

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

**Tuesday, 5th March, 2024**

**2.00 pm**

**Council Chamber, Sessions House, County Hall,  
Maidstone**





## AGENDA

### GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

**Tuesday, 5 March 2024 at 2.00 pm**  
**Council Chamber, Sessions House, County Hall,**  
**Maidstone**

Ask for: **Hayley Savage**  
Telephone: **03000 414286**

#### **Membership (17)**

Conservative (12): Mr A Sandhu, MBE (Chairman), Mr D L Brazier (Vice-Chairman), Mrs R Binks, Mr C Broadley, Mr T Cannon, Mr D Crow-Brown, Mr S Holden, Mr S C Manion, Mr J P McInroy, Mr J Meade, Mr A M Ridgers and Mr T L Shonk

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

Liberal Democrat (1): Mr M J Sole

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

#### **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 McInroy has replaced Mr Thomas as a Member of the committee.
- 3 Apologies and Substitutes
- 4 Declarations of Interest by Members in items on the Agenda
- 5 Minutes of the meeting held on 18 January 2024 (Pages 1 - 10)
- 6 Ebbsfleet Development Corporation - Presentation
- 7 Verbal updates by the Cabinet Members and Corporate Director
- 8 24/00010 - Contracting Inward Investment and Visitor Economy Services for Kent & Medway (Pages 11 - 32)

- 9 24/00012 - Contingency contract to provide emergency facilities in the event of a mass fatality incident (Pages 33 - 40)
- 10 24/00014 - Signing of Memorandum of Understanding as prerequisite to access funding to deliver a Nutrient Neutrality Strategy in East Kent (Pages 41 - 52)
- 11 Risk Management: Growth, Environment and Transport Directorate (Pages 53 - 72)
- 12 Kent & Medway Business Fund Bi-Annual Monitoring - Quarter 2 2023-24 (Pages 73 - 100)
- 13 Update on Transition of Local Enterprise Partnership Responsibilities to Kent County Council (Pages 101 - 114)
- 14 Impacts of new border controls on Trading Standards activities (Pages 115 - 126)
- 15 Work Programme 2024 (Pages 127 - 130)

### **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

**Monday, 26 February 2024**

**KENT COUNTY COUNCIL**

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

MINUTES of a meeting of the Growth, Economic Development and Communities Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 18 January 2024.

PRESENT: Mr A Sandhu, MBE (Chairman), Mr D L Brazier (Vice-Chairman), Mr M Baldock, Mr C Broadley, Mr T Cannon, Mr D Crow-Brown, Mr S Holden, Mr M A J Hood, Mr S C Manion, Mr J Meade, Mr A M Ridgers, Mr M J Sole, Mr R J Thomas, Mr T L Shonk and Dr L Sullivan

ALSO PRESENT: Mr P J Oakford

IN ATTENDANCE: Ms H Savage (Democratic Services Officer), Mr T Marchant (Head of Strategic Development and Place), Mr M Rolfe (Interim Head of Community Protection) and Mr J Pearson (Head of Libraries Registration and Archives)

IN ATTENDANCE VIRTUALLY: Mr S Jones (Corporate Director of Growth, Environment and Transport) and Mrs S Holt-Castle (Director of Growth and Communities)

**UNRESTRICTED ITEMS**

**173. Apologies and Substitutes**  
(Item 2)

Apologies had been received from Mr Lewis and Dr Sullivan was present as substitute.

Mrs Binks and Ms Grehan were present virtually.

It was noted that since the agenda was published Mr Shonk had joined the committee.

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

Mr Manion declared an interest in relation to Item 9 - 23/00122 – *Kent Community Warden Service Review* - that his neighbour was a Community Warden and he would not participate in the discussion.

**175. Minutes of the meeting held on 9 November 2023**  
(Item 4)

RESOLVED that the minutes of the meeting held on 9 November 2023 were a correct record.

**176. Revised Draft Revenue Budget 2024-25 and 2024-27 MTFP, Draft Capital Programme 2024-34 and Treasury Management Strategy**  
*(Item 5)*

*Mr Dave Shipton (Head of Finance Policy, Planning and Strategy) was in attendance for this item.*

1. Mr Peter Oakford introduced the report and provided a high-level update on the draft budget since it was first published in November 2023. Mr Oakford said the balanced draft budget included one off savings, the use of reserves, increased dividends from the Council's trading companies, and an assumed 5% Council Tax increase. He said each 1% increase in Council Tax was worth approximately £9million. Mr Oakford highlighted that 70% of the budget was covered by local Council Tax and 30% came from other areas such as government grants.
2. Mrs Bell, Cabinet Member for Community and Regulatory Services, and Mr Murphy, Cabinet Member for Economic Development, provided an update on their individual portfolios.
3. A Member suggested that the community warden service be financed from the community navigators budget line within adult social care. Mr Oakford said adult social care was the Council's highest spending area with proposed savings for the year 2024/2025 of around £50million, and demand growth and price increases at the end of 2023 were still being seen.
4. A Member asked whether the Council would be able to maintain statutory and non-statutory Public Rights of Way (PROW) requirements under next year's budget. Mrs Bell said contract related inflation had been built into the budget and a small amount was allocated for adopting additional routes. Mr Tom Marchant said no revenue savings had been taken out of the PROW budget for next year, and growth pressures were being funded in the Medium Term Financial Plan.
5. A Member asked how future savings would be achieved in Trading Standards and whether this would affect the workforce. Mr Mark Rolfe said, nationally, it was very difficult to recruit Trading Standards Officers and there was a temporary hold on recruitment for qualified Trading Standards Officers within the Council. However, there were trainees within the Council who were due to qualify in 2025.

RESOLVED to:

- a) Note the updated revenue budget and MTFP, draft capital strategy and programme, and draft Treasury Management Strategy; and
- b) Propose to the Executive, any changes which should be made to the relevant sections of the budget related to the Committee's portfolio area before the draft is finalised by Cabinet on 25th January 2024 and presented to Full County Council on 19th February 2024 for decision.

*Mr Sole, Dr Sullivan and Mr Baldock asked for their votes against the recommendation to be noted in the minutes.*

## **177. LINK Group - Presentation**

*(Item 6)*

*Mr Adrian Roberts, Chief Commercial Officer, Link Group was in attendance for this item.*

1. Mr Adrian Roberts, Chief Commercial Officer at Link Group, introduced himself to the committee and provided some background and history in relation to the work of Link Group. Mr Roberts gave an overview of the markets in relation to cash and banking and said that since the covid-19 pandemic cash usage across the country had fallen. The use of ATMs was 30% lower today than before the pandemic and cash accounted for around 15% of all payments. However, cash was still very important with £1.6billion being withdrawn from Link ATMs every week. There were currently 5000 bank branches across the UK, approximately a quarter of the number there was 35 years ago. Mr Roberts explained that closures of bank branches were continuing at around 600-800 per year and, looking forward, banks would likely be centred in large towns and cities with the creation of a national shared infrastructure such as banking hubs. Mr Roberts explained Link was the co-ordinating body within the industry for bank closures and objectively assessed the impact of closures on communities with a view to recommending a new shared service such as a banking hub. Mr Roberts said Link could also accept requests from the public to carry out an access to cash assessment within a community. Mr Roberts provided an overview of the banking hubs that currently existed across the country and where they were located.
2. Mr Hood proposed, and Mr Baldock seconded that the Growth, Economic Development and Communities Cabinet Committee recommends to the Cabinet Member for Economic Development that the Council responds to the Financial Conduct Authority (FCA) consultation requesting that it is made a statutory requirement to deliver banking hubs where business banking has ceased in the community.
3. The Chair put the motion set out in paragraph 2 above and the motion failed.

*Mr Hood, Dr Sullivan, and Mr Baldock asked for their votes for the motion be noted in the minutes.*

4. A Member commented on the importance of cash and asked whether locations other than post offices could be used as banking hubs and Mr Roberts confirmed this was possible.
5. A Member asked about rural communities having access to cash free of charge and Mr Roberts said there were approximately 38,000 free to use ATMS across the county and invited anyone to inform Link if there were specific locations where cash could not be accessed free of charge.
6. Mr Roberts agreed to circulate information after the meeting regarding community requests.

RESOLVED to note the presentation.

## **178. Verbal updates by the Cabinet Members and Corporate Director**

*(Item 7)*

1. Mrs Bell, Cabinet Member for Community and Regulatory Services, provided an update on the following:
  - (a) Regarding registration services there was an increased demand for death registration appointments and appointment availability was being kept under review.
  - (b) Mrs Bell had undertaken visits to libraries including the Digital Heritage and Access Centre in Folkestone, Quarry Wood where the behind the scenes work that supported the library service took place, and the Kent History and Library Centre in Maidstone. Whilst temporary provision was in place for Folkestone Library, focus remained on looking at options for the long term and engagement with stakeholders including Folkestone & Hythe District Council. Options would be looked at carefully from a financial and property perspective.
  - (c) The temporary library in the Dover Gateway was now open whilst major works took place at the Dover Discovery Centre.
  - (d) The winter mini reading challenge ran until 19 February 2024. Libraries were promoting the challenge and encouraging children to read over the winter break.
  - (e) The coroners' courts had moved from Sessions House to Oakwood House in December 2023 and the new facilities had been well received.
  - (f) Mrs Bell attended the Yasmin Vardimon Dance Company's 25<sup>th</sup> anniversary gala in December at their premises in Ashford. This was a project which KCC had given significant support.
  - (g) In December, the Council hosted the John Downtown awards for young artists from local schools and Mrs Bell said the quality of work entered was outstanding.
  - (h) The Kent Film Office was established some years ago as an economic development initiative by the Council. Production companies could apply for filming permits and receive help sourcing and managing filming locations. The filming activity generated on average more than £5million direct spend into the Kent and Medway economy every year.
2. Mr Murphy, Cabinet Member for Economic Development, provided an update on the following:
  - (a) Manston Business Park, and East Kent Opportunities Scheme, was now entering its final year and a new development would be announced shortly on remaining sites and would be accompanied by a large tree planting programme. The Manston Business Park provided the Council and Thanet District Council approximately £300,000 income per annum.



- (b) The Council was working with a developer in Thanet regarding a waste hydrogen site in the Thanet area.
  - (c) Mr Thomas, Deputy Cabinet Member for Economic Development, was the Chair of a regular meeting with Folkestone & Hythe District Council concerning the future of Dungeness Power Station. It was hoped this would be a possible site for future nuclear production of small to medium reactors and assurance had been received from government that all existing sites would be utilised.
  - (d) On 11 March 2024 there was a district visit to Maidstone Borough Council and Mr Murphy hoped these visits would continue.
3. Mr Jones, Corporate Director Growth, Environment and Transport, had provided a written update on operational matters to Members prior to the meeting which included the following:
- (a) The Kent and Medway Business fund had relaunched in November 2023 and over 100 applications had been received.
  - (b) Work on a transition plan following the closure of the Southeast Local Enterprise Partnership (SELEP) was taking place to ensure that the voice of business continued to influence the strategic economic growth agenda. The Kent & Medway Economic Partnership would oversee the implementation of the new Kent & Medway Economic Framework.
  - (c) The SELEP Accountability board last week approved two new Kent projects which would receive a share of a final tranche of Getting Building Fund.
  - (d) Pfizer announced in November that it would be making up to 500 redundancies at its Sandwich site as part of a review of its global operations and KCC had been working closely with a number of local partners and government departments to consider actions that would reduce the impact for the local workforce and the Discovery Park site.
  - (e) Kent Scientific Services saw a record-breaking number of samples being tested in the last three months of 2023. Cigarettes are required, when not being actively smoked, to go out and the KSS team had developed a new test to help enforcement authorities to establish whether cigarettes met this requirement.
  - (f) Trading Standards and Kent Scientific Services continued to carry out work in relation to illegal vapes and Trading Standards had secured a grant from National Trading Standards to support this work over the next 15 months. In December, Trading Standards, along with brand representatives and Kent Police, seized a substantial quantity of counterfeit products and tobacco from retailers in North Kent.
  - (g) Active Kent and Medway was running “Jump into January” challenge, to encourage the tracking and logging of activity throughout the month by those that engaged with Everyday Active and beyond. The Council’s Active Kent

and Medway grants programme – which provided up to £1000 of support to organisations and clubs delivering sport and physical activity to encourage more people, more active, more often, would also run this year. Information on the criteria and application process can be found on the Active Kent and Medway website. [www.activekent.org](http://www.activekent.org).

4. A Member asked whether progress was being made regarding Broadband in hard-to-reach areas. Mr Murphy said BDUK were in the process of finalising contracts with providers and further information would become available in due course.
5. A Member asked about the increase in registration appointments over the winter period in relation to resource and Mr Pearson confirmed that appointments had been maximised under existing staffing and costing arrangements. Birth and death registrations were prioritised, and this was kept under review on a weekly basis so that areas with the most demand were targeted.
6. Asked about the re-opening of the Grace Hill library in Folkestone, Mrs Bell said the cost of work needed to re-open Grace Hill Library was currently beyond the Council's financial capability. Mrs Bell said the temporary facilities would remain open for as long as was required and until a long-term solution was in place, and the Council was working hard with partners to explore potential opportunities.

RESOLVED to note the verbal updates.

## **179. Performance Dashboard**

*(Item 8)*

*Mr Matthew Wagner (Interim Chief Analyst) was in attendance for this item.*

1. Mr Wagner introduced the performance report for Quarter 2 of 2023/24 and said of the 22 Key Performance Indicators (KPI), 15 were rag rated green, 6 were amber and 1 was red. Mr Wagner provided a summary of the KPIs that were rag rated amber and red.
2. Members raised concern about the red KPI – *EPE16: Median number of days to resolve priority faults on public rights of way network* – and the ongoing issues which resulted in complaints from residents.
3. A Member asked about the amber KPI – *CST02: percentage of lessons Domestic Homicide Review attendees rating the event as very good or excellent* – and Mr Wagner explained the KPI included those who rated the event 'very good' or 'excellent', if 'good' was also included the overall percentage would increase to 96%.
4. Asked for more details regarding KPI - *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* - Mr Rolfe said a mixture of work experience was offered including week long placements for sixth form students studying science, nine week placements for

students studying T levels at college, and a university undergraduate student in the laboratory for all of August. In total the work experience included around 15 students from different backgrounds.

5. Members commented that more detail in relation to the background of KPIs would be helpful for future reports. Mr Wagner said target setting and review for next year's KPI's was currently being processed and this would be reported back to the cabinet committee.

RESOLVED to note the performance report for Quarter 2 of 2023/24.

### **180. 23/00122 - Kent Community Warden Service Review**

*(Item 9)*

*Mr Shafick Peerbux (Head of Community Safety), Ms Kat Dardry (Community Safety Practice Development Officer) and Mr Mark Rolfe (Interim Head of Community Protection) were in attendance for this item.*

1. Mrs Bell explained that the review was a budgetary measure and not a reflection on the performance of the community wardens. She highlighted that at this year's National Safeguarding Adults Board Excellence Awards ceremony in November the Maidstone and Tonbridge & Malling team won both the empowerment team award and the protection team award for their work with adults at risk within communities and thanked all the community wardens across the county for their work. Mrs Bell explained that resources would be targeted to areas of highest need and the model was designed to be flexible if opportunities to add to the service became available in the future.
2. Mr Peerbux introduced the report and provided a summary of the consultation responses. He explained that Appendix 2 of the report listed alternative funding options that had been explored. Unfortunately, there were not any viable alternatives that could offset the savings required to continue the current operating model.
3. A member asked whether support was being given to staff currently in post and Mr Peerbux said face to face meetings had taken place with staff from the outset, and throughout, to engage and consult with them on the process.
4. A Member asked about the cost of the external market research and Mr Peerbux said internal options were considered and the resources were not available within the timeframe. The total cost was approximately £8,000.
5. A Member asked whether any calculations were carried out to look at the wider cost to the authority and the increased demand on adult social care as a result of the new operating model. Mr Peerbux said the preventive work of the wardens was extremely valued but proving prevention was difficult and would be a key part of the work going forward which included a new case management system.
6. Members expressed concern for the amount of time wardens would spend travelling under the new model and asked whether the areas covered would be regularly reviewed and monitored. Mr Peerbux said the Geographical Allocation

Policy would focus on targeting the areas of need and identifying available services within communities. The policy allowed for regular reviews using objective data measures.

7. The Chairman put to the vote the recommendation set out in the report and the voting was as follows:

For (11)

Mr Brazier, Mr Broadley, Mr Cannon, Mr Crow-Brown, Mr Holden, Mr Meade, Mr Ridgers, Mr Sandhu, Mr Shonk, Mr Thomas,

Against (4)

Mr Baldock, Mr Hood, Mr Sole, Dr Sullivan,

Abstain (0)

RESOLVED to endorse the proposed decision to:

- (i) Agree a new Geographical Allocation Policy for the Community Warden's service;
- (ii) Agree to implement a new model of operation for the Community Warden's service; and
- (iii) Delegate authority to the Director Growth and Communities to take any necessary actions including but not limited to entering into contracts or legal agreement as required to implement the decision.

### **181. 23/00121 - Kent and Medway Economic Framework**

*(Item 10)*

*Mr David Smith (Economic Advisor) was in attendance for this item.*

1. The Chair, Mr Sandhu, left the meeting and the Vice-Chair, Mr Brazier took the chair.
2. Mr Murphy introduced the item and explained that Kent and Medway leaders agreed in 2021 to replace the Renewal Resilience Plan with an economic framework. The South East Local Enterprise Partnership (SELEP) would close at the end of March 2024 and be replaced by alternative arrangements in Kent and Medway. The Kent and Medway Economic Framework would fulfil this expectation.
3. Mr Smith introduced the report and explained the framework would develop the Council's economic strategy up to 2030 and extensive consultation had taken place with partners across Kent and Medway.
4. A Member asked about the closure of LoCASE (Low Carbon Across the South East) and the introduction of the Low Carbon Kent programme and Mr Smith explained that a key theme of the strategy was net zero and transforming Kent into a sustainable economy.
5. In response to questions from Members, Mr Smith explained that the Economic framework highlighted and coordinated areas for action which would be

monitored across various areas of the Council. Local plans from districts and Medway Council had been incorporated and the framework connected with other strategies.

6. A Member asked about the work skills deficit, and Mr Smith explained the Council was working with partners in the Chamber of Commerce, FE colleges and universities to develop the Kent and Medway proposal which had been adopted by the Department for Education for future funding of FE programmes. A paper would be brought to both the CYPE Cabinet Committee and the GED&C Cabinet Committee to look at NEET and issues relating to skills and employment.
7. A Member asked about the adoption of the framework by the Council's partners and Mr Smith said Medway Council was adopting it as part of their policy to contribute to a Kent and Medway Framework and each of the districts had been consulted. He said the Framework had also been agreed by the Kent and Medway Economic Partnership which included Kent Leaders, businesses, and representatives from universities.
8. A Member noted the importance of protecting rural areas of land within Kent for agriculture and strategically identifying where development should take place.
9. Members commented that there was a need for a culture change to improve education levels and job prospects and the high level strategy would need to be reviewed as partners and economic factors changed.

RESOLVED to endorse the proposed decision to:

- (a) Endorse the Kent and Medway Economic Framework;
- (b) Support the Kent and Medway Economic Partnership in its implementation; and
- (c) Delegate to the Director Growth and Communities to take any necessary actions, including but not limited to entering into contracts or other legal agreements as required to implement this decision.

*Dr Sullivan and Mr Baldock asked for their votes to abstain from the recommendation be noted.*

## **182. 2023 Infrastructure Funding Statement**

*(Item 11)*

*Mr Colin Finch (Strategic Programme Manager) and Mr Tom Marchant (Head of Strategic Development and Place) were in attendance for this item.*

1. Mr Murphy introduced the item and explained that the Council was required by statute to publish an annual Infrastructure Funding Statement.
2. Mr Finch provided a summary of the report.
3. A Member asked whether it was possible to trace how developer contributions were spent on additional services and Mr Finch explained that a district-by-district analysis, available on the KCC website, included developer contributions

in relation to specific planning applications and demonstrated how funding had been spent by the relevant service in accordance with Section 106 agreements.

4. A Member referred to Table 1 in the report and asked why the Council was spending less than had been received. Mr Finch explained that legal requirements and consultations could mean that schemes took a long time to be delivered. High value schemes might be funded for by a number of developments so securing the funding for a project could take time.

RESOLVED to note the report.

### **183. 2023 Community Infrastructure Levy Position**

*(Item 12)*

*Mr Colin Finch (Strategic Programme Manager) and Mr Tom Marchant (Head of Strategic Development and Place) were in attendance for this item.*

1. Mr Finch introduced the report which provided a background understanding of the Community Infrastructure Levy (CIL) and highlighted some key areas.

RESOLVED to note the report.

### **184. Work Programme 2024**

*(Item 13)*

RESOLVED to note the Work Programme, subject to the inclusion of an item in relation to PROW.

From: Derek Murphy, Cabinet Member for Economic Development  
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet  
Committee – 5 March 2024

Subject: **Contracting Inward Investment and Visitor Economy Services for Kent & Medway**

Key Decision: 24/00010

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: All

**Summary:**

Current contractual arrangements with Locate in Kent, Kent & Medway's Inward Investment Agency and Visit Kent, Kent & Medway's Destination Management Organisation and Local Visitor Economy Partnership come to an end on 30 June 2024. In order to ensure that Kent & Medway continue to benefit from inward investment and visitor economy services in future, these services need to be re-procured. This will ensure that the county's investment opportunities and tourism offer are widely promoted to attract inward investment, create jobs, support local businesses and increase visitor spend locally through an enhanced visitor economy offer.

**Recommendation(s):**

The Growth, Economic Development & Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the proposed decision to procure an Inward Investment and Visitor Economy services contract for the next two financial years. Medway Council (MC) will contribute funding to this single contract. 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 as shown at Appendix A.

**1. Context**

- 1.1 Many areas across the UK have inward investment services and Destination Management Organisations (DMOs) in place to promote local opportunities and maximise external investment and visitor spend to boost the local economy.
- 1.2 Locate in Kent (LiK) and Visit Kent (VK) (formerly the Kent Tourism Alliance) were originally established by Kent County Council (KCC) to promote investment opportunities and develop the local visitor economy. KCC and

Medway Council (MC) have since provided financial support and strategic direction for these services which have moved to a model where the commissioning of the services has been subject to a public procurement process.

- 1.3 Although KCC and MC face significant financial pressures, the value of these services to the local economy is significant. They make a significant contribution to increasing employment opportunities and enhancing the quality of life for local residents.
- 1.4 While not straightforward to quantify, both services contribute to reducing other KCC / MC / public sector costs in the county. By providing additional high-quality employment opportunities for local residents, the inward investment service makes a positive contribution to one of the key economic determinants highlighted in the Kent & Medway Integrated Care Strategy that enable healthy lives; stable employment. The Visitor Economy service also directly contributes job creation and retention within the sector which employs some 75,000 people in the county. The Visitor Economy service also works to enhance local leisure time opportunities through the development and promotion of high-quality activities for local residents enhancing their quality of life.
- 1.5 The importance of the role these services play is emphasised in a number of strategic documents in Kent & Medway including:

**The Kent & Medway Economic Framework:**

- Ambition 1: Enable innovative, productive and creative businesses
  - Action Area 3: Attracting and welcoming investors to Kent & Medway
- Ambition 5: Create diverse, distinctive and vibrant places
  - Action Area 21: Developing the visitor economy

**The Kent & Medway Integrated Care Strategy:**

- Shared outcome 2: Tackle the wider determinants to prevent ill health
  - Address the economic determinants that enable healthy lives including stable employment

**Framing Kent's Future:**

- Rebrand Kent to attract national and international investment by promoting all that the county has to offer for business, learning, leisure and tourism
- Support strategic opportunities for growth through the delivery of sites and premises and support for new investment and business expansion, where it will deliver higher-value jobs and increased productivity and contributes to our Net Zero target.
- Back SMEs and entrepreneurs to start-up, grow and drive adoption of new technology to improve productivity through increased GVA (Gross Value Added) and higher wages

**2. The role of the Inward Investment Service in Kent & Medway:**

- 2.1 As the Inward Investment Agency for Kent & Medway, Locate in Kent has delivered a number of important functions including:
  - Marketing and promotion of investment opportunities in Kent & Medway



- Lead generation activity to engage with potential investors (overseas and in the rest of the UK)
- Providing and maintaining a commercial property database for Kent & Medway
- Working closely with the Department for Business and Trade to promote specific investment opportunities in the county
- Providing advice and support to potential investors
- Providing support for businesses to set up in their new location including property requirements, staffing, funding and local networks
- Supporting investors to grow in Kent & Medway through an aftercare programme.

2.2 During the current financial year 2023-24, LiK has so far reported 99 leads generated, 21 inward investment projects completed, 497 new jobs created, 353 jobs safeguarded, nearly 7,000 enquiries on the commercial property portal and an online marketing reach of over 1m people.

### **3. The role of the Visitor Economy Service in Kent & Medway:**

3.1 Visit Kent which is the current DMO for Kent & Medway, as well as being formally recognised as a Local Visitor Economy Partnership (LVEP) by Visit England, plays a key role in supporting and developing the local visitor economy through:

- Promoting the county to target visitor markets both domestic and abroad, and working to increase the numbers of visitors to Kent and the value of the visitor spend
- Supporting growth in Kent's visitor economy
- Providing high quality support to the tourism business sector
- Improving the skills levels of employees within the Kent visitor economy.

3.2 Some 60 million visitors come to Kent each year which equates to £3.8 billion of spend and supporting 74,462 jobs and these achievements are heavily influenced by the work of VK.

3.3 During the current financial year, VK has reported:

- A 27% increase in the number of visitor economy jobs since 2022
- Over 6,000 additional supply nights in serviced accommodation since 2022 and a 33% increase in overnight stays to 4.2m since 2022 (NB. overnight visitors spend more money than day visitor)
- A reach of over 17m impressions from digital marketing activity
- A reach of over 83m people through press coverage
- Over 1,500 tourism enterprises receiving support

### **4. Options Considered**

4.1 The following options were considered when reviewing the procurement of the inward investment and visitor economy contracts:

- a) Retender the contract on the basis of previous years; a higher cost and two separate services delivered. This was not possible due to budgetary pressures and a need to reduce the value of the contracts.
- b) Retender the contract with a reduced budget and combining previous commissions into a single service. This option, which is being pursued, enables an aligning of approach as well as efficiency savings to be made. KPIs proportionate to the available budget will have to be set.
- c) Bring these services in house. Cost savings would not be achieved and the value of independent private sector organisations delivering a credible service would be lost.
- d) Cease funding the Inward Investment and Visitor Economy services. This option would lead to the end of the inward investment service in Kent & Medway as KCC is the principal funder. Locate in Kent has supported 21 new business investment projects since May 2023 which have created 497 jobs in Kent & Medway. This option would significantly weaken the visitor economy service as KCC is a major principal funder. The Visitor Economy is worth £3.8bn to Kent & Medway each year and the Visit Kent service plays a key role in sustaining and growing this.

4.2 Were KCC not to continue commissioning these two valuable services there would be a significant risk of inward investment projects moving to other parts of the UK. For the visitor economy, withdrawing very effective marketing and promotional activities and support for businesses would have a serious impact on businesses in the sector at a time when the visitor sector is still recovering from the effects of the pandemic, the UK's departure from the EU and the ongoing cost of living crisis.

## 5. The new contract

5.1 KCC and MC recognise that with reduced overall funding, there is a need to reduce the expected activities, outputs and results from the contract. Given the challenging economic landscape, recent changes to work patterns and company requirements the requirements of the contract for the next two years have been carefully reviewed. The focus will be on the following:

- Securing Inward investment projects from 'new to county' businesses and creating jobs.
- Developing 'grow-on space' investment projects to retain existing businesses and jobs.
- Facilitating regular access to local flexible workspace for London-based company employees living in Kent
- Increasing the number of Kent & Medway residents working remotely in the county in skilled roles for companies located elsewhere
- Supporting the development of priority sectors through attracting businesses to form new clusters/centres of excellence or expand into existing geographical clusters to enhance them.
- Increasing visitor numbers and spend in the county
- Increasing overnight visitor stays in the county
- Supporting and promoting local visitor economy businesses
- Securing new out of county travel trade / tour operator itineraries in Kent & Medway
- Increasing jobs in the visitor economy sector

- Actively promoting year-long tourism and visitor economy opportunities to ‘out of county’ audiences.
- 5.2 The new service provider/consortium will be expected to deliver activities that support the implementation of the Kent & Medway Economic Framework as well as working closely with KCC and MC and other key organisations in the county such as Produced in Kent, whose work supports the visitor economy.
  - 5.3 The new service provider/consortium will also be required to support any future work to develop wider ‘Brand Kent’ activity which would bring key organisations, public and private sectors and local residents together to determine and share Kent & Medway’s key assets, strengths and specialisms and jointly promote a range of opportunities to showcase the best of what Kent has to offer to external audiences.
  - 5.4 It is expected that a successful procurement procedure should be completed to enable the new provider or consortium to commence delivery of the 2024-26 contract from 1 July 2024 to avoid any break in service.

## **6. Financial Implications**

- 6.1 The value of the new contract equates to a £450,000 per annum contribution from KCC and £50,000 from Medway Council for 2024-25. This represents a £250,000 reduction per annum from KCC. Combining two previous commissions into a single contract will result in efficiency savings, as well as, it is envisaged, a closer aligning of approach.

It should be noted that both services currently secure significant additional investment to support their operation including contributions from local businesses (housing developers, passenger carriers, tourism attractions etc.) who contribute on the basis that KCC and MC support the services. It is anticipated that such contributions will be required for the new service provider to operate a service at a meaningful level. Locate in Kent and Visit Kent benefited from large amounts of EU funding to support and enhance their activity but this is no longer available.

- 6.2 While not straightforward to quantify, both services contribute to reducing other KCC / MC / public sector costs in the county. By providing additional high-quality employment opportunities for local residents, the inward investment service makes a positive contribution to one of the key economic determinants highlighted in the Kent & Medway Integrated Care Strategy that enable healthy lives; stable employment. The Visitor Economy service also directly contributes job creation and retention within the sector which employs some 75,000 people in the county. The Visitor Economy service also works to enhance local leisure time opportunities through the development and promotion of high quality activities for local residents enhancing their quality of life.

## **7. Legal implications**

- 7.1 As normal procurement procedures will be followed, there are no direct legal implications for KCC to consider.

## **8. Equalities implications**

- 8.1 EqlAs for Visitor Economy and Inward Investment Services were updated last year. These will be used to inform the new single commission and its required approach around Equality Duty.
- 8.2 It is not anticipated that there will be any negative equalities and diversity impacts resulting from the procurement of these contracts. The draft procurement documentation asks potential service providers to consider how services can be delivered in line with Public Sector Equality Duty requirements and to ensure that services benefit all groups including those with protected characteristics. KCC will work closely with the successful supplier to support the design and delivery of services and capture equalities and diversity data wherever possible.

## **9. Other corporate implications**

- 9.1 The Economy Team within Growth & Communities will be responsible for monitoring the contracts and ensuring that activity delivered contributes to the ambitions set out in the Kent & Medway Economic Framework.
- 9.2 KCC's procurement, legal and finance teams will support the procurement and contracting process as required.

## **10. Governance**

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

## **11. Conclusions**

- 11.1 Inward Investment activity and support for the visitor economy are invaluable for Kent & Medway to continue to boost the local economy and contribute to a high quality of life for local residents.
- 11.2 The continuation of KCC and MC financial support for the visitor economy and inward investment services is essential to avoid the county failing to secure inward investment opportunities and attracting significant visitor numbers to the county to ensure that a vibrant community of tourism businesses can survive and grow in future.

## **12. Recommendation(s):**

The Growth, Economic Development & Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the proposed decision to procure an Inward Investment and Visitor Economy services contract for the next two financial years 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 as shown at Appendix A.

## **12. Appendices**

Appendix A – Proposed Record of Decision  
EQIA – Inward Investment Service – Locate in Kent  
EQIA – Promotion and Marketing of Kent’s Visitor Economy

## **13. Contact details**

Report Author:  
Steve Samson  
Interim Head of Economy  
03000 417167  
[steve.samson@kent.gov.uk](mailto:steve.samson@kent.gov.uk)

Relevant Director:  
Stephanie Holt-Castle  
Director of Growth & Communities  
03000 412064  
[stephanie.holt-castle@kent.gov.uk](mailto:stephanie.holt-castle@kent.gov.uk)

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Derek Murphy, Cabinet Member for Economic Development

## DECISION NO:

24/00010

For publication

Key decision: YES

**Subject Matter / Title of Decision:** Contracting Inward Investment and Visitor Economy Services for Kent & Medway

### Decision:

As Cabinet Member for Economic Development, I agree to:

- (i) PROCURE an Inward Investment and Visitor Economy services contract for the next two financial years. Medway Council (MC) will contribute funding to this single contract and
- (ii) 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.

### Reason(s) for decision:

Current contractual arrangements with Locate in Kent, Kent & Medway's Inward Investment Agency and Visit Kent, Kent & Medway's Destination Management Organisation and Local Visitor Economy Partnership come to an end on 30 June 2024. In order to ensure that Kent & Medway continue to benefit from inward investment and visitor economy services in future, these services need to be re-procured. This will ensure that the county's investment opportunities and tourism offer are widely promoted to attract inward investment, create jobs, support local businesses, and increase visitor spend locally through an enhanced visitor economy offer.

### Cabinet Committee recommendations and other consultation:

The proposed decision is being considered by members of the Growth, Economic Development and Communities Cabinet Committee at their meeting on 5 March.

### Any alternatives considered and rejected:

1. **Retender the contract on the basis of previous years; a higher cost and two separate services delivered.** This was not possible due to budgetary pressures and a need to reduce the value of the contracts.
2. **Retender the contract with a reduced budget and combining previous commissions into a single service.** This option, which is being pursued, provides financial savings for KCC and enables an aligning of approach as well as efficiency savings to be made. KPIs proportionate to the available reduced budget would have to be set.
3. **Bring these services in house.** Cost savings would not be achieved and the 'value added' of independent private sector organisations delivering a credible service would be lost.
4. **Cease funding the Inward Investment and Visitor Economy services.** This option would lead to the end of the inward investment service in Kent & Medway as KCC is the principal funder. Locate in Kent has supported 21 new business investment projects since May 2023 which have created 497 jobs in Kent & Medway. This option would significantly weaken the visitor economy service as KCC is a major principal funder. The Visitor Economy is worth £3.8bn to Kent & Medway each year and the Visit Kent service plays a key role in sustaining and growing this.

Any interest declared when the decision was taken and any dispensation granted by the

**Proper Officer:**

.....  
signed

.....  
date



## EQIA Submission – ID Number

### Section A

**EQIA Title**

Inward Investment Service - Locate in Kent

**Responsible Officer**

Andrew Sinclair - GT GC

### Type of Activity

**Service Change**

Service Change

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Growth Environment and Transport

**Responsible Service**

Growth & Communities - Business & Engagement

**Responsible Head of Service**

David Smith - GT GC

**Responsible Director**

Stephanie Holt-Castle - GT GC

### Aims and Objectives

The Inward Investment Service is contracted to Locate in Kent for 11 months. The purpose of the service is to promote and raise the profile of Kent and Medway as an attractive business investment location for UK and foreign-owned Small and Medium sized Enterprises (SMEs) relocating and expanding within and into the county, and to create jobs from successful company investments.

Through Locate in Kent, the service aims to promote and raise the profile of Kent and Medway as a business location with the aim of attracting new investment from Kent, UK and overseas businesses, creating jobs and economic prosperity.

Contracted outputs are 52 successful projects supported and 1,467 new jobs created involving SMEs over the eleven month period (definitions contained within the contract).

This service has been delivered in a similar format since August 2016 and to date we have no evidence, from the information collected thus far, to draw any negative conclusions about the implications of the inward investment service for protected groups.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes
<b>Is there national evidence/data that you can use?</b>
Yes
<b>Have you consulted with stakeholders?</b>
Yes
<b>Who have you involved, consulted and engaged with?</b>
Kent Invicta Chamber of Commerce Federation of Small Businesses (FSB) Department for Business and Trade District & Local Authorities
<b>Has there been a previous Equality Analysis (EQIA) in the last 3 years?</b>
No
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>
<b>Service Users/clients</b> Service users/clients
<b>Staff</b> No
<b>Residents/Communities/Citizens</b> Residents/communities/citizens
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
<p>Locate in Kent (LIK), as the existing contracted delivery agent, is frequently contacted directly by a range of companies (start-ups, micros, SMEs and large businesses across a range of sectors), via its website or through referrals from other organisations such as DIT and local authorities. In the majority of cases, the companies will be seeking specialist support as part of their locational or investment decision-making processes, and LIK will always look to provide support tailored to the needs of individual businesses.</p> <p>The Inward Investment services contract between KCC and LIK require LIK to meet prescribed targets for new job creation and the provision of support to client businesses.</p> <p>The contracts also require LIK to request from all client businesses information about existing and new employees according to age, gender, ethnicity and disability only. LIK will request such information following initial contact with a business.</p> <p>The evidence we have collected to shape and define the inward investment service, that was procured under the Open OJEU process in 2016, is set out below. While it supports a targeted approach aimed at particular sectors and, where this is outside the UK, at selected countries, the overriding imperative is to provide support to companies with the potential to generate wealth and to safeguard and create employment.</p> <p>Evidence suggests that a well-targeted approach would result in the most substantial economic benefits to an area like Kent and Medway due to the differing characteristics of the companies involved. This means a need for a primary and overriding focus on attracting high-quality projects that are capable of generating productivity-enhancing spill over benefits and which are likely to contribute positively to knowledge intensive business activity in the county.</p>

The public sector is able to intervene effectively around foreign and domestic inward investment, and whilst the benefits cannot be quantified, there is consistent evidence of the ability of business support services to influence high quality investment in ways likely to benefit the UK and local economies. This underpins the approach taken in Kent and Medway. “The UK is the host of more than 45,000 foreign affiliates. Although they represent less than 2 per cent of the total number of firms in the UK, they play a major role in the UK economy. In 2010, they employed at least 3 million workers, accounting for more than 13% of the workforce employed and contributed to at least 36% of the total turnover in the UK.”

Although the approach taken by Locate in Kent to attract investment is targeted at both foreign and domestic inward investment, data from ONS, published in 2013, shows that in 2011, just 1% of registered businesses in the UK were foreign owned, yet they accounted for 28% of value added.

In terms of size, 28% of large companies in the UK are foreign owned, as opposed to micro (0.5%), small (3.4%) and medium (12.2%). Those large foreign owned companies contributed 40% of GVA. Foreign Owned Companies are also six times more likely to export than UK owned companies. Of the 22,500 Foreign Owned Companies in the UK in 2012, 6.4% (13,600) are exporters.

In addition, foreign-owned companies spent £8.8bn on research and development (R&D) more than half of the total business R&D expenditure in the UK (£17.4 billion).

The most significant barriers faced by potential domestic and overseas investors are:

- access to the right contacts and networks
- access to information not otherwise available
- guidance in navigating the legal and regulatory framework in the UK
- limited knowledge about an area’s attributes as a place to invest, and;
- In some cases, adverse perceptions of areas within the UK.

Foreign Investors are effectively influenced by advice and help when making decisions on locating in the UK and the scale and scope of a project. Foreign Investors’ use of UK suppliers, involvement in joint R&D in the UK and the creation of other beneficial links are also significantly influenced by support. These activities are likely to be conduits for productivity-enhancing knowledge spill overs.

In 2014-15 more than three quarters of the jobs attracted to Kent came from foreign direct investors (FDI). Experience of previous local, regional and national FDI projects indicates that foreign owned companies add real value to the local economy, introducing new skills and technology. Kent’s proximity to mainland Europe makes it highly attractive as a ‘launch-pad’ to export into the rest of the European market.

Evidence and experience also shows that FDI adds significant value to the local and national economies, companies of this kind tend to be in high value sectors, create knowledge based jobs, introduce new technology and skills and have a greater propensity to export.

## Negative impacts and Mitigating Actions

### 19.Negative Impacts and Mitigating actions for Age

#### Are there negative impacts for age?

No

#### Details of negative impacts for Age

Not Applicable

#### Mitigating Actions for Age

Not Applicable

#### Responsible Officer for Mitigating Actions – Age

Not Applicable

<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>
Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
Not Applicable
<b>Responsible Officer for Sex</b>
Not Applicable
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No
<b>Negative impacts for Gender identity/transgender</b>
Not Applicable
<b>Mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No
<b>Negative impacts for Race</b>
Not Applicable
<b>Mitigating actions for Race</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Race</b>
Not Applicable
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable

<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

Promotion and Marketing of Kents Visitor Economy

**Responsible Officer**

Andrew Sinclair - GT GC

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Growth Environment and Transport

**Responsible Service**

Growth & Communities - Business & Engagement

**Responsible Head of Service**

David Smith - GT GC

**Responsible Director**

Stephanie Holt-Castle - GT GC

### Aims and Objectives

The Promotion and Marketing of Kents Visitor Economy Grant Contract was originally contracted to a supplier for five years from April 2020 to March 2025 on a 3+2 years basis, we are now at the point where a 12 month extension is being agreed following the initial 3 year period.

The purpose of the service will be to promote Kent as a premier UK visitor destination to both domestic and international markets, support business growth in the visitor economy, and provide a strong voice for the sector at regional, national and international levels. The supplier will also be required to devise effective measures to assess the service's impact on the Kent visitor economy.

The grant will be funded by KCC.

The service will aim to promote and raise the profile of Kent and Medway as a tourist destination with the aim of attracting more domestic and international visitors, generating more spend locally, increasing the value of Kent's visitor economy and creating more jobs.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

Yes

**Is there national evidence/data that you can use?**

Yes
<b>Have you consulted with stakeholders?</b>
Yes
<b>Who have you involved, consulted and engaged with?</b>
Kent Invicta Chamber of Commerce Federation of Small Business (FSB) Kent's District & Local Authorities Department for Culture Media & Sport (DCMS - UK Gov)
<b>Has there been a previous Equality Analysis (EQIA) in the last 3 years?</b>
No
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>
<b>Service Users/clients</b> Service users/clients
<b>Staff</b> No
<b>Residents/Communities/Citizens</b> Residents/communities/citizens
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
<p>The service primarily involves promoting and marketing Kent as a premier tourist destination. The supplier will have frequent contacts with a range of tourism businesses and attractions directly and via its website or through referrals from other organisations such as Visit Britain, Visit England and local authorities in Kent. Any information collected from businesses by the supplier would be confidential and not shared in any way with KCC.</p> <p>The evidence we have collected to shape and define the visitor economy service is set out below. It supports the delivery of a quality destination marketing and promotion service that promotes Kent as a premier UK destination to both domestic and international visitors, supports business growth in the sector and provides a strong voice for the sector at regional, national and international levels.</p> <p>In 2021 the UK attracted 6.4 million international visitors (ONS Travel Trends 2021), this is still a substantial reduction on previous performance, but is mainly due to the impact of the COVID-19 pandemic and its restrictions on international travel. This added £5.6 billion to the economy, making tourism one of the country's most important industries and its third largest service export.</p> <p>Domestic tourism has experienced a strong growth as a result of COVID-19 with more UK residents taking staycations within the UK, and the value added to the economy as a result. Due to the ending of travel restrictions this split may vary, but indications are positive for growth and recovery. Visit Britain estimates that for the full 2022 calendar year, inbound visits are forecast to total 29.7 million and spending £25.9 billion. These are 73% and 91% respectively of the visits and spend levels seen in 2019.</p> <p>For 2023, Visit Britain are forecasting 35.1 million visits in 2023 (86% of the 2019 level and 18% higher than in 2022) and £29.5 billion spend (104% of the 2019 level and 14% higher than in 2022).</p> <p>The tourist industry's impact is also amplified through the national and local economies, so that its impact is much wider than just levels of direct spending. Independent research commissioned by Visit Britain</p>



estimates that the tourism Gross Value Added (GVA) multiplier is 1.8, meaning that for every £1,000 generated in direct tourism GVA there is a further £1,800 that is supported elsewhere in the economy through the supply chain and consumer spending.

In terms of visitor perception, the research showed that Kent is associated with good food and beverages, rural and seaside holidays as well as festivals, and was generally regarded as more upmarket than the average UK destination. About 25% of domestic holiday makers regarded Kent as “out of the ordinary” and, despite the younger visitor profile, Kent was not seen necessarily as being “more for the young”;

Following its own analysis of what visitors and consumers are looking for when coming to Kent, and their perceptions of the county as a tourist destination the current supplier, Visit Kent, has, over the current contract period, developed its marketing approach to placing visitors at the forefront of its promotion and marketing campaigns. This was developed in collaboration with tourism businesses and other stakeholders across Kent. Product marketing and development has therefore been focused by the industry on matching consumer needs and preferences.

The marketing and promotional campaigns carried out by Visit Kent to not directly target or impact any specific group and are instead meant to bring visitors of all background to participate in the Kent Visitor Economy. There are therefore no known negative impacts of the service against the protected characteristic groups. There is currently no requirement of the Visit Kent grant contract to gather data related to the protected characteristic groups, though over the 1 year extension that will be granted, KCC will investigate whether this can be incorporated into the future contract.

The service provider is also obligated to provide information to people with the protected characteristics for tourism destinations that may be suitable for them e.g. confirming accessibility for disabled or visitors with limited mobility.

Ongoing reviews of the current service help provide an overview of how the county’s visitor economy is performing, gauge the impact of various events-based campaigns and how some of Kent’s bigger tourist attractions are performing over the course of the year. They have shown that the health of the industry is also very dependent on external factors such as weather, time of year and the global and national economies.

<b>Negative impacts and Mitigating Actions</b>	
<b>19. Negative Impacts and Mitigating actions for Age</b>	
<b>Are there negative impacts for age?</b>	
No	
<b>Details of negative impacts for Age</b>	
Not Applicable	
<b>Mitigating Actions for Age</b>	
Not Applicable	
<b>Responsible Officer for Mitigating Actions – Age</b>	
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<b>20. Negative impacts and Mitigating actions for Disability</b>	
<b>Are there negative impacts for Disability?</b>	
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<b>Details of Negative Impacts for Disability</b>	
Not Applicable	
<b>Mitigating actions for Disability</b>	
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<b>Responsible Officer for Disability</b>	
Not Applicable	

<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
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<b>Details of negative impacts for Sex</b>
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<b>Mitigating actions for Sex</b>
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<b>Responsible Officer for Sex</b>
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<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
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<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

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From: Clair Bell, 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 – 05 March 2024

Subject: **Contingency contract to provide temporary emergency facilities in the event of a mass fatality incident**

Key decision 24/00012

Classification: Unrestricted

Electoral Division: All

**Summary:** As a category 1 responder under the Civil Contingencies Act 2004, KCC has a duty to plan and prepare for emergencies. KCC also has a duty, under the Coroners and Justice Act 2009, to provide resources to facilitate the performance by coroners of their duties to investigate deaths which occur in certain circumstances. One of the potential emergencies which cuts across these duties is the occurrence of an incident resulting in mass fatalities. An important aspect of the planning for such an event is the ability to manage and identify the deceased whilst maintaining appropriate dignity and respect in circumstances where local facilities, including mortuaries, become overwhelmed. A contract with a provider who can bring temporary facilities into Kent is therefore required. In the event that the need to call upon this contract occurs, the costs to KCC are likely to be in excess of £1million.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to delegate authority to the Director of Growth & Communities to take any necessary actions to enter into a contract for the provision of temporary emergency facilities, including mortuary facilities, in the event of a mass fatality incident, as shown in Appendix A

**1. Introduction**

- 1.1 KCC has legal duties to plan and prepare for emergencies which may occur in Kent. The potential for an emergency to occur which results in mass fatalities is recognised. In relatively recent years other local authorities have had to manage such situations including the Grenfell Tower fire, the Shoreham air crash and the Manchester Arena bombing.
- 1.2 A mass fatality incident is defined as being an incident where one or more of the following key elements are present:

- there are multiple deceased (actual or potential);
- the nature of the incident is likely to make identification of the deceased difficult;
- some or many of the deceased are lying in difficult to access locations;
- there are fragmented human remains;
- the incident was as a result of terrorist or criminal activity;
- hazards are present at the scene, for example, asbestos, chemicals, radiological debris, that need to be considered before recovering the deceased, property and evidence;
- mortuary capacity is, or may become, exceeded or overwhelmed.

1.3 KCC also has a duty to provide the resources to facilitate the Senior Coroners and Coroners in Kent to carry out their duties. The duties of the coroners in the event of a mass fatality incident are significant. Coroners are required to investigate any death which is violent or unnatural. They are required to establish the identity of the deceased together with how, when and where they died. In a mass fatality scenario, they will be required to do this for each individual.

## **2. Requirement for contingency contract**

2.1 KCC has held a contingency contract for the provision of temporary emergency facilities in the event of a mass fatality incident for many years. The current contract expires on 31<sup>st</sup> May 2024 having previously been extended.

2.2 KCC is a core participant in the Kent Resilience Forum (KRF) and chairs the KRF Mass Fatalities Group. The current contract is held by KCC on behalf of all partners within the KRF. The KRF is not a legal entity and cannot, therefore, enter into contracts in its own right.

2.3 The KRF mass fatalities plan includes the existence of a contingency contract for the provision of temporary emergency facilities as part of the planned response to such an incident.

2.4 Since the procurement of the existing contract, much has been learned nationally following the incidents mentioned above at 1.1. The new contract will reflect relevant aspects of this learning.

2.5 More locally, KCC continues to work with partners to prepare for such an incident. The response to an incident is likely to be phased with local facilities being utilised first, supported by mutual aid agreements where possible.

2.6 A contingency contract is required for a situation where the initial phases of response will not be adequate to manage the situation.

2.7 A procurement exercise is currently being undertaken to establish the nature of the market, which is likely to be quite limited, with a view to identifying a suitable provider who can offer a 'call off' type contingency contract to provide those parts of the required facilities necessary to manage the situation ranging from the supply of items of specialist equipment up to the provision of a full-scale temporary mortuary.

- 2.8 The 'call off' nature of the new contract will allow KCC to call off those elements necessary to meet its duties to support the coroners' work in a mass fatality event. It will also allow KRF partners to call off elements to support their roles and responsibilities. In these circumstances, partners will be responsible for meeting the cost of any elements they call off for their needs.
- 2.9 The current contract consists of an annual retainer fee and then a significantly greater cost should it be necessary to call upon the contract. It is likely that the procurement exercise will identify a similar format for a new contract.

### **3. Financial Implications**

- 3.1 The annual retainer fee for this contract is likely to be relatively small. It is currently approximately £4100 per year. Experience of other local authorities is, however, that the costs involved, should it be necessary to call upon the contract, have the potential to run into multiple millions of pounds.
- 3.2 The KRF contingency plan for a mass fatality incident is currently being refreshed. The new plan will include a finance cell operating throughout the emergency. This cell will be tasked with recording all expenditure, ensuring that the agency who calls upon the contract pays for their element of its use and also ensuring that any external funding sources, including central government funding together with any available under the Bellwin Scheme, are fully utilised.
- 3.3 The contingency plan includes a clear requirement that anyone authorising expenditure for an organisation must be authorised by their organisation to do so. The scale of the incident and required response will mean that within KCC the level of authoriser for the activation of this contract will vary, up to and including a Corporate Director.
- 3.4 A mass fatality incident which results in expenditure will represent an unfunded pressure on KCC's finances and is likely to need to be met from reserves in the first instance.

### **4. Legal implications**

- 4.1 The Civil Contingencies Act 2004 defines Kent County Council as a category 1 responder in relation to emergencies.
- 4.2 As a result, KCC has a duty to plan for emergencies with a view to being able to continue to carry out its own duties and also to take action to reduce, control or mitigate the effects of an emergency.
- 4.3 The Coroners and Justice Act 2009 defines Kent County Council as the relevant authority for the four coroner areas covering Kent and Medway.
- 4.4 As a result, KCC has a duty to provide such officers and other staff as are needed for the coroners to carry out their functions together with appropriate accommodation for the carrying out of those functions.

### **5. Equalities implications**

- 5.1 An equalities impact assessment has not been carried out for the placing of this contingency contract. Because of the nature of the contract, insufficient data is known, and can be known, to inform proper consideration of equalities impacts, as the nature and affected individuals - deceased and their families – cannot be known until the contract is ever activated or ‘called down’.
- 5.2 The KRF contingency plan requires that an equalities impact assessment is carried out in the event that this contract is called down. This is the stage where sufficient data will be known to inform proper consideration.

## **6. Other corporate implications**

- 6.1 None in relation to the contract.

## **7. Governance**

- 7.1 The Director of Growth and Communities will inherit the main delegations via the Officer Scheme of Delegation.

## **8. Conclusions**

- 8.1 KCC has legal duties to plan and prepare for emergencies and to facilitate the work of The Coroner.
- 8.2 In the event that an emergency occurs which results in a mass fatality situation, the ability to manage the deceased in a respectful and dignified way is critical to the carrying out of the coroner’s functions and also to the reputation of KCC and other partners.
- 8.3 A contingency contract to provide temporary emergency facilities in the event that local facilities are inadequate or become overwhelmed is an important element of the contingency planning for such an event.

## **9. Recommendation(s):**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to delegate authority to the Director of Growth & Communities to take any necessary actions to enter into a contract for the provision of emergency facilities, including mortuary facilities, in the event of a mass fatality incident, attached as Appendix A.

## **10. Background Documents**

None



## 11. Appendices

Appendix A – Proposed Record of Decision

## 12. Contact details

Report Author:

Mark Rolfe  
Interim Head of Community Protection

Telephone number 03000 410336

Email address [mark.rolfe@kent.gov.uk](mailto:mark.rolfe@kent.gov.uk)

Relevant Director:

Stephanie Holt-Castle  
Director of Growth & Communities

Telephone number 03000 412064

Email address [stephanie.holt-castle@kent.gov.uk](mailto:stephanie.holt-castle@kent.gov.uk)

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Clair Bell, Cabinet Member for  
Community & Regulatory Services**

**DECISION NO:**

24/00012

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision** Contingency contract to provide temporary emergency facilities in the event of a mass fatality incident.

**Decision:**

As Cabinet Member for Community & Regulatory Services, I agree to delegate authority to the Director of Growth & Communities to take any necessary actions to enter into a contract for the provision of emergency facilities, including mortuary facilities, in the event of a mass fatality incident

**Reason(s) for decision:**

The existing contingency contract is scheduled to expire shortly. A new contract is a key element of planning for an emergency which results in a mass fatalities incident. In the event that such a contract is called upon it is likely that the costs will exceed £1m.

**Cabinet Committee recommendations and other consultation:**

The proposed decision is scheduled to be discussed by Members of the Growth, Economic Development and Communities Cabinet Committee on 05 March 2024

**Any alternatives considered and rejected:**

- Do nothing. This would leave KCC exposed of not meeting its duties to provide the facilities necessary to accommodate the coroners in carrying out their work and also to significant reputational risk in the event that there is nowhere to accommodate the deceased with dignity and respect out of public view.
- Rely on national government, local mutual aid agreements or military support. National government no longer maintains capability in this area. Mutual aid agreements are already part of the emergency plan for this type of event, but they are limited in scope and are unlikely to be able to provide the physical accommodation for the deceased which would be required. Military Aid to the Civil Authorities (MACA) may be sought in such an incident but it cannot be guaranteed and, again, is unlikely to be able to provide physical accommodation. MACA requires that all civil options have been exhausted before it can be undertaken.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

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**From:** Derek Murphy, Cabinet Member for Economic Development  
Simon Jones, Corporate Direct, Growth, Environment and Transportation

**To:** Growth, Economic Development and Communities Cabinet Committee 5 March 2024

**Subject:** **Signing of Memorandum of Understanding as prerequisite to access funding to deliver a Nutrient Neutrality Strategy in East Kent.**

Key decision 24/00014

Classification: Unrestricted

Past Pathway of report: none

Future Pathway of report: Cabinet Member decision

Electoral Division: Ashford Central, Ashford East, Ashford Rural East, Ashford Rural West, Ashford Rural South, Ashford South, Canterbury City North, Canterbury North, Canterbury City South, Canterbury South, Elham Valley, Herne Village & Sturry, Herne Bay East, Maidstone Rural East.

**Summary:** Nutrient neutrality in the catchment for the Stodmarsh National Nature Reserve is having a significant impact on the delivery of homes in East Kent. The government is offering £9.8m of capital for nutrient neutrality mitigation in East Kent along with revenue grants to support the delivery of the strategy. KCC has to sign Memorandums of Understanding (MoUs) with the government to access the grants available.

**Recommendation(s):**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the proposed decision, attached as Appendix A:

- (i) AGREE to enter into a Memorandum of Understanding to accept £9.8m capital and Memorandums of Understanding for supporting revenue funding from DLUHC to support nutrient neutrality mitigation works in East Kent
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Environment, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements.
- (iii) AGREE for the Director for Growth and Communities to bring a strategy for delivery of nutrient neutrality for adoption to this Committee prior to claiming the capital funding.

## 1. Introduction

- 1.1 In Summer 2020, Natural England issued advice to the local planning authorities (LPAs) on the River Stour (Canterbury, Ashford, Folkestone & Hythe, Maidstone and Swale) that meant new developments must not increase the level of nutrients nitrogen (N) and phosphorus (P) in the River Stour, as they are having a negative impact on Stodmarsh National Nature Reserve, a nationally and internationally designated site.
- 1.2 These nutrients are in the effluent from wastewater treatment works (WwTW). Any new housing development in the catchment of the WwTW will increase the amount of effluent they discharge and therefore the amount of nutrients that enter the River Stour.
- 1.3 To meet planning requirements, proposed new developments with overnight accommodation must demonstrate that the development achieves nutrient neutrality i.e. the level of nutrients in the river is the same after the development as it was before. Achieving nutrient neutrality is complex but planning authorities cannot approve planning applications for developments including overnight accommodation that cannot demonstrate this.
- 1.4 This effectively put a hold on housing developments whilst mitigation options were sought. Some developments have been able to demonstrate nutrient neutrality and get planning permission. For most it is a significant constraint and many will require a strategic mitigation option to buy into or significant on-site infrastructure, at an additional cost, to be able to get planning permission.
- 1.5 There are currently approximately 7,000 homes held up in planning due to nutrient neutrality. A total of approximately 30,000 homes are forecast to be affected by nutrient neutrality up to 2040 (note: not all affected LPAs have an adopted Local Plan that goes up to 2040, this figure is an estimate of future housing need).
- 1.6 [A paper introducing nutrient neutrality](#) was presented at the GEDCCC on 22 March 2022 a [further paper](#) was presented at the GEDCCC on 22 September 2022. These papers contain more background on nutrient neutrality, options to mitigate it and the impact on development.

## 2. Nutrient mitigation

- 2.1 To be able to receive planning approval for a development with overnight accommodation, developers must be able to demonstrate nutrient mitigation is in place that offsets the additional nutrients the development will contribute to the catchment.
- 2.2 This mitigation may be in a number of forms. Large developments can construct their own wastewater treatment works and wetlands to manage the nutrients on site. For smaller sites this might be wetlands that reduce nutrients either by directly taking the effluent from WwTW before it is discharged into the river or taking water out of the river and returning it with fewer nutrients. There are other options, including retrofitting water efficiency measures to existing housing stock.

- 2.3 Delivering this mitigation requires investment. Large sites may be able to achieve this themselves, however smaller sites would not be able to provide this mitigation, a strategic mitigation scheme is required to support smaller sites.
- 2.4 KCC has been working with the planning authorities to develop a strategy to deliver strategic mitigation options.

### **3. Government support**

- 3.1 The Government announced a fund to support the delivery of infrastructure to deliver nutrient neutrality in Spring 2023, and expressions of interest were sought. The Stour catchment group submitted a bid for £15.66m to support land purchase and construction of a new wetland at Wye in Ashford and partial land purchase of land for a new wetland at Sturry in Canterbury.
- 3.2 The Government then changed its approach and sought to address the issue by proposing amendments to the Levelling Up and Regeneration Bill in the Autumn, which would have removed the requirement to consider nutrient neutrality in the planning process. These proposed amendments were voted down in the House of Lords and could not be reintroduced.
- 3.3 Following this, the Government then confirmed that primary legislation to address the issue of nutrient neutrality would not be brought forward in the next parliamentary session, but that they remained committed to making rapid progress to unlock homes.
- 3.4 In the Autumn Statement 2023, the Government announced a £110m funding pot for mitigation and returned to the expressions of interest that had been submitted in the Spring. The Stodmarsh catchment was subsequently awarded a grant of £9.8m.
- 3.5 The grant and any returns from it must be invested locally on nutrient mitigation schemes for the whole catchment until nutrient mitigation is no longer required. At this point, any residual funding must be invested in measures to aid the restoration of Stodmarsh to a favourable conservation status; and secondarily to be invested in the objectives of sustainable development and promoting public access to nature.
- 3.6 The grant of £9.8m falls short of what we bid for, and therefore the strategy for spending the money must be reconsidered or additional funding sought. It is only available until March 2025 and, unusually, can be claimed in advance, once we have shown a commitment to a programme of work that achieves the housing delivery we have committed to.
- 3.7 In addition to this capital funding, the government is offering £430k of revenue funding to support the spending of the capital funding.

### **4. Catchment mitigation strategy**

- 4.1 The capital funding is available until March 2025. The revenue funding is only available this financial year, 2023/24 but can be spent in 2024/25. Before we can access the government funding, we must sign a Memorandum of Understand (MoU), there is an MoU for the capital funding and a separate one for the revenue funding.

- 4.2 Signing the MoU will not release the capital funding. To receive it, we must demonstrate a commitment to spend it, for instance through a key decision to adopt a strategy to deliver nutrient mitigation. The revenue funding will be available on receipt of that signed MoU.
- 4.3 The catchment mitigation strategy will be delivered by other parties, either by the LPAs where the mitigation is located or a special purpose vehicle set up by the LPAs to deliver the strategy. KCC will defray the funding to the appropriate body or bodies to deliver the strategy once appropriate legal agreements are in place.
- 4.4 If we cannot develop a strategy that we are satisfied with, we can return the revenue funding and not claim the capital funding.

## **5. Financial Implications**

- 5.1 There are no financial implications for KCC. Any spending on this will come from the government grants. It is likely that KCC will defray the capital funding to another body to deliver the capital schemes, either one of the LPAs or a Special Purpose Vehicle.
- 5.2 We will not spend any money until there is a catchment strategy that we are confident we can deliver.

## **6. Legal implications**

- 6.1 A legal review has been undertaken of the MoUs for KCC to receive the two Government grants of £430k and £9.8m. It has advised us that the MoUs are not legally binding nor could they be interpreted as being legally binding or give rise to legal obligations. There is therefore not a risk to KCC of accepting the money at this stage, ahead of developing with partners a clear programme against which to spend the grants.

## **7. Equalities implications**

- 7.1 An EqIA has been undertaken and no equalities impacts have been identified.

## **8. Other corporate implications**

- 8.1 The delivery of nutrient neutrality affects the delivery housing developments and consequently impacts other schemes KCC is delivering that relies on S106 contributions from those developments.
- 8.2 Nutrient neutrality also impacts the ability for KCC to secure planning permission for development on its own land holdings to facilitate their disposal.

## **9. Governance**

- 9.1 The Corporate Director for Growth, Environment and Transport will have delegated power to sign the relevant MoUs.
- 9.2 A strategy for the delivery of nutrient mitigation measures will be brought to the GEDCCC prior to claiming the capital funding.



## 10. Conclusions

- 10.1 The requirement for nutrient neutrality in the catchment for the Stodmarsh National Nature Reserve is having a significant impact on the delivery of homes in East Kent.
- 10.2 The government is offering £9.8m of capital for nutrient neutrality mitigation in East Kent along with revenue grants to support the delivery of the strategy.
- 10.3 KCC has to sign MoUs with the government to access the grants available. Further rounds of decision-making limit the exposure to risk of signing these MoUs.
- 10.4 A decision about the adoption of a nutrient mitigation strategy will be brought to GEDCCC in future prior to claiming the capital funding available.

### 11. Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the proposed decision, attached as Appendix A:

- (i) AGREE to enter into a Memorandum of Understanding to accept £9.8m capital and Memorandums of Understanding for supporting revenue funding from DLUHC to support nutrient neutrality mitigation works in East Kent
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Environment, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements.
- (iii) AGREE for the Director for Growth and Communities to bring a strategy for delivery of nutrient neutrality for adoption to this Committee prior to claiming the capital funding.

## 12. Background Documents

Appendix A - Proposed Record of Decision

Appendix B – EqIA

## 13. Contact details

Report Author:  
Max Tant, Flood and Water Manager  
03000 413466  
[Max.tant@kent.gov.uk](mailto:Max.tant@kent.gov.uk)

Relevant Director:  
Stephanie Holt-Castle, Director Growth  
and Communities  
03000 412064  
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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Derek Murphy, Cabinet Member for Economic Development**

**DECISION NO:**

24/00014

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision: Signing of Memorandum of Understanding as prerequisite to access funding to deliver a nutrient neutrality Strategy in East Kent.**

**Decision:**

As Cabinet Member for Economic Development, I agree to:

- (i) AGREE to enter into a Memorandum of Understanding to accept £9.8m capital and Memorandums of Understanding for supporting revenue funding from DLUHC to support nutrient neutrality mitigation works in East Kent
- (ii) DELEGATE authority to the Corporate Director of Growth, Environment and Transport, after consultation with the Cabinet Member for Economic Development, and Corporate Director of Finance, to review and agree to the required terms and conditions to enter into the necessary grant arrangements.
- (iii) AGREE for the Director for Growth and Communities to bring a strategy for delivery of nutrient neutrality for adoption to Growth, Economic development and Communities Cabinet Committee prior to claiming the capital funding.

**Reason(s) for decision:**

Nutrient neutrality in the catchment for the Stodmarsh National Nature Reserve is having a significant impact on the delivery of homes in East Kent. The government is offering £9.8m of capital for nutrient neutrality mitigation in East Kent along with revenue grants to support the delivery of the strategy. KCC has to sign Memorandums of Understanding (MoUs) with the government to access the grants available.

**Cabinet Committee recommendations and other consultation:**

The proposed decision is being considered by members of the Growth, Economic Development and Communities Cabinet Committee at their meeting on 5 March.

**Any alternatives considered and rejected:**

**To not accept the grant offer.** This option is not recommended. Nutrient neutrality is a significant constraint on housing development and requires significant mitigation to offset. Without government support there is unlikely to be sufficient mitigation provided in the catchment to unlock housing in East Kent.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

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signed

.....  
date

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## EQIA Submission – ID Number

### Section A

**EQIA Title**

Nutrient neutrality funding

**Responsible Officer**

Max Tant - GT - ECE

### Type of Activity

**Service Change**

No

**Service Redesign**

No

**Project/Programme**

Project/Programme

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Growth Environment and Transport

**Responsible Service**

Environment

**Responsible Head of Service**

Matthew Smyth - GT - ECE

**Responsible Director**

Matthew Smyth - GT - ECE

### Aims and Objectives

Develop a strategy for nutrient mitigation in the River Stour catchment. DLUHC is offering £9.8m of capital funding and £430k of revenue funding to support this work. Memorandums of understanding have to be signed to access this funding. Once the funding is secured KCC will work with the affected LPAs to develop a strategy that provides strategic mitigation for the catchment, likely in the form of wetlands. This will allow housing to receive planning permission in the catchment. There are no equality impacts from this work.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

No

**Is there national evidence/data that you can use?**

No

**Have you consulted with stakeholders?**

No

**Who have you involved, consulted and engaged with?**

There aren't any

**Has there been a previous Equality Analysis (EQIA) in the last 3 years?**

No
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>
<b>Service Users/clients</b>
No
<b>Staff</b>
No
<b>Residents/Communities/Citizens</b>
Residents/communities/citizens
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
This project will help to get housing in east Kent delivered, currently there are few planning applications for housing development can be approved. This is affecting the supply of housing, including affordable housing and housing for vulnerable service users, eg refugees, people in care, etc.
<b>Negative impacts and Mitigating Actions</b>
<b>19. Negative Impacts and Mitigating actions for Age</b>
<b>Are there negative impacts for age?</b>
No
<b>Details of negative impacts for Age</b>
Not Applicable
<b>Mitigating Actions for Age</b>
Not Applicable
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Applicable
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>
Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
Not Applicable
<b>Responsible Officer for Sex</b>
Not Applicable
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No
<b>Negative impacts for Gender identity/transgender</b>

Not Applicable
<b>Mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No
<b>Negative impacts for Race</b>
Not Applicable
<b>Mitigating actions for Race</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Race</b>
Not Applicable
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable
<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable

**28. Negative impacts and Mitigating actions for Carer's responsibilities**

**Are there negative impacts for Carer's responsibilities**

No

**Negative impacts for Carer's responsibilities**

Not Applicable

**Mitigating actions for Carer's responsibilities**

Not Applicable

**Responsible Officer for Carer's responsibilities**

Not Applicable



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

To: Growth, Economic Development and Communities Cabinet Committee – 5<sup>th</sup> March 2024

Subject: **Risk Management: Growth, Environment and Transport Directorate**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** None

**Electoral Division:** All

**Summary:**

This paper presents the strategic risks relating to the Growth, Economic Development and Communities Cabinet Committee, comprising of 3 risks on the Corporate Risk Register that fall within the relevant Cabinet portfolios; plus a summary of key risks from within the Growth, Environment and Transport directorate.

**Recommendation(s):**

The Cabinet Committee is asked to consider and comment on the risks presented.

**1. Introduction**

- 1.1 Risk management is a key element of the Council’s internal control framework and the requirement to maintain risk registers ensures that potential risks that may prevent the Authority from achieving its objectives are identified and controlled.
- 1.2 Corporate and Directorate risks are reported to Cabinet Committees annually and contain strategic or cross-cutting risks that potentially affect several functions across the Growth, Environment & Transport directorate, and often have wider potential interdependencies with other services across the Council and external parties.
- 1.3 Corporate Directors also lead or coordinate mitigating actions in conjunction with other Directors across the organisation to manage risks featuring on the Corporate Risk Register.

- 1.4 The majority of these risks, or at least aspects of them, will have been discussed in depth at the relevant Cabinet Committee(s) throughout the year, demonstrating that risk considerations are embedded within core business.
- 1.5 A standard reporting format is used to facilitate the gathering of consistent risk information and a 5x5 matrix is used to rank the scale of risk in terms of likelihood of occurrence and impact. Firstly, the current level of risk is assessed, taking into account any controls already in place to mitigate the risk. If the current level of risk is deemed unacceptable, a 'target' risk level is set and further mitigating actions introduced, with the aim of reducing the risk to a tolerable and realistic level. If the current level of risk is acceptable, the target risk level will match the current rating.
- 1.6 The numeric score in itself is less significant than its importance in enabling categorisation of risks and prioritisation of any management action. Further information on KCC risk management methodologies can be found in the risk management guide on the 'KNet' intranet site.

**2. Growth, Environment and Transport led Corporate Risks**

- 2.1 The Corporate Director for the Growth, Environment and Transport directorate is the lead, on behalf of the Corporate Management Team, for several of the council's corporate risks that fall within the Economic Development or Community and Regulatory Services Cabinet portfolios. A brief summary of changes over the past year are outlined below, with full details contained in the risk register extract attached at Appendix 1. The risks are regularly reviewed by directorate and divisional management teams.

Risk Reference	Risk Description	Current Score	Target Score
CRR0003	Securing resources to aid economic growth and enabling infrastructure.	High (25)	High (16)
<p>The Council actively seeks to secure the resources/funding necessary to provide the infrastructure required to support growth, which often need to be bid for in very tight timescales and are increasingly subject to the drive to deliver economic impact, housing and employment outputs.</p> <p>The risk specifically highlights gaps in funding at local level between the overall costs of the infrastructure required and the Council's ability to secure sufficient funds through the current funding systems, including Section106 contributions, Community Infrastructure Levy and other growth levers and the consequential impacts.</p> <p>The Development Investment Team (DIT) in the Growth and Communities division, has established strong working relationships with each of the wider KCC service areas to ensure that contributions are targeted to their needs. Work completed during the adoption of the updated Developer Contributions Guide has enabled planning responses to include greater flexibility of infrastructure project descriptions. Moving forward, this will assist KCC service areas' ability to spend the contributions they receive, helping to unlock existing barriers, where overly prescriptive project descriptors within s106 agreements have historically made it harder for service areas to spend.</p> <p>The Levelling Up and Regeneration Act 2023 holds potentially significant implications,</p>			

although these are mostly medium to long-term. For example, the reforms to devising and implementing local plans are not due to come into force until 2026 while the new infrastructure levy, intended to replace section 106 agreements and the community infrastructure levy, is expected to take several years to fully implement.

KCC has led the development of a Kent and Medway Economic Framework with partners, setting out a high-level strategy that will guide activity to support the sustainable growth of the county’s economy through to 2030. One key ambition is to “secure resilient infrastructure for planned, sustainable growth, supporting joint work across Kent and Medway to maintain a dynamic understanding of the county’s infrastructure needs, and making the case for investment in its national connectivity infrastructure and the resilience of local business-critical infrastructure.”

CRR0042	Border fluidity, infrastructure and regulatory arrangements <i>(Target Risk Rating increased)</i>	High (25)	High (20)
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The UK now operates a full, external border as a sovereign nation and controls are now placed on the movement of goods between the UK and the EU.

The Government has published its Border Target Operating Model to control imports of animals, plants, food, feed and consumer goods. New import rules are being rolled out throughout 2024 in three phases from the end of January to end of October. Potential impacts on KCC Trading Standards activities in particular, have been considered and will be closely monitored.

New border controls for people, including the Entry/Exit System (EES) which sees non-EU citizens fingerprinted and photographed at borders, are due to be introduced in October 2024. The Council is working with partners at local and national level to plan for and prepare responses to potential impacts arising.

CRR0004	Simultaneous emergency response and resilience <i>(Current Risk Rating reduced)</i>	Medium (15)	Medium (15)
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Ensuring that the Council works effectively with partners to plan for, respond to, and recover from, emergencies and service disruptions is becoming increasingly important, informed by accelerating climate change linked severe weather impacts, national and international security threats, severe weather incidents, ‘cyber attacks’ and uncertainties around implications of the future UK/EU relationship.

Throughout the past year, KCC has been engaging with an independent review of the Kent Resilience Forum to provide clarity on KCC’s role, contribution and responsibilities as a partner within the KRF. One key outcome from this is the redesign and strengthening of KCC’s Emergency Planning and Resilience Service. The Council has proven to be adept at handling numerous incidents concurrently in recent years, with this becoming “business as usual”. Therefore, it is proposed that this risk is delegated to directorate level, for the Risk Owner to escalate if there are particular concerns.

### 3. Growth, Environment and Transport Directorate risk profile

3.1 The current risks in the GET Directorate risk register are shown below.

Risk Reference	Risk Description	Current Score	Target
GT0031	Recruitment and Retention challenges for key roles. <i>(Target Risk Rating increased).</i>	High (20)	High (16)
<p>This relates to the directorate’s perspective on a key corporate risk for the Council and has superseded a previous directorate workforce risk that was more narrowly focused on shortages in project management skills to bid for external funding (which remains a valid risk).</p> <p>There are a number of key or specialist roles across the directorate for which the role holders often have skill sets transferrable to other sectors, which presents risks to the recruitment and retention of suitably trained and experienced staff. It is particularly challenging to compete with salary demands for some specialist roles.</p> <p>The risk carries potential consequences for workforce capacity, capability and morale. An updated approach to recruitment and retention is being developed, led via the directorate’s Organisational Development group, aiming to address key skills gaps. Succession planning is another mitigation.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0020	Identification, planning and delivery of Medium-Term Financial Plan targets. <i>(Target Risk Rating increased).</i>	High (20)	High (16)
<p>The current and target risk ratings have increased further during the past year as the financial environment has become increasingly challenging, particularly with ongoing uncertainty over the medium-term funding envelope for the council and the fact that there are significant levels of savings still to be identified over the medium term.</p> <p>The directorate is required to make its contribution to the challenging savings targets required by the council over the medium term. There is a reduced ability for the directorate to mitigate year-on-year, but the Directorate participates fully in financial monitoring processes and has developed savings and income proposals that have been fed into the MTFP that require timely decision-making to ensure successful delivery. Key projects are monitored and managed by the GET Directorate Management Team.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0025	Capital Investment and Asset Management	High (20)	High (16)

	(Current and Target Risk Ratings increased).		
<p>There are challenges to the sufficiency of capital funding for Highway Asset Management and Infrastructure growth, as well as achieving Net Zero for the KCC estate by 2030 (cross-reference to GT0026 below). Therefore, more external funding will need to be secured, which presents risks related to resources required to develop feasibility / bids for these, (alongside any “abortive costs” if bids are not successful), plus the sometimes onerous and challenging grant conditions that come with the funding that could expose KCC to financial risk. Shortfalls in capital funding that impact on the KCC estate can also present implications for services in the directorate that operate from KCC buildings. An increasing risk also the annual shortfall in funding to achieve “steady state” in terms of asset management and the impact of significant inflationary pressures in recent years. Actions are taking place to source additional capital funding with ongoing oversight within the directorate.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0026	Funding sufficiency for Net Zero 2030 carbon ambitions	High (16)	Medium (9)
<p>This risk relates to the capital investment needed to meet the 2030 Net Zero objective for KCC’s corporate estate and traded companies, which is not yet fully identified. Some funding has been secured for estate decarbonisation and funding opportunities continue to be sought and applied for, although the changing nature of Government funding presents challenges, with some schemes now requiring match funding from KCC at a time when revenue and capital resources under significant pressure. The risk will be reviewed again once a revised Net Zero plan has been developed for discussion in the coming months.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0027	Provision of Suitable IT systems	Medium (12)	Medium (12)
<p>The directorate is increasingly reliant on information held electronically and would be impacted by staff being unable to continue working remotely due to equipment or network failure. Business Continuity Plans have been updated to include plans to mitigate against this risk and equipment is upgraded when available and necessary.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0019	Delivery of in-year budget targets. (Target rating increased)	Medium (12)	Medium (12)

As well as the medium-term financial challenges raised in GT0020 above, more immediate budget challenges exist in-year. Like other parts of the council, services in the directorate are being impacted by increased costs, and income volatility can be problematic for some services such as Waste Management, which is demand-led. However, there are robust monitoring procedures in place and the directorate reacts swiftly and anticipates in-year pressures well,

At the time of reporting to Cabinet on January 25<sup>th</sup> 2024, the GET directorate was forecasting a breakeven position for the current year 2023/24, with this position improved further since, due to specific management action. It should be noted though, that this extensive management action, including the implementation of additional spending controls, is not sustainable beyond the short-term and any non-delivery of savings or decisions not taken in a timely manner are difficult to manage in the context of the demand, inflationary pressures and funding / capacity concerns outlined above. This is why the risk remains at a Medium rating.

Risk Reference	Risk Description	Current Score	Target
GT0021	Resources provided to the Directorate - (availability and quality)	Medium (12)	Medium (9)

The directorate liaises regularly with corporate services to ensure they can provide expert advice to services at the right time. However, it is acknowledged that there are capacity challenges elsewhere across the organisation that can impact on the level and timeliness of support available.

The Directorate Management Team is also continually liaising with KCC commissioners on any issues regarding performance of service providers (e.g., KCC Local Authority trading companies or outsourced services), and the directorate's services are increasingly being involved as key stakeholders in matters of strategy and service design.

Risk Reference	Risk Description	Current Score	Target Score
GT0001	Health and Safety considerations.	Medium (10)	Medium (10)

Services across the directorate need to pay due regard to potential Health and Safety issues due to the nature of the work they undertake.

Recommendations from health & safety reviews are monitored, with any improvements made as required. Sound health & safety systems are maintained at Waste sites, including reviews of any accidents or near misses, while services work with Facilities Management regarding regular risk assessments of directorate sites and testing for

hazards.

A Health, Safety and Wellbeing Board for the directorate has been established and is reviewing the priority areas for action, including reporting mechanisms.

- 3.2 The GET Directorate Leadership Team (DLT) agreed at its last risk review that market capacity and competition factors were relevant across all divisions and therefore it warrants a directorate risk that DLT can review collectively at regular intervals. A themed analysis is being conducted to outline which areas of the directorate are most impacted.

#### 4. Recommendation

The Cabinet Committee is asked to **consider** and **comment** on the risks presented in this report.

#### 5. Appendices

Appendix 1 – GET-led Corporate Risks

#### 6. Contact details

**Report Author:**

Mark Scrivener, Head of Risk and Delivery Assurance

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**Relevant Corporate Director:**

Simon Jones, Corporate Director, Growth, Environment and Transport

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## **KCC Corporate Risk Register**

GET-led Corporate Risks for presentation to Growth, Economic  
Development and Communities Cabinet Committee  
5<sup>th</sup> March 2024

## Corporate Risk Register - Summary Risk Profile

Low = 1-6
Medium = 8-15
High =16-25

Risk No.*	Risk Title	Current Risk Rating	Target Risk Rating	Direction of Travel since Sep 2023	Timescale to Target (baseline summer 2022 unless otherwise stated).
CRR0003	Securing resources to aid economic recovery and enabling infrastructure	High (25)	High (16)	↔	3+ Years
CRR0042	Border fluidity, infrastructure, and regulatory arrangements	High (25)	High (20)	↔	1-2 Years
CRR0004	Simultaneous Emergency Response and Resilience	Medium (15)	Medium (15)	↔	At Target

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NB: Current & Target risk ratings: The ‘current’ risk rating refers to the current level of risk taking into account any mitigating controls already in place. The ‘target residual’ rating represents what is deemed to be a realistic level of risk to be achieved once any additional actions have been put in place. On some occasions the aim will be to contain risk at current level.

Likelihood & Impact Scales					
Likelihood	Very Unlikely (1)	Unlikely (2)	Possible (3)	Likely (4)	Very Likely (5)
Impact	Minor (1)	Moderate (2)	Significant (3)	Serious (4)	Major (5)

<b>Risk ID</b>	<b>CRR0003</b>	<b>Risk Title</b>	<b>Securing resources to aid economic recovery and enabling infrastructure</b>			
<b>Source / Cause of Risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
<p>The economy in Kent &amp; Medway has been impacted by the Covid pandemic, inflation and other world events, and the impacts could be disproportionate across the county (e.g., in coastal areas).</p> <p>To gain an understanding of the implications, an impact assessment has been conducted, which has led to the preparation of an Economic Framework for the county, which aims to act as a stimulus for improvement.</p> <p>The Council actively seeks to secure the resources/funding necessary to provide the infrastructure required to support growth, which often need to be bid for in very tight timescales and are increasingly subject to the drive to deliver economic impact, housing and employment outputs.</p> <p>At a local level there is often a significant gap between the overall costs of the infrastructure required and the Council's ability to secure sufficient funds through the current funding systems,</p>	<p>The inability to secure sufficient funding, including contributions from development, to deliver the infrastructure necessary to support growth may require gap funding in order for KCC to fulfil its statutory duties.</p> <p>Deferral of developer contributions and / or elongated planning consents leads to delayed or compromised infrastructure.</p> <p>Whilst future details and guidance are awaited regarding the new Levelling Up and Regeneration Bill from Central Government, this presents significant financial risk dependent upon emerging policy.</p>	<p>Key opportunities for growth missed.</p> <p>The Council finds it increasingly difficult to fund services and match-fund infrastructure across Kent and fully mitigate the overall impact of housing growth on KCC services and, therefore communities.</p> <p>Kent becomes a less attractive location for inward investment and business.</p> <p>Our ability to deliver an enabling infrastructure becomes constrained.</p> <p>Reputational risk associated with delayed delivery of infrastructure required.</p> <p>Additional revenue costs incurred due to infrastructure delays and operational costs increasing.</p>	<p>Simon Jones, Corporate Director Growth, Environment and Transport (GET)</p> <p><b>Responsible Cabinet Member(s):</b> On behalf of Cabinet:</p> <p>Derek Murphy Economic Development</p>	<p>V. Likely (5)</p> <p><b>Target Residual Likelihood</b> Likely (4)</p>	<p>Major (5)</p> <p><b>Target Residual Impact</b> Serious (4)</p> <p><b>Timescale to Target</b> 3+ years</p>	

<p>including Section 106 contributions, Community Infrastructure Levy and other growth levers.</p> <p>The Levelling Up and Regeneration Act introduces proposals to totally replace the existing 106 / CIL system with a new Infrastructure Levy. This may result in further risk for KCC.</p>	
<b>Control Title</b>	<b>Control Owner</b>
Multi-agency Kent and Medway Employment Task Force has been established.	David Smith, Economic Advisor (KCC lead)
Specific business support packages, including the Kent & Medway Business Fund, Economic Recovery and Resilience Plan, etc.	Steve Samson, Interim Head of Economy
Single Monitoring System (SMS) is used to track individual s106 planning obligations from the Council's initial request for developer contributions through the issue of invoice for payment.	Stephanie Holt-Castle, Director Growth and Communities.
Strong engagement of private sector through Kent and Medway Economic Partnership (KMEP), Business Advisory Board and Kent Developer Group	Steve Samson, Interim Head of Economy
Teams across the Growth, Environment and Transport directorate work with each individual Districts on composition of local infrastructure plans including priorities for the CIL and Section 106 contributions, to articulate needs for the demands on services.	Tom Marchant, Head of Strategic Development and Place
Government consultations on proposals for reform of the planning system in England considered and responded to.	Tom Marchant, Head of Strategic Development and Place
Monitoring of socio-economic data and trends and development of responses to changed economic trends	Steve Sansom, Interim Head of Economy

Responses are made to emerging Government Strategies	Stephanie Holt-Castle, Director of Growth and Communities	
The KCC Developer Contributions Guide has been updated and adopted	Tom Marchant, Head of Strategic Development and Place	
Infrastructure Mapping Platform being piloted in East Kent before countywide rollout, setting out the infrastructure needed to deliver planned growth.	Tom Marchant, Head of Strategic Development and Place	
Kent and Medway Economic Framework delivered against.	Steve Samson, Interim Head of Economy	
<b>Action Title</b>	<b>Action Owner</b>	<b>Planned Completion Date</b>
Kent Design Guide to be published – will influence and provide people with expectations and standards that we expect.	Simon Jones, Corporate Director GET	April 2024 (review)
Producing Local Transport Plan 5 and approval by County Council (draft plan for consultation)	Lee Burchill, Local Growth Fund Programme Manager	March 2024 (review)

<b>Risk ID</b>	<b>CRR0042</b>	<b>Risk Title</b>	<b>Border fluidity, infrastructure and regulatory arrangements</b>			
<b>Source / Cause of risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
Changes at the UK border with Europe means additional controls now exist on the movement of goods and people between the UK and the EU.	That changes in border customs, checking and processing routinely disrupt local communities and both the strategic and local road networks.	Significant slowdown in the existing flow of goods and people through the Kent Ports leads to long delays in accessing Dover Ports and Eurotunnel.	Simon Jones, Corporate Director GET	Very Likely (5)	Major (5)	
The UK Government and the EU have introduced new border controls and further changes are being introduced including the new Entry/Exit System (EES). KCC has been working with partners at a local and national level to assess potential implications for the county and prepare for various scenarios.	That the Government does not provide sufficient capital and revenue financial support to departments, agencies, local authorities and other infrastructure stakeholders necessary to address the necessary infrastructure, legislation and controls to ensure a long-term plan for frictionless border movements.	Impacts on major traffic routes as a result of Operation Brock and other mitigations for port delays and the consequential increase in local and pan-Kent Road journey times, impacting on local residents and businesses.	<b>Responsible Cabinet Member(s):</b>  Neil Baker, Highways & Transport  Clair Bell, Community & Regulatory Services	<b>Target Residual Likelihood</b>  Very Likely (5)	<b>Target Residual Impact</b>  Serious (4)	<b>Timescale to Target</b>  1-2 years
KCC is reliant on coherent, coordinated governance and information across Government to aid the Local Authority and partners locally in planning their contingency arrangements and responding appropriately.		Significant detrimental impact on county's economic competitiveness, attractiveness for inward investment and quality of life for Kent residents.				
		Significant increase in imported goods subject				

	<p>to statutory checks by Trading Standards including consumer goods and animal feeds.</p> <p>Imported animals now subject to welfare checks at Border controls posts, breaches of welfare subject to investigation by Trading Standards. Shortages and delay may impact supply chains.</p>
<b>Control Title</b>	<b>Control Owner</b>
KCC engagement with and support for the Kent and Medway Resilience Forum	Andy Jeffery, Head of KCC Resilience and Emergency Planning Service
Regular engagement with senior colleagues in relevant Government Departments.	Simon Jones, Corporate Director GET
Several training courses and exercises have taken place to prepare for various scenarios.	Toby Howe, Highways & Transport Strategic Resilience Manager / Andy Jeffery, Head of KCC Resilience and Emergency Planning Service
KCC involvement in Operation Fennel Strategic and Tactical Groups (multi-agency planning groups for potential disruption at Port of Dover and Eurotunnel).	Simon Jones, Corporate Director GET
Operation Fennel strategic plan in place.	Simon Jones, Corporate Director GET
KCC Cross Directorate Resilience Forum reviews latest situation regarding transition impacts.	Andy Jeffery, Head of KCC Resilience and Emergency

		Planning Service
KCC contribution to multi-agency communications in the 'response' phase, and leadership of communications in the 'planning' and 'recovery' phases.		Christina Starte, Head of Communications
KCC services are continually reviewing business continuity arrangements, taking potential scenarios into consideration (cross-reference to CRR0004), with co-ordination via Directorate Resilience Groups		Service Managers
KCC membership of the Delivery Models Operational Group and associated working groups such as Emergency Planning, Infrastructure etc.		Steve Rock, Head of Trading Standards
Government funding to support improving access to the borders.		Simon Jones, Corporate Director GET
Recruited additional staff for Port Team and animal health officers to provide capacity.		Steve Rock, Head of Trading Standards
<b>Action Title</b>	<b>Action Owner</b>	<b>Planned Completion / Review Date</b>
Working with Government to develop short, medium and long-term plans for border resilience looking at infrastructure and technological solutions.	Simon Jones, Corporate Director GET	April 2024 (review)
Preparation for impacts - two separate but interconnected schemes that will affect non-EU citizens travelling to most EU countries; of the EU Entry/Exit System (EES) and the EU European Travel Information and Authorisation System (ETIAS).	Simon Jones, Corporate Director GET	April 2024 (review)



<b>Risk ID</b>	<b>CRR0004</b>	<b>Risk Title</b>	<b>Simultaneous Emergency Response, Recovery and Resilience</b>			
<b>Source / Cause of Risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
<p>The County Council, along with other Category 1 Responders, has a legal duty to undertake risk assessment and planning to reduce the likelihood and impact of major incidents and emergencies.</p> <p>This includes responses associated with the Government's Counter-terrorism Strategy (CONTEST).</p> <p>Ensuring that the Council works effectively with partners to plan for, respond to, and recover from, emergencies and service disruptions is becoming increasingly important, informed by accelerating climate change linked severe weather impacts, national and international security threats, severe weather incidents, 'cyber attacks' and uncertainties around implications of the future UK/EU relationship.</p>	<p>Potential for failure of relevant planning, response and recovery contingencies when confronted by the complexity and scale of multiple emergencies. Critical services could be unprepared or have ineffective emergency and business continuity plans which would inhibit their ability to cope with simultaneous emergencies.</p> <p>Disruption to supply chain could negatively impact corporate business continuity and effective response to incidents.</p>	<p>Potential increased harm or loss of life if response is not effective.</p> <p>Serious threat to delivery of critical services.</p> <p>Significant harm to the natural and built environment of Kent.</p> <p>Increased financial cost in terms of recovery and insurance costs.</p> <p>Damage and disruption to local businesses and the Kent economy.</p> <p>Potential for public unrest and reputational damage.</p> <p>Legal actions and intervention for failure to fulfill KCC's obligations under the Civil Contingencies</p>	<p>On behalf of CMT: Rebecca Spore, Director of Infrastructure</p> <p><b>Responsible Cabinet Member(s):</b> On behalf of Cabinet:  Clair Bell, Community &amp; Regulatory Services</p>	<p>Possible (3)</p> <p><b>Target Residual Likelihood</b> Possible (3)</p>	<p>Major (5)</p> <p><b>Target Residual Impact</b> Major (5)</p> <p><b>Timescale to Target</b> At Target</p>	

	Act and/or other associated legislation.
<b>Control Title</b>	<b>Control Owner</b>
Management of financial impact to include Bellwin scheme.	Cath Head, Head of Finance (Operations)
KCC provides staff to the Kent Resilience Team to drive the planning workstreams as part of the Kent & Medway Resilience Forum	Andy Jeffery, Head of Resilience and Emergency Planning.
On-going programme of review relating to ICT Disaster Recovery and Business Continuity arrangements. ICT resilience improvements are embedded as part of the ICT Transformation Programme.	Dave Lindsay, Interim Head of ICT Strategy and Commissioning
KCC works with internal colleagues and Kent and Medway Resilience Forum partners to assess risks affecting the county of Kent. This includes horizon scanning work to identify new risks.	Andy Jeffery, Head of Resilience and Emergency Planning.
KCC maintains emergency response plans and develops capabilities in order to effectively respond to incidents affecting Kent.	Andy Jeffery, Head of Resilience and Emergency Planning.
KCC trains staff with emergency response roles in order that they are competent to respond on behalf of KCC during incidents	Andy Jeffery, Head of Resilience and Emergency Planning.
KCC regularly tests its response plans and capabilities to ensure that they are fit for purpose.	Andy Jeffery, Head of Resilience and Emergency Planning.
KCC proactively identifies lessons arising from incidents and exercises and ensures that the learning is implemented in its planning processes.	Andy Jeffery, Head of Resilience and Emergency Planning.
KCC maintains corporate and service level business continuity plans to maintain business as usual services during incidents affecting the operation of the Authority.	Service Managers/ Andy Jeffery, Head of Resilience and Emergency Planning.

Kent & Medway Prevent Duty Delivery Board established (chaired by KCC) to oversee the activity of the Kent Channel Panel, co-ordinate Prevent activity across the County and report to other relevant strategic bodies in the county.	Richard Smith, Corporate Director ASCH	
Action Title	Action Owner	Planned Completion Date
Following redesign of Emergency Planning functions, recruitment to vacant posts.	Andy Jeffery, Head of Resilience and Emergency Planning.	April 2024 (review)

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From: Derek Murphy, Cabinet Member, Economic Development  
Simon Jones - Corporate Director of Growth,  
Environment & Transport

To: Growth, Economic Development and Communities Cabinet  
Committee – 5 March 2024

Subject: **Kent & Medway Business Fund Bi-Annual Monitoring –  
Q2 2023-24**

Classification: **Unrestricted**

**Summary:** This report summarises the results of KCC’s monitoring returns from businesses that have received loans and equity from KCC managed Government funded Business Investment Schemes – this consists of the current Kent and Medway Business Fund (KMBF) scheme and the former Regional Growth Fund (RGF) schemes.

Since 2012, the number of new and protected jobs recorded up to the end of Q2 2023-24 is 5,226 (increase of 89 since the last report), consisting of 3,748 new jobs (increase of 66 since last report) and 1,478 protected jobs (increase of 23 since last report). The average cost per job is £979.72 (covered in section 5).

Loan repayments to the end of Q2 2023/24 of the value of £38,220,588 have been received. These repayments are being recycled through the Kent and Medway Business Fund to enable KCC to continue to offer financial support for new investment.

Out of the 94 loans being reported, 70.2% are rated as Green or Amber, 29.8% of loans are rated Red (covered in paragraph 3.1).

**Recommendation:** The Growth, Economic Development and Communities Cabinet Committee is asked to note the report and make any recommendations to the Cabinet Member.

## 1. Background Information

1.1 The Regional Growth Fund (RGF) was established in June 2010 by the Department for Business, Innovation and Skills now the Department for Business and Trade (DBT) with three objectives:

- To facilitate new investment by private sector enterprise: the aim was to support projects with significant potential for economic growth and to create sustainable private sector employment.
- To help those areas and communities that were particularly dependent on the public sector to make the transition to sustainable private sector-led growth and prosperity; and

- To address a market failure in the provision of bank lending to viable small and medium sized businesses who had a limited credit history or track record and required finance on flexible terms given their limited collateral.
- 1.2 The Government's Regional Growth Fund allocated £55 million to KCC between 2011 and 2014. This funded three RGF schemes covering the whole of Kent and Medway and additional local authority areas:
    - Expansion East Kent (East Kent - £35 million);
    - Tiger (North Kent and Thurrock - £14.5 million);
    - Escalate (West Kent and parts of East Sussex - £5.5 million).
  - 1.3 These RGF schemes provided grants, loans, and equity investments for businesses with investment plans leading to job creation and growth from November 2011 to January 2016. For most businesses, loan finance was provided at 0% interest, with a repayment period of between five and seven years. The schemes also allocated grants and equity investments.
  - 1.4 From January 2017, KCC used the recycled RGF loan repayments to enable the Kent and Medway Business Fund (KMBF) to provide loans and equity investments ranging between £50,000-£500,000 to eligible businesses across Kent and Medway. The majority of funding recipients received 0% interest loans, with a repayment period of up to five years. The recycled RGF loan repayments are also used to finance the Kent Life Sciences (KLS) Fund, a sub-programme of the KMBF scheme. This provides equity investments predominantly in the life science sector. A summary of the equity investments can be found in Section 4 of this report.
  - 1.5 All applications to the KMBF/RGF schemes undergo due diligence inquiries from an independent financial appraiser and KCC Finance colleagues before being examined by the Investment Advisory Board (IAB) and its Sub-Group. There are three KCC Councillors who currently sit on the Boards who also chair both the main IAB and Sub-Groups. The majority of the members of this Board come from the private sector, including Finance and Banking, Manufacturing, and the Scientific and Creative Industries. Once an application has been reviewed by the Board, it makes a recommendation to KCC to Approve or Reject the project and what conditions should be set if funding is approved. KCC officers review the Recommendation and approval is made by either the Director of Growth and Communities or the Interim Head of Economy in line with the Officer Scheme of Delegation.
  - 1.6 The scheme uses Bevan Brittan LLP and Freeths Ltd to provide advice on contracts and on insolvency issues and to work with the KCC Business Investment Team to recover the maximum amount of loan value. KCC Internal Audit oversees the investment procedures and processes and advise on other matters related to the use of the funds. A recent KCC Internal Audit report identified one High Risk, three Medium Risks and two Low Risks related to the Kent and Medway Business Fund. This report was extensively discussed at the Governance and Audit Committee in October 2022. Following on from this meeting a plan of action was agreed with the support of the Corporate Director Finance and KCC Finance colleagues. Progress on this plan action will be regularly reported and monitored by the Governance and Audit Committee and is being actively monitored by officers from within KCC Internal Audit as part of KCC good governance and assurance.

- 1.7 In order to reduce the risk of default, KCC requires applicants to provide some form of security, whether through assets, property, or personal guarantees for all loans over £100,000. For loans between £26,000 and £99,999, security is not taken.
- 1.8 Where businesses find it difficult to repay the loans, KCC can offer to restructure their debt to support further business growth and resume repayments. In cases of non-engagement, KCC pursues loan recovery through Security or Personal Guarantees, where applicable (see Section 2.1).
- 1.9 Working with an independent financial appraiser and KCC Finance colleagues, KCC has established a Debt Recovery Working Group, a sub-group of the IAB, chaired by a KCC Member to advise on technical issues related to the recovery of existing investments (see Section 2.1).
- 1.10 The previous contracts with the Government ended on the 31 March 2023. KCC closed KMBF to new applications on 9 February 2023 pending a decision by the Government on the future use of the fund.
- 1.11 As reported at the May and June 2023 meetings of this committee, KCC has now received a positive decision on the future use of the recycled KMBF/RGF investments.
- 1.12 Details of the proposed new arrangements for the recycled KMBF/RGF investments were presented and discussed at the September 2023 meeting of the Growth, Economic Development and Communities Cabinet Committee and a new Key Decision was subsequently agreed by the Cabinet Member (23/00088).

## 2. Update on Government Funded KCC Business Investment Schemes

- 2.1 The table below shows the total funding committed in loan and equity investments, broken down by local authority area, the number of jobs created/protected and private sector investment (leverage) cumulatively as of the 30 September 2023.

Local Authority	Funding per Local Authority £	Private Investment £	No. of Businesses	No. of Jobs Created	No. of Jobs Protected	Total Jobs
Ashford	£1,857,600	£1,739,637	23	54	37	91
Canterbury	£9,884,680	£10,995,473	65	1,386	94	1,480
Dartford	£2,470,115	£2,238,578	16	138	53	191
Dover	£15,606,053	£19,219,589	57	450	216	666
Folkestone & Hythe	£6,787,468	£10,399,900	32	217	121	338
Gravesham	£881,062	£843,375	5	55	60	115
Maidstone	£4,318,837	£4,527,436	24	122	92	214
Medway	£4,867,621	£4,266,218	27	227	149	376
Rother (1)	£136,250	£136,250	3	34	3	37
Sevenoaks	£734,000	£790,472	8	50	20	70
Swale	£7,685,202	£19,140,158	27	281	287	568
Thanet	£8,921,256	£11,659,724	65	453	278	731
Thurrock (2)	£881,700.00	£1,421,356	4	72	13	85
Tonbridge & Malling	£1,533,510	£1,617,798	14	54	26	80
Tunbridge Wells	£2,083,000	£2,279,250	17	150	25	175
Wealden (1)	£200,000	£200,000	1	5	4	9
<b>Total</b>	<b>£68,848,354</b>	<b>£91,475,214</b>	<b>388</b>	<b>3,748</b>	<b>1,478</b>	<b>5,226</b>

- (1) Not part of the eligible area for the Kent and Medway Business Fund since 2017. All recycled loan payments from Rother and Wealden companies have now been transferred to East Sussex County Council for use in their own business support schemes.
- (2) KCC is working with Thurrock to develop a fund managed by KCC to support Thurrock businesses as agreed in Key Decision 20/00103.

2.2 All businesses are still required to complete a monitoring return as part of their loan agreements with the County Council and these must include employment contracts and copies of payroll as evidence for jobs created and protected. The cumulative total of jobs that have been created or protected is 5,226 as of 30 September 2023. In its positive decision on the future use of the recycled KMBF/RGF investments (see Section 1.11) the Government have confirmed that KCC has exceeded agreed jobs targets laid down in its contracts.

2.3 The cumulative amount of repayments expected to date was £41,840,984. The actual amount received by the end of Q2 2023/24 was £38,220,588 which represents an achievement of 91.3%.

### **3. Loan Monitoring**

3.1 As part of the loan agreement, each business is contracted to provide a quarterly monitoring return. These returns are in arrears of the previous quarter, and upon receipt and internal validation, one of the following RAG ratings is applied:

- Green Risk Status: full return received and no outstanding issues;
- Amber Risk Status: partial return received and/or some issues re contracted milestones;
- Red Risk Status: Category A (Bad debt); Category B (No monitoring return); Category C (Non-achievement of key milestones/targets, including loan repayment, job outcomes and/or delay to planned objectives).

3.2 Out of the 94 being reported on during the monitoring period 1 June 2023 to 30 September 2023, 66 (70.2%) of returns were flagged as Green or Amber. The value of those loans was £6,976,914. Of the total number monitored during the period, 13 businesses (loan value £1,466,500) identified were in the Red Category B (Nil or incomplete monitoring return) and 15 businesses (loan value £2,140,250) were identified as Red Category C (Non-achievement of key milestones/targets).

3.3 85 businesses have had loans which are in Category A (Bad Debt) with a value of £10,845,550 of which £3,324,023 has so far been recovered. The total of funds not yet recovered is therefore £7,521,527 which equates to 10.9% of the total loan and equity investments made to date. This includes businesses which KCC is still actively pursuing to repay the debt and where further debt recovery is still possible (£2,401,462). The total value of KMBF/RGF loans where debt recovery is no longer possible is £5,120,065, such a determination is reached in line with KCC Financial Regulations. Any bad debts incurred during the normal course of business investment (loans and equity) are attributed as a loss to the Fund rather than to the County Council. The County Council's liability is limited to instances of KCC's misadministration of the Fund.



## **4. Equity Investments**

- 4.1 Between 2013 and 2016 KCC made equity investments via the KCC RGF Bespoke Equity Fund (KRBEF) and the Discovery Park Technology Investment Fund (DPTIF) in 19 businesses at a cumulative initial value of £8,990,634 at the time the respective equity investments were made. KCC has fully exited from one business and partially exited from another business.
- 4.2 In January 2017 the Kent Life Sciences Fund (KLSF) was established with the aim of making equity investments in companies with game-changing medical technologies and advanced therapeutics. This sector was targeted because of its high growth potential and the opportunities it offered to build upon the facilities offered by Discovery Park, Kent Science Park and the Kent based universities. KCC has committed equity investments to nine businesses at a cumulative initial value of £4,624,950. KLS is funded from recycled KMBF/RGF loan repayments.
- 4.3 In making these equity investments, KCC sees its role as a “patient investor” and it is anticipated the Council will not accrue a positive return from most of the businesses for a further three to five years. Newable Ltd and NCL Technology Ventures (NCL) have been appointed by KCC to manage, monitor, and oversee these investments. NCL work with businesses to design an appropriate exit strategy for each investment. Quarterly reports on the performance of all the equity investments are provided to the KMBF Investment Advisory Board (chaired by a KCC Member) and an annual report is provided to the KCC Governance and Audit Committee as part of the reporting on companies in which KCC has an interest.
- 4.4 There have been 28 investments in 26 companies (2 companies were jointly funded by DPTIF/KLSF). KCC has fully exited from one company, and it is no longer monitored, and six companies are categorised as Bad Debt (see Section 4.5). Therefore 19 equity investments are still being monitored.
- 4.5 Newable and NCL have designated eight of KCC’s equity investments as having Green Risk Status, seven as Amber Risk Status and four as Red Risk Status (total initial value £1,656,000). Six of KCC’s equity investments (total initial value £3,619,072) are designated as Bad Debt as of 30 September 2023. Again, such determination is reached in line with KCC Financial Regulations, and represents a loss to the Fund rather than the County Council
- 4.6 To mitigate the potential impact of the current economic conditions on companies in receipt of equity funding, KCC has been working with Newable and NCL to ensure that the innovative companies in which KCC invested have received specialist support and assistance.

## **5. Cost per Job**

- 5.1 In terms of the unrecovered funds, the cost per job is £979.43.
- 5.2 In terms of the total loan and equity awarded by the KMBF/RGF schemes the average “cost” per job is £13,169.16 in comparison with the national average for Regional Growth Fund Schemes of £37,400 per job (over the first four RGF rounds according to the 2014 National Audit Office report on the Regional Growth Fund).

## **6. Financial Implications**

- 6.1 The capital costs of loan and equity investments are sourced from current and future recycled loan and equity investments from the KMBF/RGF schemes.
- 6.2 The annual cost to KCC of administering the KMBF scheme (inc. staff, legal, appraisal and monitoring costs) is £670,000 per annum. The revenue costs of this activity have been funded from two sources: a) a management charge of 5% levied from the fund on the value of all investments made to companies; and b) an administrative charge of 5% levied from the companies on the value of all loans. This makes the scheme self-funding.

## **7. Legal**

- 7.1 KCC had two contracts with DBT, both ended on the 31 March 2023. A recent decision by DLUHC mandated that all the recycled KMBF/RGF funds are to be managed by KCC as either a loan or equity scheme for a 10-year period, until 2032.
- 7.2 KCC also has legal agreements with the company undertaking independent financial appraisals, two legal companies (see 1.6) and the two companies managing the equity portfolio (see 4.3).

## **8. Policy Framework**

- 8.1 The KMBF is in-line with Priority 1: Levelling Up Action 3 - Kent County Council's Strategic Statement Framing the Future: Framing Kent's Future – Our Council Strategy - as KMBF seeks to attract national and international investment to businesses in the county.
- 8.2 KMBF also supports the following priority in Securing Kent's Future – Budget Recovery Strategy, Objective 3 - Full cost recovery on discretionary spend.

## **9. Equalities implications**

- 9.1 An Equality Impact Assessment (EqIA) has been undertaken and this is attached to this report.
- 9.2 The EqIA will be kept under review as the project progresses.

## **10. Data protection**

- 10.1 The existing privacy notice covers the operation of the KMBF, and no new data protection issues arise due to the contents of this paper.

## **11. Recommendation**

### **Recommendation:**

The Growth, Economic Development and Communities Cabinet Committee is asked to note the report and make any recommendations to the Cabinet Member.

## 12. Contact details

<b>Report Author:</b> Martyn Riley Project Manager Tel: 03000 417161 martyn.riley@kent.gov.uk	<b>Relevant Director:</b> Stephanie Holt-Castle Director for Growth and Communities Tel: 03000 412064 stephanie.holt-castle@kent.gov.uk
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## EQIA Submission – ID Number

### Section A

**EQIA Title**

The Kent and Medway Business Fund -2023

**Responsible Officer**

Susan Berdo - GT GC

### Type of Activity

**Service Change**

No

**Service Redesign**

Service Redesign

**Project/Programme**

No

**Commissioning/Procurement**

No

**Strategy/Policy**

No

**Details of other Service Activity**

No

### Accountability and Responsibility

**Directorate**

Growth Environment and Transport

**Responsible Service**

Economy

**Responsible Head of Service**

Steve Samson - GT GC

**Responsible Director**

Stephanie Holt-Castle - GT GC

### Aims and Objectives

The Kent and Medway Business Fund (KMBF) was established in 2017 as a vehicle to deliver investment in new and existing small and medium sized enterprises (SMEs) in Kent and Medway, delivering sustainable employment over the long term, creating and adopting innovative products, processes and services and improve their productivity.

The objective of the scheme is not to replace commercial sources of finance or offer operating subsidies. Rather it will support projects with strong business cases for which commercial finance is unavailable on viable terms (for example, because the product or technology involved is untested). The scheme will offer two types of investments, KMBF Standard Loans which will provide finance for up to 50% of project costs for investments between £100,000 and £500,000, and the KMBF Small Business Boost Loans (KMBF SBB) which will provide no more than 70-80% of finance for KMBF investments of between £26,000 and £99,999, with the remaining balance funded through private sources, including bank lending.

Loans will be generally offered interest-free although arrangement charges will be levied to pay for administration costs.

### Section B – Evidence

**Do you have data related to the protected groups of the people impacted by this activity?**

Yes

**It is possible to get the data in a timely and cost effective way?**

No
<b>Is there national evidence/data that you can use?</b>
Yes
<b>Have you consulted with stakeholders?</b>
Yes
<b>Who have you involved, consulted and engaged with?</b>
<p>To deliver the scheme, Kent County Council works closely with all the Kent City, District and Borough Councils and with the Unitary Authority of Medway Council.</p> <p>The scheme will be run in line with KCC's Equality &amp; Diversity Policy Statement. As such we are committed to promoting equality, valuing diversity and combating unfair treatment. Equality and freedom from discrimination are fundamental rights and we seek to demonstrate leadership and commitment in promoting these rights.</p> <p>KCC is in regular contact with local trade bodies for the business community and the local chambers of commerce, independent business advisors, Locate in Kent, and the Federation of Small Businesses. KCC manages the Kent and Medway Growth Hub from whom it receives some referrals to the scheme . All referrals are recorded and include some Equality data, in line with the Department for Business &amp; Trade (DBT) Framework. The Growth Hub maintain extensive data sets to include business information for Kent and Medway, to which KCC have access. The Growth Hub report on a regular monthly basis as part of their contractual obligations</p> <p>We are committed to ensuring that current and potential business applicants, their employees and job applicants will not be discriminated against on the grounds of social circumstances, gender, race, disability, sexuality, age, religion/belief or any other protected characteristic.</p> <p>Only limited data on protected characteristics is currently gathered by the application process, specifically age and gender and this is cross referenced to data held at Companies House. This data has been compared with the data reported in the House of Commons Research Briefing on Business Statistics dated 6 December 2022, which confirmed national statistics regarding leadership of businesses by gender and ethnicity.</p> <p>The Office of National Statistics does not currently gather data regarding the age of business leaders or directors, so it is difficult to find comparative data on this factor. However the Global Entrepreneurship Monitoring United Kingdom Monitoring Report 2021 states that those aged 25-34 are more likely to be involved in early-stage entrepreneurial activity than all other age groups, though the difference between other ages groups between 18 and 44 is not significant. In this regard, the new KMBF scheme will offer loans to both established, early stage and start-up businesses.</p> <p>KCC now uses a voluntary equality and diversity survey at pre-application stage to gather anonymous data regarding applicant's protected characteristics. The response rate to this survey is currently 22.2%, the results indicate that the make-up of the applicants' businesses in terms of gender leadership and ethnicity are broadly in line with the national statistics recorded in the House of Commons Research Briefing, and that the applicants by age are also broadly comparable to national statistics.</p>
<b>Has there been a previous Equality Analysis (EQIA) in the last 3 years?</b>
Yes
<b>Do you have evidence that can help you understand the potential impact of your activity?</b>
Yes
<b>Section C – Impact</b>
<b>Who may be impacted by the activity?</b>

<b>Service Users/clients</b> Service users/clients
<b>Staff</b> No
<b>Residents/Communities/Citizens</b> Residents/communities/citizens
<b>Are there any positive impacts for all or any of the protected groups as a result of the activity that you are doing?</b>
Yes
<b>Details of Positive Impacts</b>
<p>The revised scheme will target all sectors of the business community and information and application forms will be easy to access. There are multiple possible referral routes (the Business &amp; IP Centre, business associations (FSB, IoD), chambers of commerce and the Growth Hub, business community groups) to reach the Kent &amp; Medway business community. The project has strict perimeters in which it can operate. Businesses that are eligible for support have to be located within the eligible area - Kent and Medway.</p> <p>The revision of the Standard Loan Scheme and the Small Business Boost Scheme have been supported by a range of web accessible marketing collateral which includes appropriate imagery reflecting the county business demographic. Hard copies of all documentation are available and alternative versions of the application documents can be made available when requested. The delivery team have consulted with industry professionals to ensure the widest possible reach and ensure that representation is multi-faceted. Any physical engagement events will take into account meeting times to suit a range of needs and will ensure that there is full disability access to enable maximum engagement and opportunity. This new marketing collateral will be used as part of a wider marketing communications strategy to improve awareness and reach of the Kent &amp; Medway Business Fund.</p> <p>The scheme will make available services and make any possible steps to accommodate any circumstances or adjustment that is required to accommodate business directors with any of the protected characteristics. All online communications material is subject to a digital accessibility check to ensure that it meets the WCAG 2 recommendations (Web Content Accessibility Guidelines)</p> <p>With regard to the equality &amp; diversity data that the Kent &amp; Medway Business Fund currently gathers the make-up of these businesses in terms of whether they are female led, male led or equally led are broadly in line with national statistics (source: House of Commons), though KCC will use targeted promotional activities to make direct engagements with members of the Kent Population with protected characteristics. KCC will continue to use existing tools to gather equality &amp; diversity data in their latest forms, while ensuring ongoing compliance with data protection policies in order to ensure that individual's data is kept private and anonymised.</p> <p>All funding decisions are based on the business case and financial viability only. Support is provided to the Investment Advisory Board (including training if required) who make funding recommendations (the final decision lies with KCC) to ensure compliance with our equality duties.</p> <p>It is a legal requirement of the scheme's funding agreement with the UK government to promote equality &amp; diversity though opportunities for addressing equality issues outside of the eligible areas and activities defined within this contract are restricted. The programme management team are in a good position to promote equal opportunities and can provide examples of good practice.</p>
<b>Negative impacts and Mitigating Actions</b>
19.Negative Impacts and Mitigating actions for Age
<b>Are there negative impacts for age?</b>

No
<b>Details of negative impacts for Age</b>
Not Applicable
<b>Mitigating Actions for Age</b>
Not Applicable
<b>Responsible Officer for Mitigating Actions – Age</b>
Not Applicable
<b>20. Negative impacts and Mitigating actions for Disability</b>
<b>Are there negative impacts for Disability?</b>
No
<b>Details of Negative Impacts for Disability</b>
Not Applicable
<b>Mitigating actions for Disability</b>
Not Applicable
<b>Responsible Officer for Disability</b>
Not Applicable
<b>21. Negative Impacts and Mitigating actions for Sex</b>
<b>Are there negative impacts for Sex</b>
No
<b>Details of negative impacts for Sex</b>
Not Applicable
<b>Mitigating actions for Sex</b>
Not Applicable
<b>Responsible Officer for Sex</b>
Not Applicable
<b>22. Negative Impacts and Mitigating actions for Gender identity/transgender</b>
<b>Are there negative impacts for Gender identity/transgender</b>
No
<b>Negative impacts for Gender identity/transgender</b>
Not Applicable
<b>Mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Gender identity/transgender</b>
Not Applicable
<b>23. Negative impacts and Mitigating actions for Race</b>
<b>Are there negative impacts for Race</b>
No
<b>Negative impacts for Race</b>
Not Applicable
<b>Mitigating actions for Race</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Race</b>
Not Applicable
<b>24. Negative impacts and Mitigating actions for Religion and belief</b>
<b>Are there negative impacts for Religion and belief</b>
No
<b>Negative impacts for Religion and belief</b>
Not Applicable
<b>Mitigating actions for Religion and belief</b>
Not Applicable



<b>Responsible Officer for mitigating actions for Religion and Belief</b>
Not Applicable
<b>25. Negative impacts and Mitigating actions for Sexual Orientation</b>
<b>Are there negative impacts for Sexual Orientation</b>
No
<b>Negative impacts for Sexual Orientation</b>
Not Applicable
<b>Mitigating actions for Sexual Orientation</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Sexual Orientation</b>
Not Applicable
<b>26. Negative impacts and Mitigating actions for Pregnancy and Maternity</b>
<b>Are there negative impacts for Pregnancy and Maternity</b>
No
<b>Negative impacts for Pregnancy and Maternity</b>
Not Applicable
<b>Mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>Responsible Officer for mitigating actions for Pregnancy and Maternity</b>
Not Applicable
<b>27. Negative impacts and Mitigating actions for Marriage and Civil Partnerships</b>
<b>Are there negative impacts for Marriage and Civil Partnerships</b>
No
<b>Negative impacts for Marriage and Civil Partnerships</b>
Not Applicable
<b>Mitigating actions for Marriage and Civil Partnerships</b>
Not Applicable
<b>Responsible Officer for Marriage and Civil Partnerships</b>
Not Applicable
<b>28. Negative impacts and Mitigating actions for Carer's responsibilities</b>
<b>Are there negative impacts for Carer's responsibilities</b>
No
<b>Negative impacts for Carer's responsibilities</b>
Not Applicable
<b>Mitigating actions for Carer's responsibilities</b>
Not Applicable
<b>Responsible Officer for Carer's responsibilities</b>
Not Applicable

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# KMBF Case Study 1

## Bright future with the help of the Kent and Medway Business Fund

Date 14 June 2023

Topics [Business](#) [Environment](#)



What powers Solar Gates UK, apart from the obvious? The leading manufacturer and installer of solar hybrid barriers and gates based out of Boughton Monchelsea near Maidstone is proud of its products, which are now saving lives and carbon on highways and railways across the globe.

Founding Director Neil Sampson shines a light on Solar Gates UK and its business innovations that have been possible in no small part

thanks to the support of the Kent and Medway Business Fund (KMBF).

Since the scheme began in 2012, it has helped 384 companies, 3,700 jobs have been created as a result, 1,400 jobs protected and in total £68m has been awarded.



Neil Sampson

Neil said: “The assistance from KMBF in the first place, back in 2017, gave us our first break. The banks had said no and I didn’t have any money myself. KMBF gave us a chance, and what felt like an awful lot of money at the time, which allowed us to invoke that creativity, give us some breathing space from wondering where the next penny was coming from, and make a difference.”

**There are five things that make Solar Gates stand out from the crowd, as Neil explains:**

**At Solar Gates a third of our staff are ex-addicts or ex-offenders**

Having been given the opportunity to grow by KMBF, it was important to Neil to put something back to society in return.

He says: "It has been a natural evolution. Because we are focused on finding the best person for the job, some came with a backstory. We had a chat with a local prison and technically it is slightly harder than whacking an advert in the paper. You have to consider police checks and vetting and needing to adhere to license conditions. But the benefits when it works are loyalty and retention, which far outweigh what you might usually expect.

"There are some 50,000 people a year leaving prison, with perhaps a fifth of those ready for work. There is an employment crisis, and this is an untapped resource. The block is perception and policies and protocols.

"We had been living hand to mouth as a business, but the KMBF loan gave us some financial breathing space which allowed some creativity to bubble up. That included product innovation and committing to working with former prisoners and offenders, and that works both ways.

"I was looking at it from one angle; I need a good employee, I've got a good employee and that's great. To hear one staff member say she was contemplating taking her own life on release and then she moved from 'merely surviving to thriving' simply because of a job that led to relocation and a new life, that makes a difference. She also went on to receive a Highways Heroes award."





Neil in his happy place with some of the Solar Gates UK bees  
**We keep bees and we love our honey**

“I thought this would be great fun five years ago. I went on a course, bought some equipment and a load of bees and two queens. You tip them into the hives, they made themselves at home and decided to stay. Two hives then became six at the back of our building and we then started to harvest the honey and give it away at shows and to clients.

“My accountant had previously questioned the hives and suits and gloves on invoices and whether they should be personal expenses. I said no! National Highways invited us to be a part of its ‘Raising The Bar’ health and safety initiative just because of a jar of honey.

“I saw the director of National Highways walking past our stand at a show. I’d never met him but knew what he looked like. I jumped out and offered him the honey rather than the pens, carrier bags and fluffy bugs he already been given. We got chatting. He’d not heard of us, but he looked at our products, acknowledged they were saving lives and carbon and wanted us involved.

“That National Highways contract was an added bonus of bee keeping. There are other benefits too. When I am with the hives, surrounded by half a million bees, I do get some solitude as it’s the only place where no one follows me to talk to me! And the honey, the result of the surrounding apple, cherry and pear orchards, is delicious.



The INSTABOOM GS6 barrier is specially designed to protect against overhead strikes in work zones

**We have created two new products in the last 12 months that are saving carbon and lives on the UK highways network**



“Most innovations come from taking notice of random comments. The product that won the National Highways Safety Initiative of the Year 2019 came about just after our second KMBF loan, following a chat with Kier Highways on the M20 junction 6 depot who was talking about the limitations of the Government-standard height protection – the poles with bunting, you’ve all seen them. If I’ve got a digger on the back of an articulated lorry 30ft behind my cab, I’m not going to notice I have snapped a piece of bunting. We went back to him within two weeks with a patented product that was a relatively simple iteration of known parts to do a different job, just no one had ever thought about it before and INSTABOOM GS6 was born.

“More recently, we noticed we were constantly delivering our barriers to little Portakabin site offices. Our lead engineer, Dave, said ‘why don’t we combine the two?’. A genius idea. I gave him a budget and a deadline and six weeks later he came back with a site office with a built-in barrier and light and charging ports for phones and laptops, all running on solar power, and that has become a real quick seller for us. And the INSTABOOM Site was born.

### **We've got customers in New Zealand, Norway and Sweden - and watch this space**

“We’ve been working with New Zealand for about 18 months now, since we developed lighter, more portable products. Our original products were big and weighed half a tonne and it was not very practical nor carbon friendly to ship them around the world. Now we have, for example, our INSTABOOM Go automatic stop/go board which fits into a compact carry case on wheels.

“And we are taking them to markets where there have been the same problems as we have in the UK. For the stop/go boards, maybe someone does not turn up for work in the morning. If you haven’t got someone to hold the board and a radio, you can’t fix the water main that day. It’s also a pretty grotty job, standing in the road and making people stop.

“In Australia last year, six stop/go workers were shot at. And in Norway, three were run over and killed. They use a flag system there and, because roadworks occur during the summer months, it is usually a student in that role.



“We have been invited by the Indiana Department of Transportation in America to take part in a research project. They use huge trailer-mounted flagging systems at the moment. When they saw our one-man portable tiny unit, they said there was nothing like it in the US.

"It's seeing a problem, hearing where jobs are being delayed and coming up with the solution."



The UK's first solar hybrid, instant deployment, work zone protection vehicle barrier

**We fundamentally try to make sure everything we do runs in a green way and has a good carbon lifecycle**

“We either have fully solar products or if, it is a battery swappable device, we are making sure the swap is for as long as possible. Traffic lights on roadworks often need a battery every week. If we can double or triple that, then it's less driving, less personnel hours and less carbon consumed in the process.

“We work with sustainable suppliers. We can't hide from the plastic, oil derivative, lead acid and steel that unfortunately do feature in our industry and have a big carbon footprint. But we are working hard to ensure recycling features as much as possible.

“Older models are repurposed and repairable, we have a hire fleet of equipment and, when solar devices are in for refurb, we plug them into our grid and generate electricity from them as they're parked out

the front waiting to be worked on and again before they go back out to site.

“We’re looking at what products can be made from. We have a barrier that is made from bamboo and cotton. This can be something that gets slung in a ditch at the end of a job. If that happens, at least ours will rot away over time.”

### **We are a bunch of misfits who fit!**

“We are very real people who have a real life that goes on outside of work. No one is going to say on their deathbed ‘I wish I had gone to work a bit more’. We’re mindful we’ve got to work together and get on and, once the day is finished, we continue to support one another to make sure every part of life is valuable.

“Having that mindset around the team allows us all to fit, no matter where we come from, and look forward at what we are doing and doing it together.”

## **Further information**

For more information about the KMBF and to register an interest in a future round of funding, please visit:

<https://www.kent.gov.uk/business/business-loans-and-funding/kent-and-medway-business-fund>

Learn more about Solar Gates UK here:

<https://www.solargates.co.uk/>

# KMBF Case Study 2

## Have you got a blockbuster of a business idea?

Date 15 January 2024

Topics [Business](#) [Community](#)



Simon Ward from the Palace Cinema in Broadstairs

The Kent and Medway Business Fund provides 0% interest loans to qualifying companies with ambitions to grow. The Palace Cinema in Broadstairs is a KMBF success story.

We catch up with Simon Ward mid-mission.

It's the birthday of his wife (cinema co-owner Corinna Downing) the following day and next on the to-do list is cake mix so he and their daughters can create a masterpiece. But he has already secured a premier gift in the shape of a special screening of her favourite movie: Orlando, an adaptation of the Virginia Woolf novel.



“It’s the one that shot Tilda Swinton to fame. It’s a great film. It’s a surprise.”

It’s not the first time the Palace Cinema in Broadstairs has played host to, well, script-worthy moments since Simon and Corinna took over in 2016.

The first hiring of the cosy venue after that was a wedding where the grooms shared a movie of their lives. And an unsuspecting fiancée-to-be thought it strange her and her other half were the only patrons until the curtain went up and he popped the question via celluloid.



The Palace Cinema in Harbour Street, Broadstairs  
A chance conversation at a children’s birthday party about the imminent sale of the Grade II listed space sent Simon straight down Harbour Street to see the outgoing octogenarians, who were delighted fellow film enthusiasts wanted to take the [projector] wheel.

The pair went armed to the vendors with their impressive CVs which detail senior roles at the British Film Institute, Institute of Contemporary Arts, BAFTA, the Barbican and the Independent Cinema Office amongst others; a combined 40-year career that not only brought the unashamed film nerds together but set the

foundations for what has now protected a jewel in Broadstairs' crown for another generation.

Together with savings, the pair, who already called the town home, applied for a KMBF Small Business Boost loan, which gave them what they needed to buy the building with some working capital. They were not businesspeople per se, but they knew their business.



Simon Ward in the projector room at the Palace Cinema. The average size of a film is 50 gigabytes

Simon, once a film student in Canterbury, said: “We have the knowledge to carefully choose the right film, understand the process, the technology, the licensing, cinema health and safety considerations.

“This is our baby, we live and breathe this stuff and we have some fantastic staff who love the thing we too.

“It is not meant to compete with Vue or Cineworld, it’s a decision to provide something different - phenomenal world-class culture for less than a pint of beer.”

It took five years to pay back the loan and the business is now debt-free. But that was not without some negotiation and a revised payment schedule during the difficult pandemic years when the doors were locked shut and then reopened with a third of the capacity because of a need to still socially-distance amongst the velvet chairs.

“Our contacts meant during the pandemic we could offer a free online film club through MUBI, a Netflix for arthouse movies. Every week we had a different film and then we would talk about it. We had 150 people and we had everything from ‘I didn’t understand it’ to ‘that was rubbish’ to ‘it changed my life’. Amen to that. They were trying something different. We were managing to build an audience and created loyalty.”

The couple’s commitment, passion and hard work has resulted in turnover doubling and they are now into their busy grey days and dark nights season with a varied programme, school visits, screenings for older people, fundraisers and events including talks from celebrated directors who want to just come because the Palace Cinema has a name.

“We’re keen it’s a place for everyone. We’re really proud of that.”

The Palace Cinema was nominated in the Best Cinema category at the Big Screen Awards in November, pipped to the trophy by the Highland Cinema in Fort William.

## **The Palace Cinema by numbers:**

- 2 - passionate cinema fanatics
- 50,000 - pounds of the small business boost
- 111 - seats in the auditorium (23 on the balcony, 88 in the stalls)
- 1 - world-class concert pianist who visits every month to accompany a silent film screening (which always sells out)
- 194 - the length of the film Titanic in minutes (Simon once answered that unprompted in a general knowledge quiz)
- 4,000 - watts in the projection light
- 36 – where the Palace Cinema came in Time Out’s top cinemas in the UK and Ireland (out of 1,087 cinemas)
- 500 - the average gigabytes per cinema film

- 15 – terabytes storage of the digital projector that can store up to 30 films
- 4 - owners of the cinema since the Sixties
- 200 - number of independent cinemas in the UK
- 6 – billion. What the cinema industry is worth to the UK economy
- Since 2016, the Palace Cinema has shown 1000+ different films from 60+ countries around the world.

## Further information

For more information about the interest-free loans available and the eligibility criteria, visit: <https://www.kmbf.co.uk/>

Find out about the Palace Cinema here: <https://thepalacecinema.co.uk/>

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From: Derek Murphy, Cabinet Member for Economic Development  
Simon Jones, Corporate Director for Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet  
Committee – 5 March 2024

Subject: **Update on Transition of Local Enterprise Partnership  
Responsibilities to Kent County Council**

Classification: Unrestricted

**Past Pathway of report:** Key Decision (October 2023)

**Future Pathway of report:** N/A

**Electoral Division:** All

### **Summary:**

This report provides an update on progress to date and future plans for Local Enterprise Partnership (LEP) integration and the transfer of responsibilities from the South East Local Enterprise Partnership (SELEP) to Kent County Council (KCC) from April 2024.

### **Recommendation:**

The Cabinet Committee is asked to note the update on the transfer of relevant South East Local Enterprise Partnership (SELEP) responsibilities to Kent County Council from April 2024.

## **1. Background**

- 1.1 Local Enterprise Partnerships (LEPs) were set up by Government in 2011 as business-led partnerships which would play a key role in determining local economic priorities and undertaking activities to drive growth and job creation. The South-East LEP (SELEP) is the largest of the 38 English LEPs and has brought together three counties (Kent, Essex and East Sussex) and three Unitary Authority areas (Southend, Thurrock and Medway).
- 1.2 Last year the government confirmed its intention to cease funding LEPs and to transfer responsibilities to local authorities from 1 April 2024.
- 1.3 [A report](#) was presented to GEDCCC on 26 September 2023 outlining early plans for the transfer of relevant SELEP responsibilities to KCC. A subsequent key decision was taken by the Cabinet Member for Economic Development to confirm that former SELEP functions could be transferred to KCC on behalf of Kent & Medway as a Functional Economic Area (FEA). FEAs are expected to have a minimum population of 500,000 and government will not support any

post-LEP activity being delivered within smaller geographies. KCC has been working very closely with Medway Council on LEP transition plans.

- 1.4 This report provides an update on LEP transition progress and plans to ensure the successful integration of former LEP functions at a local level.

## 2. Transfer of Functions:

- 2.1 Two sets of complementary government guidance have been published which highlight a number of principles that need to be taken into account. The most recent [guidance note](#) issued by the Department for Levelling Up, Housing and Communities (DLUHC) on 19 December confirmed several points which will shape what needs to be put in place in Kent & Medway to ensure a smooth transition.
- 2.2 Three main functions are being transferred to Upper Tier Local Authorities:
  1. Local Economic Planning
  2. Business Representation
  3. Delivery of Government Programmes (where directed)
- 2.3 Local Economic Planning: FEAs are expected to produce (or update) an **economic strategy** on an ongoing basis to support local decision making. Kent & Medway already have this in place in the form of the new [Kent & Medway Economic Framework](#) (KMEF) which was considered at the 18 January 2024 GEDCCC meeting following an extensive consultation with local partners and stakeholders.
- 2.4 The guidance specifies that strategies should include a strong evidence base, local economic opportunities & challenges and opportunities for strategic connections across regions. They should also link to other relevant local plans including Local Visitor Economy Partnerships, local transport plans, and local skills provision plans. The final KMEF adheres to these principles.
- 2.5 Areas bidding for government funding in future may be asked to demonstrate how any proposals fit into their local economic strategy.
- 2.6 Business Representation: Areas should retain or establish a formal **Growth Board** which ensures an “effective, independent and diverse business representation”. The Kent & Medway Economic Partnership (KMEP) which has operated as a federated board under SELEP remains the most appropriate vehicle for this role as it fully aligns with expectations set out in the guidance. KMEP is made up of the 14 Local Authority Leaders (or Cabinet Members) from Kent & Medway, two Education Representatives (Further and Higher Education) and 17 Private Sector Representatives including three business membership organisations: Kent Invicta Chamber of Commerce, the Federation of Small Businesses and the Institute of Directors. KMEP aims to represent the diversity of the Kent business community through its private sector membership in terms of geographical spread, industry sectors, size of businesses and protected characteristics. KCC will continue to provide the secretariat function for KMEP and its workstreams.

- 2.7 The guidance indicates that private sector and employer perspectives are expected to be able to enhance local economic strategies and interventions including:
- Business, trade and investment support
  - Challenge / insight on business impacts of public sector initiatives
  - Provide delivery expertise, market credibility and a vehicle for leveraging match funding for public sector programmes
- 2.8 Demonstrating a strong business voice will also be an eligibility requirement for some government programmes. Local Authorities have been encouraged to consider how business boards can feed into local economic priorities and how businesses could have representation on other local fora. Kent & Medway will achieve this through consulting existing business groups such as the K&M Business Advisory Board, district business networks and through direct links that KCC and its partners have with the local business community.
- 2.9 Delivery of Government Programmes: In the short term, KCC will take on accountable body status for three capital funding programmes that are currently administered by SELEP:
- **Local Growth Fund (LGF)** – four transport projects are currently being delivered across the county with the latest planned for completion by December 2026.
  - **Getting Building Fund (GBF)** – two recently approved projects to establish new flexible workspace in Gravesend and Maidstone will be completed by December 2024.
  - **Growing Places Fund (GPF)** – eight projects are currently underway and will complete by 2027. Some £14m of loan-based funding for these projects is due to be returned to KCC between 2025 and 2027 and will be used as an evergreen fund to support Kent-based projects that align with priorities set out in the Kent & Medway Economic Framework. Medway Council is due to be repaid a further £2m from Medway-based projects which it will re-use to support economic growth projects in Medway.

KCC will be required to monitor live LGF and GBF projects and report on their progress to government until March 2025. KCC's 'Major Projects Sponsoring Group' (formerly KCC's SELEP Sponsoring Group) will continue this role to ensure that KCC-led projects progress as planned. Medway Council (MC) will fulfil the same role for these legacy capital programmes within their geography, although government has requested a combined reporting process for KCC and MC which KCC will coordinate.

- 2.10 KCC will take on full responsibility for the [Kent & Medway Growth Hub](#), the 'one-stop-shop' business support service which provides signposting and advice to local firms. KCC has managed the Kent & Medway contract under SELEP since inception in 2015 and the service has been delivered by the Kent Invicta Chamber of Commerce (KICC). Government funding will enable the core service to continue for the 2024-25 financial year although (at the time of preparing this report) the Department for Business & Trade is yet to confirm the exact value of the funding allocations for Growth Hubs in 24/25. It is anticipated that KICC will continue to deliver this service for Kent & Medway. Areas are asked by government to consider how additional resource can be contributed locally to enhance the service offer.

- 2.11 While there have been no announcements about future rounds of LGF or GBF, the LEP integration guidance indicates that future government programmes could be rolled out under the post-LEP FEA geographies. For example, DWP intends to operate its new supported employment programme, [Universal Support](#), through local authorities under new FEA geographies from late 2024. This represents a shift from recent government programme funding allocations. The most recent programmes intended to replace European Union funding and support economic growth have been implemented at district and unitary authority level. Each of the Kent District Councils received approximately £1m of UK Shared Prosperity Funding (UKSPF) in 2022 to cover a three-year period and many Levelling Up Funding (LUF) awards were allocated to District Councils or Unitary Authorities across the UK including Swale, Ashford, Folkestone & Hythe, Dover, Canterbury and Gravesham. For information only, please see **annex 2 & 3** for a summary of UKSPF and LUF projects in Kent.
- 2.12 Assurance: the LEPs operated in line with principles set out in a national Assurance Framework. The government is due to publish new assurance information setting out the processes required to be followed by local authorities for the new FEAs.

### **3. Resources:**

- 3.1 Government has confirmed that it will provide ‘up to £240,000’ per local functional economic area, including Kent & Medway for 2024-25. The final amount will depend on the final number of FEAs in place from April which will be between 39 and 42. Funding allocations are subject to final business case approval and the approval of integration plans by government. The funding is expected to be used for the three functions outlined above at 2.2 and former LEP activity. Areas are also being encouraged to consider how this 2024/25 revenue funding might ensure that their economic strategies are laying the groundwork and building capacity for future devolution agreements.
- 3.2 In order to secure the ‘up to £240,000’ core revenue funding for 2024-25, KCC will need to submit a short funding application form to DLUHC in the next few weeks, signed by the council’s Section 151 officer, outlining how Kent & Medway intends to use the funding. The content of the application will need to be agreed with Medway Council as the other Upper Tier Local Authority (UTLA) in the area. Funding will be paid as a one off grant during the 24-25 financial year.
- 3.3 It is anticipated that this funding will be used to ensure that KCC has adequate staff resource to fulfil the duties set out above and can make progress with the implementation of priorities set out in the K&M Economic Framework (KMEF). The funding is effectively ring-fenced for activity that will support economic growth.
- 3.4 The SELEP Strategic board agreed last year that any residual funding remaining should be used to enable any SELEP staff to transfer to Local Authorities to support the integration of LEP functions for a period after the closure of the LEP. KCC and some of the other Local Authorities in the SELEP area have submitted role profiles to SELEP for consideration. The roles are

designed to support the implementation of key priorities set out in the KMEF. SELEP staff are currently considering these opportunities and should any wish to transfer to KCC on a fixed term contract, they have been invited to complete a short application form. Should any staff be successful in applying for a role within KCC, the fixed term contract (12-18 months approx.) and any pension and redundancy liabilities will be fully funded by the SELEP residual funding to be provided to KCC.

- 3.5 In addition to potential staff members transferring to local authorities, SELEP intends to apportion any remaining residual funding to the six Upper Tier Local Authorities in the area. KCC could receive between £400K and £550K to support economic development work. Any funding not earmarked for the transfer of staff will be used to implement key priorities set out in the KMEF such as sector development, skills and training, business support, decarbonisation or wider work to promote the county externally.

#### **4. Future Plans:**

- 4.1 The Kent & Medway Economic Framework sets the strategic context for the post-LEP economic growth agenda in Kent & Medway in addition to links with other local strategies such as the emerging Local Transport Plan, the Integrated Care Strategy and district and borough local plans. Future economic development work in Kent & Medway will align to these priorities and will be structured under five headings which mirror the five ambitions in the KMEF:

- Business
- Skills & Workforce
- Infrastructure
- Investment & Growth
- Place & Identity

- 4.2 The Kent & Medway Economic Partnership will oversee the implementation of the KMEF supported by a number of existing and new boards, sector groups, thematic groups, partnership groups and organisations working to achieve KMEF priorities. **Annex 1** provides a high level overview of how KMEP and a range of interlinked groups will be structured in future. A number of these groups will replace at a local level some of the sector and partnership groups operated by SELEP and others will be established. This wider structure aims to facilitate joint working across the county to tackle barriers to growth and unlock opportunities, enable the prioritisation of investment opportunities in Kent & Medway and provide a route to access and channel future funding. The KMEP board has also specified that the transition to Net Zero should remain a cross-cutting objective for all future activity.

- 4.3 Although detailed implementation plans, targets, key performance indicators and resource requirements for the KMEF are yet to be developed, high level progress will be tracked by the Kent & Medway Economic Dashboard produced by the KCC Analytics team. Additional data requirements will be considered for each of the five ambitions in the KMEF to ensure that progress can be monitored.

## **5. Financial Implications**

- 5.1 As described at 3.2, along with the other 40 or so post-LEP Functional Economic Areas, KCC will receive an allocation of 'up to £240,000' to support the integration of LEP functions for the 2024-25 financial year. This funding should be sufficient to cover day to day operations of the new responsibilities as well as initial work to develop activity under the Kent & Medway Economic Framework as the strategic plan recognised by government.
- 5.2 Additional revenue funding provided to both KCC and Medway Council from SELEP's residual funding will enable activity to be implemented locally to take forward some of the action areas outlined in the Kent & Medway Economic Framework.
- 5.3 Core post-LEP funding for local authorities for future financial years has not been announced and will be subject to the Government Spending Review.

## **6. Legal implications**

- 6.1 In order to support the practical arrangements of the transition process, Essex County Council (ECC) as accountable body for SELEP is currently preparing a legal agreement to support the formal transfer of legacy responsibilities (including capital programmes) to Kent County Council. KCC and ECC's legal teams will work together to ensure that the interests of all parties are protected.
- 6.2 KCC may be required to sign agreements with government to formally adopt Accountable Body status for the capital programmes and confirm adherence to the pending Assurance Framework but details are not yet known.

## **7. Equalities implications**

- 7.1 An EqIA for LEP transition has been developed and any further EqIAs required to support the implementation of new programmes or activities will be prepared as required.
- 7.2 It is not anticipated that there will be any negative equalities and diversity impacts resulting from the transition of SELEP responsibilities to KCC. As was the case with SELEP, programmes, activities and policies adopted at a local level will adhere to core Public Sector Equality Duty requirements.

## **8. Other corporate implications**

- 8.1 The Economy Team within Growth & Communities will continue to lead the integration process. Current staff resource within the team will focus on ensuring a smooth transition.
- 8.2 KCC's legal, finance and human resources teams will continue to support the transition process to ensure that KCC's interests are protected.

## **9. Governance**

9.1 Stephanie Holt-Castle, Director of Growth and Communities, will inherit the main delegations via the Officer Scheme of Delegation

## 10. Conclusions

10.1 The government's decision to allocate LEP responsibilities to Local Authorities will provide a range of opportunities for Kent & Medway to unlock growth opportunities, enable the prioritisation of investment opportunities in Kent & Medway and provide a route to access and channel future funding

## 11. Recommendation(s):

The Cabinet Committee is asked to note the update on the transfer of relevant South East Local Enterprise Partnership (SELEP) responsibilities to Kent County Council from April 2024.

## 12. Background Documents

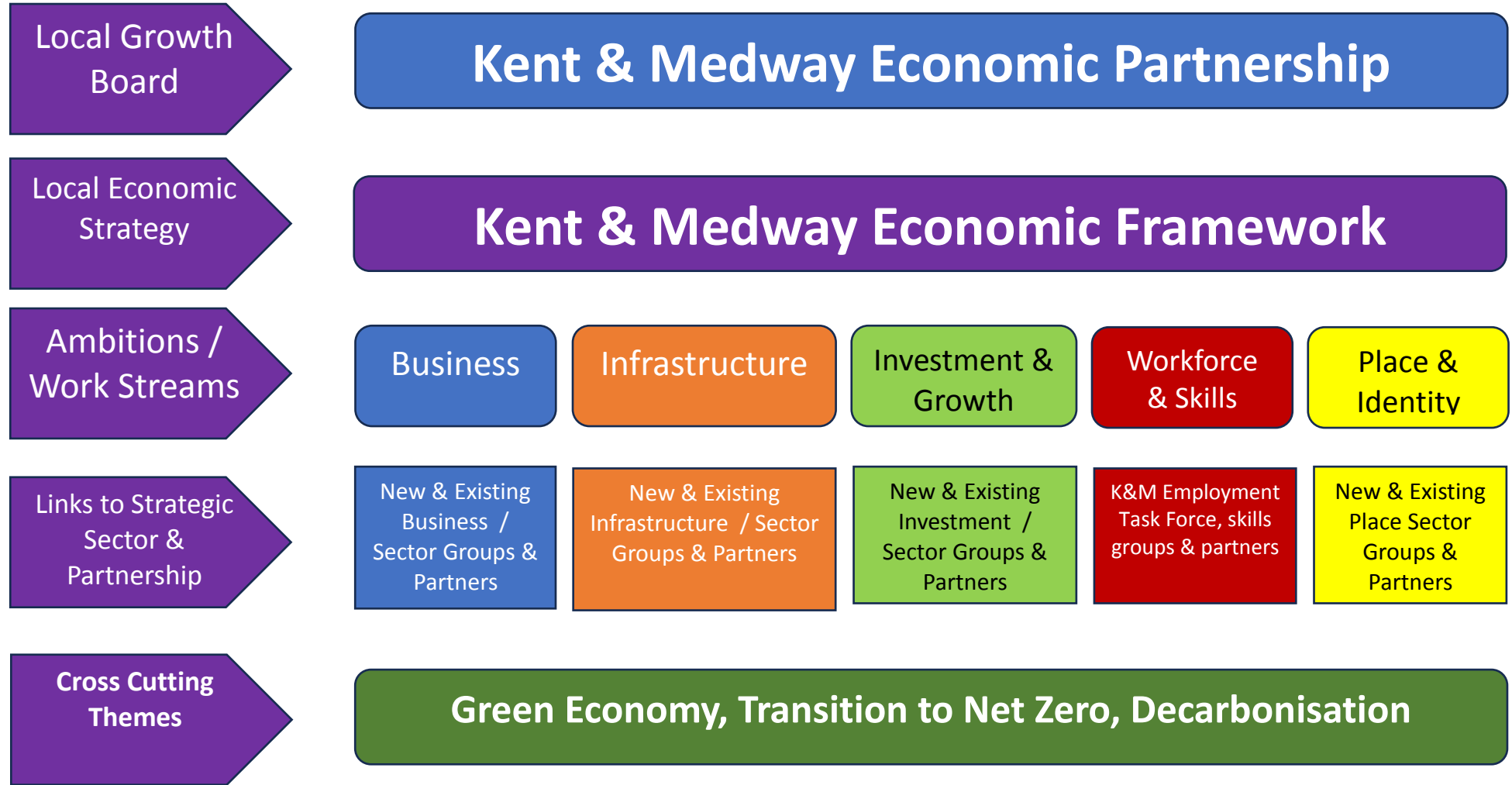
- [GEDCCC Report on LEP Transition – 26 September 2023](#)
- [Guidance for local authorities delivering business representation and local economic planning functions \(December 2023\)](#)
- [Guidance for LEPS and local and combined authorities: integration of LEP functions into local democratic institutions \(August 2023\)](#)

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**Annex 1: Future Structure of the Kent & Medway Economic Partnership**





**Annex 2- UK Shared Prosperity Fund (UKSPF) in Kent  
(Activity falling within three priority areas, 'Community and Place', 'Supporting Local Business' and 'People and Skills')**

District	Funding Towards / Project Description
Ashford	<p>Projects completed:</p> <ul style="list-style-type: none"> <li>• <a href="#">Ashford UnFramed Mural Festival</a> (£25,000 UKSPF)</li> <li>• <a href="#">Hello Ashford interactive feedback scheme</a> (on Town Centre changes) via engagement platform Hello Lamp Post.</li> <li>• <a href="#">Ashford Temporary Furniture and Parklets</a></li> </ul> <p>Projects currently underway:</p> <ul style="list-style-type: none"> <li>• Town Centre Accessibility Study</li> <li>• <a href="#">Eat Well Spend Less Roadshow events</a> until March 2025. 3 events completed and additional events planned over coming months.</li> <li>• <a href="#">Risk and Violence Reduction Programme delivered by Charlton Athletic Community Trust</a>, activity has successfully begun and will run until March 25.</li> <li>• <a href="#">'On the Map'</a> programme being delivered by Visit Kent will run until March 2025. It will provide a programme of business support for destinations and venues as well as supporting the marketing of Ashford's growing wine sector.</li> <li>• VCSE Sector Support <a href="#">programme</a> – procured in July 2023, running until March 25.</li> <li>• ABC currently scoping out the People and Skills activity. This work will likely include work around Green Skills, Outreach, First Steps into work or education, and a bespoke piece of work focusing on Creative Skills locally.</li> </ul>
Canterbury	<ul style="list-style-type: none"> <li>• 'Pride in Place' grants UKSPF 2024/25, up to £10,000 per application.</li> <li>• 'Skills and Employability' grants 2024/25, to £10,000 per application.</li> </ul>
Dartford	<p>Funding for the first two priorities 'Community and Place' and 'Supporting Local Business' was planned to commence in 2022/23, while the 'People and Skills' priority will commence in 2024/25.</p>
Dover	<p>Projects completed so far with funding (2022-2023):</p> <ul style="list-style-type: none"> <li>• Events (Dover Skate Fest, Christmas events, Spring Clean Campaign, Easter fun day, skateboard coaching, fashion through the ages on Deal Pier etc.)</li> <li>• Market Square improvements (bollards, jetwashing, speakers)</li> <li>• Snargate Street bench refurbishment and cycle rack</li> <li>• Tourism Campaign</li> <li>• Energy efficiency measures including new boilers and insulation</li> <li>• New town centre defibrillators and defibrillator training</li> </ul>
Folkestone & Hythe	<ul style="list-style-type: none"> <li>• Bed Project – providing beds and bedding to ensure a better quality of sleep which assists in a child's development and helps an adult's work readiness.</li> <li>• Energy efficiency project – addressing food poverty and other cost of living issues. Additionally,</li> </ul>

	<p>cooking classes to develop skills in how to eat healthily on a budget and reduce food waste.</p> <ul style="list-style-type: none"> <li>Working with local businesses to identify in what areas they are unable to fill vacancies due to skills shortages. Additionally, green skills courses.</li> </ul>
Gravesham (proposed)	<p>1) Community and Place:</p> <ul style="list-style-type: none"> <li>Town Centre Improvements to improve accessibility within Gravesend Town Centre</li> <li>Community Infrastructure and green space improvements including new/improved community facilities</li> <li>Cultural and youth development</li> <li>Cost of Living Crisis</li> </ul> <p>2) Supporting Local Business:</p> <ul style="list-style-type: none"> <li>Gravesend Borough Marke</li> <li>Visitor Development – activity in support of strengthening Gravesham’s visitor product, building on recent experiential tourism development initiatives.</li> <li>Business Support and Networking</li> <li>Construction Skills Hub – feasibility studies and engagement with businesses and developers to respond to a need for expansion in local construction skills provision arising from Gravesham’s regeneration programme.</li> </ul> <p>3) People and Skills:</p> <ul style="list-style-type: none"> <li>Employability support – initiatives to support people furthest from the job market where there are gaps in provision for basic skills etc.</li> <li>Green Skills – development of specific low carbon technology skills training and initiatives leading to expansion of course tutors.</li> <li>Skills gap analysis – ongoing work to identify and address local skills gap.</li> <li>Jobs and careers fairs – working with partners to design and host events and to develop community-based career pathways into work.</li> </ul>
Maidstone	<p>Project updates 2023:</p> <ul style="list-style-type: none"> <li>Engaging Students (June 2023)</li> <li>Wild About Maidstone (September 2023)</li> <li>Two editions of Borough Insight Magazine (Oct 2022 &amp; Oct 2023)</li> <li>Maidstone River Festival (July 2023)</li> <li>‘Green Spaces’ project (Brenchley Gardens, Maidstone Community Support Centre, Maidstone Museum.</li> <li>Maidstone Lit Fest</li> <li>Maidstone Fringe Festival (July 2023)</li> <li>Drama Group Pilot (July 2023)</li> <li>Kerala Cultural Association Festival (August 2023)</li> </ul>

	<ul style="list-style-type: none"> <li>• Sounds Around Our Town (September 2023)</li> </ul> <p>Allocated a total of £1,199,253. Further <a href="#">project</a> updates</p>
Sevenoaks	<p>Funding used for creative proposals that promise to deliver results. Supporting economically inactive people to overcome barriers to work by providing cohesive, locally tailored support including access to basic skills – digital, English, maths and ESOL (intervention E33).</p> <p>SDC are looking to commission projects that span Sevenoaks district in support of specific groups of disadvantaged people. They will also be allocating up to £25,000 per project agreed.</p>
Swale	<p><a href="#">Community Infrastructure Grant scheme</a> awarding grants of between £1,000 and £7,000 to organisations to cover no more than 75% of the costs of the works. Under the themes of the grant, examples of projects could include:</p> <ul style="list-style-type: none"> <li>• warm and sustainable, for example grants for insulation, green power or LED lighting in community facilities.</li> <li>• fit for purpose, for example alterations, improvements and new facilities.</li> <li>• digitally connected, for example fast broadband and Wi-Fi.</li> <li>• welcome and work, for example café development or creating or improving meeting and workspace.</li> <li>• mobility, for example electric vehicle charging points or bike storage.</li> </ul>
Thanet	<p>£300,000 allocated to the creation of a <a href="#">Shared Prosperity Grant Fund</a>, which will be distributed amongst the district's voluntary, community and social enterprise (VCSE) groups. Fund launched on 22 November 2023.</p> <ul style="list-style-type: none"> <li>• Thanet Community Small Grants Fund (one-off grants of between £1,000 and £10,000 with a small element for capital projects.</li> <li>• Thanet Community Development Grant Programme – a two-stage process aimed at organisations wishing to test and trial new project ideas. The programme will seed fund community organisations and enable them to nurture impactful social action projects. Both stages will be competitive due to limited funds.</li> <li>• Thanet Community Lotto Grants launching early 2024.</li> </ul>
Tonbridge & Malling	<p>Successes in Year one and two include:</p> <ul style="list-style-type: none"> <li>• activities for young groups and clubs in areas of deprivation</li> <li>• the mobile CCTV cameras for use in areas of anti-social behaviour and fly-tipping are currently located in four 'hot-spots' across the borough.</li> <li>• the Shopfront and Vacant Unit Improvement scheme supporting independent retailers and food and drink businesses, has awarded funding to 18 projects across the borough.</li> </ul>

	<ul style="list-style-type: none"> <li>• the creation and launch of a Community Development Grant scheme – 22 projects have been awarded grants in Round 1 of this scheme.</li> <li>• a further round of our successful Green Business Grant scheme – <a href="#">8 projects have been awarded grants for 2023/24</a>.</li> <li>• As of August 2023, the <a href="#">West Kent Business Support Programme</a> has supported 228 businesses, with 1-to-1 business mentoring support given to 34 businesses.</li> </ul> <p>Further projects scheduled:</p> <ul style="list-style-type: none"> <li>• the introduction of digital information boards</li> <li>• the trialling of bee friendly bus shelters</li> <li>• an artistic wayfinding project in Tonbridge</li> </ul>
Tunbridge Wells	<ul style="list-style-type: none"> <li>• Sherwood Lakes Improvement Scheme</li> <li>• Creative Tunbridge Wells</li> <li>• Cranbrook &amp; Sissinghurst Community Kitchen</li> <li>• Southborough Football Pitch Drainage</li> <li>• Tunbridge Wells Farmers Market</li> <li>• Visit Tunbridge Wells marketing programme</li> <li>• Commercial E-Bike/E-Cargo Bike Scheme</li> <li>• Employment support for economically inactive people</li> <li>• Enrichment and volunteering activities.</li> </ul>

### Annex 3 – Levelling Up Fund in Kent

District	Funding Towards / Project Description
Ashford	Allocation of £14.7m from aims to support the Ashford International Studios / Newtown Works project. This will regenerate a 4.8 hectare brownfield site with five grade II listed buildings in the heart of Ashford town, into a dynamic Ashford International Film Studios along with commercial and residential development.
Canterbury	<p>Connected Canterbury: <a href="#">Unlocking The Tales of England</a>: Part of the wider ‘Tales of England’ Masterplan:</p> <ul style="list-style-type: none"> <li>• Canterbury Castle &amp; grounds – stabilisation / restoration for event space</li> <li>• Marlowe Kit (former Poor Priests’ Hospital) – restoring mediaeval Great Hall &amp; Chapel for creative learning centre, heritage destination, riverside café</li> <li>• Occasional events space in Westgate Square and Clock Tower</li> <li>• Transforming bus station &amp; St George’s Lane as green entry points</li> <li>• Investing in car parks (EV charging, docked cycle hire, trees, lighting)</li> <li>• ‘Story gardens’ and heritage routes</li> </ul>
Dover	<p>Focus on renewing Bench Street (derelict / brownfield site) to include:</p> <ul style="list-style-type: none"> <li>• A 2000m2 Creative Campus to provide digital &amp; creative training and curriculum expansion at Dover Technical College.</li> <li>• A 690m2 business centre for start-ups</li> <li>• Expansion of the current Dover Cycle Scheme - 6 additional cycle hub locations - rentable standard and e-bikes</li> <li>• 450m2 of public car parking retaining four EV charging points.</li> <li>• 800m2 of riverside parklet, an accessible green space</li> </ul> <p>Then longer-term high-quality town centre housing and increased commercial opportunities on the western side of the site.</p> <p>Benefits: increased employment 52 FTE, 133 qualifications p/a, 7.5% land value and active travel uptake.</p>
Folkestone & Hythe	<p>Folkestone - A Brighter Future has a number of components to be delivered by March 2025:</p> <ul style="list-style-type: none"> <li>• Station arrival and Town Centre connections</li> <li>• Improved Town Centre gateway</li> <li>• Folca building (former Debenhams building) into a ‘town lab’ to encourage new and experimental uses into the town centre, also improving the public realm on Sandgate Road encouraging footfall in this area of the town centre. KCC has been requested to act as the delivery partner for the transport and public</li> </ul>

	real elements of the scheme.
Swale	<p>1) Beachfields regeneration – a prominent town centre &amp; seafront site.</p> <ul style="list-style-type: none"> <li>○ Expanded and reconfigured Healthy Living Centre – new GP facilities, consolidated space for the VCS, new café, soft play, and facilities specifically targeted at teenagers. Outdoor adventure golf and gym.</li> <li>○ Enhanced public realm from the train station to sea front area</li> </ul> <p>2) Sheppey College extension (working with EKC Group) Expansion to Sheppey College, with new FE courses, a new Junior College (age 14 – 16) and increased community and adult learning provision. The curriculum offer is being developed with the support of local employers.</p> <p>3) Masters House workspace - new workshop units targeted at creative and cultural industries. 27 targeted outputs and outcomes including:</p> <ul style="list-style-type: none"> <li>○ Environmental performance upgrades to existing buildings</li> <li>○ Increased visitor numbers</li> <li>○ Enhanced progression of learners to HE / employment</li> <li>○ 750sqm educational floorspace</li> <li>○ 82sqm workshop space</li> <li>○ Additional 449sqm leisure / health footprint</li> </ul>
Thanet	<ul style="list-style-type: none"> <li>• Refurbishments to Port Infrastructure</li> <li>• New fishing facilities in Ramsgate</li> <li>• The Clockhouse and Pier Yard public space</li> <li>• Access to Opportunities hub in the High Street</li> <li>• New green campus facility</li> <li>• Restoration of Smackboys / Sailor’s Church</li> <li>• Newington Community Centre project</li> </ul> <p><a href="https://www.thanet.gov.uk/services/levelling-up-fund/">https://www.thanet.gov.uk/services/levelling-up-fund/</a></p>

**From: Clair Bell Cabinet Member Cabinet Member for Community and Regulatory Services**

**Simon Jones, Corporate Director Growth, Environment, and Transport**

**To: Growth, Economic Development and Communities Cabinet Committee**

**Subject: Impacts of new border controls on Trading Standards activities**

**Classification: Unrestricted**

**Past Pathway of report: N/A**

**Future Pathway of report: N/A**

**Electoral Division: All**

**Summary:**

This report provides an update on the impacts on Kent County Council Trading Standards of the new Border controls in so far as they have been implemented at this time.

**Recommendation(s):**

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

**1. Introduction**

- 1.1 Kent County Council (KCC) Trading Standards as statutory Service has a duty to enforce a wide range of criminal legislation covering the trading and farming sector, from production to retail, manufacture to importation.
- 1.2 In this capacity, the Service plays a role at the border acting as the market surveillance authority for product safety, the feed authority for imported feed and the enforcement authority for issues surrounding breaches of animal disease control or legislation.

**2. Background**

- 2.1 Since the signing of the Maastricht Treaty in 1992, EU goods have flowed through the channel ports in both directions without the need for any kind of border controls or checks. There have been no checks, or infrastructure to carry them out, on goods at Dover for over thirty years and, because it opened after that date, there have never been checks at the Channel Tunnel.
- 2.2 The U.K.'s departure from the EU means that this free flow of goods is no longer the case. The EU introduced checks on goods flowing from the U.K. at the end of the transition period on 1st January 2021, applying the EU's normal third country customs and regulatory regime to UK goods.

2.3 The UK did not, at that time, do likewise. This created three consequences.

- UK exporters faced burdens exporting to the EU which their EU based counterparts importing goods into the UK did not face
- The lack of controls was viewed as potentially granting the EU unjustified preferential treatment over other trading partners, a situation which could breach World Trade Organisation rules
- Concerns were expressed by certain domestic businesses sectors that the absence of controls was placing the UK at risk of animal disease and food fraud.

2.4 As a result, the UK Government has developed a new 'Borders Target Operating Model' (BTOM) which will harmonise controls in relation to the safety and security of incoming goods from all trading partners, including the EU<sup>1</sup>.

2.5 The introduction of the BTOM has been delayed several times but we have started to see its impact from 30th January 2024.

### 3. Location for Import checks in Kent

3.1 Entry into Kent is through the Port of Dover and Eurotunnel. Vehicles entering through the ports may be inspected as they leave Dover Eastern Docks or as they enter Eurotunnel at Coquelles. They may also be directed to one of the other facilities in Kent for inspection depending on the goods carried.

3.2 A fast parcel hub, Dartford, processes mailed parcels flown from outside the EU to airports in the EU and shipped through Dover for delivery in the UK.

3.3 From 30 April 2024 **Sanitary and Phyto-sanitary (SPS)** products (food, feed, plants, animals) of medium and high risk are required to pass through a **Border Control Post (BCP)**. The designated BCP for both Dover and the Channel Tunnel is at Sevington, Ashford. This means that goods vehicles requiring checks to be carried out will be directed to Sevington from both ports.

3.4 At present the volume of checks to be carried out remains unclear as the previous free flow of goods means there is no accurate data. The UK imports approximately 46% of the food it consumes and 28% of that food comes from EU countries. Around 25% of UK food imports pass through the Short Straits' ports of Dover and the Channel Tunnel.

3.5 Other goods may be directed to an **Inland Border Facility (IBF)** for processing. There are commercial IBFs at Dover Western Docks and Stop 24 (J11 M20) and an HMRC IBF at Sevington (J10a M20). From 30 October 2024 safety and security declarations are required on all EU goods, which will identify the import and enable an increase of targeted inspections.

### 4. Areas of Specific Concern for Trading Standards at the border

4.1 There are three specific areas of interest for Kent Trading Standards.

- Imports of consumer goods (dealt with under chapter 5 of this paper)
- Animal health (dealt with under chapter 6 of this paper)

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<sup>1</sup> Who has responsibilities for carrying out checks at the borders is set out in Annex 1



- Imported feeds (dealt with under chapter 7 of this paper)
- 4.2 These impose a statutory duty upon the County Council, which Trading Standards discharge, to enforce the legislation imposing controls on these areas of trade.

## 5. Imports of Consumer Goods

- 5.1 Trading Standards act as the market surveillance authority for the safety of imported consumer goods. Prior to EU exit this role integrated with other EU market surveillance authorities, with checks on goods destined for the UK carried out in whichever country they entered the EU.
- 5.2 Post EU exit preventing unsafe goods entering the UK from both EU and non-EU countries, where goods enter the UK by a Kent portal, falls to Kent Trading Standards. This, inevitably, increases the burdens on the Service, and this is likely to increase over time as the BTOM becomes established
- 5.3 Currently non-EU goods are required to make safety and security declarations prior to import that detail the products being imported. This notifies the central HMRC hub which flags goods of interest to Border Force for targeted inspection.
- 5.4 This process is also used by the **Office of Product Safety and Standards (OPSS)** (part of the Department of Business and Trade), which has national responsibility for product safety in the UK, and which in turn notifies local Trading Standards Services of imports of interest for their examination and inspection.
- 5.5 As there is no requirement for declarations for EU origin goods until October 2024, there is no clear indication of the types and volume of goods of interest to Trading Standards entering through the Kent ports. This will increase the volume of inspectable goods to numbers already inspected, detained, or sent back by the Service.

## 5.6 Product Safety at the borders

- 5.7 The Trading Standards Ports Team was created in February 2019 to manage and prepare for the increase in imports through Kent ports of entry and the predicted impact of EU exit.<sup>2</sup>
- 5.8 The team currently consists of eight Officers, a Ports Manager, a Senior Imports Compliance Officer (ICO), and six ICOs, this is to try to meet demands of the multiple sites of the entry at Dover Port, Eurotunnel, Sevington IBF and Dartford Fast Parcel Hub (FPH) (see section 3 of this paper). All staff engage in inspection of goods at these sites.

## 5.9 Post Transition Demands

- 5.10 Kent is in a unique position with the largest Roll On, Roll Off (RoRo) port in the UK. The creation of the Trading Standards Ports Team provided an opportunity to develop a method and process to deal with the volume, type, and fast

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<sup>2</sup> The volume and value of the goods prevented from entering since 2019 by the team is in Annex 2

turnaround of goods on vehicles as they entered the country. The team were also able to develop a close working relationship with Border Force has been invaluable in setting up a direct referral system to deal with the Dartford FPH.

5.11 The Service closely liaises with the OPSS who run the national ports and borders project, which includes providing grant funding to Kent Trading Standards.

5.12 As such OPSS are aware of the unique and dedicated role Kent has developed to meet new challenges arising from leaving the EU and the impact this has on the Short Straits' ports.

5.13 There are ongoing discussions on the issues facing the inspection of goods on vehicles passing through at RoRo ports, which Kent is developing systems for. The OPSS intend to introduce the Kent model throughout the UK as a template.

#### **5.14 Sevington Inland Border Facility (IBF)**

5.15 The creation of the IBF at Sevington along with the planned increase in checks on site will be challenging for Trading Standards, as it creates significant demands away from the ports.

5.16 To address this the Team will maintain its flexible approach, adapting its operating and delivery model to meet ongoing changes, liaising with OPSS as increasing demands may require additional funding<sup>3</sup>.

### **6. Animal Health and Welfare**

6.1 Trading Standards is the enforcement authority in Kent for animal health issues, working closely with the Animal and Plant Health Agency (APHA) as the regulating authority.

6.2 APHA act to determine the health of animals, examine paperwork and passports and licence journeys. However, any breaches of the legislation at the Short Straits are passed to Kent as the enforcement authority to take further action including prosecution. Any increase in the number of animals being imported through Kent, such as with the opening of a BCP (see below) will have an impact on the enforcement activities undertaken by Kent Trading Standards.

#### **6.3 Imported livestock.**

6.4 The importation of animals from the EU is significant, and as with other SPS products, prior to EU exit animals freely moved, subject to occasional veterinary checks at the border. Currently live animals are checked by APHA at destination, with any breaches of legislation enforced by the local Trading Standards service.

6.5 From late 2024 animal imports through the Short Straits will be processed and inspected at the BCP at Sevington. Concentrating examination of animals here (rather than at destination), will inevitably increase referrals to Kent Trading

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<sup>3</sup> The change in volumes of goods at the points of inspection from 2022 to 2023 is set out in Annex 3. Of note is the increase in goods being stopped at Coquelles by UKBF for TS

Standards for investigation. This is likely to increase workload on top of domestic animal health issues.

- 6.6 To meet additional pressures arising from the changes, four additional Animal Health Officers were recruited over a two-year period allowing time for sufficient training on the wide range of legislation covering this area. They have also completed the **Chartered Trading Standards Institute (CTSI)** animal health competency paper. These officers are currently dealing with non-compliances caused in part by increased financial costs from imported feed and veterinary medicines as well as managing the disease outbreaks of Avian Flu and Bluetongue.

## **7. Imported Feeds**

- 7.1 Import controls relating to high-risk feed not of animal origin (HRFNAO) are the responsibility of Trading Standards as the Feed Authority. Before leaving the EU, no inspection and sampling of imported feeds was carried out at the ports by the Service as feed from the EU was subject to free circulation, requiring no further checks on entry to the UK.

- 7.2 Feeds from outside the EU could only be imported through a port with an approved BCP, authorised to process SPS products of that type. As there was little commercial demand for this at Dover or Eurotunnel there was a limited dry goods with the BCP at Dover processing Turkish dried fruits as food, but no feed was processed'.

- 7.3 From 30 April 2024 all high and medium risk SPS goods, including animal feed, entering the UK will need to enter through the approved BCP, which for Dover and Eurotunnel is Sevington.

- 7.4 While this will deal with EU goods, the presence of a BCP that can process a wide variety of goods will see an increase in third country goods that are currently not able to use the Short Strait's route.

## **7.5 Impact on KCC Trading Standards & Kent Scientific Services**

- 7.6 Trading Standards as the Feed Authority will be required to carry out a percentage of checks on feed imports on site at Sevington, looking at documentation, examining and sampling the loads where necessary. This will increase the demand on the Service which is likely to increase with importers from third countries making use of the BCP at Sevington.

- 7.7 Sampling of animal feed is a lengthy process set out in law, requiring representative samples to be taken from across the entire load before being mixed and reduced until relevant sample portions are available that are sent for analysis. Like imported food products, there are often significant issues arising from the technical composition of the feed and its intended use.

- 7.8 Analysis of any samples taken is required by law to be carried out at a designated Official Control Laboratory by a qualified Agricultural Analyst. KCC is required to appoint an Agricultural Analyst by law.

- 7.9 Kent Scientific Services (KSS), KCC's in-house scientific laboratory, is a designated Official Control Laboratory and employs two fully qualified

Agricultural Analysts. There are only four such laboratories in England, with the next nearest being in Portsmouth or Wolverhampton. The location of KSS means that delays to movement of goods caused by transporting of samples for analysis will be minimised.

7.10 KSS is a highly experienced laboratory, carrying out this work for other major UK ports including the Port of London, Felixstowe, and Southampton. KSS is ready to deliver the necessary testing to the Kent ports and is part of a network of laboratories such that other, less urgent work could be moved into that network if the numbers of tests required from the Kent ports risks overwhelming the facility.

### **7.11 Staffing**

7.12 Legally, feed work must be conducted by a suitably qualified Officer, currently KCC Trading Standards has only three Officers who are already conducting **Food Standards Agency (FSA)** funded annual feed inspections at farms and feed producers in Kent. A significant increase in feed sampling at the ports will impact on the capacity of the current staff.

7.13 To address this shortfall, two officers are currently training to be feed qualified, sitting the Chartered Trading Standards Institute professional qualification over a three-year period, for which they will sit the feed paper enabling them to carry out this work from August 2024.

7.14 To assist these qualified officers to deal with demand, the Animal Health Officers have been trained to sample, which they do under the direct supervision of the qualified staff, who will process and following up on the sample results.

7.15 Any work conducted on feed imports through a BCP is chargeable to the importer. This covers the inspection, sampling, and testing of the product, and is based on a full cost recovery basis, ensuring any work undertaken is cost effective from the outset.

7.16 Currently there is no data to estimate the levels of EU imports that will require checks by Trading Standards, however from 30 January 2024 as prenotifications are required on all SPS products entering the UK from the EU, which will identify actual volumes. It is likely that as the Short Straits are a convenient route for import into the UK, there will be an increase in this area of work with associated income.

## **8. Financial Implications**

8.1 The Service has received just over £500k additional base line funding to meet the demands on the Service arising from leaving the EU. KCC has tried unsuccessfully to secure additional funding from Government to address the duties Kent has taken on because of the UK leaving the EU, with these duties being purely due to our geographical location.

### **8.2 OPSS Funding**

8.3 Funding for product safety work at the ports is provided annually in the form of a grant from OPSS as part of its ports and borders project. They have recognised the increase in goods subject to checks and the role of the Ports Team and increased funding accordingly year on year to the current value of £280K.

8.4 This is expected to increase next year as the Service develops processes and associated systems on dealing with the Short Straits RoRo Ports, to meet OPSS's requirements to then roll this out across the UK. As this will lead to additional demands on the Service, requiring additional staff, this can only happen with full funding from OPSS. This is currently being drafted in line with Border Force operations and the final options will be negotiated with OPSS.

## **8.5 Defra Funding**

8.6 Kent Trading Standards inspection and testing of animal feeds at Sevington is a new duty beginning on 30 April 2024.

8.7 In previous years, the Service requested funding from Defra to employ additional Officers for the new statutory burdens on KCC Trading Standards, including KCC investing in training new staff to be qualified to carry out the additional work. Although initially positive, changes in the time frame to implement controls at the border with a lack of figures on EU feed imports through the Short Straits, saw Defra unwilling to provide any funding for Trading Standards, a situation which continues to this point.

8.8 The pre-notifications on SPS products that began on 30 January 2024, will start to provide accurate figures for the number of EU products imported through the Kent ports that would be of interest to Trading Standards, but before this is implemented it has been difficult to request specific funding.

8.9 This will continue to be reviewed and a business case for additional funding will be submitted to Defra where this is evidenced from the figures and the workload generated.

8.10 However the legislation controlling sampling feeds at the border allows for the work conducted (including analysis costs) to be fully cost recovered, charging the importers for any feed subject to inspection. This will at least offset the cost of carrying out this additional work.

## **9. Legal implications**

9.1 N/A.

## **10. Equalities implications**

10.1 N/A.

## **11. Other corporate implications**

11.1 N/A.

## **12. Governance**

12.1 N/A

### **13. Conclusion**

13.1 Trading Standards has been involved in planning for implementing new controls for at least five years. During this time, the Government has changed and developed plans for controls on goods entering the UK, impacted by outside events (Covid and the war in Ukraine) and the need to finalise an acceptable solution to processing goods through Northern Ireland.

13.2 The response from the KCC Trading Standards Service to the challenges remains flexible and pragmatic, responding to changing demands without unnecessarily increasing staffing until proposed plans provided certainty. However, given the time that it takes to recruit and train competent staff to meet the demands of these additional duties, staffing has increased to a level to meet the best predictions available regarding demand.

13.3 After the publication of the Border Targeted Operating Model and the final implementation dates (30 Jan, 30 April, and 30 Oct 2024), planning can be finalised, engaging with partner agencies and implementing training of staff.

13.4 The Service maintains regular and effective liaison with relevant Government Departments so that they recognise and respond to requests for funding to meet the increased and yet undetermined workload at the border.

13.5 What is clear throughout this process is Trading Standards can only address the new issues if they continue to develop existing staff and recruit new staff where it is critical to meet identified risks, so the Service can meet its statutory responsibilities, protecting the people and business of Kent, now and in the future.

### **14. Recommendation(s):**

14.1 The Growth, Economic Development and Communities Cabinet Committee is asked to note and discuss the report.

### **14. Background Documents**

14.1 The Border Targeted Operating Model (BTOM) - [https://assets.publishing.service.gov.uk/media/64f6e2629ee0f2000db7be8e/Final\\_Border\\_Target\\_Operating\\_Model.pdf](https://assets.publishing.service.gov.uk/media/64f6e2629ee0f2000db7be8e/Final_Border_Target_Operating_Model.pdf)

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## Annex 1

### Agencies Responsible for Carrying out Import Checks at the Ports

#### SPS products (Food, Feed, Animals, Plants)

- **Port Health (PH)** – Health, Hygiene, and Food Standards - Imported Product of Animal Origin, Imported Food not of animal origin, Plastic Kitchenware, Organics, Fish.
- **UK Border Force (UKBF)** – Illegal Imports of Product of Animal Origin, CITES breaches
- **Animal and Plant Health Agency (APHA)** – Animal Health control on import
- **Trading Standards** – Imported high risk feedingstuffs, Investigation and legal action of breaches of animal health uncovered by APHA.
- **Plant Health Inspectorate** – Plant health disease control
- **Horticultural Marketing Inspectorate (HMI)** – Marketing standards e.g. egg grading and fruit grading.
- **Forestry Commission** – Timber including packaging and pallets for pests and diseases

#### Non-SPS Products

- **Border Force** – Prohibited goods, Immigration, Personal imports, counterfeits
- **HMRC** – Revenue issues
- **Trading Standards** – Safety of consumer goods
- **Medical and Healthcare Regulatory Agency (MHRA)** – Imported medicines and medical products.

## Annex 2

Ports Team figures for import stopped entering the UK since 2019. The figures are submitted in the Association of Chief Trading Standards Annual Impacts and Outcomes returns.

<b>Year</b>	<b>Number of products removed from/prevented from entering the supply chain</b>	<b>Value of products</b> (Calculated using per item value based on the matrix report of 2014 with inflationary increases based on retail price index)
<b>2019-2020</b>	1,102,282	£36,452,465
<b>2020-2021</b>	635,645	£21,166,978
<b>2021-2022</b>	490,008	£17,164,980
<b>2022-2023</b>	1,135,862	£39,789,245
<b>2023 – Jan 2024</b>	1,078,946	£37,795,478.38
<b>Totals in 5 Years</b>	<b>3,363,797</b>	<b>£152,369,146</b>



## Annex 3

### Trading Standards Import Data comparisons 2022 to 2023.

#### 2022

Site	Jan to June 22					Jul – Dec 22				
	Total Checked	No entry	Released but modified	Release on hold	% Fail	Total Checked	Stopped	Released but modified	Release on hold	% Fail
Dover	754,500	172,000 (23%)	36,400 (5%)	91,300 (12%)	39%	1,039,000	481,000 (46%)	6,200 (0.6%)	217,600 (21%)	67%
Dartford	4,900	2,300 (47%)	0	500	47%	9,800	3,100 (31%)	104 (1%)	2,600 (26.5%)	58%
Sevington J10A M20	54,000	4,000 (7%)	6,000 (11%)	0	18%	331,000	311,000 (100%)	0	0	100%
Stop 24 J11 M20	0	0	0	0	0	33,000	33,000 (100%)	0	0	100%
Coquelles, France	0	0	0	0	0	0	0	0	0	0

#### 2023

Site	Jan to June 23					Jul – Dec 23				
	Total Checked	No entry	Release but modified	Release on hold	% Fail	Total Checked	Stopped	Released but modified	Release on hold	% Fail
Dover	47,300	36,000 (76%)	0	11,000 (23%)	99%	138,600	106,000 (76%)	0	0	76%
Dartford	92,000	45,000 (49%)	13,000 (14%)	11,000 (12%)	75%	493,000	41,000 (8%)	18,000 (3.6%)	35,000 (7%)	19%
Sevington J10A M20	86,000	58,000 (67%)	2,000 (2%)	0	69%	35,000	12,000 (34%)	0	0	34%
Stop 24 J11 M20	0	0	0	0	0	0	0	0	0	0
Coquelles, France	69,000	69,000 (100%)	0	0	100%	889,000	194,000 (22%)	0	0	22%

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**From:** Benjamin Watts, General Counsel

**To:** Growth, Economic Development and Communities Cabinet Committee – 5 March 2024

**Subject:** Work Programme 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 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.

<p><b>4. Recommendation:</b> The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2024.</p>
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### **5. Background Documents:** None

### **6. Contact details**

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

<b>Item</b>	<b>Cabinet Committee to receive item</b>
Work Programme	Standing item
Verbal Updates – Cabinet Members and Corporate Director	Standing item
Final Draft Budget	Annually
Risk Register – Strategic Risk Register	Annually (March)
Performance Dashboard	Quarterly
Kent and Medway Business Fund Monitoring	Bi-annual reporting (6 monthly)
Key Decision Items	

**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	No Use Empty Update	
7	Tourism in the county and economic impact	
8	Kent Film Office	
9	Youth Unemployment and Apprenticeships	
10	Project Gigabyte Broadband Programme	Deferred from March meeting
11	Performance Dashboard	
12	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	Energy Infrastructure	
7	Deep dive into PROW	
8	Agriculture and farming economy	
9	Work Programme	Standing item

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

Thames Estuary	July 2024 tbc	
Lower Thames Crossing	July 2024 tbc	
Otterpool	Folkestone & Hythe District Council is reviewing the proposed delivery model. Presentation to be scheduled when outcome known.	
Kent Design Guide	Not progressed in 2023/24 owing to response to financial management actions.	
Dungeness Nuclear Power Station		<i>(Mr Robey – agenda setting 31/01/23)</i>
Gypsy and Traveller Sites		<i>(Mr Rayner – GED&amp;C CC 14 March 2023)</i>
Faversham Creek Bridge		<i>(re-added – agenda setting 23/5/23)</i>
Manston Airport/Manston Business Park		<i>(Mr Lewis – GED&amp;C CC 26/9/23)</i>
Trading Standards Checked (information paper including response to legislative changes)	TBC	<i>(Added Agenda Setting May 22)</i>