

SCRUTINY COMMITTEE

Thursday, 9th June, 2016

10.00 am

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





AGENDA

SCRUTINY COMMITTEE

Thursday, 9th June, 2016, at 10.00 am Ask for: **Joel Cook/Anna**
Darent Room, Sessions House, County Hall, Telephone: **Taylor**
Maidstone **03000 416892 /**
 416478

Membership

Conservative (6): Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman),
Mr E E C Hotson, Mr A J King, MBE, Mr L B Ridings, MBE and
Mrs P A V Stockell

UKIP (2) Mr H Birkby and Mr R A Latchford, OBE

Labour (2) Mr G Cowan and Mr R Truelove

Liberal Democrat (1): Mrs T Dean, MBE

Church Mr D Brunning, Mr Q Roper and Mr A Tear

Representatives (3):

Parent Governor (2): Mr P Garten and Mr G Lawrie

Tea/coffee will be available 15 minutes before the start of the meeting

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

Webcasting Notice

Please note: this meeting may be filmed for the live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council

By entering into this room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

UNRESTRICTED ITEMS

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

A - Committee Business

- A1 Introduction/Webcast Announcement
- A2 Substitutes
- A3 Declarations of Interests by Members in items on the Agenda for this Meeting
- A4 Minutes of the meeting held on 19 April 2016 (Pages 5 - 12)
- A5 Select Committee Work Programme (Pages 13 - 30)
- A6 Flood Risk Management Committee Annual Report (Pages 31 - 38)
- A7 Proposed establishment of a Kent Utilities Engagement Sub-Committee (Pages 39 - 44)

B - Any items called-in

C - Any items placed on the agenda by any Member of the Council for discussion

EXEMPT ITEMS

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

Peter Sass
Head of Democratic Services
03000 416647

Wednesday, 1 June 2016

KENT COUNTY COUNCIL**SCRUTINY COMMITTEE**

MINUTES of a meeting of the Scrutiny Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Tuesday, 19 April 2016.

PRESENT: Mr R J Parry (Chairman), Mr J E Scholes (Vice-Chairman), Mr R H Bird (Substitute for Mrs T Dean, MBE), Mr H Birkby, Mr G Cowan, Mr E E C Hotson, Mr A J King, MBE, Mr R A Latchford, OBE, Mr L B Ridings, MBE, Mrs P A V Stockell, Mr R Truelove, Mr D Brunning, Mr P Garten, Mr N Morgan (Substitute for Mr Q Roper) and Mr A Tear

ALSO PRESENT: Dr Bamford and Mr R W Gough

IN ATTENDANCE: Mr P Leeson (Corporate Director Education and Young People's Services), Mr K Abbott (Director of Education Planning and Access), Mr D Adams (Area Education Officer - South Kent) and Mrs A Taylor (Scrutiny Research Officer)

UNRESTRICTED ITEMS**98. Minutes of the meeting held on 8 March 2016**

(Item A4)

RESOLVED that the minutes of the meeting held on 19 January 2016 were an accurate record and that they be signed by the Chairman.

99. Kent Education Trust - verbal update on progress

(Item C3)

- 1) The Chairman declared that this item would be withdrawn since Kent County Council was no longer pursuing the concept of a Kent Education Trust.

100. Academies - successes and challenges in Kent

(Item C1)

- 1) The Cabinet Member for Education and Health Reform introduced this item, it had been requested by the Committee and was an issue of Policy on which the County Council had made its views clear. KCC was not opposed to academies, and worked well with the many across Kent. Mr Gough considered that both academies and free schools could bring additional qualities to the Educational system with Multi-Academy Trusts being an important part. There were, however, objections over the compulsion to convert schools to academy status. KCC did not consider that there was a significant evidence base to support the proposal to convert all schools to academy status. There were further questions around capacity needed to undertake the conversion with significant costs both in time and financially. The local authority would continue to have a fairly significant role particularly in relation to place planning, the admissions system and children with special educational needs (SEN). The County Council would adapt to emerging legislation, however there was considerable opposition to forced academisation.

KCC would seek to maintain responsibility for creating challenge in relation to school standards.

- 2) A Member commended the Cabinet Member for his clear and honest response, it was an ongoing situation and pleasing to see that the leaders of all parties had raised objections – had there been any discussions with Kent MPs? It was felt that the White Paper proposals could be amended if there was enough political opposition. Concerns were raised about the role of the local authority in relation to admissions, particularly where there were difficult relationships between the Council and the Academy Trusts and the removal of the role in school improvement.
- 3) In relation to school capacity Mr Gough explained that the Council worked with academies on this issue and this would continue. In reality, if a maintained school did not wish to expand it was difficult for the Council to insist so this was a complex issue whether the system was academised or not.
- 4) In relation to school improvement the suggestion was that the Local Authority should 'step back' from school improvement during summer 2017. However many schools would not become academies until 2022. The Cabinet Member recalled the weekly improving Ofsted ratings of many of Kent's primary schools. In response to the previous question the Council had been communicating with Kent MPs.
- 5) Other Members thanked the Cabinet Member for a clear brief; it was heartening that all parties were in agreement over the opposition to the proposal. In response to a question about the costs to the local authority in the process of conversion, since 2010 180 schools had converted and there were more than double that number remaining still to be converted. The legal cost to the County Council of the schools which had transferred to academy status already was £1.1-£1.2 million. Staffing costs were also being considered, there was no reserve within the Education Directorate budget for the additional costs and planning work was beginning.
- 6) Concerns were raised about the diminution of the role of Parent Governors in schools, it was thought that those schools which had good support from Parent Governors performed well. Concerns had been raised through the Select Committee on Grammar Schools and Social Mobility about Multi-Academy Trusts and the ability of children within the academy system to make the best choice for their future education. A Member stated that there was a better chance of a school improving standards if it was a KCC controlled school rather than an academy. There were serious concerns about failing or underperforming academy trusts and KCC's role in supporting the children in these schools. The Cabinet Member confirmed that the White Paper removed the obligation to have Parent Governors at schools. With regards to the options available for young people and secondary schools this was ultimately the choice and responsibility for the family and KCC was working to ensure children and their families were aware of the options available. With regards to standards, there were instances where academies were a route to improvement, however the evidence base for the proposals was weak and the Council would continue to monitor and raise concerns with the Education Commissioner.

- 7) It was asked if KCC would monitor Academy Trusts and receive reports on where they were proving successful or where there were problems. It was thought that KCC would wish to take on this role; however it was unclear whether the proposals would provide for such monitoring. The Council did wish to support the sharing of information and continue to be a champion of standards in schools.
- 8) There continued to be strong support for the Cabinet Member in opposing the proposed academisation of all schools from all political groups on the Scrutiny Committee. It was thought that all local authorities opposed total academisation by 2022. It was considered that the remaining role of KCC was a duty of care to the children in Kent and that KCC would be left to support children when Academy Schools failed. Kent's primary schools were doing extremely well, there were concerns about how Academy Trust sponsors would approach failing schools and how they would work to improve failing schools. Would Looked After Children (LAC) have priority in applying for schools under academisation?
- 9) The Cabinet Member explained that it was not confirmed that LAC would have priority in the admissions process under academisation however there were guidelines which underpinned the admissions system. It was suggested that the White Paper should not be seen in isolation it was linked to the School Funding Consultation and these documents outlined the role of the Local Authority in relation to, for example, vulnerable students, co-ordinating and overseeing the admissions process and school transport. It remained unclear how this would be funded but the Council was making strong representation on these developments.
- 10) In relation to the increase in housing in Kent and the demand for education places a Member asked for further information comparing increased demand on schools places with funding received from Council Tax. The Cabinet Member explained that expansion of schools was paid for, in part, by Government through the basic need formula. In relation to new housing, developer contributions also contributed to school funding. The Cabinet Member confirmed that within the Commissioning Plan any gaps in funding would be set out, however there were unknowns for the future, for example the Freeschools programme and how they would be delivered.
- 11) A Member commented on the excellent relationship of one of his local Multi-Academy Trusts with the County Council. This Multi-Academy Trust had a policy of the best education, fairest education and choice.
- 12) A Member commented on the inevitable decline of the role of the elected Member of the Council in the school system, there were concerns over the increased difficulties in involvement of local members in the academisation process.

RESOLVED that the Scrutiny Committee:

- thank the guests for attending the meeting and for answering Members' questions
- was unanimous in its support of the actions of the Cabinet Member and the Leader in asking that Government withdraw the proposed academisation programme

- wished to ensure that the role, in schools, of elected members and parent governors continues
- ask the Chairman to send a letter to the Secretary of State for Education expressing the concerns of the Committee (provide copy to Committee Members) and additionally write to all Kent MPs requesting their support and enclosing a copy of the Secretary of State letter
- request the support of the Local Authority Leaders with responsibility for Education through the County Council network.

101. Ensuring the provision of sufficient denominational school places in Kent
(Item C2)

- 1) The Corporate Director introduced this report and explained that the Kent Education Commissioning Plan was an ongoing plan which was updated yearly and reviewed every 6 months. Its primary purpose was to identify the need for additional school places in Kent to meet the statutory obligation to ensure every child in Kent had a good quality school place. On the recent primary school allocation day 97% of parents had received their 1st, 2nd or 3rd choice of primary school in Kent with only 500 parents not getting their preferred choice of school. Parental satisfaction had gone up with an increasing percentage of good and outstanding schools in Kent, this was 54% in 2011 to 86-87% currently. The Council wanted to ensure it was meeting all the principles in the Education Commissioning Plan which included meeting parental preferences and a commitment to ensuring a balance of school provision in Kent. The Council's capacity to control school expansion and school places had reduced, and it was extremely important to maintain a close relation with Kent schools. The Council had successfully engaged with schools across Kent with a willingness to expand where needed. There were restrictions on the Council, however, the Council was unable to develop a new school, it had to be an Academy/Free school and the Council would have to rely on new schools rather than expanding existing schools. There were also restrictions on the cost of the work with an extensive capital programme and insufficient funding from Government, cost-effectiveness was vital. At September 2016 the Corporate Director was confident that all school places needed for children to be placed would be available. 18,000 children had applied for a primary school place in Kent for September 2016.
- 2) In response to a question the Cabinet Member confirmed that in 2016 87% of parents got their first choice of primary school, which had increased from 2015.
- 3) Dr Bamford, Director of Education at the Catholic Diocese of Southwark thanked the Chairman and the Committee for welcoming her as a witness to the Committee. Dr Bamford commended the authority on its work to provide places for school children as this was a challenge. The Diocese of Southwark was very large and covered 14 local authorities falling between the south side of the Thames River to the English Channel. The Diocese of Southwark worked closely with the local authority in providing provision of school places, the catholic sector represented approximately 10% of the total school places available across England. There were concerns that some of the principles within the plan were not being carried out. Particularly: High Quality provision, over 90% Catholic schools in Kent were good/outstanding however Dr Bamford stated that less than good schools had been expanded before catholic schools. Effective use of public resources; the expansion of catholic schools was often more cost effective as the

church owned the buildings and land etc. Dr Bamford strongly supported the promotion of parental preference and the diversity of school provision. It was considered that diversity was narrowing with a greater than 10% decline in catholic school places. Catholic school places in Kent offered a rich and diverse schooling accepting more SEN children, more LAC and more children from ethnic minority backgrounds. Dr Bamford welcomed the regular review of the Education Commissioning Plan document and the discussion at the Committee.

- 4) The Corporate Director expressed disappointment at the suggestion that the Council was not delivering on the principles within the Education Commissioning Plan and confirmed that 3 catholic schools were being expanded in the coming year (4 in total in the period) which was more than 10% of catholic schools in Kent.
- 5) Mr Morgan represented Canterbury Diocese and explained that they had a very successful partnership with the local authority with a close working relationship.
- 6) A Member asked for clarification of point 1.3 on page 23 of the agenda, the Catholic Church had not pursued free schools because they were restricted to limiting their faith admission element to 50% within their oversubscription criteria. This did not apply to Catholic schools which were not free schools. Dr Bamford questioned the results of the judicial review relating to a new voluntary aided school and the 'need' within a sector as opposed to 'need' generally and whether they were of equal merit.
- 7) In response to a question over whether there were other religious schools in Kent there was one Methodist and a number of Catholic archdiocese and Anglican diocese schools across Kent.
- 8) Mr Tear represented the diocese of Rochester and explained that if the ratio and diversity was to be maintained a proportion of the new Free schools in Kent would have to be denominational schools. Work was being done with the local authority to ensure the ratio of denominational school places remained the same. It was possible for a local authority or diocesan board to propose a denominational school despite the overall direction being towards Free schools.
- 9) Officers confirmed that it was possible to propose a school outside of the Free school presumption. There was provision to bring forward a voluntary aided school to create capacity due to a "desire" to address parental demand, as opposed to creating capacity to meet a shortfall of spaces. The officer set out the proportion of Catholic/Church of England and secular school places in primary schools in Kent

	Catholic	Church of England	Secular Sector
2005/6	4.5%	24.5%	70.7%
2016	4.5%	27.9%	67.3%

- 10) A Member asked Dr Bamford about her experience with other local authorities, whether they were meeting the needs of the catholic communities in their areas and what steps had been taken to ensure that the right proportions of places were being maintained. Dr Bamford was also asked for her opinion on the annex which was recently opened at a Kent school.

- 11) Dr Bamford worked across 14 local authorities, 12 were within the London metropolitan area. The diocese worked creatively and in partnership with those local authorities, providing an additional resource when there was a yearly need for 3000 additional places within catholic schools. This need had been partially met by expanding existing schools, the addition of temporary classrooms and permanent classrooms, pod developments and by opening new schools. Catholic schools had and would continue to open annexes to schools.
- 12) Regarding the process for the Education Commissioning Plan, this had been submitted to the Cabinet Committee in December, a Member stated that at the time of the Cabinet Committee the Plan had not been shared with the two dioceses or the archdiocese. A Member asked if the Equalities Impact Assessment document was a “live document” and had it been amended to reflect Dr Bamford’s submission and presentation to Cabinet?
- 13) The Officers explained that the draft commissioning plan was sent to all three dioceses in Kent a month before the Cabinet Committee. Responses were received from Rochester and Southwark Diocese and the responses were contained within the Cabinet papers in March. There had been continuing dialogue over the past months around the Education Commissioning Plan. A number of the issues raised by the diocese had not been raised previously.
- 14) The Member expressed disappointment that the responses received from the diocese had not been circulated with the papers which were submitted to the Cabinet Committee. Was the EQIA also sent with the Education Commissioning Plan for comment by the diocese?
- 15) In response to a question about apprenticeships Mr Leeson undertook to provide a note to give further detail on the numbers of apprenticeships in Kent.
- 16) The Rochester Diocese representative commented that in future he would welcome a commitment and an assurance that the consultation process was clear, transparent and with timescales that allowed responses to be made. If the future meant that new denominational school places were provided by Free schools it was essential that the diocese and the local authority worked together and he had requested from officers clarity around the process of Free school applications and tenders. There were two routes to create a Free school; a direct application to the Department for Education or through a tender via the local authority. It was opined that there was confusion about which route the local authority planned to take. The Corporate Director confirmed that both routes would be used to develop new schools it would depend on the locality and the context.
- 17) The Cabinet Member explained that he undertook a tour of the districts accompanied by officers and also included each of the dioceses on that tour. The Council was keen to maintain a good relationship with the church representatives.

RESOLVED that the Scrutiny Committee:

Note the discussion had around the provision of denominational school places in Kent and thanked the guests and church representatives for their insight and wisdom which would be taken on board by the Council.

This page is intentionally left blank

By: Richard Parry - Chairman of the Scrutiny Committee
Peter Sass -Head of Democratic Services

To: Scrutiny Committee – 9 June 2016

Subject: Select Committee – Work Programme

Status: Unrestricted

Summary: The Scrutiny Committee is asked to consider and prioritise the three Select Committee proposals set out in this report.

1. Introduction

- (1) One of the Scrutiny Committee's responsibilities is to co-ordinate the programme of Select Committee Reviews.
- (2) The Select Committee Work Programme co-ordinated by this Committee is subject to endorsement by Cabinet.
- (3) Three proposal forms for Select Committees have been received for consideration by this Committee (see **Appendix 1**).

2. Resources to support the Select Committees

- (1) The Research Officer resource to carry out one review sits within the Strategy, Policy, Relationships and Corporate Assurance Team, whilst the meeting administration support including all of the evidence gathering sessions sits within the Democratic Services unit.
- (2) It would be very challenging with the officer resources currently available to support more than one Select Committee prior to the 2017 County Council elections as the final Select Committee report would have to be submitted to the County Council meeting in March 2017. For two Select Committees to be supported between now and March 2017, the first would be required to complete its work and submit its report to the December 2016 County Council meeting in six months' time, with the second review taking just three months between December 2016 and March 2017. Even with very specific Terms of Reference and a narrow focus, this will be challenging. Of the total number of 5 Select Committee reports in the last 3 years, the quickest review was the 'Maximising the Benefits from Kent's European Relationship' Select Committee, which took 4 months to complete its work and report to the County Council. The longest was Corporate Parenting which took 11 months to complete its work and report to the County Council.

3. Setting the Select Committee topic review work programme

- (1) The proposer of each of the Select Committee topic reviews along with the relevant Cabinet Member and supporting officer have been invited to attend and present each of the topics.
- (2) At the end of all of the presentations, the Committee will be invited to consider which topic to establish as the next Select Committee, and whether to include any of the other topics on the Scrutiny Committee work programme for establishment after May 2017.

4. Timetable for Select Committee Reviews

- (1) Based on the resources available to support Select Committee topic reviews, it is suggested that work on the review should start immediately, with the aim of its report being submitted to Cabinet and County Council in March 2017.

5. Select Committee Terms of Reference and Membership

- (1) It is the responsibility of any Select Committee to agree its Terms of Reference. However, the proposal forms in Appendix 1 do contain some suggested issues to be covered by the Terms of Reference to assist the Scrutiny Committee in deciding whether to include the review in the Work Programme. The Terms of Reference for the review as agreed by the Select Committee will be circulated to the Scrutiny Committee for information.
- (2) As agreed by the County Council in July 2013 there will be 9 Members on each Select Committee, comprising 5 Conservative, 2 UKIP, 1 Labour and 1 Liberal Democrat.

6. Recommendation, that:

The Scrutiny Committee is asked to agree which Select Committee proposal to establish as the next Select Committee review and to determine the overall reporting timetable. The Scrutiny Committee may also agree to include one or all of the other topics on the Scrutiny Committee work programme for establishment after May 2017.

Contact: Anna Taylor/Joel Cook
scrutiny.committee@kent.gov.uk
03000 416478/416892

Background document - none

Index to Select Committee topic review proposals

Time*	Subject	Proposer	Cabinet Member/ representative	Page number
10:10	Emergency Financial Assistance	Martin Vye	Graham Gibbens/ Andrew Ireland	
10:20	Digital Exclusion	Rob Bird	Mark Dance/ Barbara Cooper	
10:30	Bus Transport in Kent and its Public Subsidy	David Brazier	Matthew Balfour/ Barbara Cooper	
10:40	Discussion and decision on the topics to be included in the Select Committee work programme.			

*timings are approximate

This page is intentionally left blank

ASSESSMENT OF A SELECT COMMITTEE TOPIC REVIEW

* - sections to be filled in by the proposer of the topic

***Subject of Proposed Review:-**

The provision of emergency assistance for Kent residents without immediate access to money

***Reason for the Review:-**

(see Note 1 below)

There is much national and local evidence, highlighted by media reports and in-depth studies, that there are increasing numbers of individuals and families who permanently or repeatedly find they are unable to access money to buy necessities, such as heating and food. The growing use of foodbanks in Kent provides graphic proof of that. This scale of poverty will have an impact on the wellbeing, physical and mental, of families, and on the school-readiness of children, and is a driver of demand for county services.

***Issues to be covered by the Terms of Reference:-**

Whether better coordination of the work of all agencies and organisations that either provide advice to those facing destitution in Kent ,or provide emergency assistance to them, could ensure that as many people in genuine need as possible are helped in this way.

Scope of the review:-

- The main causes of destitution in Kent
- The extent and coverage of providers of advice ,and emergency assistance in Kent, including the Kent Support and Assistance Service and their criteria for awarding help
- The impact of destitution on KCC services, including adult and children's social services, and education and young people's services

***Purpose and objectives of the Review:-**

To explore whether it is possible to improve coordination of the provision of all relevant organisations, in order to maximise cost-effectiveness and the numbers of residents in genuine need who receive this assistance.

Proposer of the review - (Please print name and sign)

MARTIN VYE

.....

To be completed by the Directorate/Cabinet Member(s)

Are there any reasons why this review should not be put forward for inclusion in the work programme for 2016/17? (see Note 2 below)

The work covered under the scope of the review has been covered by either previous or existing and ongoing work streams at both officer and member level. A Select Committee would be unlikely to provide additional information than that which is already available and under scrutiny.

A previous report to the Adult Social Care and Health Cabinet Committee (4 December 2014) has indicated that there are a plethora of agencies involved, however many overlap, whilst gaps exist in some areas (either geographic areas or in areas of support). The scope and range of the services available to help are available via the Live it Well website

The Policy and Resources Cabinet Committee receive regular reports on welfare reform the latest being March 2016. An extensive report A Welfare Reform report, (January 2014) gave a wealth of information on the impact in Kent. Further, a sub-group of the Joint Kent Chief Execs led by William Benson (Chief Executive, Tunbridge Wells Borough Council) is also examining closely the impact of Welfare Reform across the county.

More widely, the Joseph Roundtree Foundation has recently published (April 2016) a national report about causes and impact of destitution in the UK.

Will the review support the Strategic Statement ('Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement 2015 – 2020', and supporting outcomes of the council? If yes, please identify aim(s) and give details:-

Whilst the issues covered by the terms of reference may provide some support, it is unlikely that the scope of the review will deliver the issues covered by Terms of Reference.

How will this review have an impact on KCC policy development and/or help to influence national policy?

Since the Terms of Reference, purpose and objective of the review are clearly operational, it is unlikely that the review will change policy either national or local. The timing of the review and its proximity to further reform would mean its findings would quickly become obsolete, rendering its value in policy development negligible.

How will this review add value to the County Council and residents of Kent?

This is difficult to ascertain as the "costs" of many of the agencies such as charities, voluntary groups etc are outside the control of KCC. We would therefore be unable to comment on or model the "cost effectiveness" of these services with or without a coordination role.

Asking agencies that are not involved in a contractual relationship with the authority to share their cost models will be challenging as organisations will be under no obligation to do so.

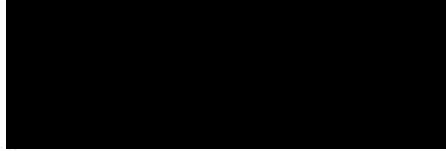
Does the review need to be completed within a specific timeframe? If yes, please

give details:

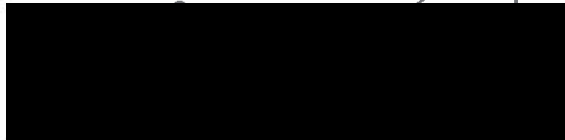
There is no indication of a necessary timeframe in the document provided. However with further reform about to be introduced, the finding of any select committee at this stage would quickly become obsolete.

Any additional comments from the Portfolio Holder/Corporate Director:-

Portfolio Holder's Signature:-



Corporate Director's Signature:-



Contact Officer:-

**Mark Lobban
Mel Anthony**

Date:-

23 May 2016



Note 1 - Possible reasons for the review

1. Key public issue, identified by
 - Member contact with constituents/member surgeries
 - Contact with key representative bodies/forums
 - Media coverage – Public interest issue covered in local media
 - Focus groups/citizens panels
2. Issue highlighted via a previous review
3. Issue recommended to another body e.g. Cabinet, Scrutiny Committee, a Cabinet Committee, Directorate or an external body.
4. Poor performing service i.e.:-
 - High level of complaints/dissatisfaction with service
 - Performance standards poor/below target – (evidence from PI's or benchmarking)
 - Identified through external review/inspection (OFSTED/Audit etc)
 - Budgetary overspends
5. Key reports or new evidence published
6. County Council priority
7. Central Government priority/New Government guidance or legislation published

Note 2 - Possible reasons why a review should not be established and added to the work programme.

1. Issue being examined by

<ul style="list-style-type: none"> • Cabinet • Scrutiny • Officer Group 	<ul style="list-style-type: none"> • another internal body • an external body
--	---
2. It has been the subject of a topic review by other Councils from which details of best practice can be obtained.
3. New legislation or guidance expected.
4. **NB:** Before suggesting that a review should not be included in the work programme the following should be considered:-

Could consideration of this issue 'add value' without causing unnecessary duplication, for instance by:

- i) Looking at this issue in conjunction with another group,
- ii) Through appropriate timing of the topic review,
- iii) Through considering another group's findings rather than duplicating the same/or similar activity.

ASSESSMENT OF A SELECT COMMITTEE TOPIC REVIEW

* - sections to be filled in by the proposer of the topic

<p>*Subject of Proposed Review:- Digital Exclusion</p>
<p>*Reason for the Review:- (see Note 1 below)</p> <p>In the digital age people are increasingly expected to use digital technology to interact with public and private sector organisations. For many people the Internet is convenient and efficient; technology is part of their modern day lifestyle.</p> <p>However, a significant minority of people do not have ready access to the Internet and/or do not have the ability and confidence to use the Internet. A recent survey by Maidstone Citizens Advice has shown that c.25% of clients do not have access to the Internet and half of the remaining 75% appear to be apprehensive of using the Internet. There is also anecdotal evidence of children having to use their neighbour's computer to do their homework, people being unable to compare prices and purchase key services such as energy supply and rail tickets and people being unable find or apply for jobs and training. You also need access to a computer to apply to get on the electoral register.</p> <p>It is proposed that this review should identify the numbers of Kent residents who are digitally excluded, assess the social and economic consequences of their exclusion and whether adequate measures are in place to ensure they are not significantly disadvantaged. The review will also assess previous initiatives to improve digital access and identify the extent to which they can be better coordinated and improved in the future.</p>
<p>*Issues to be covered by the Terms of Reference:-</p> <ol style="list-style-type: none">1. Identify numbers of people digitally excluded and causes of exclusion, e.g. lack of training, issues of trust & confidence, cost, learning difficulties,2. Assess the social and economic consequences of digital exclusion and the potential benefits of improving digital access,3. Assess whether public and private sector initiatives to improve digital access have been effective and identify potential improvements,4. Assess whether adequate provision is in place to ensure that people that are digitally excluded are not significantly disadvantaged.
<p>*Scope of the review:-</p> <p>The review would cover the whole of Kent. It would encompass several KCC units (including inter-alia EYPS, CLS, LRA, Learning Disabilities, Contact Centre); district councils; government agencies (eg DWP, HMRC); charities and voluntary organisations; schools, FE colleges and other trainers, employer organisations, local news and media, and health providers.</p>
<p>*Purpose and objectives of the Review:-</p> <ol style="list-style-type: none">1. To gauge the extent of digital exclusion in Kent and evaluate its consequences on residents and on the Kent social economy,2. To assess the value of previous initiatives to improve digital access,3. To make recommendations on how best to improve digital access for Kent residents,4. To make recommendations to KCC units and other organisations to ensure that people who are digitally excluded are not significantly disadvantaged.
<p>Proposer of the review - (Please print name and sign)</p> <p style="text-align: center;">Rob Bird</p>

To be completed by the Directorate/Cabinet Member(s)

Are there any reasons why this review should not be put forward for inclusion in the work programme for 2016/17? (see Note 2 below)

Under the criteria set out by Democratic Services, it is important to note that:

- **It has been the subject of a topic review by other Councils from which details of best practice can be obtained.**

There is already an extensive body of national and local research covering the reasons why citizens may not be online. This includes detailed analysis by the UK Charity Go-Online, who have a dedicated remit to encourage greater digital inclusion.

In addition, a number of Councils (including Canterbury City, Worcestershire and Wiltshire County Councils) have already undertaken detailed topic and scrutiny reviews into digital inclusion. These have examined, in depth, the reasons why citizens are not online, the associated impacts and the provision required.

- **New legislation or guidance expected.**

The Government has set out plans for a Digital Economy Bill in the Queen's speech (May 2016). This will cover digital access through the proposals to introduce a Universal Service Obligation for Broadband. There is a strong risk that the Committee's work could be overtaken by the passage of the Bill as it is in the programme of announced legislation and policies for the coming year.

Will the review support the Strategic Statement ('Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement 2015 – 2020'), and supporting outcomes of the council? If yes, please identify aim(s) and give details:-

KCC's Strategic Outcomes

Digital exclusion amongst citizens is included within KCC's Strategic Statement, although it could be argued that there is a tangential link with the following supporting outcome statements:

- 'Kent young people are confident and ambitious with choices and access to work, education and training opportunities'.
- Kent business growth is supported by having access to a well-skilled local workforce with improved transport, broadband and necessary infrastructure.

Evidence of internet usage

The latest Office of National Statistics Bulletin on Internet Users (May 2016) highlights that 87.9% of adults have used the internet in the last three months. Participation was 98.8% for 16-44 year olds, dropping to 88.3% for 55-64 year olds and 38.7% for the 75 and over age group. The Bulletin also notes a continued drop in the number of adults not using the internet (a decrease of 13.3% since 2011). This also includes a sustained increase in the number of disabled adults using the internet.

Regarding the extent of digital exclusion across Kent, the latest ONS data sets (May 2016) indicate that just over 10% of Kent adults have not used the internet in the last

three months. This is slightly below the national average of 12.1% adults not using the internet.

How will this review have an impact on KCC policy development and/or help to influence national policy?

The Council is already committed to encouraging digital inclusion and has a range of dedicated workstreams to support digital access. These include:

- All KCC libraries offering internet access (including a range of software and specialist equipment to support disabled library users get online.
- All KCC libraries being registered as UK Online Centres and offering free courses to help people develop digital skills and confidence. Free wi-fi is also available in 35 Kent libraries, complementing the hundreds of free wi-fi access points already available across Kent.
- The Kent libraries IT buddy scheme providing support on getting online, accessing information and completing online forms, and transactions.
- Free IT courses for beginners from Kent Adult Education Centres.

A number of other organisations also provide digital inclusion support across Kent for groups with specific needs. These include Compaid, who provide bespoke training for disabled adults to use computers, the internet and social media. Skills Plus also provide digital inclusion support targeted at individuals where English is not their first language.

The ability to influence key national policy on digital inclusion appears to be limited at this time. For example, the Government issued a call for evidence to inform the development of the UK Digital Strategy in December 2015 and has already published a detailed Digital Inclusion Strategy.

How will this review add value to the County Council and residents of Kent?

The Council is already committed to encouraging digital inclusion and there is already a range of local and national resources available to help citizens go online.

Furthermore, given the considerable volume of national and local work that has been already undertaken on digital inclusion – and the timing issues created by the Digital Economy Bill – it is unlikely that a detailed review would add value at this particular time.

Does the review need to be completed within a specific timeframe? If yes, please give details:

As highlighted above, there are a number of national legislative and policy changes expected later this year, which will have a significant bearing on, and potentially undermine, the recommendations of the Committee, if the work is undertaken during 2016/17. These include:

- Proposals for a Digital Economy Bill were announced in the Queen's Speech in May 2016. It is anticipated that this will create the primary legislative framework for the Government's plans to introduce greater digital access. The Bill will contain legislative measures for a new Broadband Universal Obligation. This will give citizens and businesses the legal right to request a fast broadband connection.

Initial proposals have indicated a preference for the Obligation to be industry-funded and supplier-led. Ofcom have also indicated that they are looking at the inclusion of social tariffs for broadband.

- The publication of the Government's Digital Strategy has also been delayed and it is unclear whether this would be available before the review started.

Any additional comments from the Portfolio Holder/Corporate Director:-

Given the proposed national policy and legislative changes, I do not believe that such a review would add value at this moment in time.

Portfolio Holder's Signature:-



Corporate Director's Signature:-



Contact Officer:-

Elizabeth Harrison

Date:-

25th May 2016

ASSESSMENT OF A SELECT COMMITTEE TOPIC REVIEW

* - sections to be filled in by the proposer of the topic

***Subject of Proposed Review:-**

Bus Transport in Kent and its Public Subsidy

***Reason for the Review:-**

(see Note 1 below)

Commercial operators will only run services that are profitable, which means that many communities in Kent would have no services unless subsidised by the public transport authority, Kent County Council. The Council has an obligation in law to "consider" services that are "handed back" by operators to the Traffic Commissioners as unprofitable, but no obligation to adopt or support them. Relations between operators and the Authority are good, and it has been possible in the past to enhance subsidised services at no cost to the public purse, but the efficient use of diminishing funds requires careful monitoring and it is often sometimes necessary to remove funding from a service. When this happens, young and older people who have no alternatives can become isolated from employment, education, healthcare and essential shopping.

Some public transport authorities have abandoned all subsidy of bus services. There is a debate to be had about this, about what constitutes an essential service, the capability of operators to absorb a greater degree of cost, and the criteria the authority should use in making decisions about what services should be supported. There are other means of providing transport to isolated communities and it would be a valuable exercise to examine how these are exercised by others.

There is a connection between supported bus services and getting young people to school, and a growing pressure to include rail travel in the concessionary passes. This might be considered an education issue, but I don't think consider it detached from the issue of public transport and bus services.

Finally, it might be of value to consider the "real" value of deregulation, and whether there might be a wider role for the public transport authority to play in commissioning all bus services to meet the needs of the county (I do not suggest that this is currently legal).

***Issues to be covered by the Terms of Reference:-**

Are services that have been "handed back" always unviable?
What are the criteria for subsidy in human terms?
How should the County Council use its funding for public transport?
How can subsidised services best be used to provide access to education.
Can subsidised bus services aid economic development?
What can be done to promote subsidised bus services?
What alternatives to bus transport are there and how well are these developed in Kent?

How has deregulation affected the provision of bus services and is there a case for the County Council to commission a range of services on a commercial basis?

***Scope of the review:-**

Interviews with operators and user groups about commercial and subsidised bus services, and investigations into the rationale for discontinuance of support deployed by other authorities. Understanding in depth the deregulation of the bus industry and whether this has been of benefit to users. Interviews with the community sector, and discovery of how alternatives to bus services can successfully be created.

***Purpose and objectives of the Review:-**

To understand how the bus market works and how operators, together with the County Council and other sectors, can provide a more comprehensive and convenient public transport coverage of the whole county, serving all users equally well.

Proposer of the review - (Please print name and sign)

David Brazier

.....

To be completed by the Directorate/Cabinet Member(s)

Are there any reasons why this review should not be put forward for inclusion in the work programme for 2016/17? (see Note 2 below)

There are no on-going projects which the review would affect and therefore no reason why this review should not take place.

Will the review support the Strategic Statement ('Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement 2015 – 2020'), and supporting outcomes of the council? If yes, please identify aim(s) and give details:-

The review will provide an opportunity for members to review the current KCC bus criteria against the current de-regulated bus market, with a view to determining whether the current criteria meets the strategic outcomes of KCC or if there is a need for a new criteria.

It will enable members to determine whether the current de-regulated bus market supports the strategic outcomes of KCC, could do so or if there is an alternative model required.

How will this review have an impact on KCC policy development and/or help to influence national policy?

This review would provide guidance on potential revised policy re;

The KCC bus criteria
The bus service priorities of KCC
Bus Market regulation
Bus Partnerships

It would enable officers to bring forward options for revised policies for member consideration.

How will this review add value to the County Council and residents of Kent?

Potentially it will identify new priorities for spending on supported bus services and enable the network to be focused accordingly, allowing resources to be released for new priorities.

It may identify new delivery models, which improve on the efficiency of the current bus market and enable more service provision to be delivered within current resources.

Does the review need to be completed within a specific timeframe? If yes, please give details:

No specific timetable required.

Any additional comments from the Portfolio Holder/Corporate Director:-

Portfolio Holder's Signature:-



Corporate Director's Signature:-



Contact Officer:-

Philip Lightowler

Date:-

26/05/16

Note 1 - Possible reasons for the review

1. Key public issue, identified by
 - Member contact with constituents/member surgeries
 - Contact with key representative bodies/forums
 - Media coverage – Public interest issue covered in local media
 - Focus groups/citizens panels
2. Issue highlighted via a previous review
3. Issue recommended to another body e.g. Cabinet, Scrutiny Committee, a Cabinet Committee, Directorate or an external body.
4. Poor performing service i.e.:-
 - High level of complaints/dissatisfaction with service
 - Performance standards poor/below target – (evidence from PI's or benchmarking)
 - Identified through external review/inspection (OFSTED/Audit etc)
 - Budgetary overspends
5. Key reports or new evidence published
6. County Council priority
7. Central Government priority/New Government guidance or legislation published

Note 2 - Possible reasons why a review should not be established and added to the work programme.

1. Issue being examined by
 - Cabinet
 - Scrutiny
 - Officer Group
 - another internal body
 - an external body
2. It has been the subject of a topic review by other Councils from which details of best practice can be obtained.
3. New legislation or guidance expected.
4. **NB:** Before suggesting that a review should not be included in the work programme the following should be considered:-

Could consideration of this issue 'add value' without causing unnecessary duplication, for instance by:

- i) Looking at this issue in conjunction with another group,
- ii) Through appropriate timing of the topic review,
- iii) Through considering another group's findings rather than duplicating the same/or similar activity.

From: **Mike Harrison, Chairman of the Kent Flood Risk Management Committee**

To: **Scrutiny Committee – 9 June 2016**

Subject: **The work of the Kent Flood Risk Management Committee**

Classification: **Unrestricted**

Summary: This report provides the Scrutiny Committee with an overview of the work of the Kent Flood Risk Management for the period May 2015 to March 2016.

Recommendation(s): The Scrutiny Committee is asked to note the contents of the report.

1. Introduction

- 1.1 The Kent Flood Risk Management Committee last reported to this Committee on 11 June 2015. The Committee asked that in future years the reports would provide greater detail of the year's events instead of enclosing the Minutes as Appendices. This report has therefore been prepared in the light of this request.
- 1.2 The Committee's Terms of Reference are set out at **Appendix 1** to this report. The membership of the Committee consists of 8 Members of the County Council. There is also a standing invitation to each of the District Councils, the Internal Drainage Boards in Kent, Kent Fire and Rescue Service and KALC to send representatives to the meetings. All these representatives are treated as though they are full Committee Members except for the formal items of business.
- 1.3 Officer support to the Committee is provided by Tony Harwood (Resilience and Emergencies Manager) and Max Tant (Flood Risk Manager). Senior Officers from the Environment Agency also report and contribute to the meetings.
- 1.4 In 2015/16, the Committee continued to monitor responses to Environment Agency and Met Office Alerts and Warnings and KCC flood response activities, receiving a standing report at each meeting throughout the year. The most significant flooding event during the last year occurred in January 2016 when some 120 residential properties within the Dover and Shepway Districts were either flooded or required active interventions to prevent their inundation by surface water.
- 1.5 The Committee was able to consider a broader range of topics at its three meetings than it had been able to do in 2014/15 when the focus had overwhelmingly been on the winter 2013/14 wide-area flooding events.

2. Committee meeting of 20 July 2015.

- 2.1 The Committee received a presentation from Paul Cobbing, Chief Executive of the National Flood Forum (NFF). This is a national charity which runs dozens of projects throughout the UK and has some 200 community groups affiliated to it. It builds upon the strong relationships it has built up with DEFRA and the Environment Agency to carry out its three functions, which are:
 - Helping people prepare for flooding;
 - Helping people recover their lives after flooding; and
 - Campaigning and working to put flood risk communities at the centre of policy making and operational delivery.

- 2.2 Mr Cobbing told the Committee that the NFF has a special role to play because everyone accepts their independence from official agencies. This enables them to engage with people who are angry and upset in a way which statutory agencies are unable to do.
- 2.3 The NFF's highest priority is "Citizen Control." It considers it essential that every community that is affected by or at risk of flooding is empowered to take the lead.
- 2.4 The NFF also has a major role to play in the aftermath of flood events. It has learned through experience that communities' needs are very different a week after a flooding event than during the first three or four days. Insurance is often the most significant priority at this time. The NFF is able to use the strong links it has established with the insurance industry to help overcome difficulties. This is also true for emergency alternative accommodation issues, because of the NFF's links with housing providers.
- 2.5 Another aspect of the NFF's work is preparation for flooding. If a community has no local flood group, the NFF will help set one up, advising on the best way to organise. On occasions, they will facilitate discussions within a community in order to resolve disagreements over what the actual flooding issues are.
- 2.6 The Committee was pleased to note that the NFF was currently in discussions with the Kent Resilience Forum over joint working.
- 2.7 The Committee also received a report from Max Tant on the preparation of "Flood Risk to Communities" documents. He provided a copy of the draft covering the Canterbury City Council administrative area (the first to have reached this stage of readiness) and explained that the Flood Risk Management Strategy would be assisted by supplementary documents at District level which covered all forms of flood risk including areas covered by the Environment Agency, KCC, the sewerage undertakers and the Highways Authority. The documents would also identify lines of responsibility during emergencies and any local flood plans produced to manage risk. They would aim to provide an overview of all local flooding issues and signpost where more detailed information could be obtained.
- 2.8 The Committee commented on the draft Canterbury City Council document and was very pleased to note that it was intended to include reference to Flood Wardens including guidance on their role and value.

3. Committee meeting on 16 November 2015

- 3.1 The Committee set aside a large proportion of its time for a number of presentations from people who were working in emergency response at a voluntary and local level. Tim Norton, Environment Agency Flood Resilience Team Leader gave the first presentation entitled "Community Resilience in Kent: Flood Wardens." He said that the flooding events of winter 2013/14 had convinced the Environment Agency that identifying and training Flood Wardens was a key priority. A great deal of effort had been put into recruiting and training Flood Wardens, supplemented by the production of the *Flood Warden Handbook*.
- 3.2 Tim Norton told the Committee that there had been a rapid response to the need for action in support of communities and volunteers. There was also a mutual understanding amongst the various partners who were developing Flood Warden training; sufficient funding had been secured for the purchase of basic equipment; Flood Wardens were integrated into the long term strategy for building resilient communities; and nearly 200 Flood Wardens had been through initial training.

- 3.3 There was a risk that the number of Flood Wardens would decline if no local flooding occurred for a number of years. The Environment Agency was therefore arranging seminars and other events in order to maintain momentum and knowledge. Another matter that needed to be addressed was that the Environment Agency did not have the resources to enable it to work with every single community where a Flood Warden had been trained. It was therefore going to be a necessary to prioritise and to consider the level of support that should be given on a case by case basis. Some higher risk communities still did not have any flood wardens and consideration would need to be given to the best way to work with them in those circumstances. It was also very important that the Districts and Boroughs carried out exercises to ensure that they were aware of all the Flood Wardens in their areas and that they knew how to contact them whenever the need arose.
- 3.4 The Committee was then briefly addressed by Carl Lewis, a Tonbridge Flood Warden and one of the two Area Flood Warden Co-ordinators. He described the efforts that had been made to recruit new Wardens after 2013/14 which included newspaper advertisements and contributions from the local MP. He stressed the importance of communication which could vary in form from door knocking to emails and Environment Agency roadshows. The message needed to be conveyed to the community that a Flood Warden's role was not limited to emergency events, but that they were there to provide support to their communities throughout the entire year.
- 3.5 Presentations were also given by Stuart Kenny from Kent Search and Rescue and by Steve Short of South East 4x4 Response. These two voluntary organisations had both contributed massively and in a number of ways during the winter 2013/14 flood events and had built on the excellent liaison arrangements they had already developed with Kent Police and other organisations.
- 3.6 The Committee was very impressed with the enthusiasm and commitment displayed by all four speakers. There was also a strong view that the Committee should play its part in communicating more widely the value of their work. Our next meeting in July 2016 will take place in Yalding and we hope to see as many Flood Wardens there as possible in order that we can express our gratitude for all that they do and demonstrate our belief in the critically important contribution that they make to flood resilience and response in Kent.
- 3.7 The Committee also received a detailed oral report from Paul Flaherty from Kent Fire and Rescue on the second Kent Resilience Forum Annual Severe Weather Exercise. This had been very worthwhile and had demonstrated the preparedness of all the agencies concerned, including Kent County Council. I suggested that an invitation should be sent to the Committee whenever an event of this nature took place.
- 3.8 The Committee was delighted to be told that a prestigious national award had been presented to the Kent Voluntary Sector Emergency Group by the Emergency Planning Society in recognition of the tremendous role played by volunteers in Kent and the service that they were providing.

4. Committee meeting on 8 March 2016.

- 4.1 Katie Moreton from Kent Highways and Waste gave a presentation to the Committee on Highways Flooding Events and Drainage Issues. She explained that due to the below average rainfall in winter 2015/16 the number of customer enquiries and drainage emergencies had been considerably lower than in previous years.

- 4.2 Katie Moreton detailed the cyclical cleansing of gullies and targeted activity undertaken during the year. All drains on main roads are cleansed on a cyclical basis every twelve months. A service-wide programme is undertaken on high speed roads, which means that soft landscaping, pot hole fixing, barrier tensioning and street lighting teams carry out their maintenance work together overnight. The same approach used to be taken in respect of minor roads. This approach changed in April 2014 as a result of feedback from the public. Highways Stewards now carry out an inspection and assessment whenever an enquiry is received. This includes identification of any work that needs to be carried out in the vicinity. Depending on the seriousness of the concern, work can begin at any time between 2 hours and 90 days of the enquiry coming in.
- 4.3 Another vital area of Kent Highways' work is carried out on "Drainage Hotspots" which Katie Moreton defined as "a flood prone section of the highway network." These are areas where flooding occurs because the drains are frequently blocked. If a drainage system is seen as defective, it will not be focussed upon because repeated cleansing would not solve the problem. Instead, prioritisation is done twice a year by analysing all the reports of flooding and those areas where Highways have attended emergencies. Presently, there are 114 Drainage Hotspots identified in Kent which are attended to every six months. This list is sense checked by the Area Drainage Engineer and the District Manager. The list is not *automatically* added to on the request of locally elected representatives or Parish Councils due to the need to avoid it becoming completely unmanageable.
- 4.4 All the Highways Asset Managers made their bids for capital for their highway improvements budgets in December 2015. The initial Drainage bid was £11.65m comprising 144 large schemes and 1,000 small reactive improvement works. The final agreed budget was £3.625m which Katie Moreton estimates will enable 66 large schemes and some 200 small reactive improvement works to be carried out. This compares with a far lower budget in 2015/16 of £1.65m when only smaller works were carried out.
- 4.5 Max Tant then provided an update report on the Local Flood Risk Management Strategy. He set out the challenges for flood risk management in Kent. These are:-
- Delivering local flood risk management works;
 - Joint delivery of schemes;
 - Combined sewer networks;
 - Promotion of natural flood management techniques;
 - Developing KCC's role as a consultee for some minor developments in high risk areas;
 - SuDS adoption and maintenance;
 - Improving community resilience;
 - Proper planning for local flood risk emergencies; and
 - Understanding the full economic benefits of flood risk management.
- 4.6 One action that arose out of the discussion of Max Tant's report was that I was asked to write to Kent MPs on the Committee's behalf setting out its view that the Government should develop a legislative framework for SuDS.

5 Future activities

- 5.1 The next meeting of the Committee will be held in July 2016 in Yalding. It is very important that the Committee is seen to be active all around the County. It is even more important that we give a practical demonstration to local communities, flood wardens and other volunteers that we are their committee and that they should feel confident about bringing plaudits and concerns to us. At this meeting, we will also have an update from Southern Water on their investment plans.

5.2 It is in the same spirit that we are considering whether the Committee would benefit from additional representation from KALC. A report on this matter will be considered at the July meeting.

6. Conclusions

6.1 Kent Flood Risk Management Committee has carried out an important oversight and scrutiny function in terms of scrutinising the work carried out by KCC and its partner agencies. The Committee's influence has benefited from the continued positive engagement by those local authorities who regularly attend and by the positions of authority that their representatives hold within those organisations.

6.2 There are, however, some local authorities who despite a standing invitation do not send representatives to the Committee's meetings. As Chairman, I intend to use the opportunity provided by the recent Local Government elections to remind each of the Districts and Boroughs to notify us of any change to its membership of the Committee whilst encouraging those authorities who are currently not represented to take up the Committee's invitation. The greater the number of authorities who attend, the greater will be the reward for the County as a whole in terms of influence, understanding and joined-up working to mitigate the risks arising from all forms of flooding in Kent.

7. Recommendation

7.1 The Committee is invited to note the content of this report

Mike Harrison
Chairman of the Kent Flood Risk Management Committee
mike.harrison@kent.gov.uk

Andrew Tait
Democratic Services Officer
03000 416749
andrew.tait@kent.gov.uk

This page is intentionally left blank

KENT FLOOD RISK MANAGEMENT COMMITTEE

TERMS OF REFERENCE

7 Members

Conservative: 4; UKIP: 1; Labour: 1; Liberal Democrat: 1.

1. In accordance with the Localism Act 2011 (Schedule 2), this committee is responsible for reviewing and scrutinising the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

2. This Committee is responsible for:-

a) the preparation, monitoring and review (in conjunction with the Flood Risk Management Officer) of a strategic action plan for flood risk management in Kent taking into account any Select Committee recommendations, the Pitt Review and relevant requirements of the Flood and Water Management Act 2010;

b) reporting annually (and more often if necessary) to the Scrutiny Committee and to the Cabinet Member for Environment, Highways and Waste;

c) reviewing and responding to any consultation on the implementation of the Pitt Review and the future development of the Flood and Water Management Act 2010;

d) receiving reports from the Southern Regional Flood and Coastal Committee and responding as appropriate;

e) the investigation of water resource management issues in Kent.

3. A risk management authority must comply with a request from this committee for information and a response to a report.

4. The committee may include (non-voting) persons who are not Members of the authority, including representatives of district Councils, the Environment Agency and Internal Drainage Boards.

This page is intentionally left blank

By: Richard Parry – Chairman of the Scrutiny Committee
Peter Sass – Head of Democratic Services

To: Scrutiny Committee – 9 June 2016

Subject: Proposed establishment of a Kent Utilities Engagement Sub-Committee

Status: Unrestricted

Summary: The Scrutiny Committee is asked to consider the recommendation to establish a sub-committee to work with the utility sector.

This sub-committee would operate in a similar manner to the Flood Risk Management Committee but with voluntary involvement of partner agencies.

1. Background

- 1.1 At the Growth, Economic Development and Communities Cabinet Committee on 7 July 2015, it was suggested by the Leader that KCC should scrutinise elements of utility provision, including the providers' 5 year plans. Members suggested that utility companies could be invited to attend a meeting of the Scrutiny Committee.
- 1.2 In response to the suggestion that KCC should undertake a scrutiny role in relation to utilities, teams from Growth, Environment & Transport have worked with Democratic Services to develop options for facilitating the desired scrutiny work.
- 1.3 In January 2016, an options paper was presented to a meeting of Cabinet Members by Peter Sass, Head of Democratic Services and Katie Stewart, Director of Environment, Planning and Enforcement. Cabinet Members endorsed a proposal to develop a Scrutiny Sub-Committee to work with utility providers and regulators with the recommendation that the proposal be presented to the Scrutiny Committee for consideration as the appropriate body.
- 1.4 It was recommended that the proposed sub-committee seek to engage with providers and regulators in a positive manner to build on the successful engagement work already undertaken by the Directorate.
- 1.5 In light of the objective of building positive, long term relationships with utility providers and regulators, it has been recommended that the proposed sub-committee is conducted in the manner of an engagement forum, with an emphasis on partnership working, evidence gathering and information sharing. In doing so, the sub-committee will enable KCC and partners to engage proactively with national regulators and locally with utilities in better aligning utilities to supporting growth.

2. Kent Utilities Engagement Sub-Committee

- 2.1 This report proposes that a sub-committee be established with the Terms of Reference as set out in the **Appendix** to this report.
- 2.2 The proposed title of the Kent Utilities Engagement Sub-Committee reflects the recommendation that it should be considered as a partnership board, emphasising the promotion of good working practices and fostering positive relationships across the utility and development landscape.
- 2.3 The sub-committee should make an annual report to the Scrutiny Committee.
- 2.4 The sub-committee would comprise nine Members; five Conservative, one UKIP, one Labour, one Liberal Democrat and one Independent.
- 2.5 The sub-committee would be supported by the Environment, Planning & Enforcement team based in the Growth, Environment & Transport Directorate, maintaining relevant links with the Growth Infrastructure Framework (GIF) Steering Group.

3. Inaugural meeting of the Kent Utilities Engagement Sub-Committee

- 3.1 The proposed date for the inaugural meeting of the Kent Utilities Engagement Sub-Committee would be in late June. Should the Scrutiny Committee approve the establishment of this sub-committee it is expected to meet three times a year and more frequently if the need arises.
- 3.2 The initial meeting(s) of the sub-committee would involve a series of briefings for Members on utility and development processes with support provided by the Environment, Planning and Enforcement Team.

4. Recommendation, that:

- 4.1 The Kent Utilities Engagement sub-committee be established with nine Members on the basis of 5 Conservatives, 1 UKIP, 1 Labour, 1 Liberal Democrat and 1 Independent with membership to be confirmed by the relevant group leaders.
- 4.2 The sub-committee's terms of reference as set out in the attached Appendix be approved.

5. Appendices

Kent Utilities Engagement Sub-Committee – terms of reference

6. Background Papers

[Growth and Infrastructure Framework - 2015](#)

7. Contact details

Report Author:

Anna Taylor / Joel Cook

03000 416478 / 416892

scrutiny.committee@kent.gov.uk

Relevant Director:

Geoff Wild

03000 416840

Geoff.wild@kent.gov.uk

This page is intentionally left blank

KENT UTILITIES ENGAGEMENT SUB-COMMITTEE

TERMS OF REFERENCE

9 Members

Conservative – 5; UKIP – 1; Labour – 1; Liberal Democrat – 1; Independent – 1.

Responsibility and outcomes:

1. This sub-committee is responsible for engaging with utility providers and regulators operating in the Kent area.
2. The goal of the sub-committee is to achieve better alignment of utilities planning and connections to developments across Kent and to improve the quality of life of Kent citizens.
3. The sub-committee will highlight examples of good and bad practice and work with utility providers to devise and promote effective utility and development strategies, making suggestions for improvement and engaging with national regulators where appropriate.
4. The sub-committee will use regular engagement with key partners in the utility and development sectors to improve communication, avoid unnecessary duplication and increase transparency.

Governance:

5. The sub-committee is a sub-committee of the Scrutiny Committee.
6. The sub-committee provides a report to the Scrutiny Committee on an annual basis, or more regularly if required.
7. The sub-committee will meet three times a year, with additional meetings arranged as required.
8. As a partnership meeting, attendance of all external parties is encouraged in the spirit of joint-working but will be on a voluntary basis.

Agenda setting:

9. A work programme will be maintained by the Growth, Environment & Transport directorate, developed in consultation with Members, partner agencies, utility providers and regulators.

This page is intentionally left blank