



AGENDA

GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

Wednesday, 28 June 2023 at 10.00 am
Council Chamber, Sessions House

Ask for: Hayley Savage
Telephone: 03000 414286

Membership (17)

Conservative (12): Mr N Baker (Chairman), Mr H Rayner (Vice-Chairman),
Mrs R Binks, Mr C Broadley, Mr T Cannon, Mr S Holden,
Mr S C Manion, Mr J Meade, Mr A M Ridgers, Mr D Robey,
Mr R J Thomas and Mr D Watkins

Labour (2): Ms K Grehan and Mr B H Lewis

Liberal Democrat (1): Mr M J Sole

Green and Independent (2): Mr M A J Hood and Mr M Baldock

UNRESTRICTED ITEMS

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

- 1 Introduction/Webcast announcements
- 2 Membership
To note that Mr Mike Baldock, Ms Kelly Grehan and Mr Barry Lewis have joined the committee.
- 3 Apologies and Substitutes
- 4 Declarations of Interest by Members in items on the Agenda
- 5 Minutes of the meeting held on 16 May 2023 (Pages 1 - 10)
- 6 Verbal updates by the Cabinet Members and Corporate Director
- 7 Review of the Kent Community Warden Service (Pages 11 - 18)
- 8 Performance Dashboard (Pages 19 - 34)
- 9 Underage Vaping (Pages 35 - 40)

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)

Benjamin Watts
General Counsel
03000 416814

Tuesday, 20 June 2023

KENT COUNTY COUNCIL

**GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES
CABINET COMMITTEE**

MINUTES of a meeting of the Growth, Economic Development and Communities Cabinet Committee held in the on Tuesday, 16 May 2023.

PRESENT: Mr N Baker (Chairman), Mr H Rayner (Vice-Chairman), Mrs R Binks, Mr C Broadley, Mr T Cannon, Mr S Holden, Mr M A J Hood, Mr S C Manion, Ms J Meade, Mr J Meade, Mr A M Ridgers, Mr M J Sole, Mr R J Thomas and Mr D Watkins

ALSO PRESENT: Mr D Robey and Mr P M Hill, OBE

IN ATTENDANCE: Mr D Smith (Director of Economic Development), Mrs S Holt-Castle (Director of Growth and Communities), Hayley Savage (Democratic Services Officer) and Mr S Jones (Corporate Director of Growth, Environment and Transport)

UNRESTRICTED ITEMS

131. Declarations of Interest by Members in items on the Agenda
(Item 3)

Mr Meade, in relation to Item 6, declared he was the Council's representative on the Planning Committee of the Ebbsfleet Development Corporation. In relation to item 7, Mr Meade declared he had provided professional support to the House of Lords on the Mobile Homes Pitch Fees Act 2023.

132. Minutes of the meeting held on 14 March 2023
(Item 4)

RESOLVED that the minutes of the meeting held on 14 March 2023 were a correct record.

133. Verbal updates by the Cabinet Members and Corporate Director
(Item 5)

1. Mr Hill, Cabinet Member for Community and Regulatory Services, provided an update on the following:
 - a) In commemoration of King Charles III's Coronation, tributes were held in all 99 of Kent's Libraries, including 65 organised events and activities, and a coronation party at the Kent History and Library Centre which was attended by over 100 people.
 - b) Folkstone Library remained temporarily closed. Repairs were estimated to cost over £1 million, and the budget was not available for this. In response, nearby libraries would be open additional hours and other building options were being considered. A bid to the Government's Library Improvement Fund was also being explored.

- c) The Kent Community Safety Conference took place on 28th March 2023. The event was successful and for the first time offered both in-person and virtual participation. The topic of the conference was tackling violence against women and girls which was a pertinent issue in Kent.
 - d) Turner Contemporary's Director, Clarrie Wallis won an Ampersand Foundation Award for cultural activities which included a financial grant of £125,000. This was for a photographic exhibition, curated by Clarrie Wallis and artist Steve McQueen.
2. A Member raised concerns regarding the moving of Folkstone library to a central location and asked whether more communication and information could be provided. Mr Hill understood the position and said efforts to provide as much information as possible to residents would continue. He said consideration would be given to the location of the library to satisfy the needs of Folkestone residents and agreed to explore the possibility of a meeting with residents.
3. Mr Robey, Deputy Cabinet Member for Economic Development, gave a verbal update on the following:
 - a) The EU Exit Entry System (EES), an automated system for registering travellers from the UK and other non-EU countries each time they crossed an EU external border, had been delayed to November 2024.
 - b) The Straits Committee, an organisation of local authorities on both sides of the English Channel, would discuss water conservation, quality, and supply at its next conference in July 2023. In addition, discussions were ongoing around boosting cross-channel tourism and marking the 120th anniversary of the signing of the Entente Cordial.
 - c) A decision was taken to use the Innovation 3 funding to maintain schemes under the Kent and Medway Business Fund whilst approval of a bid for funding was awaited from HM Treasury which, Mr Robey was pleased to update Members, had been received on 15 May 2023.
 - d) The government had agreed to fund the Dover Harbour Board project which intended to modify the harbour (including the cruise terminal) and a KCC project to improve traffic flow in and around the harbour.
 - e) Regarding Stodmarsh and the ability to treat Phosphorous and Nitrogen as a result of housing developments, progress was being made which included the building of wetlands, requesting that Southern Water invest more in tertiary water treatment, and onsite mitigation measures.
 - f) Plans were progressing for small modular reactors at Dungeness and KCC remained hopeful and continued to engage. Mr Bowie, Minister for Nuclear and Networks, at the Department of Energy Security and Net Zero had agreed to visit the site.
 - g) The Council continued to engage with Eurostar regarding the service stopping at Ashford International.
 - h) The Business Vision Live event was held at the Kent Event Centre in May 2023 and was well attended.
4. A Member asked what the intended outcomes of the Dover Harbour project would be, and Mr Jones said that the infrastructure changes would improve access to the port and improve traffic flow.

5. Mr Jones, Corporate Director Growth, Environment and Transport, provided an update on the following:
 - a) The Active Kent & Medway 'Move Together' programme was launched on 9th May and would support people to get active, particularly those with long-term health conditions.
 - b) The Active Kent & Medway team were holding the annual Primary PE Conference 2023 at the Kent Event Centre, Detling in May 2023. Over 100 teachers would be attending alongside representatives from the Department for Education.
 - c) Oakwood House was now open for Citizenship Civil Ceremonies and positive feedback had been received from those who had recently used the venue. Mr Jones invited Members of the committee to visit the site on forthcoming open days.
 - d) The number of people visiting libraries continued to recover. The figure was over 70% of pre-pandemic levels, which was higher than the national average. E-use of libraries had grown above the national average and had surpassed pre-covid use levels. Use of the Archives search room had also increased 39% on the previous quarter. The registration services continued to remain busy to meet demand on birth and death registrations and the Ceremonies team were preparing for the peak summer period of ceremonies.
 - e) The Public Protection team met with the Serious Economic Crime Unit of Kent Police and Mr Jones said the organisations would work together to tackle doorstep crime. The memorandum of understanding with Kent Police had been revised, and the Council and Police sent joint cease and desist letters to tackle doorstep crime.
 - f) Mandy Cason, a Community Warden in the Gravesham Team, was awarded for assisting the community and going above and beyond in her role, and Susan Beeney, also a Community Warden, had won the Littlebourne Parish Council Millennium Award for her work in the community.
 - g) Public Protection continued to work with the border force to tackle the import of illegal vapes. Thousands of illegal vapes had been seized in Dover which were dangerously above the legal limit. Public Protection had also held tobacco 'days of action' in towns across Kent. During the operation, services recovered thousands of illegal cigarettes and illegal vapes.
 - h) Scientific services had developed and launched testing for veterinary residues in meat and fish, the only test of its kind in the country and Mr Jones said that these tests were key analysis for ports and would be increasingly important when new import checks were introduced.
 - i) Mr Jones praised the Council's services in attendance at the Business Vision Live event and reported that they had received positive feedback from attendees.

6. Mr Jones responded to the following questions and comments from Members:
 - a) Members commended the crackdown on illegal vapes and sent their thanks regarding this project. They also asked where illegal vapes ended up and what had been done to track illegal vape distribution. Mr

Jones informed Members that they worked very closely with Kent Police and that an intelligence unit worked on tackling organised crime and conducted network analysis to understand and prevent distribution.

- b) A Member raised the delays experienced at the port of Dover over Easter and their concerns that delays may again occur during the summer and school holidays. Mr Jones told Members that the Kent Resilience Forum had been doing a lot of work in this area. Particularly in analysing and sharing data between operators, to understand the scale of the problem and decide what tools are needed to prevent disruption.

RESOLVED to note the verbal updates.

134. 23/00041 - Policy adoption of the KCC Developer Contributions Guide (Item 6)

Mr Colin Finch, Strategic programme manager, and Ms Victoria Thistlewood, Project Manager were in attendance for this item.

1. Mr Robey introduced the item and Mr Finch provided an overview of the report and updated Members on the public consultation.
2. The Chair commended the report but raised concerns around planning & developments on a national level.
3. Mr Finch, Ms Thistlewood, Mr Jones, and Ms Holt-Castle responded to the following comments from Members:
 - a) A Member asked how important community engagement was in this process and what could be done to increase public contribution. Ms Thistlewood responded that although the consultation was open to the public it was very technical and targeted towards district planning authorities, developers, and landowners. She said that consultation with the public would be done on a service level basis going forward.
 - b) A Member asked what mechanisms were in place to amend the policy in relation to climate change, technology and building regulations. Mr Finch responded that any action on climate change would be covered by other policies, including the environmental policy.
 - c) A Member asked how districts would be encouraged to sign up to the Community Infrastructure Levy (CIL) and benefit from smaller developments in their boundaries. Mr Finch said KCC wouldn't be encouraging local authorities to take this route as the contributions towards infrastructure, through this mechanism, offered lower amounts of money compared to Section 106 contributions towards KCC infrastructure.
 - d) A Member asked what safeguards were in place to stop developers intentionally building in smaller batches to avoid the 10-property threshold set out in the report. Ms Thistlewood said that KCC worked with the district councils on this, and that the behaviour was monitored.
 - e) Members raised concerns over the lack of power provided to KCC to ensure developers contribute towards infrastructure costs. Members also asked how much KCC were likely to receive from developers in the

next 8 years and whether this was sufficient to deliver infrastructure needed. Mr Jones said it was difficult to accurately judge how much investment was needed for infrastructure and noted that large infrastructure projects often required Government support and national investment. Mr Jones highlighted the importance of the council's mapping platform to identify where and when infrastructure was necessary and what funding was required for sustainable communities in Kent. Levelling up funding had also played a part in ensuring that the necessary infrastructure was in place to meet the needs of the county. Ms Holt-Castle raised risks to the authority from the levelling up and regeneration bill and told Members that her team had been looking to influence government on this to mitigate negative effects.

RESOLVED to endorse the proposed decision to:

- (i) proceed with formal adoption of the updated Developer Contributions Guide;
- (ii) approve the service standards and methodology for calculating development mitigation contained within;
- (iii) delegate to the Director of Growth and Communities to sign off any subsequent reviews/updates and changes to approaches to contribution calculation methodologies on behalf of the County Council other than for when either a contribution rate is required to be increased beyond inflation or the introduction of a new contribution request;
- (iv) delegate to the Director of Growth and Communities to take appropriate actions including, but not limited to, KCC entering into legal agreements, legal charges and negotiation of contributions for planning applications of proven viability concern, as necessary to implement this decision; and
- (v) to confirm the use of the BCIS All-In Tender price index (or ROADCON where required by Public Rights of Way or Highways), with the base date for indexation set at Quarter 1 2022 as shown at Appendix 1.

135. 23/00040 - Adoption of Gypsy and Traveller Site Pitch Allocation Policy

(Item 7)

Ms Natalie Liddiard, Head of Gypsy and Traveller Service, and Mr Tom Marchant, Interim Head of Countryside and Community Development, were in attendance for this item.

1. Mr Hill briefly introduced the agenda item. He said the committee had previously endorsed the pre-consultation draft and some minor modifications had since been made.
2. Ms Natalie Liddiard updated Members on the consultation process. It took place over a 10-week period, KCC had held 5 face to face drop in sessions, sent direct emails to 75 stakeholders, made direct contact with pitch holders across the 7 KCC sites and Maidstone Borough council sites, texted all pitch-holders and contacted those on the waiting list for a pitch. Ms Liddiard also informed Members that social media had been used to spread information of the consultation, including videos and press releases. Ms Liddiard reported that 11 consultees had provided feedback, including traveller representing organisations. Legal advice on the policy had been sought and no significant risks to the authority had been identified.

3. Ms Liddiard and Mr Jones responded to the following questions and comments from Members:
 - a) Members discussed whether unauthorised encampments on facilities used for sports and recreation grounds would constitute anti-social behaviour (ASB) and whether legal advice had been sought on this. Ms Liddiard responded that legal opinion had not been sought specifically on this as there were too many scenarios and the Council worked with district councils and the police regarding anti-social behaviour.
 - b) Asked why the action of setting up an unauthorised encampment was not an act of anti-social behaviour Ms Liddiard said that individual circumstances were considered and that the police must be worked with to determine whether an unauthorised encampment was committing anti-social behaviour. Mr Jones clarified that clear external legal advice had been sought and incorporated into the policy and emphasised the importance of working with Kent Police.
 - c) A Member raised concerns around the lack of responses from the traveller community, particularly following the scale of the consultation.
4. Mr Rayner proposed, and Mrs Binks seconded that the recommendations of the report be moved, and this was agreed unanimously.

RESOLVED to endorse the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services, to adopt the Gypsy and Traveller Site Pitch Allocation Policy and Application Form; and delegate to the Director Growth & Communities any further decisions that may be appropriate to deliver the policy.

136. KCC Village and Community Hall Grant Scheme (Item 8)

Mr Mark Reeves, Project Manager, was in attendance for this item.

1. Mr Hill briefly introduced the item and highlighted the importance of the scheme.
2. Mr Reeves provided a history of the Grant Scheme and summarised the report. Mr Reeves reported that since April 2021, 18 new community hall projects had been supported and £243,000 had been provided. He summarised that the grant often encouraged funding from other sources and for each £1 awarded by KCC, typically £18 had been provided from other sources.
3. Mr Reeves responded to the following questions and comments from Members:
 - a) A Member raised concerns about some village halls being excluded from the scheme due to the building being leased rather than owned outright. Mr Reeves said an information and funding advice service was provided regarding potential funding opportunities to all village halls, including those outside of the scheme.
 - b) A Member commented whether the various funding streams to support village halls could be streamlined.

RESOLVED to note the report.

137. Performance Dashboard

(Item 9)

Mr David Whittle was in attendance for this item.

1. Mr Whittle introduced the performance report for Quarter 3 of 2022/23 and said of the 25 Key Performance Indicators, 22 were rated as green, 3 rated amber and none were red. The second part of the report set out the planned Key Performance Indicators for the forthcoming financial year.
2. Mr Whittle responded to the following questions and comments from Members:
 - a) Members commented that in future, when percentages were used in reports, could numerical data also be provided.
 - b) A Member asked why the target set for indicator ED10 – *Businesses assisted via Kent and Medway Growth Hub contract* - in the forthcoming financial year had been cut and Ms Holt-Castle responded that this was due to a reduction in the grant from national government and the service being adapted to reflect this.

RESOLVED to note the performance report for Quarter 3 of 2022/23 and targets proposed for 2023/24.

138. 23/00047 - Cyclopark Operator Agreement (OA) and Funding

(Item 10)

Mr Steve Grimshaw, Strategic Programme Manager, was in attendance for this item.

1. Mr Robey introduced the item and Mr Grimshaw summarised the report regarding a new deed of variation to extend the agreement with Cyclopark Trust for a further 10 years to continue to operate the venue on behalf of KCC.
2. The Chair suggested, once the District Visits Programme had recommenced, that a visit be made to Cyclopark.
3. Mr Grimshaw responded to the following questions and comments from Members:
 - a) Members expressed their support of the facility and what the site had achieved so far.
 - b) Members raised concerns over security at the park and anti-social behaviour. Mr Grimshaw said the Council had engaged with the company on concerns about security and work had begun on investigating the work needed to improve security.
 - c) Members noted the role of the park in reducing ASB in the local area and the health benefits it provided.

- d) A Member also commented that given the amount of investment in this project, that it may be beneficial for KCC to have representation on the Board of Trustees.
 - e) Members discussed whether the surrounding land could be used for renewable energy production to offset the rise in energy costs.
 - f) A Member asked what prospects there were for the site not to require subsidy in future. Mr Grimshaw said the construction of a modular building was part of the move away from being funded wholly by KCC and that the trust continued to look for alternative means of funding.
 - g) A Member asked whether the lease obligated the trust to maintain the facility to a certain level and how KCC inspected this. Mr Grimshaw responded that the 50-year lease within the original operator's agreement sets out that Cyclopark is responsible for building and track maintenance.
4. Mr Rayner proposed, and Mr Meade seconded an amendment to the recommendation that the Cabinet Member for Economic Development be asked to put forward sufficient improvements to security to ensure the safety of the facility, and this was agreed unanimously.

RESOLVED to:

1. Endorse the decision:
 - (a) to approve a retrospective Deed of Variation to the Operator Agreement between KCC and Cyclopark Trust for the operation of the park and continuation of KCC financial support for the period 27 May 2022 to 26 May 2032 (10 Years) and;
 - (b) that authority be delegated to the Director of Growth and Communities to take appropriate actions in accordance with the terms of the Operator Agreement as necessary to implement this decision.
2. Ask the Cabinet Member for Economic Development to put forward sufficient improvements to security to ensure the safety of the facility.

139. 23/00026 - Old Rectory Management Contract
(Item 11)

Mr Mark Reeves, Project Manager, was in attendance for this item.

Mr Robey introduced the report, the background of the contract and the decision to extend funding for another year.

RESOLVED to endorse the proposed decision to extend the existing Old Rectory Business Centre Management Services contract by a further one year and delegate to the Director Growth & Communities to take other relevant actions including but not limited to entering into required legal agreements as necessary to implement the decision.

140. Decisions taken between Cabinet Committee Meetings
(Item 12)

1. Mr Robey provided a background to decision 23/00028 - Kent and Medway Business Fund (KMBF) & Innovation Investment Loan Extension via i3 - and explained why it had been taken between meetings of the cabinet committee. He said since the decision had been taken, HM Treasury had decided to resume funding.
2. The Chairman asked for information relating to HM Treasury's decision to be sent to Members.

RESOLVED to note that decision 23/00028 Kent and Medway Business Fund (KMBF) & Innovation Investment Loan Extension via i3 was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

141. Work Programme 2023/24

(Item 13)

RESOLVED to note the Work Programme 2023/24.

This page is intentionally left blank

From: Mike Hill, KCC Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director for Growth, Environment and Transport.

To: Growth, Economic Development and Communities Cabinet Committee – 28 June 2023

Subject: Review of the Kent Community Warden Service

Classification: Unrestricted

Electoral Division: All

Past pathway of paper: N/A

Future pathway of paper: The post consultation analysis will return to a future Growth, Economic Development and Communities Cabinet Committee for decision by Cabinet Member for Community and Regulatory Services

Summary: The Kent Community Warden Service (KCWS) was established in 2002. One of its original aims was to form a key part of the County Council's response to its statutory responsibilities under the Crime and Disorder Act 1998 (amended by the Police and Justice Act 2006)¹. The budget for 2022/23 for the service was £2.4m; comprising mostly front-line staffing costs.

In February 2023, in order to achieve a balanced budget for 2023/24, Members approved the proposal to reduce the net budget for Community Wardens by £1m over two years.

This report sets out proposals for a public consultation on potential future service models to achieve the planned savings. It is expected that the public consultation will launch on 12 July and run for 12 weeks.

Recommendation(s): The Cabinet Committee is asked to consider and comment on the public consultation proposals alongside an updated geographical allocation policy, to help identify where wardens will be placed.

1. Background

- 1.1 On the 9 February 2023, Members of KCC approved the Council's planned budget for 2023-24. In order to achieve a balanced budget the Community Wardens Service budget has been reduced by £1m to be delivered over two years.
- 1.2 A public consultation is planned to start on 12 July on how this reduction may be achieved.

¹ Under Section 6 of the 1998 Act, KCC must work with the other responsible authorities in the local government area to tackle local crime and disorder. Under Section 17 of this Act, KCC must consider crime and disorder implications for all their functions and decisions.

2. Introduction

- 2.1 The Community Warden service was first established in 2002, with the main aim of forming a key part of the Council's response to its statutory responsibilities under the Crime and Disorder Act 1998 (amended by the Police and Justice Act 2006).
- 2.2 The service's remit has evolved and expanded from the initial crime and disorder focus and the service now also contributes to KCC's duties under the Care Act 2014. Under Section 1 of this Act, KCC must promote individual wellbeing, and under Section 2, KCC must prevent needs for care and support. Wardens contribute to these duties by having knowledge of the communities they serve and being able to connect residents to what will promote their wellbeing or prevent care and support needs. This could be financial support, housing, information and advice, carers support, social connections, and activities.
- 2.3 Currently, the service is structured with 70 Wardens (including six Team Leaders); two Area Managers; one Volunteer and Apprenticeship Scheme Manager; and one Business Coordinator. The service's £2.4 million budget is mostly accounted for through these staffing costs. The remaining £135k of this budget is utilised for uniforms, equipment, training, materials, vehicles, and travel expenses.
- 2.4 There are six teams covering two districts each. The service operates with wardens assigned to a particular area. These areas are villages, parishes, towns and suburbs. However, the service also flexibly responds to needs beyond this, allowing for coverage of most of the county.

3. Development of proposals

- 3.1 Future delivery options have been shaped by feedback from staff, partners and service users.
- 3.2 Common themes from across the feedback gathered include:
 - A large majority view that the service's objectives and remit is right. (That wardens' broad remit and the autonomy of wardens was a strength.) This is further supported by the outcomes from the service user survey, along with the reasons given for wardens providing support, spanning all four of the service's objectives, showing residents use and value the broad remit of the service.
 - A large majority view that wardens should continue to be based within communities. (The ability to respond flexibly is a strength of the service.)
 - A large majority view that there should be a warden presence in all districts.
 - The most often selected criteria to use in identifying where a warden should be based were deprivation and elderly populations, with barriers to accessing services, low life satisfaction and rural areas closely following.
- 3.3 The volunteering aspect of the service has also been considered. Attracting and retaining volunteers is resource intensive. KCWS teams work closely with local groups of volunteers who may be from an existing community group or organisation. These informal arrangements are working effectively and are likely to be more sustainable than a specific service hosted scheme should KCWS have smaller teams, a smaller footprint and less resources.

4. Review of KCWS – Proposals

- 4.1 The KCWS had a budget of approximately £2.4m (2022/23). As the majority of the budget is staffing costs, there will need to be staff reductions to achieve the proposed savings.
- 4.2 Drawing on the staff, partner and service user feedback the proposed operating model would retain:
- the service's wide remit.
 - the community based proactive nature of the service.
 - a presence in all 12 of Kent's districts.
- 4.3 **Proposed operating model: Minimum service level across the county with more warden presence in areas of highest need** – Considering the above, it is proposed that the service would continue with six teams, covering two districts each. There would be a minimum of three Wardens and one Team Leader in each team, with the remaining wardens allocated based on need (see 4.6).
- 4.4 All Wardens would have an area in which they are based (identified by need) but these areas would be larger than many of the current deployments/areas covered, and with the expectation that Wardens would work more flexibly, responding outside of these areas when the need arises. This retains the community-based approach and presence in all districts so that the service can maintain local knowledge, links with Community Safety Units (CSUs) and community groups, take referrals and respond at times of crisis across all districts. It would also allow districts with greater levels of need to receive a greater level of support based on criteria suggested by stakeholders.
- 4.5 **Alternatives considered and rejected:**
- 4.5.1 Reactive** - A centrally managed service with no community presence, responding to referrals only, would allow the service to provide support across as large a geographical footprint as possible with the staff available. However, the strength of the KCWS lies in its community presence and the ability to understand community need by operating within the community. A reactive operating model is therefore not recommended.
- 4.5.2 Simple and equal distribution across teams** - Wardens would be split into equal teams and distributed evenly across all 12 districts. This model is not recommended as pre-consultation responses identified key criteria to use when placing Wardens which may identify some districts have a higher local need which would benefit from higher Warden numbers and coverage than other districts.
- 4.5.3 High need ward coverage only** - Using data to identify areas of need for Wardens to be based would result in the majority of the service being focused in east Kent. This model is not recommended as pre-consultation responses identified support for retaining a level of coverage in all districts. This model would mean not all districts would benefit from the services contribution to adult social care and public health outcomes and would also restrict the ability of the service to respond in times of crisis or emergencies across the whole county.

- 4.6 **Geographical Allocation Policy (GAP)** - If the proposal for the new operating model is supported and adopted post consultation, then it will necessitate a geographical allocation policy to identify which communities would have a Warden allocated and this will be part of the public consultation. The policy would be used to identify the areas to be covered under the proposed operating model, i.e., a minimum number per district (areas of highest need), with further Wardens placed according to need relative to the whole county.
- 4.7 The proposed policy will utilise data / indicators of need, alongside consideration of:
- Changes to public transport and community buildings (which may highlight areas of greater isolation)
 - Conversations with Adult Social Care (inc. impact of new locality model)
 - Kent Police’s new neighbourhood policing model
 - Areas of high crime for which warden placements are not appropriate
 - Areas already well supported by services whose remit overlaps with KCWS
 - Conversations with district and borough councils and local CSUs
 - Conversations with Kent Association of Local Councils (KALC)
 - Feedback from the consultation process

5. Consultation - Next steps

- 5.1 An extensive consultation over 12 weeks is required to minimise risks of challenge and comply with legal and consultation advice. Key timings and milestones for the 12-week public consultation are shown below.

Activity	Key dates
GEDC Cabinet Committee	28 June
Public consultation	12 July - 3 October
Data input and analysis of responses. Draft and finalise recommendations in Cabinet Committee report and update EqIA.	October/November
Trade Union and Staff briefing	December
Report (consultation outcome) to GEDC Cabinet Committee	January 2024
Cabinet Member decision	January 2024

6. Financial Implications

- 6.1 In order to achieve a balanced budget, it is proposed to reduce the Community Wardens Service base budget by £1m net.
- 6.2 Under these proposals, there would be redundancy and potentially pension costs which will need to be considered to ensure the full planned savings target is achieved.
- 6.3 The proposal above delivers £1.11m of gross savings in a timescale required which accounts for consultation and governance requirements. This timescale assumes the gross £1.11m saving will commence at the start of 2024/25. The £500k saving in 2023/24 will not be fully delivered as this would have required implementation of the

new structure from October 2023. However, current vacancies are being held which allows a significant proportion of this year's savings target to be met.

- 6.4 The £1.11m gross saving from 24/25 will be offset, in the short term, by both redundancy costs and pension obligations. These are not known at this current time as the public consultation, and then the staff consultation process, have not yet been undertaken. Due to the age/length of service profile of this staffing cohort, these costs could be significant.

7. Legal Implications

- 7.1 KCWS was set up as part of the County Council's response to the statutory responsibilities under the **Crime and Disorder Act 1998** (amended by the Police and Justice Act 2006). Section 6 of the 1998 Act requires the responsible authorities (commonly referred to collectively as a Community Safety Partnership (CSP)) in a local government area to work together in formulating and implementing strategies to tackle local crime and disorder in the area. Additionally, [Section 17](#) places a duty on local authorities to consider crime and disorder implications for all their functions and decisions.

- 7.2 Under the **Care Act 2014** KCWS's broader role in communities contributes to delivering KCC's duties under [Section 1 Promoting individual well-being](#) (which places the general duty on a local authority to promote individual well-being), and [Section 2 Preventing needs for care and support](#) which states that a local authority must have regard to;

2 a - the importance of identifying services, facilities and resources already available in the authority's area and the extent to which the authority could involve or make use of them in performing that duty.

2 b – the importance of identifying adults in the authority's area with needs for care and support which are not being met (by the authority or otherwise).

- 7.3 KCWS also supports Trading Standards in relation to potential or actual scam victims contributing to KCC's duties under [Section 42 - Enquiry by local authority \(inc. financial abuse\)](#).
- 7.4 Legal advice and recommendations from KCC General Counsel and the Strategic Lead for Consultations have been taken into consideration when planning the public consultation timeframes.

8. Equality Implications

- 8.1 Four groups - the elderly, females, people with a disability or long-term impairment, and those with carer's responsibilities - have been identified as being at risk of being more impacted by these changes as they represent the majority of the Wardens' current service users.
- 8.2 The equalities implications for the various options are expected to be moderate to significant. An EqIA has been undertaken to inform the proposal and will be available

during the public consultation. Feedback will be sought to assist further reviews and updates of the EQIA.

9. Other corporate implications

9.1 KCWS proactively supports the work of:

- Trading Standards by engaging on the service behalf supporting scam victims.
- Adult Social Care and Health through welfare visits and engagement with hard-to-reach residents.
- Public Health by supporting the Positive Wellbeing model which addresses wider determinants of health such as loneliness and social isolation.
- Emergency Planning; as part of the Council's response to emergency situations such as flooding and especially during the Covid 19 pandemic.

10. Governance

10.1 Stephanie Holt-Castle, Director of Growth and Communities, to inherit the main delegations via the Officer Scheme of Delegation.

11. Conclusions

11.1 In order to deliver a balanced budget, the Community Wardens Service base budget is to be reduced by £1m over two-years.

11.2 Proposals to take to public consultation have been developed utilising pre-consultation feedback gained from staff, key partners and service users.

11.3 The public consultation is due to launch on 12 July, running for 12 weeks until 3 October. The aim is to return to a GEDCCC in January 2024 with the outcomes of the public consultation and resulting recommendations.

12. Recommendation(s):

12.1 The Cabinet Committee is asked to consider and comment on the public consultation proposals, alongside an updated geographical allocation policy, to help identify where wardens will be placed.

13. Appendices

Appendix A: Proposed data for use in geographical allocation of wardens

14. Contact details

Report Author: Shafick Peerbux Head of Community Safety, Public Protection Service 03000 413431 shafick.peerbux@kent.gov.uk	Relevant Director: Stephanie Holt-Castle Director of Growth and Communities 03000 412064 stephanie.holt-castle@kent.gov.uk
---	---

Appendix – A: Proposed data for use in geographical allocation of wardens

Due to KCWS's broad remit, there are numerous different data sets and indicators which could be utilised. Preliminary work carried out with KCC Analytics have allowed the below indicators to be identified. These are thought to be the most relevant to the service's objectives. There would be further work post consultation to refine these prior to implementation.

Obj 1 – Community safety and resilience

- % of lone parent households with dependent children
- % of people over 65 living alone
- % of people providing 50+ hours of unpaid care per week
- Prevalence of domestic abuse
- Level of children's social care referrals progressing to assessment
- Prevalence of anti-social behaviour
- Level of scams reported to Trading Standards

Obj 2 – Supporting the elderly and vulnerable

- Indicators of loneliness
- Level of Homecare clients
- % of people over 55
- % of people with a disability or long-term impairment

Obj 3 – Foster community cohesion & wellbeing

- Indicators of low wellbeing
- Low levels of community engagement (sports, hobby, youth club and social club and community organisation membership)

Obj 4 – Assist with navigating public services

- Deprivation data relating to barriers to housing and services
- Distances from nearest GP, urgent care and A&E

The indicators are in different formats e.g. rates, numbers, percentages and have different data ranges. An index score for each indicator will be calculated. To arrive at an overall score for each objective, the index scores will be combined with equal weighting. Each of the four objectives will then be equally weighted for use in geographical modelling allowing wards to be ranked by need.

This page is intentionally left blank

From: Derek Murphy, Cabinet Member for Economic Development
Mike Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee – 28 June 2023

Subject: Performance Dashboard

Classification: Unrestricted

Summary:

The Growth, Economic Development and Communities Performance Dashboard shows the progress of Key Performance Indicators (KPIs) and activity indicators for Quarter 4 of 2022/23.

22 of the 25 KPIs achieved target and are RAG rated Green. Two KPIs were below target but did achieve floor standard and are RAG rated Amber, and one KPI was below floor standard and is RAG rated Red.

Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to NOTE the performance report for Quarter 4 of 2022/23.

1. Introduction

- 1.1. Part of the role of Cabinet Committees is to review the performance of those functions of the Council that fall within its remit. To support this role, Performance Dashboards are regularly reported to each Cabinet Committee throughout the year, and this is the fourth and final report for the 2022/23 financial year.

2. Performance Dashboard

- 2.1. The current Growth, Economic Development and Communities Performance dashboard provides results up to the end of March 2023 and is attached in Appendix 1.
- 2.2. The Dashboard provides a progress report on performance for the Key Performance Indicators (KPIs) for 2022/23. The Dashboard also includes a range of activity indicators which help give context to the KPIs.
- 2.3. KPIs are presented with RAG (Red/Amber/Green) alerts to show performance in the Quarter. Details of how the alerts are generated are outlined in the Guidance Notes, included with the Dashboard in Appendix 1.

3. Growth & Communities - Business and Enterprise / Developer Investment

- 3.1. The number of properties brought back to use through No Use Empty (NUE) over the 12 months to March was 418, exceeding target for the third Quarter in a row.
- 3.2. The total amount secured for developer contributions in Quarter 4 was £4.2m (81% of the amount sought), meaning this KPI was below floor target. This was due to two agreements where part-funding from the Community Infrastructure Levy (CIL) has been sought but not yet confirmed.
- 3.3. The target for the number of businesses assisted via the Kent and Medway Growth Hub was exceeded for those provided with both light/medium and intensive support.

4. Growth & Communities - Libraries, Registration and Archives (LRA)

- 4.1. A constant theme throughout 2022/23 has been the excellent recovery made by all three services following the Covid-19 pandemic.
- 4.2. For libraries, the levels of visitor figures, as a proportion of pre-Covid figures, have continually exceeded national comparators and in February 2023, visits have recovered to 73% of pre-Covid levels, 3% above the average for the national comparator group supplied by Libraries Connected. Visits to Kent Libraries in Quarter 4 have increased by 45% on the previous year. Total issues in this Quarter have increased by 12% on last year, with physical issues increasing by 10% and e-issues by 15%.
- 4.3. Folkestone Library closed from 21 December 2022 due to structural health and safety concerns and remains temporarily closed while funding options are sought for the repairs or a longer-term home is found for the library. Recognising the impact this temporary closure is having, the service has extended library opening at Wood Avenue, Cheriton and Hythe.
- 4.4. The Archive service has seen significant growth during Quarter 4 with over 600 visitors to the Search Room, surpassing the high numbers in the summer period and representing an increase of 52% on the same period in 2021/22. The increased activity within the physical service has not adversely affected the numbers of remote enquiries, which are close to what they were in Quarter 4 last year. The service's lunchtime talks have been a real highlight during the year, with a total of 233 attendances and a further 411 viewers enjoying the recorded talks online.
- 4.5. There has been high demand on the Registrar teams during Quarter 4, with an increase of 24% in death registration appointments in comparison with Quarter 4 last year. Conversely, births have fallen slightly by 5% with 4,226 registrations carried out. The winter ceremonies are now more on a par with pre-pandemic levels, with 685 ceremonies delivered during Quarter 4, including the welcoming of 646 citizens to the UK.

- 4.6. The move of the Maidstone Register Office from Archbishop's Palace to Oakwood House has been completed, with the new venue now fully operational and delivering ceremonies from three beautiful, newly decorated, contemporary ceremony rooms. The building is shared with partners from KCC's Community Learning and Skills and the Coroner's Office.
- 4.7. Customer satisfaction with registration for Quarter 4 was 95%, and the annual target of 95% across the year has also been met.

5. Growth & Communities – Other Services

- 5.1 Most indicators for other services in Growth & Communities have met or exceeded target and are RAG rated Green. Two KPIs failed to meet target but did achieve floor standard, so are RAG rated Amber. The median number of days to resolve priority public right of way faults was Amber in Quarter 3, but reporting has not been possible for Quarter 4 due to a technical issue with the reporting software. The other Amber KPI is the percentage of cases progressed for initial coronial decision within two working days of notification of a death, with some delays being due to the time taken to receive information from the NHS.

7. Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to NOTE the performance report for Quarter 4 of 2022/23.

Contact details:

Report Author: Matthew Wagner
Chief Analyst (interim)
Chief Executive's Department
03000 416559
Matthew.Wagner@kent.gov.uk

Relevant Director: Simon Jones
Corporate Director Growth, Environment and Transport
03000 411683
Simon.Jones@kent.gov.uk

This page is intentionally left blank

Growth, Economic Development and Communities Performance Dashboard

Financial Year 2022/23

Results up to end of March 2023

Page 23

Produced by Kent Analytics

Guidance Notes

RAG RATINGS

Results in this report show either quarterly data or Year to Date (YTD) values.

GREEN	Target has been achieved
AMBER	Floor Standard* achieved but Target has not been met
RED	Floor Standard* has not been achieved

*Floor Standards are the minimum performance expected and if not achieved must result in management action

Activity Indicators

Activity Indicators representing demand levels are also included in the report. They are not given a RAG rating; instead, they are compared with previous year or tracked within an expected range represented by Upper and Lower Thresholds. The Alert provided for Activity Indicators is whether they are in expected range or not. Results can either be in expected range (**In Line**) or they could be **Above** or **Below**.

Key Performance Indicators Summary

Growth & Communities – Economic Development	RAG
ED05 : Number of homes brought back to market through No Use Empty	GREEN
ED08 : Developer contributions secured against total contributions sought	RED
ED10 : Businesses assisted via Kent and Medway Growth Hub contract	GREEN
ED11 : Businesses assisted through intensive support provided via the Growth Hub contract	GREEN

Growth & Communities - Libraries, Registrations and Archives (LRA)	RAG
LRA06 : Customer satisfaction with Registration Services	GREEN
LRA15: Total number of customers attending events in Libraries and Archives	GREEN
LRA17: Number of volunteer hours adding extra value to the LRA service	GREEN
LRA26: Total number of people given advice and support through the Business and Intellectual Property Centre (BIPC)	GREEN
LRA12 : Customer satisfaction with libraries	GREEN
LRA13 : Customer satisfaction with archives	GREEN
LRA19 : Customer satisfaction with Libraries Direct Services	GREEN
LRA21 : Percentage of registration appointments available within statutory time targets	GREEN

Growth & Communities – Other Services	RAG
DT14: Percentage of Public Rights of Way (PRoW) faults reported online	GREEN
EPE16: Median number of days to resolve priority faults on public rights of way network (rolling 12-month figure)	AMBER*
CST01: Percentage of local actions from completed Domestic Homicide Reviews implemented by target date.	GREEN
CST02: % of Lessons Learnt Domestic Homicide Review attendees rating the event as very good or excellent	GREEN
COR01: Percentage of cases progressed for initial coronial decision within 2 working days of notification of a	AMBER
KCP01 : Kent Country Parks aggregate average star ratings from Google, Trip Advisor and Facebook	GREEN
KSS01: Number of work experience hours of science, technology, engineering and mathematics (STEM)	GREEN
PAG01: Percentage of planning applications determined to meet MHCLG performance standards	GREEN
PP01: % of the most vulnerable victims of scams recorded on the National Scams Hub supported by Public	GREEN
PP02: % of trader applications to Public Protection's 'Trading Stds Checked' scheme processed within 10 days	GREEN
SPA03: % of schools with a high proportion of pupils eligible for free school meals engaging with the Kent	GREEN
SPA04: Number of people attending and engaging with training and learning opportunities facilitated by Kent Sport	GREEN
TS04: Percentage of businesses rating Trading Standards advice as Very Good or Excellent	GREEN

* Quarter 3 result, no result available for Quarter 4 (see report for further detail).

Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Derek Murphy

Ref	Performance Indicators – Economic Development	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	RAG	Target	Floor
ED05	Number of homes brought back to market through No Use Empty (rolling 12 months)	428	350	445	420	418	GREEN	400	350
ED08	Developer contributions secured against total contributions sought	65%	99%	100%	99.9%	81%	RED	98%	85%
ED10	Businesses assisted via Kent and Medway Growth Hub contract (Year to Date)	1,654	381	884	1,326	1,722	GREEN	1,370	1,230
ED11	Businesses assisted through intensive support provided via the Growth Hub contract (Year to Date)	189	14	36	86	140	GREEN	135	120

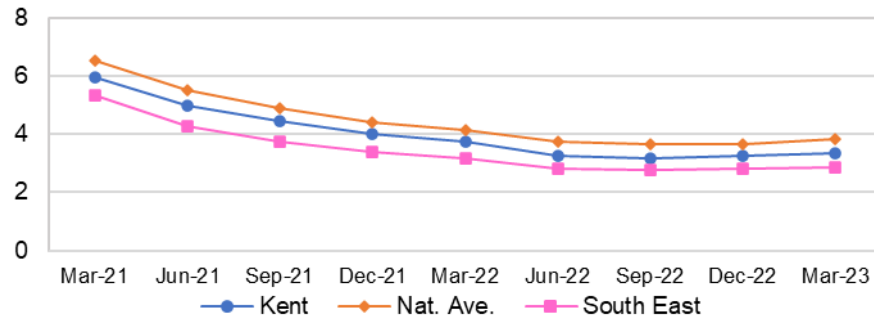
Page 26

ED08 - In Quarter 4, sixteen Section 106 (S106) agreements were completed and a total of £4.24m was secured, which was 100% of the S106 contributions. However, two of the agreements were part Community Infrastructure Levy (CIL) funded and it is not yet confirmed that we will receive these funds, meaning the total secured for Quarter 4 was only 81% of the amount sought.

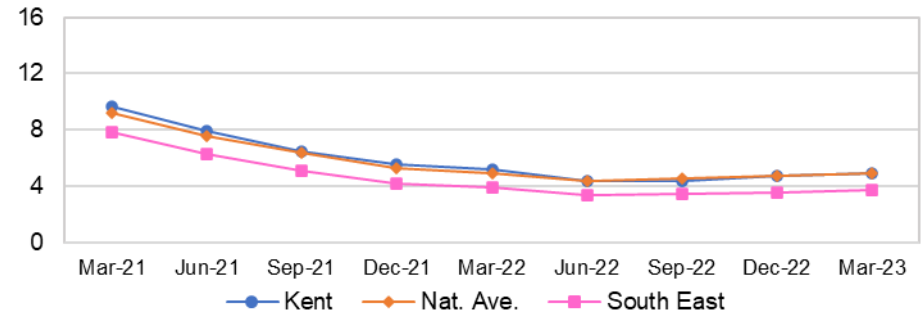
Ref	Activity Indicator	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	YTD 22/23	YTD 21/22
ED08a	Developer contributions secured (£000s)	9,395	6,342	9,339	1,349	4,246	21,276	46,283

ED08a – The lower figure compared to last year is likely a combination of factors, including fewer agreements (49 this year compared to 69 last year) and fewer large projects. In 2023/24 at least two large agreements are expected which should see an increase on contributions compared to 2022/23.

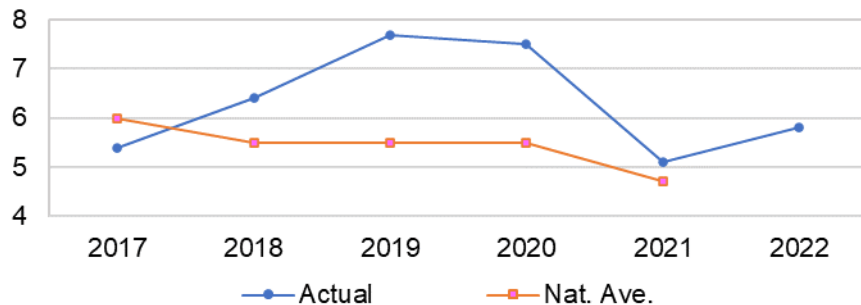
Percentage of 16 to 64 year olds claiming JSA/UC



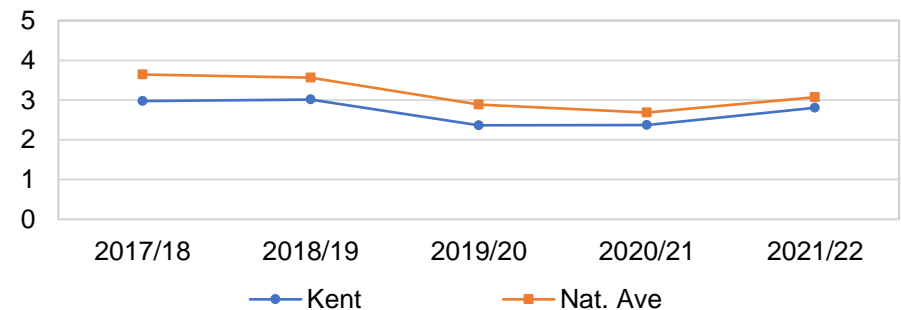
Percentage of 18 to 24 year olds claiming UC



Percentage of 16 to 17 year olds who are NEET



Percentage of 16-24 year olds starting an apprenticeship



The graph above shows the December to February average (Dec 2022 to Feb 2022 being the latest data for Kent). NEET data is subject to a high degree of seasonal variation and so caution must be exercised when attempting to determine trends over other time periods. National data for 2022 will be available later in the year.

Graph above relates to Academic year.

Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Mike Hill

Quarterly KPIs

Ref	Performance Indicators – Libraries, Registration and Archives (LRA)	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	RAG	Target	Floor
LRA06	Customer satisfaction with Registration Services	96%	94%	95%	94%	95%	GREEN	95%	90%
LRA15	Total number of customers attending events in Libraries and Archives	21,638	30,703	41,829	31,622	44,272	GREEN	27,000	24,400
LRA17	Number of volunteer hours adding extra value to the LRA service	3,351	5,382	5,407	5,717	6,320	GREEN	5,300	4,800
LRA26	Total number of people given advice and support through the Business and Intellectual Property Centre (BIPC)	*	19	17	25	22	GREEN	18	15

* New indicator in 2022/23

Quarter 4: LRA06 – 1,083 customers were surveyed, 1,028 were satisfied.

Annual KPIs

Ref	Performance Indicators – Libraries, Registration and Archives (LRA)	2018/19	2019/20	2020/21	2021/22	2022/23	RAG	Target 2022/23	Floor 2022/23
LRA12	Customer satisfaction with libraries	92%	94%	83%	94%	94%	GREEN	90%	80%
LRA13	Customer satisfaction with archives	95%	96%	No Survey	97%	98%	GREEN	96%	90%
LRA19	Customer satisfaction with Libraries Direct Services	**	97%	99.8%	98%	97%	GREEN	95%	93%
LRA21	Percentage of registration appointments available within statutory time targets	97%	93%	100%	100%	100%	GREEN	100%	93%

** New indicator in 2019/20

Quarter 4: LRA12 – 5,974 customers surveyed, 5,642 satisfied; LRA13 – 108 surveyed, 106 satisfied; LRA19 – 1,105 surveyed, 1,044 satisfied; LRA21 – 34,834 appointments.

Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Mike Hill

Ref	Activity Indicators (Quarterly totals)	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	Value vs Expected	Expected Activity	
								Upper	Lower
LRA01	Number of visits to libraries (including mobiles) (000s)	531	613	748	696	771	Above	561	508
LRA02	Total number of books issued (includes audio- and e-books) (000s)	1,192	1,182	1,425	1,293	1,331	Above	1,300	1,200
LRA05	Number of online contacts to Libraries and Registration services (000s)	*	390	347	289	269	Below	348	314
LRA27	Number of online contacts for Kent archives (000s)		25	20	19	22	Below	25	23
LRA25	Number of archive enquiries answered	2,123	1,948	2,221	1,859	2,479	Above	2,200	2,000

* New indicators in 2022/23

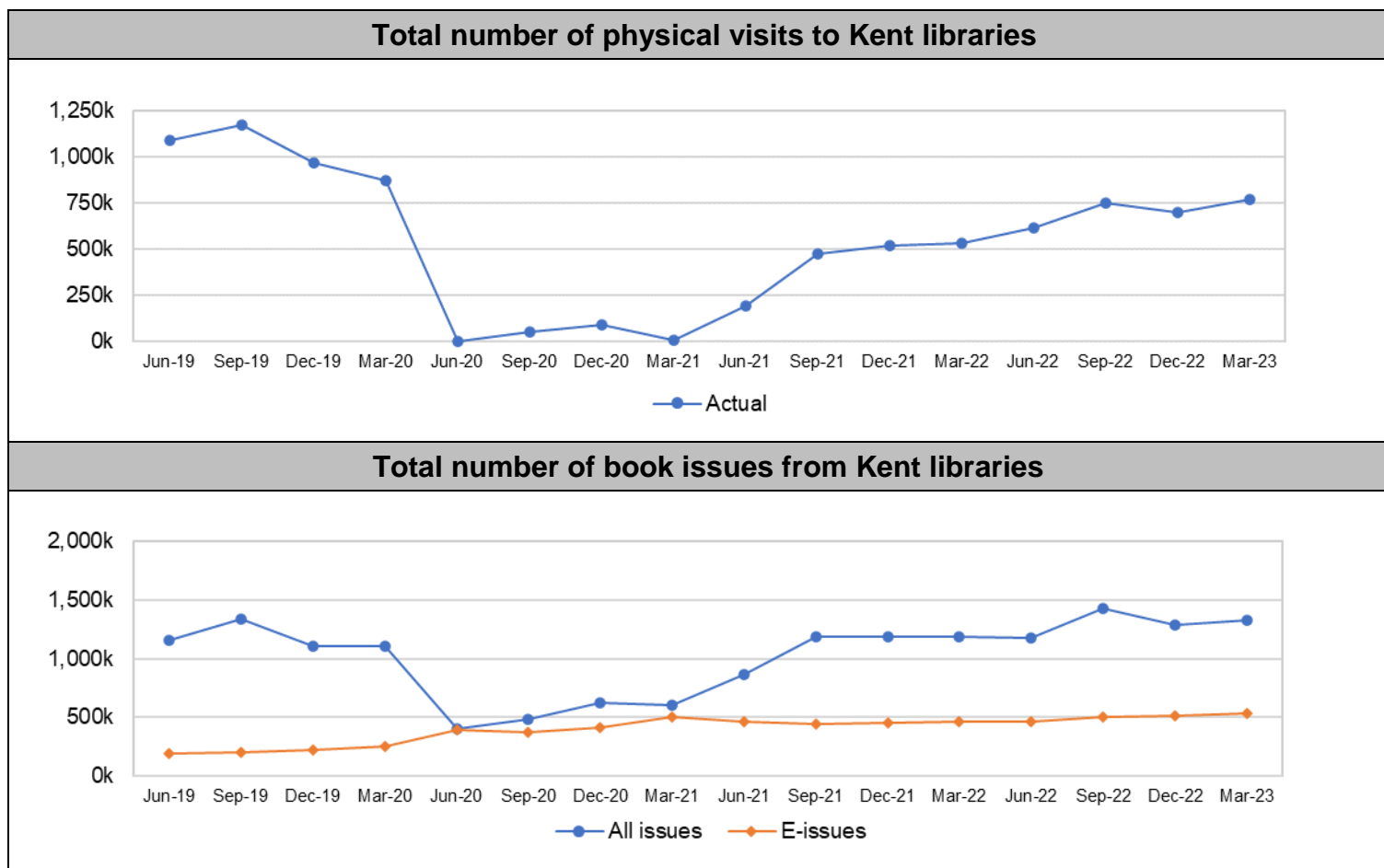
LRA01 – The latest report from Libraries Connected shows that footfall nationally in February remained around 70% of pre-Covid levels, whereas in Kent Libraries it has risen to 73%. This reflects the continued work to promote libraries as warm, free spaces, and to re-establish events and activities back to the full programme that existed prior to the Covid pandemic.

LRA02 – The number of items issued was 2% higher than expected, with e-issues continuing to increase and up by 15% on the same period last year, while physical issues have also increased and are 10% higher than for the same period last year. This reflects a shift in borrowing habits, particularly among adults, from physical issues to the e-library, with e-issues forming 40% of all issues, whereas in Quarter 4, 2019/20 they formed 23% of all issues.

LRA05 – The drop in online contacts for Libraries and Registration can mostly be attributed to one of our online resources, the British Newspaper Archive (BNA). In Quarter 1 we reported unprecedented usage of this resource, with over 62,000 “sessions” logged, a huge increase on the average quarterly usage of around 1,000 sessions. This heavy usage continued throughout the year and was factored into the forecasting for online contacts. From January 2023 usage of the BNA site dropped back to the normal levels, which resulted in the online resource figure coming in at 74% below the forecast figure, and consequently impacting the overall online contact numbers significantly. The decrease was too large to be mitigated by the increase of 14% in online enquiries and 76% in Facebook engagements.

LRA27 – As reported for Quarter 3, use of the kentarchive.org website remains below the expected level as regular researchers, now accustomed to the website, save their searches and use the PDF guides provided by the Archive Team, resulting in less navigation around the site. Social media engagements have decreased possibly due to reduced staff capacity to maintain these platforms as the physical service becomes increasingly busier.

LRA25 - As mentioned above, archive enquiries have been increasing significantly as customers return to the Search Room to consult the collection in person. Bookings for the Search Room increased by 39% on Quarter 3. This has not, however, had a negative impact on remote enquiries which have increased by 32%.



Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Mike Hill

Ref	Performance Indicators - other services	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	YTD 22/23	YTD RAG	Target	Floor
DT14	Percentage of Public Rights of Way (PRoW) faults reported online	91%	93%	93%	94%	89%	92%	GREEN	90%	80%
EPE16	Median number of days to resolve priority faults on public rights of way network (rolling 12-month figure)	22	24	23	25	See note	*	AMBER	20	25
CST01	Percentage of local actions from completed Domestic Homicide Reviews implemented by target date.	100%	82%	75%	83%	95%	87%	GREEN	70%	63%
CST02	Percentage of Lessons Learnt Domestic Homicide Review (DHR) Seminar attendees rating the event as Very Good or Excellent.	84%	77%	94%	86%	**	88%	GREEN	85%	76.5%
COR01	Percentage of cases progressed for initial coronial decision within 2 working days of notification of a death.	80%	75%	75%	72%	66%	72%	AMBER	83%	72%

* No Year-to-Date figure as this is a Rolling 12-month indicator.

** No seminars held this Quarter

Quarter 4: DT14 – 1,187 faults reported, 1,054 were online; CST01 – 43 reviews, 41 completed by target date. COR01 – 608 cases, 470 progressed within 2 working days.

EPE16 – The median number of days was at floor level for the last reported period (December 2022), but a technical issue which arose in Quarter 4 (March 2022) has meant a further update is not possible at the time of reporting. The service is working with the software provider to resolve this, and reporting is expected to recommence in Quarter 1, 2023/24.

COR01 – The coroner service is reliant on information from the NHS particularly in order to progress cases and while the NHS continues to be under pressure, the information is not always provided as quickly as we require in order to progress cases in an optimal time frame. This has been exacerbated by the recent and current NHS and doctors strikes and the piloting of the Medical Examiner system by the NHS.

Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Mike Hill

Ref	Performance Indicators - other services	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	YTD 22/23	YTD RAG	Target	Floor
KCP01	Kent Country Parks aggregate average star ratings from Google, Trip Advisor and Facebook	4.6	4.6	4.6	4.6	4.5	4.6	GREEN	4.6	4.0
KSS01	Number of work experience hours of science, technology, engineering and mathematics (STEM) delivered by Kent Scientific Services (KSS) for Kent students in the 16-24 age range.	*	*	185	148	0	333	GREEN	300	270
PAG01	Percentage of planning applications determined to meet MHCLG performance standards	100%	100%	100%	100%	100%	100%	GREEN	100%	81%
PP01	Percentage of the most vulnerable victims of scams recorded on the National Scams Hub supported by Public Protection	100%	100%	100%	100%	100%	100%	GREEN	90%	80%
PP02	Percentage of trader applications to Public Protection's 'Trading Standards Checked' scheme processed within 10 working days.	100%	100%	100%	100%	100%	100%	GREEN	100%	81%

* KSS did not support work experience in 2021/22 academic year (Sept 2021 – Jul 2022) due to Covid

Quarter 4: PAG01 – 60 planning applications; PP01 – 29 victims supported; PP02 – 38 trader applications processed.

Division	Director	Cabinet Member
Growth & Communities	Stephanie Holt-Castle	Mike Hill

Ref	Performance Indicators - other services	Mar-22 (Q4)	Jun-22 (Q1)	Sep-22 (Q2)	Dec-22 (Q3)	Mar-23 (Q4)	YTD 22/23	YTD RAG	Target	Floor
SPA03	Percentage of schools with a high proportion of pupils eligible for free school meals engaging with the Kent School Games	*	55%	55%	54%	55%	55%	GREEN	25%	22.5%
SPA04	Number of people attending and engaging with training and learning opportunities facilitated by Kent Sport		316	580	163	153	1,212	GREEN	500	400
TS04	Percentage of businesses rating Trading Standards advice (Primary Authority and Pay as You Go) as Very Good or Excellent	100%	100%	100%	100%	92%	94%	GREEN	90%	82%

* New Indicator in 2022/23

Quarter 4: SPA03 – 41 schools with high proportion of pupils eligible for free school meals engaged with Kent school games; TS04 – 12 businesses rating trading standards advice as very good or excellent, 13 businesses gave a rating.

This page is intentionally left blank

From: Mike Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee – 28 June 2023

Subject: **Underage vaping**

Classification: **Unrestricted**

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All

Summary: This short report details the current and planned future activities of Kent Trading Standards in tackling illegal vape products and their sale to children.

Recommendation(s): The Cabinet Committee is asked to note and discuss the report.

1. Introduction

1.1 This short report details the current and planned future activities of Kent Trading Standards in tackling illegal vape products and their sale to children.

2. Background

2.1 The UK, as with many other countries, has seen extensive growth in the use of vapes across society, which has been extremely successful as a tool in reducing dependency on tobacco and supporting more people to give up smoking. Unfortunately, the use and marketing of the vaping products has created a significant uptake by young people to the extent that in England, the proportion of 11- to 15-year-olds using vapes increased from 6% to 9% from 2018 to 2021 and is still rising¹.

2.2 Kent Public Health data on the changing use of vaping has shown that primary school children are using vapes at an increasing percentage too. There is some confusion in figures as this may include vapes that do not contain nicotine, which are not age restricted and can legally be sold to children, however there is significant concern that non-nicotine vapes can be a gateway to using nicotine vapes.

¹ [Chief Medical Officer for England on vaping 30 May 2023.](#)

- 2.3 These products are regulated in their manufacture and sale under the Tobacco and Related Products Regulations 2016 (the 2016 Regulations), breaches of the legislation are criminal offences punishable by fine or imprisonment.
- 2.4 The controls in relation to illegal vape products and in relation to sales of vapes to children are only applicable if the vape contains nicotine. KCC's in-house laboratory, Kent Scientific Services, has developed the necessary testing methods using liquid chromatography with mass detection to ensure that KCC Trading Standards, and other Trading Standards Services across the Southeast, have access to the required evidence should formal enforcement action become necessary.
- 2.5 There is a legitimate trade in vape products, with producers investing significantly in ensuring products meet the strict rules on compliance, while also working with regulatory bodies to reduce the illegal products on the market and illegal sales, helping advise and train enforcement.

3. Current activities

- 3.1 The 2016 Regulations strictly control the quantity of liquid that vapes can contain, the strength of nicotine, labelling, and their electrical safety. Vapes that do not comply with the regulations are not only illegal but place the user at risk through nicotine poisoning (through leaking containers or ingestion by younger children) or burns from exploding batteries which may also cause significant property damage.
- 3.2 Initial vape enforcement work has focused on these illegal products due to the widespread risk to all, and several operations have been conducted over the past year within Kent targeting premises marketing these products.
- 3.3 The products are often novelty shapes, often stickered with cartoon characters or illegally carry trademarked brands of well-known food manufactures (e.g., chocolates), making them extremely attractive to children.
- 3.4 In addition, the Regulations set a maximum 2ml liquid limit, which equates to "600" puffs (this is what the industry recognises and markets these as). Illegal products are often significantly greater than this, and can be up to 10,000 puffs, with a reservoir of 10 times the legal limit,
- 3.5 Shops selling these products are often owned or supplied by organised criminal groups, who import them as part of other criminal activity. This is extremely profitable, as it does not carry the risk associated with, for example, smuggling drugs. Our dedicated KCC Trading Standards ports team is working with Border Force and HMRC in detaining these illegal products at the border, with significant volumes destined for the UK market. Since December 2022 we have detained over ½ million vapes.



Figure 1 Imported Vapes 7000 Puffs



Figure 2 Imported vapes.



Figure 3 Imported Vapes 9000 Puffs

- 3.6 Our experience of this criminal activity, as with illegal tobacco, is that the organised criminals selling these products will sell to children.
- 3.7 We have also been working closely with the vape industry to support the legitimate trade and have, since 2017, established a primary authority partnership with the Independent British Vape Trade Association (IBVTA). The partnership provides advice to assist their members and the wider vape trade sector to understand the legislation and support compliance in the ever-developing market.
- 3.8 Comprehensive guidance was created in 2018 by IBVTA in partnership with Kent Trading Standards which helped businesses understand and comply with the relevant regulations². This was followed with further guidance covering the prevention of underage sales as single use disposable products started to flood the market (Appendix 1).
- 3.9 As part of this work, Kent Trading Standards and Gillian Golden (CEO of the IBVTA) joined the Age Verification Panel set up by the UK Home Office and Office for Product Safety and Standards (OPSS) to work with businesses, retailers, and regulators to combat issues around age verification. This enables Kent CC to play a leading national role.
- 3.10 In addition, another Kent Trading Standards Officer is the regional (South East) representative among the National Vape Co-ordinators group, regularly liaising on the national issues. KCC Trading Standards is therefore now working with the newly appointed Chartered Trading Standards Institute Lead Officers on vapes and the Medicines and Healthcare Regulatory Authority e-cigarette manager.
- 3.11 Kent Trading Standards has developed an easy-to-understand guidance document, providing a checklist of what to look out for to identify illegal vapes, to assist retailers (Appendix 2).

² The guidance provided information on compliant vape products including guidance on Electromagnetic Compatibility Regulations 2016 (EMC), Restrictions of Hazardous Substances Directive (RoHS), Waste Electrical and Electronic Regulations 2013, Classification, Labelling and Packaging of Chemical Substances Regulations 2008 (CLP), Food Imitation (Safety) Regulations 1989 and General Product Safety Regulations (GPRS), as well as practical tips, useful scenarios and information about underage sales, advertising and marketing.

3.12 The high level of advice provided, and enforcement activities undertaken by Kent Trading Standards has resulted in many requests for media interviews through radio and television. This has been used to publicise messages through social media, joining up with Public Health, to drive wider public awareness of the issue.

4. Future Activities

4.1 The Government announced £3m funding for tackling vapes that will be coordinated through National Trading Standards as Operation Joseph. Kent Trading Standards is currently waiting to see how this will impact on its future activity. Current proposals would enable better sharing of intelligence and understanding of the illegal trade in vapes, including increasing measures to prevent age restricted sales.

4.2 It is also hoped that there will be additional funding available to assist with storage and disposal costs.

4.3 The ministerial announcement also called for evidence on age restricted sales, that Kent Trading Standards has responded to.

4.4 A further additional measure announced by the Government will be to introduce fixed penalty notices for those shops selling vapes illegally. Although this will be a useful addition to the tools available for Trading Standards, where a seller refuses to pay the fine, they will have to be prosecuted, at the expense of the County Council.

4.5 Kent Public Health approached Kent Trading Standards in December 2022 to explore a partnership to reduce the sales of vapes to underage children. Following proposals from Trading Standards, Kent Public Health agreed to support a 2-year project, funded at £109K per year, to develop a project working with retailers, partner authorities and other agencies to reduce the risk of supply to children. This will require the recruitment of three dedicated full-time staff to work with the retail sector providing advice and training to help them comply with the legislation and put effective controls in place to prevent underage sales.

4.6 This liaison will also provide a conduit for improved information sharing and intelligence on the market place, which will also be coordinated by the project.

4.7 The officers will conduct Challenge 25 visits to help determine whether targeted enforcement action is required, carrying out test purchases with underage volunteers where necessary.

4.8 The project will also develop an effective targeted communication strategy aimed at businesses with social media awareness. This will build towards the development in the second year of an acceptable behaviour charter which is aimed at retailers, schools, students, and enforcers.

4.9 The increased activity on vapes, with the associated media campaigns, will raise public awareness of the issues, generating reports via Citizens Advice

Consumer Service and Crimestoppers, boosting intelligence and allowing more targeted enforcement by Trading Standards

5. Risks

5.1 While enforcement activities are resource intensive and will be boosted by the Public Health project, there are additional areas of risk when dealing with illegal vapes.

5.2 Storage

5.2.1 As vapes are a volatile product many facilities refuse to store these items as they contain lithium-ion batteries. Kent Trading Standards is currently working with Professor Paul Christensen from Newcastle University, who is an expert on battery storage, to develop safe practices which will provide an assured process to mitigate the risk and allow for safe storage.

5.3 Disposal

5.3.1 Kent Trading Standards have raised the disposal of these products through Trading Standards South East and have been in discussion with the disposal companies to understand their processes. The officer additionally sits on an Environment Agency working group to assist with these disposal issues and the promotion of better recycling at retail level.

5.4 Court costs

5.4.1 As stated above, fixed penalty notices will increase the risk of court action with associated costs. This will be an additional burden, as well as the cost of testing required to establish the presence of nicotine etc. as part of evidential process.

6. Financial Implications

6.1 Officer time, product testing and court costs relating to illegal vapes are anticipated to grow as this market continues to evolve. It is not possible at this time to put an estimate on these costs. These will create an unfunded burden on KCC and other local authorities. This is not atypical - as legislation emerges and evolves, Trading Standards authorities across the country are expected to assume various emerging legislative requirements.

7. Legal implications

7.1 As described at 4.4 and 5.4.1, it is anticipated that KCC will become involved in a growing number of enforcement and court cases.

8. Equalities implications

8.1 This work will have a positive impact on the Age protected characteristic.

9. Other corporate implications

9.1 This works supports KCC's role as a Public Health Authority, as detailed at paragraph 4.5.

10. Governance

10.1 Not applicable

11. Conclusions

11.1 Kent Trading Standards remains active locally, regionally and nationally, dealing with all regulatory aspects of the sale and marketing of vape products. Providing support, advice, and guidance to legitimate traders, and developing local partnership, Kent Trading Standards is also taking robust enforcement action including seizure of imports at the border.

12. Recommendations

12.1 The Cabinet Committee is asked to note and discuss the report.

13 Appendices

- **Appendix 1** IBVTA Age of Sale Guidance: [Age of Sale Guidance for Vape Shops.pdf \(kent.gov.uk\)](#)
- **Appendix 2** Disposable E-Cigarette Guidance: [Disposable E-cigarette Guidance.pdf \(kent.gov.uk\)](#)

14 Contact details

Report Author: Steve Rock
Head of Trading Standards
Tel 03000 414137
Email: steve.rock@kent.gov.uk

Relevant Director: Stephanie Holt-Castle,
Director for Growth and Communities Tell
03000 412064
Email: Stephanie.Holt-Castle@kent.gov.uk

From: Benjamin Watts, General Counsel

To: Growth, Economic Development and Communities Cabinet Committee – 28 June 2023

Subject: Work Programme 2023/2024

Classification: Unrestricted

Past and Future Pathway of Paper: Standard agenda item

Summary: This report gives details of the proposed work programme for the Growth, Economic Development and Communities Cabinet Committee.

Recommendation: The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2023/2024.

1. Introduction

- 1.1 The proposed work programme, appended to the report, has been compiled from items in the Future Executive Decision List and from actions identified during the meetings and at agenda setting meetings, in accordance with the Constitution.
- 1.2 Whilst the chairman, in consultation with the cabinet members, is responsible for the programme's fine tuning, this item gives all members of this cabinet committee the opportunity to suggest amendments and additional agenda items where appropriate.

2. Work Programme

- 2.1 The proposed work programme has been compiled from items in the Future Executive Decision List and from actions arising and from topics, within the remit of the functions of this cabinet committee, identified at the agenda setting meetings. Agenda setting meetings are held 6 weeks before a cabinet committee meeting, in accordance with the constitution.
- 2.2 The cabinet committee is requested to consider and note the items within the proposed Work Programme, set out in appendix A to this report, and to suggest any additional topics to be considered at future meetings, where appropriate.
- 2.3 The schedule of commissioning activity which falls within the remit of this cabinet committee will be included in the work programme and considered at future agenda setting meetings to support more effective forward agenda planning and allow members to have oversight of significant service delivery decisions in advance.
- 2.4 When selecting future items, the cabinet committee should consider the contents of performance monitoring reports. Any 'for information' items will be

sent to members of the cabinet committee separately to the agenda and will not be discussed at the cabinet committee meetings.

3. Conclusion

- 3.1 It is vital for the cabinet committee process that the committee takes ownership of its work programme to deliver informed and considered decisions. A regular report will be submitted to each meeting of the cabinet committee to give updates of requested topics and to seek suggestions for future items to be considered. This does not preclude members making requests to the chairman or the Democratic Services Officer between meetings, for consideration.

4. Recommendation: The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2023/2024.

5. Background Documents: None

6. Contact details

Report Author:
Hayley Savage
Democratic Services Officer
03000 414286
Hayley.savage@kent.gov.uk

Lead Officer:
Benjamin Watts
General Counsel
03000 410466
benjamin.watts@kent.gov.uk

**GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE
WORK PROGRAMME 2023/2024**

Item	Cabinet Committee to receive item
Work Programme	Standing item
Verbal Updates – Cabinet Members and Corporate Director	Standing item
District Visits Programme	Standing item
Final Draft Budget	Annually (January)
Annual Equality and Diversity Report	Annually (September 2023)
Risk Register – Strategic Risk Register	Annually (March)
Performance Dashboard	Quarterly
Kent and Medway Business Fund Monitoring	Bi-annual reporting (6 monthly)
Key Decision Items	

26 SEPTEMBER 2023 at 2pm

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item
7	Annual Equality and Diversity Report	Annually
8	Kent and Medway Business Fund Monitoring	Bi-annually
9	Kent and Medway Business Fund	Key Decision
10	Kent and Medway Economic Framework	Key Decision
11	Community Services Programme (Phase 2)	
12	Work Programme	Standing item

9 NOVEMBER 2023 at 2pm

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item

7	Project Gigabyte Broadband Programme	Liz Harrison/Nigel Smith
8	Community Services Programme (Phase 1)	
9	Trading Standards Checked	
10	Work Programme	Standing item
18 JANUARY 2024 at 10am		
1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item
7	Final Draft Budget	Annually
8	Community Wardens Consultation Report	
9	Work Programme	Standing item
5 MARCH 2024 at 2pm		
1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item
7	Risk Register	Annually
8	Kent and Medway Business Fund Monitoring	
9	Work Programme	Standing item
14 MAY 2024 at 2pm		
1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item
7	Work Programme	Standing item
3 JULY 2024 at 10am		

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item
7	Work Programme	Standing item

Items for Consideration that have not yet been allocated to a meeting

Thames Estuary/EDC/Thames Crossing	TBA - (possibly three separate items)
Otterpool	Late 2023
Trading Standards Checked and Ports Team	Possibly two reports
Creative Economy	
Sources of Energy	<i>(Mr Hood – Agenda Setting 17/5/22)</i>
Kent Design Guide	
Tourism in the county and economic impact	<i>(Mr Hood – Agenda Setting 3/8/22)</i>
UK Shared Prosperity Fund (KCC's strategic role)	<i>(Mr Meade – GED&C CC 11/01/23)</i>
Dungeness Nuclear Power Station	<i>(Mr Robey – agenda setting 31/01/23)</i>
Agriculture and farming economy – how can the Council assist the farming industry	<i>(Mr Sole – GED&C CC 14 March 2023)</i>
Gypsy and Traveller Sites	<i>(Mr Rayner – GED&C CC 14 March 2023)</i>
Banking hubs (LINK invitation)	<i>(Mr Hood – agenda setting 31/1/23)</i>
Faversham Creek Bridge	<i>(re-added – agenda setting 23/5/23)</i>

This page is intentionally left blank