running costs of the KTDB for 07/08 will be £1.1m of which the KCC total net contribution will be £137k (KCC receives SLA income totalling £27k for finance, legal and HR services).

-
- (4) As well as co-ordinating delivery in Kent Thameside, the KTDB houses the Fastrack Delivery Executive and Kent Thameside Economic Board. Chief among the KTDB's achievements in the past year has been the negotiation of the deal between Government and local partners concerning the Kent Thameside Strategic Transport Programme. This is the package of eleven schemes to support development over the next 20 years in Kent Thameside, also known as 'homes and roads'.
 - (5) Following Michael Ward's departure, and Lord Bruce-Lockhart's decision to relinquish Chairmanship of the KTDB, the Delivery Board has agreed that time is right for a short review of the partnership arrangements in Kent Thameside.
 - (6) The rationale for a review at this stage relates to factors at both regional and national levels, including the following:
 - In 2003 the focus was upon planning for delivery in Kent Thameside. With the opening of Ebbsfleet International Station, the granting of planning permission for Eastern Quarry and the successful implementation of the Fastrack network, delivery is undeniably happening in Kent Thameside. The review will ascertain whether the current structure is fit for purpose;
 - The Sub National Review of Economic Development and the proposed strengthening of the Local Authority role in Economic Development including a statutory economic assessment duty;
 - The proposed transfer of accountability for the Thames Gateway to the new Homes and Communities Agency under Sir Bob Kerlake from April 2009;
 - The new round of Local Area Agreements which will be shaping action on the ground across the Gateway;
 - Joint working across Thames Gateway Kent leading to a potential Multi Area Agreement covering the North Kent districts and Medway;
 - The changing structure of partnership working across Kent in general.

3. Scope & Nature of Review

- (1) Kent Thameside will continue to play a significant role in the Thames Gateway in future. The headline targets of 30,000 homes and 50,000 jobs are important in a regional and pan Gateway context. Ebbsfleet Valley is identified as one of the four spatial transformers across the whole Gateway in the Government's Delivery Plan and is thus critical to the success of the Thames Gateway initiative.
- (2) In its Delivery Plan, the Government has allocated some £51.7m of DCLG funding to support growth in the period 2008-11. This funding will support projects in Dartford & Gravesend town centres, the waterfront,

Ebbsfleet Valley and station regeneration.

- (3) It is essential, therefore, that the review is undertaken in a timely and efficient manner and does not impede progress on delivery. The partners in the Kent Thameside Delivery Board wish to conclude discussions and agree a way forward before the end of this month (May).
- (4) There are a range of potential structures which the restructured Delivery Board could take, depending on the nature of activities proposed for it. Discussions are ongoing with the KTDB partners to establish an agreed list of common priorities for action. Once these are agreed, then the form of the restructured Delivery Board can be resolved.
- (5) The range of potential structures include:
 - ◇ The establishment of a Special Purpose Vehicle, perhaps along the lines of the Ashford model;
 - ◇ Absorbing the delivery vehicle into one of the key agencies (eg KCC or SEEDA);
 - ◇ Strengthening the relationship with the Local Strategic Partnership;
 - ◇ Placing responsibility for delivery within the hierarchy of the emerging North Kent Multi Area Agreement (see above); and
 - ◇ A refocused status quo.
- (6) Each of the above structures has some merits, as well as potential disadvantages. We will be working closely with partners over the coming weeks to ensure that the proposed structure is fit for purpose to ensure the challenge of delivery in Kent Thameside is met.

4. Implications for KCC

Regeneration Strategy

- (1) Although much of the delivery will be undertaken by the private sector, Local Authorities will continue to have a vital role in delivering the Thames Gateway initiative. The Thames Gateway will therefore feature significantly in the KCC Regeneration Strategy which will articulate our aspirations for Kent and the Thames Gateway. The Strategy will provide a framework for assessing the key priorities for KCC to focus upon in the coming years.
- (2) KCC will continue to play an active role in the work of the Kent Thameside Delivery Board. Part and parcel of this process is ensuring that there is a focus upon delivery. The aspiration to ratchet up the pace of delivery will place further demands upon KCC. It is essential, therefore, that we play a full role in the restructuring of the current delivery arrangements in Kent Thameside.

Corporate Service Provision

-
- (3) Responding to growth in Thames Gateway Kent is a corporate issue for KCC and touches upon every aspect of service delivery in North Kent. Previous reports to Cabinet and COG have highlighted the issues in relation to the development of major sites (eg Eastern Quarry) and this will continue to place significant demands on staff across KCC into the future.
 - (4) Furthermore, it is important that an Authority the size of KCC continues to influence the agenda for the Thames Gateway, not just locally on the Kent delivery vehicles but also regionally and nationally.

5. Conclusion

- (1) The Thames Gateway is likely to remain a high priority both regionally and nationally for the foreseeable future. We see development of the Thames Gateway as one of the major issues facing Kent in years to come. It is important that as the strategic county authority KCC continues to play a leading role in order to retain influence at local, regional and national levels. This will require a co-ordinated effort across the County Council, in recognition of the role that all Directorates can play in regeneration and the creation of sustainable communities
- (2) Given the external factors identified in this paper, and the increasing pace of delivery on the ground in Kent Thameside, it is appropriate at this time to review the partnership arrangements currently in place. This review needs to be conducted in a timely and efficient manner to ensure the focus remains upon delivery. It is our intention to ensure KCC plays an active role in this process.

6. Recommendations

Cabinet is asked to:

- iii) **endorse the way ahead** for KCC in Kent Thameside as set out in this paper; and
- iv) **authorise** the Cabinet Member for Regeneration and Supporting Independence and the Managing Director for Environment & Regeneration to negotiate with partners and agree a way ahead for the Kent Thameside Delivery Board that meets KCC's strategic objectives.

Background Documents:

Thames Gateway Delivery Plan, HMSO, November 2007

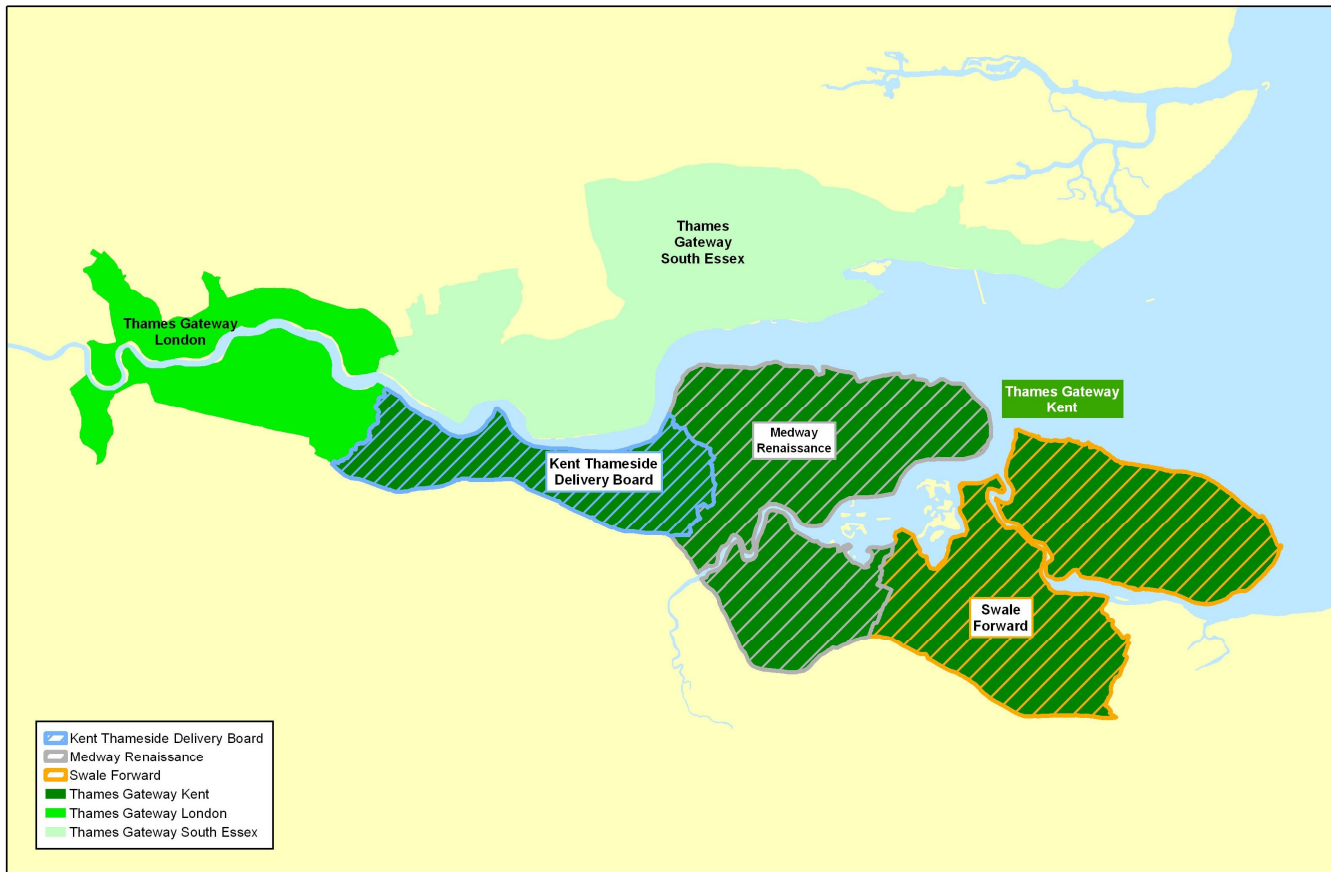
Author Contact Details

Mike Bodkin, Head of Urban Regeneration, Environment & Regeneration Directorate.

✉ mike.bodkin@kent.gov.uk

☎ 01622 221960

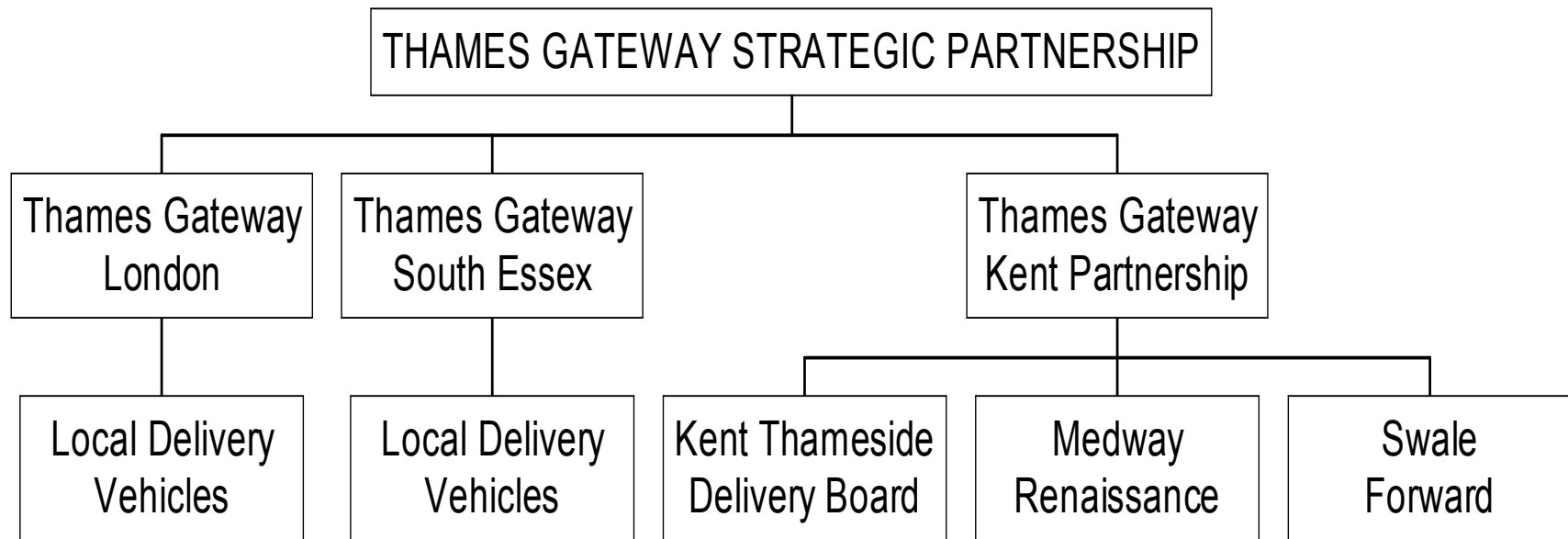
Appendix 1: The Thames Gateway and Regeneration Partnerships



Produced by the KCC Analysis Information Team (AIT)
(C) Crown Copyright. All rights reserved 100019230, 2008
Ref: ma1346



Appendix 2: Thames Gateway Partnership Structure,



See map at Appendix 1 for Geographical Coverage

By: Paul Carter, Leader of the County Council
 Peter Gilroy, Chief Executive

To: a) Cabinet – 12 May 2008
 b) County Council –19 June 2008

Subject: **ESTABLISHING JOINT WORKING ARRANGEMENTS WITH CANTERBURY CITY COUNCIL, DOVER DISTRICT COUNCIL, SHEPWAY DISTRICT COUNCIL AND THANET DISTRICT COUNCIL**

Classification: Unrestricted

Summary: Report recommending that KCC enters into joint working arrangements with Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council

Introduction

1. (1) Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council have all signed a Joint Working protocol committing them to work together and to identify opportunities for the joint provision of services. In addition, both the district councils and the County Council have signed The Kent Commitment which recognises the East Kent Cluster and gives a general commitment to building on the existing two tier arrangements. In order to be able to put into effect the Joint Working agenda, it is necessary to put in place a governance framework, not only to make decisions, but to carry out scrutiny functions in relation to those decisions.

Background

2. (1) The signing of The Kent Commitment recognised the opportunities that exist for the County Council and the District Councils to work closer together in order to integrate functions which improve the effectiveness and efficiency of services and how they are delivered. In particular the Commitment recognised the work of East Kent in developing a cluster model and it was agreed that Canterbury City Council, Dover District Council, Shepway District Council and the County Council would continue to work together in order to consider and identify opportunities for greater integration and the potential to share a range of public facing services.

(2) In order to carry forward these objectives it will first be necessary to establish a framework which gives legal authority for the four District Councils and the County Council to work jointly together. **This report therefore recommends the establishment of two joint committees:** the East Kent (Joint Arrangements) Committee (“EKJAC”) and the East Kent (Joint Scrutiny) Committee (“EKJSC”).

3. Legal Framework

3.1 Because the EKJAC is intended to discharge both executive and non-executive arrangements, it must be established by both the full Council and the Executive of each authority.

- 3.2 The appointment of the members to EKJAC must be made by the Council, with the agreement of the Executive
- 3.3 The EKJSC must be established by resolution of the full Council.
- 3.4 By virtue of Section 15 and Schedule 1 of the Local Government and Housing Act 1989, the political balance requirements do not apply to either the EKJAC or the EKJSC because:
- (a) in the case of EKJAC, each authority makes fewer than three appointments to them and
 - (b) in the case of EKJAC and EKJSC, it is a joint Committee between a County Council and District Councils
- 3.5 The law does not contemplate joint scrutiny committees between authorities except in specific circumstances (such as health or local area agreements). In the circumstances here, it is proposed that a joint committee be created whose terms of reference have scrutiny type functions. It is a committee, however, which could in due course, be used as the basis for a formal joint scrutiny committee, scrutinising the Local Area Agreement and Local Improvement Targets.

4. How the East Kent (Joint Arrangements) Committee will operate

- 4.1 **It will be the decision of each individual authority to decide whether to put a service or function into EKJAC.** Any such decision would have to be based on the consideration of a full business case. The business case will be developed between the councils minded to participate in a particular shared service overseen by the joint committee. It would only be at the stage when a business case is established that the individual councils would be recommended to delegate the function to the joint committee as a shared service. At this point, the extent of the delegation and appropriate budgets would be established. All such delegations would need to be in common form as between the councils.
- 4.2 As from this point, once the function is delegated, the management of the joint service will be within the remit of the joint committee rather than with the individual councils. **It is fundamental to this arrangement that once a service becomes a 'shared service', control and management of that service will be passed from the council to EKJAC and, within the prescribed delegation limits, EKJAC (on which councillors who are not members of this Council will sit), will fulfil the functions delegated. This "loss of sovereignty" is a concept that should be fully appreciated.**
- 4.3 However, once a particular contract comes to an end, or some other opportunity arises, an authority can withdraw from a shared service and resume its own operation. Whilst it can also withdraw from the joint committee, in practice this is likely to be a process over time as individual shared services end.
- 4.4 EKJAC will only act in respect of those services/functions delegated to it. It may make recommendations on future joint service provision, but the decision

whether or not to enter into the joint arrangement will rest with the individual councils. Only those authorities that have decided to enter into a joint service will have a vote in relation to matters concerning the management of that service.

5. How the East Kent (Joint Scrutiny) Committee will operate

- 5.1 The East Kent (Joint Scrutiny) Committee is established to act as a separate joint committee for the monitoring, review and scrutiny of EKJAC. It will make reports and recommendations to EKJAC. The guiding principle for the work of EKJSC is that it should be consensual and positive.
- 5.2 Membership will comprise three non-executive councillors from each council. Meetings will be held quarterly to coincide with the meetings of EKJAC.
- 5.3 The three members from each Council shall be appointed to EKJSC in accordance with the political proportionality of the appointing Council.
- 5.4 The Chairman and Vice Chairman of EKJSC shall be drawn from a political group not forming part of the administration of the appointing Council.

6. Other Models

- 6.1 The EKJAC provides one model for delivering shared services. It is not the only one and neither the formation of EKJAC nor its operating arrangements preclude other models. In other words, it does not represent the only way that the constituent authorities could share services. For example, authorities could enter into a contract for another Council to provide a service or they could delegate their functions to them.

7. Expansion

- 7.1 Paragraph 16.1 of both operating arrangements envisages that **other Councils may join the arrangements. The arrangements do not, despite the name, limit the Councils participating to those in East Kent.** Other district councils could join and no doubt if they did, the name of the Committees would be reconsidered.
- 7.2 The Committees could, in addition to the shared service, be a mechanism to facilitate future Kent Commitment work streams.
- 7.3 The intention at present is that **the Host and Scrutiny Host authorities should change annually with the Chairmanships of the respective committees. Each host authority, including KCC, would therefore bear the cost of the work involved for their Host year.** It is intended, however, that this arrangement should be reviewed half-way through the first year of operation. If it is considered that it is more appropriate to have one Council permanently hosting EKJAC and one Council permanently hosting EKJSC, then the resource implications for the host authorities and the appropriate contributions from the others would have to be determined.

8 Call in

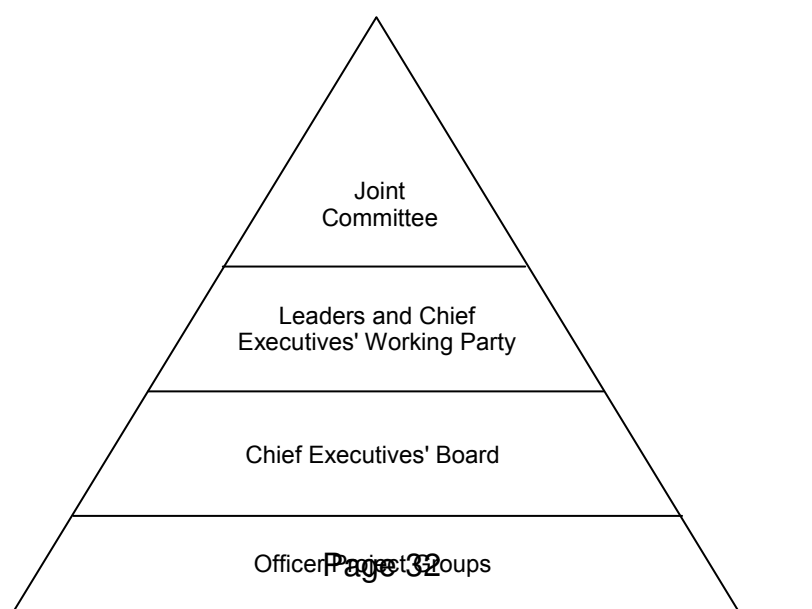
- 8.1 EKJSC will have the power to call-in the decisions of EKJAC. However, decisions of EKJAC, insofar as they relate to executive functions, are still the responsibility of the Executive of the relevant delegating Council and can thus be called in by the scrutiny committees of the individual councils. This power cannot be removed. The expectation would be nevertheless that call-in would be primarily exercised by EKJSC.
- 8.2 If, however, there are call-ins by individual councils' scrutiny committees, it is proposed that any multiple call-ins are held at the same time and place.

9. Operating Arrangement of EKJAC and EKJSC

- 9.1 Appendices 1 and 2 set out the operating arrangement of the two committees.
- 9.2 So far as possible, the structure of the two arrangements has been kept consistent, each setting out key principles, objectives, terms of reference, etc.
- 9.3 Both committees will have a host authority for the purposes of servicing them. The host authorities for each committee will not be the same.

10. Next Steps

- 10.1 The two committees provide the governance framework and to work up business cases for each service. The next step is to identify the programme for joint service provision. When that is done each project within the programme should have an officer team and lead officer assigned to it. It is envisaged that decision making follows a pyramidal structure with officer project groups forming the base of the pyramid feeding up to a board composed of the Chief Executives of each subscribing authority (or their nominees). Above them the leaders and chief executives meeting as a working party will review the work done and either pass back down the pyramid for further work or approve for formal submission to the joint committee which sits at the top of the pyramid.
- 10.2 As previously indicated council and/or cabinet approvals to delegate will be required before services become shared.



11. Conclusions

11.1 All the councils are committed to joint working. If this is to be made a reality there needs to be a governance mechanism in place and what is proposed provides this mechanism. The creation of the joint committees enables the parties to make joint working a reality.

11.2 The proposals in this report are about having in place the governance arrangements and a legal framework to allow joint working between the four districts and the County Council. However Members should be aware that considerable challenges lie ahead in bringing forward shared services. Issues which will have to be addressed include:

- Levels of service required by a particular council in respect of a particular service
- Current differentials in service specification between different councils
- Differential levels of spend of individual councils in relation to particular services
- Fair apportionment of costs and savings
- Loss of 'sovereignty' once a service is shared.

These will be matters which will need to be the subject of a separate report as appropriate.

Recommendations in respect of the East Kent (Joint Working) Committee

Cabinet and Council

1. That the Cabinet and Council (in relation to the Joint Arrangements Committee):

- (a) approve the establishment of a joint committee comprising Canterbury City Council, Dover District Council, Kent County Council, Shepway District Council and Thanet District Council, to be known as the East Kent (Joint Arrangements) Committee, with effect from 1 June 2008
- (b) approve the terms of the Operating Arrangements for the East Kent (Joint Arrangements) Committee as set out in Appendix 1
- (c) approve the delegation of functions to the East Kent (Joint Arrangements) Committee as set out in paragraph 3 of this report and Schedule 1 of the East Kent (Joint Arrangements) Committee Operating Arrangements

2. That the Council with the Agreement of the Cabinet:
 - (a) appoints the Leader and Deputy Leader from time to time as the two nominated members of the Council in accordance with the East Kent (Joint Arrangement) Committee Operating Arrangements, with the Chief Executive authorised to effect such substitutions in consultation with the Leader as are referred to in 2(b) below
 - (b) authorises all other members of the Cabinet to act as substitutes for the Leader and the Deputy Leader as mentioned in the East Kent (Joint Arrangements) Committee Operating Arrangements
3. **That Council (in relation to the East Kent (Joint Scrutiny) Committee):**
 - (a) approves the establishment of a joint scrutiny committee comprising Canterbury City Council, Dover District Council, Kent County Council, Shepway District Council and Thanet District Council, to be known as the East Kent (Joint Scrutiny) Committee, with effect from 1 June 2008
 - (b) approves the East Kent (Joint Scrutiny) Committee Operating Arrangements set out in Appendix 2
 - (c) approves the terms of reference for the East Kent (Joint Scrutiny) Committee as set out in the East Kent (Joint Scrutiny) Committee Operating Arrangements :
 - (d) appoints Councillors *[insert names of the three Members]* to serve on the East Kent Joint Scrutiny Committee in accordance with the East Kent (Joint Scrutiny) Committee Operating Arrangements
4. That Cabinet agrees to the County Council being recommended to pass the resolutions set out at 1 and 2 above.
5. Cabinet and Council note that the implementation of these recommendations will result in the likely need to make consequential changes to the County Council's Constitution. Such changes that are required will be published and implemented in accordance with Article 15 (Review and Revision of the Constitution) sub-paragraph 15.2.

Geoff Wild, Director of Law and Governance

Tel No: (01622) 694302

e-mail: geoff.wild@kent.gov.uk

Background Information: *Include ALL background information taken into account in preparing the report. (This does not include previous Committee Reports)*

**East Kent (Joint Arrangements) Committee
Operating Arrangements**

Canterbury City Council

Dover District Council

Kent County Council

Shepway District Council

Thanet District Council

together referred to as 'the Parties'

1. Key Principles

- 1.1 The Executive and full Council of each of the Parties has determined by resolution to establish this joint committee to become effective from 1 June 2008 for the purposes of exercising agreed functions over their 'combined administrative area'.
- 1.2 The joint committee will be established as the East Kent (Joint Arrangements) Committee (EKJAC).
- 1.3 The Parties are committed to a joint committee which provides streamlined decision making; and co-ordination of services across the combined administrative area through mutual co-operation.
- 1.4 The Parties are committed to open and transparent working and proper scrutiny and challenge of the work of the EKJAC.
- 1.5 Any new Parties to these arrangements after they become effective will have all the same rights and responsibilities under these arrangements.

2. Definitions

- 2.1 'Decisions' means those decisions of the Parties delegated from time to time to the EKJAC to discharge.
- 2.2 'A shared service' means a service delivering functions as agreed by two or more of the Parties.
- 2.3 'The combined administrative area' means the local government areas of the city and district authority Parties combined.
- 2.4 'The Parties' means the authorities listed above.

2.5 'Voting Member' means the appointed elected members of each of the Parties.

2.6 'Host Authority' means the local authority appointed by the Parties under these arrangements to lead on a specified matter or function as set out in paragraphs 14 and 19.

3. Objectives

3.1 The objectives of the East Kent (Joint Arrangements) Committee are to:

- (a) improve services, and secure economy, efficiency and effectiveness in their delivery across both tiers of government in the combined administrative area
- (b) Streamline decision making where joint arrangements already exist
- (c) Develop and agree new areas of joint working
- (d) Enhance mutual co-operation and strategic partnering

4. Powers and Functions

4.1 The EKJAC is established under section 20 of the Local Government Act 2000 and Regulations 4, 11 and 12 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and sections 101(5) and section 102(1) of the Local Government Act 1972 enabling the Parties to perform the functions referred to in the Schedule in the manner set out in these arrangements.

4.2 The functions of the EKJAC shall be those functions or services that are delegated to it by the parties from time to time as approved by resolution of the executive and/or full Council (as appropriate) of such of the parties as are minded to participate in those joint functions and services.

4.3 Any delegations to the EKJAC shall be made in a common form and shall not take effect until agreed by the executive and/or full Council (as appropriate) of all those Parties participating in the services.

5. Terms of Reference

5.1 The terms of reference for the EKJAC are as set out in Schedule A.

6. Membership and Voting Rights

6.1 The EKJAC shall comprise the Leaders and Deputy Leaders of the Council of each of the Parties. The Leader of each Party may nominate two members of

their Executive (who have been authorised by the respective Parties to act as substitutes) to substitute for either the Leader or Deputy Leader, as necessary.

- 6.2 Non-voting members may be co-opted onto the EKJAC from any or all of the Parties or from other public sector partner organisations as the EKJAC may unanimously decide. Co-optees may participate in the debate but may not vote.

7. Frequency of Meetings

- 7.1 The EKJAC will meet quarterly, but may change the frequency of meetings and call additional meetings as required.

8. Agenda Setting and Access to Meetings and Information

- 8.1 The agenda for the EKJAC shall be agreed by the chairman of the EKJAC following a briefing by relevant officers. Any member of the EKJAC may require that an item be placed on the agenda of the next available meeting for consideration.
- 8.2 There will be a standing item on the agenda of each meeting of the EKJAC for matters referred by the East Kent Joint Scrutiny Committee.
- 8.3 Notice of meetings and access to agendas and reports will be in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2000 and 2002 or sections 100A-K and Schedule 12A of the Local Government Act 1972, as appropriate.

9. Sub-Committees

- 9.1 The EKJAC may establish sub-committees as it may determine by unanimous agreement of the EKJAC.
- 9.2 When establishing a sub-committee the EKJAC will agree the:
- (a) terms of reference for the sub-committee
 - (b) size and membership of the sub-committee including co-optees
 - (c) period for which the sub-committee will remain constituted
 - (d) chairman of the sub-committee or will delegate this decision to the sub-committee
 - (e) mechanism for hosting the sub-committee and sharing the cost amongst the relevant Parties, as appropriate

10. Delegation to Sub-Committees and Officers

- 10.1 The EKJAC may arrange for the discharge of any of its functions by a sub-committee of the EKJAC or an officer of one of the Parties. Any such sub-committee may, subject to the terms of these arrangements and unless the EKJAC or any Voting Member directs otherwise, arrange for the discharge of any of its functions by such an officer.

11. Meetings and Procedure

- 11.1 The Chairman and Vice Chairman of the EKJAC will be appointed by the EKJAC on the basis of the position being rotated annually, as follows, and repeated each five years:

	Chairman and Host Authority	Vice Chairman
Year 1	Canterbury City Council	Shepway District Council
Year 2	Thanet District Council	Dover District Council
Year 3	Shepway District Council	Kent County Council
Year 4	Dover District Council	Canterbury City Council
Year 5	Kent County Council	Thanet District Council

- 11.2 In the absence of the chairman and the vice chairman at a meeting, the meeting will elect a chairman for that meeting.
- 11.3 The quorum of the EKJAC will be five with at least one member present from four of the five Parties. If the meeting is inquorate then it shall stand deferred for seven days to meet at the same time and in the same place when the quorum shall be five drawn from any of the Parties.
- 11.4 The EKJAC may approve rules for meetings and procedure from time to time.

12. Decision Making

- 12.1 Decisions of the EKJAC will normally be made by consensus. Alternatively, a vote shall be taken where the chairman or any Voting Member requests that a vote be taken. The vote will be by way of a show of hands. A simple majority shall be required.
- 12.2 The EKJAC may recommend to the parties services and/functions which may be considered for joint working.
- 12.3 A service will only become a shared service after at least two of the parties have resolved to delegate the relevant functions to the EKJAC.
- 12.4 Where two or more parties have resolved to delegate as mentioned in 12.4, then:

- (a) The service will thereafter be a shared service only in relation to those Parties and
- (b) Those Parties alone will have voting rights at the EKJAC in relation to further decisions as to how that shared service is jointly managed, provided or procured
- (c) The Parties that did not delegate that shared service will not have voting rights in relation to that shared service until or unless they do delegate such service at some future date

13. Forward Plan

- 13.1 Decisions of the EKJAC which will amount to a Key Decision of any Party shall be included within the Leader of that authority's Forward Plan.

14. Host Authorities and Allocation of Roles

- 14.1 In order to achieve the objectives of the EKJAC, the Parties will appoint a Host Authority which is for the time being the Authority shown as the Chairman and Host Authority in the table at clause 11.1.
- 14.2 Staff from the Host Authority who are commissioned to provide services, advice and support to the EKJAC will continue to be employees of the relevant Host Authority.
- 14.3 Responsibility for the following support services to the EKJAC will be allocated to the Host Authority:
 - (a) the provision of legal advice and services
 - (b) the provision of financial advice and services
 - (c) secretariat support and services
 - (d) communications support and services
- 14.4 The cost of the services and advice set out in this section will be paid for by the Host Authority.

15. Amendments to these Arrangements

- 15.1 These arrangements may be amended by the unanimous agreement of the EKJAC following a recommendation approved by the Executive and full Council of each of the Parties.

16. New Membership and Cessation of Membership

- 16.1 New Parties may join the joint committee provided that the Executive and full Council of the joining Party (ies) and of all the Parties to these arrangements for the time being so resolve.
- 16.2 Any of the Parties may cease to be a party to these arrangements following notice of cessation subsequent to a decision by the relevant Executive and full Council. A minimum of six months notice is required for any Party to leave the EKJAC and in any event, any notice of cessation can only be effective at the end of a municipal year. For the avoidance of doubt, where a Party wishes to withdraw from these arrangements but makes that decision and gives notice within six months of the end of the current municipal year, they may not withdraw from these arrangements until the conclusion of the subsequent municipal year.
- 16.3 On any of the Parties ceasing to be a party to these arrangements, these arrangements shall continue unless the remaining parties determine that those arrangements shall terminate. The benefits and burdens of such termination shall be agreed between the Parties and in default of such agreement shall be determined in accordance with 17.1.
- 16.4 Termination of these arrangements may occur by agreement of all the Parties.

17. Dispute Resolution

- 17.1 Any dispute between the Parties arising out of these arrangements shall be referred to a single arbitrator to be agreed between the Parties, or, where no agreement can be reached, and having regard to the nature of the dispute, by an arbitrator nominated by the chairman of the Local Government Association and will be carried out in accordance with the provisions of the Arbitration Act 1996 as amended or modified and in force for the time being.

18. Claims and Liabilities

- 18.1 The purpose of these arrangements and any actions taken under them is to assist all of the Parties (or those of the Parties as are engaged in any particular shared service). The Parties therefore have agreed that:
 - (a) all of the costs attributable to the provision of any shared service shall be shared between those of the Parties that are engaged in the shared service and in such proportions as they shall agree (and if not otherwise agreed then in equal shares)
 - (b) where one of the Parties nominated by the EKJAC to act in respect of a shared service undertakes actions or incurs liabilities in respect of that shared service on behalf of the EKJAC then it shall be entitled to be indemnified by the other Parties engaged in that shared service for the

appropriate proportion of all its costs and liabilities incurred in good faith

- (c) where one of the Parties nominated by the EKJAC to act as Host Authority undertakes actions or incurs liabilities in that respect then it shall be entitled to be indemnified by the other Parties for the appropriate proportion of all its costs and liabilities incurred in good faith
- (d) a Party carrying out actions in good faith on behalf of the EKJAC shall not (other than in the case of fraud and/or clear bad faith) be liable to claims from the other Parties (and there shall be no right of set-off against any claim for indemnity under (b) and/or (c) above) on the grounds that the actions that were taken were not the proper actions carried out properly or that the costs and liabilities incurred were not reasonably and properly incurred (as long as they were in fact incurred)

18.2 Each of the Parties shall at all times take all reasonable steps within its power to minimise and mitigate any loss for which it is seeking reimbursement from any of the other Parties.

19. Data Protection, Freedom of Information, Information Sharing & Confidentiality

19.1 Subject to the specific requirements of this clause, each of the Parties shall comply with its legal requirements under data protection legislation, freedom of information and associated legislation, and the law relating to confidentiality.

19.2 An authority will be appointed as a Host Authority for the purposes of ensuring compliance with any legislative or legal requirements relating to these issues should they arise directly in relation to the joint committee (as compared to information held by the Parties to these arrangements).

19.3 Each of the Parties shall:

- (a) treat as confidential all information relating to:
 - (i) the business and operations of the other Parties and/or
 - (ii) the business or affairs of any legal or natural person in relation to which or to whom confidential information is held by that Party("Confidential Information") and
- (b) not disclose the Confidential Information of any other of the Parties without the owner's prior written consent

19.4 Clause 19.3 shall not apply to the extent that:

- (a) such information was in the possession of the Party making the disclosure, without obligation of confidentiality, prior to its disclosure or

- (b) such information was obtained from a third party without obligation of confidentiality or
 - (c) such information was already in the public domain at the time of disclosure otherwise than through a breach of these arrangements or
 - (d) disclosure is required by law (including under Data Protection Legislation, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004) or disclosure is permitted by the Human Rights Act 1998
- 19.5 The Parties may only disclose Confidential Information of another of the Parties to staff who need to know by reason of their work. Each of the Parties shall ensure that such staff are aware of, and comply with, these confidentiality obligations and that such information is not used other than for the purposes of the EKJAC.
- 19.6 If any of the Parties receives a request for information under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 then the other Parties shall (at their own expense) assist and co-operate to enable the request to be dealt with.
- 19.7 If a request for information is received then the Party receiving it shall copy it to the other Parties and consider when making its decisions any views of the other Parties.
- 19.8 Notwithstanding the provisions of 19.6 and 19.7 it shall be the Party receiving the request that is responsible for determining at its absolute discretion how to reply to the request.

20. Exercise of Statutory Authority

- 20.1 Without prejudice to these arrangements, nothing in these arrangements shall be construed as a fetter or restriction on the exercise by any of the parties of their statutory functions. The parties may continue to provide the whole or any part of a service at their own cost notwithstanding that the service is also a shared service being provided jointly.

Schedule A

TERMS OF REFERENCE of the EAST KENT (JOINT ARRANGEMENTS) COMMITTEE

1. To exercise the executive and non-executive functions of the parties in order to commission, co-ordinate, provide, procure and/or manage any shared services as are agreed from time to time by two or more of the Parties
2. To provide strategic direction to the officers advising the EKJAC
3. To exercise any of the functions or services that are determined to be a shared service in accordance with these arrangements
4. To develop work programmes and projects in relation to the functions which the parties are minded to be delegated to the EKJAC by the Parties
5. To regularly report to each of the Parties on its activities
6. To respond to reports and recommendations made by the East Kent Joint Scrutiny Committee
7. To monitor the operation of the EKJAC and of any shared service
8. To propose a budget for a shared service to the Parties and to monitor and manage any such budget once approved by them
9. To review these arrangements from time to time and make recommendations to the Parties for improvement and change and to propose (as appropriate) the creation of special purpose vehicles for the achievement of the Objectives, including companies, formal partnerships or consortia, the expansion of these arrangements to include other local authorities, the conclusion of contracts with other persons and the provision of services, supplies and works to other persons

**East Kent (Joint Scrutiny) Committee
Operating Arrangements**

Canterbury City Council

Dover District Council

Kent County Council

Shepway District Council

Thanet District Council

together referred to as 'the Parties'

1. Key Principles for the Operation of the East Kent (Joint Scrutiny) Committee (EKJSC)

- 1.1 The members of the EKJSC will work together to maximise the exchange of information and views, to minimize bureaucracy and make best use of the time of members and officers of local and other authorities.
- 1.2 The guiding principle for the work of EKJSC is that it should be consensual and positive. The emphasis of the work should be on making proactive contribution to the development of policy and the discharge of EKJAC's functions. This is best achieved by an inclusive process covering members, the parties' partners, service users and officers.
- 1.3 The process of joint scrutiny will be open and transparent, designed to engage the parties, their residents and other stakeholders.

2. Objectives

- 2.1 The EKJSC is established under section 101 and 102 Local Government Act 1972 and Section 2 Local Government Act 2000 with the objective of acting as the single Scrutiny Committee for the monitoring, review and scrutiny of the East Kent (Joint Arrangements) Committee (EKJAC).

3. Terms of Reference

- 3.1 The terms of reference of the East Kent (Joint Scrutiny) Committee are as set out in Schedule B.

- 3.2 These arrangements will be reviewed regularly. No proposed amendments to these arrangements will take effect until they have been agreed and endorsed by each of the parties.

4. Call-In

- 4.1 The arrangements for the operation of call-in by the EKJSC shall be as set out in Schedule C. The EKJSC shall have power to call-in any decision made by EKJAC, a sub-committee of EKJAC, or any member or officer with delegated authority from EKJAC. The EKJSC will not have the power to call-in any decision of the Executive of any of the Parties.
- 4.2 Where there is a call-in by a statutory scrutiny committee of any of the Parties of any decision of the EKJAC, each of the other Parties will be notified forthwith. The call-in shall be heard by the call-in Party's statutory scrutiny committee in accordance with the call-in Party's own arrangements. Where there is more than one call-in on the same subject the parties shall endeavour to ensure that they are heard together at the same time and place.
- 4.3 The call-in procedure set out in clauses 4.1 and 4.2 above shall not apply where the decision being taken by or on behalf EKJAC is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of any of the Parties or the public interest. The record of the decision and notice by which it is made public shall state whether, in the opinion of the decision maker, the decision is an urgent one and therefore not subject to call-in. The Chairman and the members of each of the Parties affected by the decision must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the consent of the Vice-Chairman shall be required. In the absence of both the Chairman and Vice-Chairman, the consent of the Head of Paid Service of that Party (or his/her nominee) shall be required. Decisions taken as a matter of urgency must be reported to the next available full Council meetings of each of the Parties, together with the reasons for urgency.

5. Membership and Terms of Office

- 5.1 The EKJSC will comprise three non-executive councillors from each of the Parties.
- 5.2 Each appointing Party shall appoint its three members on the basis of its overall political proportionality.
- 5.3 Members of the EKJSC shall be appointed by the Parties at their annual meetings of their respective Council and shall hold office until:
- (a) the next annual meeting of the Party that appointed them, save that the Party that appointed them may remove them from office, either

individually or collectively, at an earlier date in the event of a change in political control of that Party; or

- (b) they resign from office; or
- (c) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension)

5.4 Each Party may appoint substitutes to represent their authority in the absence of the appointed councillors. Nominated substitutes will be non-executive councillors and will be able to attend any meeting of EKJSC in order to familiarise themselves with the issues involved, but will not be able to participate in debate or vote unless they are formally acting as a substitute member.

5.5 Non-voting members may be co-opted onto the EKJSC from any or all of the Parties or from other public sector partner organisations as the EKJSC may unanimously decide. Co-optees may participate in the debate but may not vote.

6. Frequency of Meetings

6.1 The EKJSC will meet quarterly, but may change the frequency of meetings and call additional meetings as required.

7. Agenda Setting and Access to Meetings and Information

7.1 The agenda for the EKJSC shall be agreed by the chairman following a briefing by relevant officers. Any member of the EKJSC may require that an item be placed for consideration on the agenda of the next available meeting.

7.2 There will be a standing item on the agenda of each meeting of the EKJSC for matters referred by the EKJAC.

7.3 Notice of meetings and access to agendas and reports will be in accordance with sections 100A-K and Schedule 12A of the Local Government Act 1972.

8. Sub-Committees

8.1 The EKJSC may establish sub-committees as it may determine by unanimous agreement of the EKJSC.

8.2 When establishing a sub-committee the EKJSC will agree the:

- (a) terms of reference for the sub-committee
- (b) size and membership of the sub-committee including co-optees

- (c) period for which the sub-committee will remain constituted
- (d) chairman of the sub-committee or will delegate this decision to the sub-committee
- (e) mechanism for hosting the sub-committee and sharing the cost amongst the relevant Parties, as appropriate

9. Delegation to Sub-Committees

- 9.1 The EKJSC may arrange for the discharge of any of its functions by a sub-committee of the EKJSC.

10. Meetings and Procedure

- 10.1 The Chairman and Vice Chairman will be appointed by the EKJSC on the basis of the position being rotated annually, as follows, and repeated each five years:

	Chairman and Scrutiny Host Authority	Vice-Chairman
2008-9	Shepway	Dover
2009-10	Dover	Kent
2010-11	Kent	Canterbury
2011-12	Canterbury	Thanet
2012-13	Thanet	Shepway

- 10.2 The Chairman and Vice Chairman of EKJSC shall be drawn from a political group not forming part of the administration of the appointing Council.
- 10.3 In the absence of the chairman and the vice chairman at a meeting, the meeting will elect a chairman for that meeting.
- 10.4 The quorum of the EKJSC will be five with at least one member present from four of the five Parties.
- 10.5 The EKJSC may approve rules for meetings and procedure from time to time.
- 10.6 The EKJSC may ask organisations, individuals or groups to assist it from time to time and may ask independent professionals to advise it during the course of reviews. Such individuals or groups will not be able to vote.
- 10.7 The EKJSC may request the attendance of officers employed by the participating authorities to answer questions and give evidence to the committee. Such requests must be made via the Chief Executive of the relevant participating authority.

10.8 The EKJSC may invite any other person to attend its meetings to answer questions or give evidence; however, attendance by such persons cannot be mandatory.

11. Decision Making

11.1 Decisions of the EKJSC will normally be made by consensus. A vote shall be taken where the chairman or any Voting Member requests that a vote be taken. The vote will be by way of a show of hands. A simple majority shall be required.

11.2 Where a minimum number of two members express an alternative to the majority view, they will be permitted to produce a minority report.

12. Scrutiny Host Authorities and Allocation of Roles

12.1 In order to achieve the objectives of the EKJSC, the Parties will appoint a Scrutiny Host Authority which is for the time being the Authority shown as the Chairman and Scrutiny Host Authority in the table at clause 10.1.

12.2 Staff from the Scrutiny Host Authority who are commissioned to provide services, advice and support to the EKJSC will continue to be employees of the relevant Scrutiny Host Authority.

12.3 Responsibility for the following support services to the EKJSC will be allocated to the Scrutiny Host Authority:

- (e) the provision of legal advice and services
- (f) the provision of financial advice and services
- (g) secretariat support and services
- (h) communications support and services
- (i) data protection, freedom of information, information sharing and confidentiality issues in accordance with clause 17
- (j) research

12.4 The cost of the services and advice set out in this section will be paid for by the Scrutiny Host Authority.

13. Amendments to these Arrangements

13.1 These arrangements may be amended by the unanimous agreement of the EKJSC following a recommendation approved by the full Council of each of the Parties.

14. New Membership and Cessation of Membership

- 14.1 New Parties may join the EKJSC provided that they are also a party to EKJAC and the full council of the joining Party(ies) and of all the Parties to these arrangements for the time being so resolve.
- 14.2 A Party ceases to be a member of these arrangements when it ceases to be a party to EKJAC.
- 14.3 Termination of these arrangements may occur by agreement of all the Parties.

15. Claims and Liabilities

- 15.1 The purpose of these arrangements and any actions taken under them is to assist all of the Parties. The Parties therefore have agreed that:
 - (a) where one of the Parties nominated by the EKJSC to act as Scrutiny Host Authority undertakes actions or incurs liabilities in that respect then it shall be entitled to be indemnified by the other Parties for the appropriate proportion of all its costs and liabilities incurred in good faith
 - (b) a Party carrying out actions in good faith on behalf of the EKJSC shall not (other than in the case of fraud and/or clear bad faith) be liable to claims from the other Parties (and there shall be no right of set-off against any claim for indemnity under (b) and/or (c) above) on the grounds that the actions that were taken were not the proper actions carried out properly or that the costs and liabilities incurred were not reasonably and properly incurred (as long as they were in fact incurred)
- 15.2 Each of the Parties shall at all times take all reasonable steps within its power to minimise and mitigate any loss for which it is seeking reimbursement from any of the other Parties.

16. Administration

- 16.1 The decisions and recommendations of the EKJSC will be communicated to EKJAC and the participating councils as soon as possible after the resolution of the committee.
- 16.2 Where working on forthcoming decisions of the EKJAC, the EKJSC will endeavour to carry out its functions as part of the EKJAC's process in order to ensure that its findings and recommendations can influence the final decision.
- 16.3 When considering items before it, the EKJSC will take account of whether an issue could more appropriately be dealt with by one of the Parties or elsewhere.

17. Data Protection, Freedom of Information, Information Sharing & Confidentiality

- 17.1 Subject to the specific requirements of this clause, each of the Parties shall comply with its legal requirements under data protection legislation, freedom of information and associated legislation, and the law relating to confidentiality.
- 17.2 A Party will be appointed as a Host Authority for the purposes of ensuring compliance with any legislative or legal requirements relating to these issues should they arise directly in relation to the EKJAC (as compared to information held by the Parties to these arrangements).
- 17.3 Each of the each Parties shall:
- (a) treat as confidential all information relating to:
 - (i) the business and operations of the other Parties and/or
 - (ii) the business or affairs of any legal or natural person in relation to which or to whom confidential information is held by that Party("Confidential Information") and
 - (b) not disclose the Confidential Information of any other of the Parties without the owner's prior written consent
- 17.4 Clause 17.3 shall not apply to the extent that:
- (a) such information was in the possession of the party making the disclosure, without obligation of confidentiality, prior to its disclosure or
 - (b) such information was obtained from a third party without obligation of confidentiality or
 - (c) such information was already in the public domain at the time of disclosure otherwise than through a breach of these arrangements or
 - (d) disclosure is required by law (including under Data Protection Legislation, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004) or disclosure is permitted by the Human Rights Act 1998
- 17.5 The Parties may only disclose Confidential Information of another of the Parties to staff who need to know by reason of their work. Each of the Parties shall ensure that such staff are aware of, and comply with, these confidentiality obligations and that such information is not used other than for the purposes of the EKJSC.
- 17.6 If any of the Parties receives a request for information under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 then the other Parties shall (at their own expense) assist and co-operate to enable the request to be dealt with.

- 17.7 If a request for information is received then the Party receiving it shall copy it to the other Parties and consider when making its decisions any views of the other Parties.
- 17.8 Notwithstanding the provisions of 17.6 and 17.7 it shall be the Party receiving the request that is responsible for determining at its absolute discretion how to reply to the request.

18. Exercise of Statutory Authority

- 18.1 Without prejudice to these arrangements, nothing in these arrangements shall be construed as a fetter or restriction on the exercise by any of the parties of their statutory functions.

Schedule B

TERMS OF REFERENCE of the EAST KENT (JOINT SCRUTINY) COMMITTEE

1. Monitor review and scrutinise the actions and decision of the East Kent (Joint Arrangements) Committee.
2. Make recommendations for reconsideration of any decisions made or actions taken and to make recommendations for improvement and/or changes in responsibilities and functions of the EKJAC.
3. Prepare reports and recommendations to the parties on the performance and delivery of the shared services provided by the EKJAC.
4. Propose an annual budget for the EKJSC in accordance with the requirements of the parties.
5. Prepare an annual report to the parties on the performance of these arrangements.
6. Facilitate the exchange of information about the work of the EKJSC and to share information and outcomes from reviews.

Schedule C

ARRANGEMENTS FOR THE OPERATION OF CALL-IN by the EKJSC

1. When a decision is made by EKJAC, a sub-committee of EKJAC or an individual member with delegated authority from EKJAC, or a key decision is made by an officer with delegated authority from EKJAC, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of each of the Parties normally within two days of being made. The Chairman of the EKJSC (and all other members of each of the Parties) will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
2. That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented at 12.00 noon, on the fourth working day after the publication of the decision, unless it is called-in.
3. By 10.00 am on the fourth working day after publication of the decision, the proper officer of the Scrutiny Host Authority shall call-in a decision for scrutiny by the EKJSC if so requested by any member of the EKJSC, and shall then notify the decision maker of the call-in. A meeting of the EKJSC shall then be held within 15 working days of the decision to call-in. Reasons for calling-in a decision should be given and recorded in the agenda.
4. If, having considered the decision, the EKJSC is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to the full Council of all or any of the Parties. If referred to the decision maker they shall then reconsider within a further 10 working days, amending the decision or not, before adopting a final decision.
5. If, following an objection to the decision, the EKJSC does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the EKJSC meeting, or the expiry of that further 10 working day period, whichever is the earlier.
6. If the matter was referred to full Council of any of the Parties and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision maker, together with Council's views on the decision. That decision maker shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by EKJAC as a whole or a committee of it, a meeting will be convened to reconsider within 10 working days of the Council request. Where the decision

was made by an individual, the individual will reconsider within 10 working days of the Council request.

7. If the Council of any of the Parties to whom the matter has been referred does not meet, or if it does but does not refer the decision back to the decision maker, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

By Keith Ferrin – Cabinet Member for Environment, Highways and Waste

Geoff Mee – Director Kent Highway Services

To: Cabinet – 12 May 2008

Subject: Kent Concessionary Travel Scheme for Over 60s & Disabled

Classification: Unrestricted

This purpose of this report is to provide an update on the Kent & Medway Concessionary Travel Scheme for over 60s and disabled people since the Government has indicated that this scheme will become a County Council responsibility in future years.

Background

The Kent concessionary travel scheme is operated jointly by the district councils, Medway Council and Kent County Council. Whilst responsibility for this scheme rests with the district councils, who are termed Travel Concession Authorities (TCA) in the Transport Act 2000, the County Council takes an active co-ordinating role in order for Kent residents to get the most out of their pass.

There are currently some 260,000 pass holders in Kent and the scheme costs are £17.25m (08/09 prices). These costs are met by the districts and Medway with financial assistance from Government through the Revenue Support Grant (RSG) mechanism. Kent County Council provides £30,000 per annum towards the cost of administering the scheme.

The Kent concessionary travel scheme is established under the Transport Act 1985. The 1985 Act enables local government authorities to introduce concessionary schemes and make payments to public transport operators on the basis that the operator is no better and no worse off than if the scheme did not exist. The Kent Freedom Pass is also established on this basis.

As of April 2008 the scheme was expanded to enable free travel on bus services across England. The funding responsibility was also changed from the district issuing the pass to the district in which the journey begins. As a consequence, many of the TCAs across the country have put back the start of the scheme to 9.30am to try to reduce costs.

Implications of the National Scheme

Government has made additional funding available to the Kent CTA districts to cover the additional reimbursement to bus operators with the introduction of the new National Scheme. However, faced with increasing travel and uncertainties over funding (traditionally RSG increases have not

kept pace with bus fares and therefore reimbursements to bus operators), all the Kent districts, except Medway, have amended the time from which passes are valid from 9.00am to 9.30am. Medway Council decided to return to a 9.00am start in February 08.

The introduction of the National Scheme has been funded by a special additional grant to the districts. This has been announced for the years 2008/09 to 2010/11. The apportionment to Kent as a whole, at £4.5m for 2008/09, is estimated to exceed the costs of running the scheme this year. We estimate that £3.8m will be required and that all of the Kent districts, with the exception of Tunbridge Wells, will have surpluses from the additional payments made by Government.

Following the decision to change the time, the districts, bus operators and Kent officers have been working to adapt the public bus network where possible to reflect the new start time. However, public concern has continued where there is a limited service and timings cannot be changed. For example in some rural areas pass holders may have to pay a fare on service before 9.30am or wait until the next service which might not run for several hours. Pass holders have continued to lobby for the scheme to be put back to a 9.00am start.

The additional cost of allowing pass holders to travel for free in between 9.00am and 9.30am has been estimated at some £150,000 pa. There may also be claims from bus operators on top of this as services are changed back to cater for demand returning to services before 9.30am.

Recommendations

Cabinet is asked to note this report.

Background Documents

None

Contact Officer – David Joyner – 01622 696852

By: Head of Democratic Services and Local Leadership

To: Cabinet – 12 May 2008

Subject: Decisions from Cabinet Scrutiny Committee – 23 April 2008

Classification: Unrestricted

Summary: This report sets out the decisions from the Cabinet Scrutiny Committee and invites a response from Cabinet.

Introduction

1. The Leader has agreed the decisions from Cabinet Scrutiny Committee will be reported to the following meeting of the Cabinet for a response. The responses will be reported back to the Cabinet Scrutiny Committee.
2. The decisions from the meeting of the Cabinet Scrutiny Committee on 23 April 2008 are set out in the Appendix to this paper.

Recommendation

4. That Cabinet agree responses to these decisions, which will be reported back to the Cabinet Scrutiny Committee.

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

01622 694002

Background Information: *Nil*

Cabinet Scrutiny Committee – 23 April 2008

Title	Purpose of Consideration	Invitees	Decisions
Annual Unit Business Plans	To agree which Unit Business Plans will be considered in further detail later in the year, at an Informal Member Group	None	The following Unit Business Plans were selected for detailed scrutiny later in the year: <ul style="list-style-type: none"> • Kent Highways Services • Children’s Services (Clusters) • Communications and Media Centre • Direct payments (part of Adult Social Services)
Proposed Disposal of land fronting the A20 in Allington	To explore in further detail the background to this proposal by the County Council, particularly in view of the concerns that had been expressed to the Committee from the trustees of the Allington Baptist Church, via local Members.	Mr N Chard , Cabinet Member for Finance; Mrs E Walker , Head of Asset Management and Disposals – Property Group; Mr J Wilkinson , Trustee of the Allington Baptist Church	<ol style="list-style-type: none"> 1. Mr Chard, Mrs Walker and Mr Wilkinson be thanked for attending the meeting to answer Members’ questions 2. We welcome the comments from Mr Chard that the proposed development scheme for the site at Leafy Lane will only work in there is a successful and mutually acceptable solution to both KCC and the Allington Baptist Church in relation to the relocation of their premises 3. We welcome the commitment and willingness of both parties to continue to work together to find a suitable

Title	Purpose of Consideration	Invitees	Decisions
			<p>alternative location for the Allington Baptist Church; in particular, we are pleased to note Mr Chard's commitment to become more involved personally to resolve the various issues.</p> <ol style="list-style-type: none"> 4. We note that, should outline planning permission be granted to KCC for the site at Leafy Lane, there will be a requirement upon KCC to facilitate the relocation of the Allington Baptist Church to new premises before their existing premises are closed. 5. We particularly welcome the commitment given by KCC to provide the Allington Baptist Church with a freehold site, which would not be smaller and could be larger than their existing site. 6. We would support the carrying out of two surveys; one by the Allington Baptist Church to assess existing usage in terms of attendance at various services/clubs/activities etc. and the distances that individuals travel to attend the church; secondly, one to be carried out by KCC to assess potential usage of the church and its existing services by people living near

Title	Purpose of Consideration	Invitees	Decisions
			to the proposed alternative site off Bower Mount Road.
Proposed Outsourcing of delivery services beyond the boundaries of Kent	To examine the process that has led to the proposed outsourcing of delivery services beyond the boundaries of Kent.	Mr N Chard , Cabinet Member for Finance and Mr K Harlock , Director of Commercial Services.	<ol style="list-style-type: none"> 1. No comment be made on the specific decision relating to the outsourcing of delivery services beyond the boundaries of Kent. 2. The Corporate Policy Overview Committee and the Informal Member Group on budgetary issues be asked to monitor the activities of Commercial Services in relation to the objectives and targets contained within their business plan, together with issues relating to customer satisfaction and value for money. 3. The Director of Commercial Services be commended for achieving increased income for the Council, helping keep the cost of Council Tax down.