



## **FORWARD PLAN OF DECISIONS**

Each month the Council publishes a Forward Plan of Decisions expected to be taken during the following six months.

A “Key Decision” is an Executive-side Decision which is likely to:

- (a) result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

Key Decisions can only be taken by the Cabinet, the Leader or an individual Cabinet Member.

Decisions which should be regarded as Key Decisions because they are likely to have a significant effect either in financial terms or on the Council’s services to the community include:

- (a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan
- (b) Adoption of major new policies not already included in the Policy Framework (Constitution Appendix 3) or changes to established policies
- (c) Approval of management and business plans
- (d) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality. For example, closure of a school, approval of a major project (such as a highway scheme) or programme of works, major changes in the eligibility criteria for provision of a service, major changes in the fees charged for a service, or proposals that would result in a service currently provided in-house being outsourced.
- (e) Decisions where the consequences are likely to result in compulsory redundancies or major changes in the terms and conditions of employment of a significant number of employees in any of the Council’s functions.

Preparation of the Forward Plan helps the Council to programme its work and ensures compliance with the Local Government Act 2000. Every month, the period covered by the Plan will be rolled forward by one month and the plan will be republished.

The Plan outlines the consultation that is proposed in respect of future decisions and who members of the public and the Council should contact to make comments on any particular item. Anyone is entitled to obtain copies of the documents that will be relied upon when a decision is taken, unless those documents are ‘Exempt’ within the meaning of the relevant sections of the Local Government Act 1972 (as amended).

Reports related to decisions will be published on the Council's web site at [www.kent.gov.uk](http://www.kent.gov.uk) at least five days before the decision it is due to be taken. Once the decision has been taken, a copy of the Record of Decision will also be published on the Council's website.

<b>The Kent County Council Cabinet Members are:</b>	
Mr Paul Carter	Leader of the Council and Cabinet Member for Health Reform
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
Miss Susan Carey	Cabinet Member for Customers, Communications and Performance
Mr Mark Dance	Cabinet Member for Economic Development
Mr Roger Gough	Cabinet Member for Children, Young People and Education
Mr Mike Hill	Cabinet Member for Community and Regulatory Services
Mr Eric Hotson	Cabinet Member for Corporate and Democratic Services
Mrs Catherine Rankin	Cabinet Member for Strategic Commissioning
Mr Mike Whiting	Cabinet Member for Planning, Transport, Highways and Waste

All Members can be contacted by writing to Kent County Council, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ or by email via the Council's website.



**NEW**

**NOT BEFORE 8 OCTOBER 2019 BY CABINET MEMBER/CABINET**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> The building contract forms part of a suite of legal documents binding the parties responsible for the delivery of the hub together. These include:</p> <ul style="list-style-type: none"><li>• A Development agreement between Southborough Town Council and KCC.</li><li>• Section 2 funding agreement between NHS England, KCC and Southborough Town Council.</li><li>• Football Foundation funding agreement between the Football Foundation, KCC and Southborough Town Council.</li></ul>
<p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00070 - Southborough Hub</b></p> <p><b>The Decision needed:</b> <b><u>Background:</u></b></p> <p>The Southborough Hub Project is a joint project between Kent County Council (KCC), Tunbridge Wells Borough Council (TWBC) and Southborough Town Council (STC) to deliver a Community Hub scheme which has been a long-term aspiration for Southborough Town. Two previous key decisions (15/00041 and 15/00024) were taken authorising the inclusion of the library and the funding/land transactions required to facilitate the project.</p> <p>A Memorandum of Understanding (MoU) and a Collaboration Agreement were signed between KCC and TWBC and STC. The land with the benefit of consent for the 69 residential units was sold to Crest Nicholson, which along with the NHS and FA grant, has provided the budget to fund the project.</p> <p>The terms of the Collaboration agreement have facilitated detailed development of the next stages of the project. This includes the negotiation and execution of funding agreements with the NHS and Football Foundation, together with the negotiation of a final tender sum for the construction works.</p> <p><b><u>Proposed decision:</u></b></p>

To authorise to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services and the Corporate Director for Finance to enter into the necessary legal documents to enable the construction of the Southborough Hub development.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2019

**Reason if Key Decision**

A full Equality's Impact Assessment has been undertaken and can be viewed on request.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

An extensive programme of consultation has been undertaken as the project has developed.

A paper is to be presented to the Policy and Resources Committee on 20<sup>th</sup> September 2019.

Papers have also been submitted to:

- Property Sub-committee March 2015
- Growth Economic Development and Communities Cabinet Committee - April 2015
- Infrastructure Commissioning Board April 2019

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The project is self-funded through the proceeds of the land disposal by the parties along with S106, and contributions from the NHS and the FA association Grant. The Project will also release the current Southborough Library building for disposal. Running costs for the new library will also be reduced as a result of sharing common facilities with the other users.

**Support documents**

**NOT BEFORE 2 OCTOBER 2019 BY CABINET MEMBER/CABINET**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> in order to de-risk the proposed acquisition in the context of the project and viability pressures, there are a number of conditions being imposed to mitigate these risks.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00058 - Strategic Acquisition &amp; Disposal, Maidstone East</b></p> <p><b>The Decision needed:</b> <b><u>Proposed decision:</u></b></p> <p>To consider the Maidstone East redevelopment and the next steps in the delivery of the comprehensive development of the site and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services, the Corporate Director for Finance and the Cabinet Member for Finance to finalise terms and enter into the necessary documentation to complete the transactions in line with the Councils Decision.</p> <p><b><u>Background:</u></b></p> <p>In July 2016 KCC and MBC entered into a Collaboration Agreement and jointly acquired a strategically located site at Maidstone East with the long term objective to assemble adjacent land and facilitate the viable delivery of a high quality “Gateway” development in line with pre-agreed objectives to primarily improve this part of the County Town.</p> <p>The proposed Decision will consider the next steps in the delivery of a comprehensive development on the site. Following the completion of the due diligence the decision report will set out the options in relation to the next steps for consideration by the Leader, the Cabinet Member for Corporate and Democratic Services and the Cabinet Member for Finance following which a decision will be taken.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Corporate and Democratic Services</p>

**Date:**

Not before October 2019

**Reason if Key Decision**

N/A, although will be taken fully into account in the planning phase.

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors****Consultees**

The proposed decision will be considered at the Policy and Resources Cabinet Committee on 20 September 2019.

**Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:**

There is a financial allocation in the Medium Term Financial Plan for a Property Investment Fund (PIF), which would be utilised to support the acquisition strategy. A holding strategy would be put in place to manage the properties in the short term. As per the Collaboration Agreement, it is clear that KCC are to take forward the most viable scheme possible and at a minimum, recoup their level of investment to date upon completion.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.****Title:**

**19/00059 - Strategic Acquisition, Tonbridge & Malling**

**The Decision needed:****Proposed decision:**

To consider the decision report for the acquisition of two properties and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services, the Corporate

Director for Finance and the Cabinet Member for Finance to finalise terms and enter into the necessary documentation to complete the property transactions.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

### **Date:**

Not before October 2019

### **Reason if Key Decision**

N/A although will be taken fully into account in the planning phase

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed decision will be considered at the Policy and Resources Cabinet Committee on 20 September 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

There is a financial allocation in the Medium Term Financial Plan for a Property Investment Fund (PIF), which would be utilised to support the acquisition strategy.

### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Children, Young People and Education

**Reference No:** Any legal implications will be identified in the report to the Cabinet Member for Children, Young People and Education before he takes his decision to allocate £4.2m from the Children's, Young People and Education Capital Budget

**Key** Yes

## **Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00061 - Following the amalgamation of the former Murston Infant and Junior Schools to establish Sunny Bank Primary School, relocation of Sunny Bank Infant and Nursery departments to Sunny Bank Junior department site, with infrastructure for an exp**

**The Decision needed:****Background**

Sunny Bank Primary School was established on 1 September 2016 when Murston Junior school and Murston Infant School and Maintained Nursery amalgamated. The new primary school opened in the existing accommodation of both schools and it was envisaged that in the longer term the Local Authority would pursue opportunities to bring the school together on one site that was in the ownership of KCC and support the school's operation as an all-through primary school.

The KCP 2019-2023 identifies the need for additional places in the Sittingbourne East primary planning area. The expansion of Sunny Bank Primary by 0.5FE was identified to meet this need. A full feasibility was commissioned in 2018 to relocate the infant department and Nursery to the junior department site and provide the infrastructure to expand by 0.5FE to a 2FE primary school. This ensures that there are adequate places for children from new housing that is already being built out in close proximity to the school, as well as the future financial viability of Sunny Bank.

The current infant department was originally established in the 1860s and additional buildings were added over subsequent years. The buildings are in poor condition and the cost of maintaining the infant school site in order to ensure the buildings are fit for purpose would be considerable. The Infant buildings are on a site that is in the ownership of a local Diocesan Trust that comes under Canterbury Diocese. The lease costs are in the region of £ 20,000 per annum and are currently paid by KCC as the school would not be able to meet these costs and remain viable. The most cost-effective option is therefore to relocate the infant department to the junior site which is in the ownership of KCC and is of a sufficient size to accommodate all the buildings required for a 2fe primary school plus nursery.

**Section 2 – Who is taking the final decision and when****Who is taking the Decision**

Cabinet Member for Children, Young People and Education

**Date:**

Not before October 2019

**Reason if Key Decision**

An EqAI has been undertaken

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Children's, Young People and Education Cabinet Committee on 1 October 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Capital Budget Costs

A full feasibility has been undertaken for the relocation of Sunny Bank infant department and nursery onto the junior school site. The cost of relocation and refurbishment of the junior site has been estimated at £4.2m.

Up to £2,500 is provided per new classroom for ICT equipment from the Capital budget. In the case of Sunny Bank this will provide up to £22,500 (subject to submission of invoices to evidence spend).

Revenue Costs

As per KCC policy, a total of £6,000 per new classroom for furniture will be provided from DSG. For Sunny Bank this will total £54,000.

A total of £1,334,600.27 in Developer Contributions has been sought for the Sunny Bank Primary School project, £1,163,414.27 of which has been agreed and to date we have received £136,396.67.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Adult Social Care and Public Health

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

## **19/00062 - Local Account for Adult Social Care (April 2018 - March 2019)**

### **The Decision needed:**

#### **Background**

Previously, the Care Quality Commission (CQC) used to assess how well Local Authorities were performing in Adult Social Care. They no longer do this, and as part of national changes, all Local Authorities are now asked to produce a document, in partnership with their residents to enable them, to hold the authority to account. As a result, the Local Account for Adult Social Care has been produced.

### **Section 2 – Who is taking the final decision and when**

#### **Who is taking the Decision**

Cabinet Member for Adult Social Care and Public Health

#### **Date:**

Not before October 2019

#### **Reason if Key Decision**

None

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

### **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

#### **Consultees**

The proposed decision will be considered at the Adult Social Care Cabinet Committee on 27 September 2019.

### **Section 4 – Responsible Officer – Who to contact for more information.**

#### **Your name, Your Service, Your phone number and email address:**

The proposed development of the Local Account does not include savings targets, however a key objective when developing the brochure and our user engagement approach has been the consideration of how to enhance value for money from a KCC perspective utilising wherever possible existing forums or approaches already in place across the Directorate or working in conjunction with existing partners to minimise costs. There will be a cost implication to the production and distribution of the Local Account; however these will be managed within the budget planning forecasts for the Unit, i.e. ongoing production of the Local Account.

#### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Adult Social Care and Public Health

**Reference No:** Regulation 12(7) of the Public Contracts Regulations 2015 enable this type of co-operation between contracting authorities where certain conditions are met. Independent legal advice has supported the legality of the approach in relation to the public health functions which are the subject of the partnership.

This form of arrangement builds on duties that already existed to exercise functions with a view to integrating the provision of care and support provision, under the Care Act 2014 ("CA 2014"), with health provision (section 3, CA 2014). Both parties are also under a duty, under s.82 of the NHS Act 2006, to co-operate with one another to secure and advance the health and welfare of the people of England and Wales.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00064 - Kent County Council and Kent Community Health NHS Foundation Trust collaborative partnership**

**The Decision needed:**

**Proposed Decision:**

To agree the extension of collaborative partnership arrangement with Kent Community Health NHS Foundation Trust until at least March 2025 and ongoing delivery of Public Health services through this approach. Public Health services included within the current arrangement are listed below:

- Health Visiting
- School Health Services
- Sexual Health Services
- Lifestyle Services and NHS Health Checks
- Oral Health Services
- Postural Stability Services

**Background:**

Kent County Council took the decision to enter into an innovative partnership with Kent Community Health Foundation Trust (KCHFT) in September 2017, with the aim to maximise the opportunity to improve the health of Kent residents, deliver common objectives and accelerate delivery of the

Sustainability Transformation Plan (STP), known as the Sustainability Transformation Partnership. This arrangement was also designed to offer the flexibility to align to new local care arrangements.

This decision recognised that KCHFT was integral to the delivery of the STP and recognised that both KCC and KCHFT faced significant challenges which could be better managed through a joint open and transparent approach. The original decision put procurement in “abeyance” until at least March 2020 and a further decision is required on how best to deliver these services in the future. Legal advice taken at this time confirmed that the approach was permitted within the Procurement Regulations.

The Kent and Medway Sustainability and Transformation structures are more advanced than in 2017 and local leaders are working to deliver the local plan, Case for Change. This includes a series of commitments which have been supported by KCHFT. Kent and Medway STP is developing a five-year plan in response to the national LTP and is required to become an Integrated Care System (ICS) in the coming months. Services and health providers will need to align to these changes and work with commissioners to determine how they can best integrate and support acceleration of local care.

Kent continues to face a series of significant demographic pressures alongside budget constraints and pressures e.g. long-term clarity on national NHS pay and uncertainty on future funding arrangements for the Public Health grant.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Adult Social Care and Public Health

#### **Date:**

Not before October 2019

#### **Reason if Key Decision**

Equalities implications: Equality Impact Assessments will be completed at a service level as required.

Data Protection implications: KCHFT is IG Toolkit compliant and Data Process Impact Assessments will be completed at a project level as required.

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

This item will be discussed at the Health Reform and Public Health Committee on the 24<sup>th</sup> September.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The spend of Public Health services across the 5 years will be in the region of £187,109,535. However, values will be subject to annual review and will fluctuate based on demand and any external investment e.g. through Health partners.

Additional income through Health Partners enables delivery of HIV treatment services and targeted work for NHS Health Checks as set out as part of the STP.

The estimated value for 2019/20 is £37,421,907 with anticipated income of £860K from NHS England and the Kent and Medway STP. Services included are Health Visiting, School Nursing, Postural Stability, Sexual Health, Lifestyle services including Smoking and NHS Health Checks and Oral health. A number of services are open access and as such actual spend will be dependent on demand.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** The County Council has a statutory obligation to maintain the highway in a condition that is safe and passable by the ordinary traffic of the area at all times of the year particularly having regard to the needs of those with a disability.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00065 Public Rights of Way Asset Management Plan 2019**

**The Decision needed:**

To agree and adopt:

- (i) the Public Rights of Way and Access Service Asset Management Plan and
- (ii) to agree the Service Level Risk Assessments which set out our approach to the management of risk on the PRoW network.

- **Background:** The Public Rights of Way and Access Service adopted asset management principles for the maintenance of the PROW network in 2007. This approach has brought benefits in targeting investment in the network, managing risk and evaluating new products and materials where they may help reduce long term expenditure. This plan has now been reviewed and updated.
- Alternatives to the continued operation of asset management principles for Public Rights of Way maintenance have not been considered.
- How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)': The strategic direction for the management of the PROW network is set out in the Rights of Way Improvement Plan (ROWIP), adopted by the County Council in November 2018. The ROWIP is aligned to meeting the County Council's strategic objectives:
  - Children and young people in Kent get the best start in life.
  - Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality life.
  - Older and vulnerable residents are safe and supported with choices to live independently.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

### **Date:**

Not before October 2019

### **Reason if Key Decision**

A comprehensive EQIA was completed for the Rights of Way Improvement Plan 2018. The Rights of Way Asset Management Plan forms part of the evidence base for the Rights of Way Improvement Plan. A further scoping referencing the ROWIP EQIA has been completed. No issues have been identified beyond those fully considered for the Rights of Way Improvement Plan

### **Reason if this decision has been delayed/withdrawn from a previous plan**

The Asset Management Plan has been revised in line with the Rights of Way Improvement Plan (ROWIP) which was subject to wide-ranging public consultation in 2018

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The Rights of Way Improvement Plan was subject to wide ranging consultation in 2018. All Members were consulted on the plan. The Asset

Management Plan underpins the delivery of the maintenance elements of that plan.

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 10 October 2019.

#### **Section 4 – Responsible Officer – Who to contact for more information.**

##### **Your name, Your Service, Your phone number and email address:**

The Asset Management Plan provides detail about the current levels of investment in the asset, its condition, any associated backlog of repair and the level of investment required to manage risks associated with failure of the asset. This information is used to inform bids for capital funding and uplift to revenue funding through the medium-term financial planning process.

The Kent County Council budget book identifies £720K capital investment for the current financial year 2019-20 (Budget book page 67 – row 2.) A further £100k capital investment has been identified from borrowing.

A further £300k is identified for urgent works to Essella Road – rail bridge. (Budget book page 70 line 14)

Of the PRow & Access Service revenue allocation of £1.326M (inclusive of grants and income) approximately £482K is available for maintenance work including vegetation clearance.

##### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** KCC has to abide by and work within the new REPP19 19 guidelines because, as the Local Authority, we legally have to produce an off-site plan for Dungeness B – as is stated within REPP19.

**Key** Yes

#### **Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00066 - Revised Detailed Emergency Planning Zone (DEPZ) for Dungeness B nuclear power station as required by Radiation Emergency Preparedness Regulations 2019**

**The Decision needed:**

**Proposed decision**

The Cabinet Member for Community and Regulatory Services is asked to

approve The Radiation Emergency Preparedness Regulations 2019 Detailed Emergency Planning Zones (DEPZ) for qualifying sites. (Dungeness B is the only qualifying site under the Regulations in Kent.) and for the Director for Environment, Planning and Enforcement to implement the decision and further actions to allow the plan to proceed under the Officer Scheme of Delegations.

### **Background**

Dungeness B is a qualifying site under The Radiation Emergency Preparedness Regulations 2019 Regulations Under the new REPIR 19 guidelines, KCC has a legal obligation to produce an off-site plan for Dungeness B

### **Section 2 – Who is taking the final decision and when**

#### **Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

#### **Date:**

Not before October 2019

#### **Reason if Key Decision**

Equalities implications:

An EqIA is being progressed for the overall REPIR 2019 project.

Data Protection implications:

None

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

### **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

#### **Consultees**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 10 October 2019.

### **Section 4 – Responsible Officer – Who to contact for more information.**

#### **Your name, Your Service, Your phone number and email address:**

Planning costs are absorbed into existing budgets with cost retrieval from the operator progressed where applicable. Response costs are dependent upon type, scale and duration of any incident. However, effective planning can reduce seriousness of any incident and resultant impacts (including cost).

## Support documents

**Responsible Cabinet Member** - Cabinet Member for Planning, Highways, Transport and Waste

**Reference No:** Under the Environmental Protection Act 1990, as the Waste Disposal Authority, KCC has a legal obligation to provide a waste disposal service. The proposed commissioning solution enables the Authority to discharge its statutory duty as Waste Disposal Authority. KCC will be using Regulation 12 (Public Contracts between entities within the public sector) of the Public Contracts Regulations 2015 to vary this Contract.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00067 - Waste Transfer Services, including reception, bulking and haulage services (Canterbury, Thanet, and Dover).**

**The Decision needed:**

**Proposed Decision:**

To award new contractual arrangements of three contracts for three Districts to receive, bulk and haul kerbside waste streams collected by the Dover, Thanet and Canterbury Waste Collection Authorities.

**Background:**

Due to the very limited KCC waste infrastructure in East Kent, there is a continued requirement to commission Waste Transfer Station services from third parties to deliver KCC's statutory role as Waste Disposal Authority. There are currently no KCC owned Waste Transfer facilities in Thanet, Canterbury and Folkestone with only very limited, unsustainable capacity at Dover Transfer Station.

KCC Waste Management proposes to put in place three contracted services to deliver the statutory requirements of Waste Management disposal and to ensure designated facilities for the continuity of supply for the reception, bulking and haulage of kerbside collected waste from Canterbury City Council, Thanet District Council and Dover District Council. This is a statutory undertaking of the Waste Disposal Authority.

**Section 2 – Who is taking the final decision and when**

<p><b>Who is taking the Decision</b> Cabinet Member for Planning, Highways, Transport and Waste</p> <p><b>Date:</b> Not before October 2019</p> <p><b>Reason if Key Decision</b> Equalities implications: No issues identified at early stage EqIA, note that this should be reviewed as project continues.</p> <p>Data Protection implications: Initial screening is that a full DPIA will not be necessary as no personal data is collected</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Environment and Transport Cabinet Committee on 10 October 2019.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Revenue cost of £15.7m total for the overall cost to KCC over the total term of up to a seven-year contract.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Planning, Highways, Transport and Waste</p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00068 - Food Waste Processing Contract - SC18072</b></p>

**The Decision needed:**

**Proposed Decision:**

To award a new contractual arrangement for processing the County's Food Waste.

**Background:**

There is no single waste food processing plant within Kent for domestic food collected by the Waste Collection Authorities. Whilst waste food is collected as a single stream it is either hauled to Basingstoke for processing or mixed with garden waste to produce compost at a plant near Kings Hill.

This is commercially expensive with a poor environmental outcome. There is a significant commissioning opportunity for Waste Management as a food waste processing plant is under construction in Kent; this is an Anaerobic Digester that has the capacity to accept and process all food waste collected in the County.

The current food contract expires in April 2020 and the plant will be completed within this timeframe. This plant will eventually cater for all the County's food waste collected from kerbside over a phased approach with initially Mid Kent and South West Kent food being accepted upon service commencement, with East Kent food following in January 2021 when KCC takes title of the material.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Planning, Highways, Transport and Waste

**Date:**

Not before October 2019

**Reason if Key Decision**

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 10 October 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

This is a revenue-based expenditure contract that will realise savings to the Authority over a number of years. There is no capital outlay required.

The savings are substantial against the 20/21 budget of £1.62m – a net budget once all existing contracts are expired will be £543k.

After year five and in year six, the contracted gate fee will be dropped by a further £5 per tonne.

New Category in the Budget Line = Waste Processing – Recycling & Composting – Anaerobic Digestion – P-7WD-61091-523-000-0000-00.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Planning, Highways, Transport and Waste

**Reference No:** This contract enables the Authority to discharge its statutory duty as Waste Disposal Authority.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00069 - Tonbridge & Malling Household Waste Recycling Centre**

**The Decision needed:**

**Proposed Decision:**

To award a contract for the design, build and operation of a household waste recycling centre in the Tonbridge and Malling Administrative Area.

**Background:**

A new HWRC facility to serve Tonbridge and Malling Borough Council (T&M BC) and West Maidstone residents is required as the existing HWRC network in this area is at capacity. The nearest facility is the Maidstone HWRC at Tovil which has reached its practical capacity; resulting in severe congestion on the local highway network around the site, causing delays to both visitors to the HWRC as well as local residents. Measures to improve the efficiency of the site, including the increase of the

Permitted tonnage (Environmental Permit) capacity have been investigated, and where possible implemented over the past few years. However, demand has continued to grow, such that there are now no practicable solutions to make further efficiency improvements at this site. Future housing growth / population increase indicates a significant increase in capacity is now required in this area.

The capacity issues are further exacerbated by the large catchment of the Tovil site and are compounded by the fact that T&M BC does not have a HWRC facility. Additional pressure will also be placed upon the Tovil site when the current agreement for Kent residents to use the Medway Council facility at Cuxton terminates in November 2020.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Planning, Highways, Transport and Waste

### **Date:**

Not before October 2019

### **Reason if Key Decision**

Equalities implications:

An initial EqIA has been undertaken which found the Adverse Equality Impact Rating to be Low. This will be updated when the project reaches design and build stage.

Data Protection implications:

Initial screening of the data protection impact assessment has determined there to be no exchange of personal data. Therefore, full DPIA not required.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 10 October 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

The proposed delivery model is for a new “turn key” facility for which KCC will pay a management fee. This delivery model has been previously used and successfully implemented by Waste Management, with a proposed 20-year

term being considered as providing the optimum Contract period in terms of cost to the Authority. This delivery model will require additional revenue funding, as such, an increase in revenue provision (£100K in 2019/20 and £250K in 2020/21) has been made in the MTFP for this project. This is in addition to the current budget of £480k p.a. for the existing Medway charges which will become available when the project is delivered.

Project is entirely KCC funded.

**Support documents**

**NOT BEFORE 20 AUGUST 2019 BY CABINET MEMBER**

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:**

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00057 - East Kent Facilities Management Services**

**The Decision needed:**

**Proposed Decision:**

Approval to award a contract for the delivery of Facilities Management Services in East Kent and to delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services to agree final terms and enter into any necessary contractual documentation.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before August 2019

**Reason if Key Decision**

<b>Reason if this decision has been delayed/withdrawn from a previous plan</b>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Policy and Resources Cabinet Committee on 20 Septmebr 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<b>Your name, Your Service, Your phone number and email address:</b>
<b>Support documents</b>

<p><b>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</b></p> <p><b>Reference No:</b> KCC will need to enter into and or vary a number of legal agreements with Turner Contemporary, Arts Council England and a number of partners, in order to secure the project.</p> <p>KCC will need to enter into a number of contractual agreements to develop and deliver the site.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b> <b>19/00060 - Turner Contemporary</b></p> <p><b>The Decision needed:</b> <b><u>Proposed decision:</u></b></p> <p>That the Cabinet Member for Community and Regulatory Services agree to:</p> <p>(a) Enter into and or vary significant legal agreements including, but not limited to, a Memorandum of Understanding and Collaboration Agreement with Turner Contemporary, RNLI, Yacht Club, Arts Council England and any other stakeholders as required</p> <p>(b) Authorise the Director of Infrastructure to enter into all necessary legal agreements for the delivery and the construction of the project</p>

(c) Permit the project subject to KCC's VAT partial liability exemption position not being breached or in breach

**Background:**

The project is a combination of reconfiguration and refurbishment of the Turner Contemporary (TC) and the Rendezvous site. The aim of the project is to make the TC more financially sustainable by reducing running costs and improving the potential for increasing revenue income and making the TC building function more efficiently to service the high levels of visitors it currently attracts.

The scope of the project will be to consider how best to maximise income generation through the inclusion of car parking income, retail and catering offer, while preserving the current standards of the facility.

The Gallery has far exceeded its predicted visitor numbers and this has had a tangible effect on regeneration which has encouraged people to relocate to Margate and enabled new businesses to become established in the surrounding areas. This project now seeks to secure this position that will allow the Turner Contemporary to become more financially self sufficient.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before August 2019

**Reason if Key Decision**

No adverse impacts have been identified in the Equalities Impact Assessment and this will be kept under review as the project progresses.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.

Public consultation will be undertaken wherever it is part of the Arts Council England requirements.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Arts Council England (ACE) is investing £495k in the project towards build costs via grant funding. KCC contribution of £1.5m from the current Capital Programme.

**Support documents**

**NOT BEFORE 30 JULY 2019 BY CABINET MEMBER**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** Kent County Council (KCC) does not have a legal duty to provide sites in Kent for the Gypsy and Traveller community. This is a statutory duty placed upon the district and borough councils to discharge as part of their local plans. All local councils are required to produce an up-to-date Local Plan for their area, to guide the spatial development of the borough.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00052 - Gypsy and Traveller Pitch Allocation Policy**

**The Decision needed:**

Proposed Decision:

To revise and update Kent County Council's (KCC) Gypsy and Traveller Service Allocations Policy for managed sites.

**Background:**

This review work is part of ongoing, council-wide activity to update and improve our processes, policies and practices.

The priorities for the Gypsy and Traveller service are to:

- Improve current service efficiency whilst also planning for future demographic pressures within the Gypsy and Traveller community through better planning and countywide coordination on the provision of good quality sites.
- Manage the growing financial challenge by ensuring that pitch allocations are made in a clear and transparent manner and that rent affordability is confirmed prior to pitches being allocated.
- Improve licensee vetting, licence agreements and enforcement policies to ensure our sites' residents understand accepted levels of behaviour, including requirements for rent payments, both prior to being allocated a pitch and for the duration of their tenancy.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

#### **Date:**

Not before July 2019

#### **Reason if Key Decision**

Gypsies and Travellers are protected groups under the Equality Act 2010. EQIA's have been completed to ensure impacts of policy changes have been considered and mitigations factored in where appropriate.

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed decision will be discussed at the Environment and Transport Cabinet Committee on 16 July 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

The new Pitch Allocation policy will seek to redress historic issues around rent affordability and ongoing rent collection by setting out clear guidelines to all prospective tenants of the required rent arrangements and the subsequent enforcement action that will be taken if rent payments are not recovered in line with requirements.

Increased, consistent vetting of tenants will ensure that affordability of pitches is checked prior to licences to occupy being issued.

Recovery of 100% of rent costs for all tenants is critical to enable the ongoing

quality, sustainable management of the sites in the future.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** This opportunity has not been subject to competition. This is supported by Regulation 32(2)(b)(ii) of the Public Contract Regulations which states that a Negotiated Procedure without Prior Publication may be used where services can be supplied only by a particular economic operator where competition is absent for technical reasons

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area**

**The Decision needed:**

To award a 4 year contract to Maidstone & Tunbridge Wells NHS Trust (MTW) for the provision of post mortem (PM) facilities at Tunbridge Wells Hospital, Pembury for the Mid Kent & Medway coroner area.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before July 2019

**Reason if Key Decision**

An Equality Impact Assessment has been carried out and there is no potential for discrimination and all opportunities to promote equality are currently being taken in line with KCC policies and statutory requirement. Should any issues arise they will be dealt with in accordance with KCC policies and statutory requirements.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

<p><b>Consultees</b></p> <p>The proposed decision was considered and endorsed at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Based on 2018-19 activity levels the estimated cost for the 4 years is £676,000</p> <p><b>Support documents</b></p>

**NOT BEFORE 26 JULY 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Planning, Highways, Transport and Waste</p> <p><b>Reference No:</b> None</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00050 - A20 Coldharbour Roundabout Improvement</b></p> <p><b>The Decision needed:</b> Approval to take the highway improvement through the next stages of development and delivery including authority to progress statutory orders and to enter into funding and construction contracts.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Planning, Highways, Transport and Waste</p> <p><b>Date:</b> Not before July 2019</p> <p><b>Reason if Key Decision</b> None – detailed scheme design will consider equalities aspects. A screening report has been completed and a full EqIA developed.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> None</p> <p><b>Support documents</b></p>

**NOT BEFORE 23 JULY 2019 BY CABINET MEMBER**

**NOT BEFORE 6 JULY BY CABINET MEMBER**

**NOT BEFORE 30 APRIL 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> N/A</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b> <b>19/00031 - Increase in the designated number at The Elms School, Dover</b></p> <p><b>The Decision needed:</b> Background:</p> <p>The Elms School is a good school designated for 96 pupils with behaviour and learning needs. Currently the school has 130 pupils on roll. This number is expected to increase to 158 from September 2019. It is necessary therefore, to regularise this situation and increase the designated number of the school via a statutory process.</p> <p>Legislation requires that statutory proposals are undertaken where the number of pupils on roll of a special school exceeds its designated</p>

number by more than 10%. Therefore, we are proposing to increase the designated number to 158, to regularise the current position and to increase the number of places available.

Proposed decision:

Increase the designated number of The Elms School, Dover from 96 to 158 places

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Children, Young People and Education

### **Date:**

Not before April 2019

### **Reason if Key Decision**

The Equality Impact Assessment is in place. No adverse impacts have been identified at this point.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

A consultation will take place in April/May 2019.

The Children's, Young People and Education Cabinet Committee will receive a report on this matter in June 2019.

The view of the local members will be sought as part of the consultation.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

The Elms School will receive the funding for the pupils in line with the funding allocated to special schools through KCC's funding formula. A feasibility study needs to be undertaken to assess what, if any accommodation will need to be needed to enable the increase in the designated number.

### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Children, Young People and Education

**Reference No:** KCC will accept the contractual responsibilities for the construction contracts to deliver the new school.

**Key No**

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00037 - New St Andrew's Primary Free School Contract Approval**

**The Decision needed:**  
**Background:**

In July 2016 the Department for Education approved a Wave 11 bid proposed by the Tenax Trust to establish the St Andrew's Primary Free School at Paddock Wood, Tunbridge Wells. The proposed new school will have the capacity for 420 pupils (2 FE) from reception to year 6. The bid also included an estimated 60 nursery places. The Education and Skills Funding Agency (ESFA) is responsible for funding the delivery of the new school.

The ESFA has appointed KCC to act as the Local Delivery Agent (Responsible Body), with Gen2 acting as KCC's Agent. As the Responsible Body, KCC will commit to procuring and delivering the scheme and will be the contracting authority for the purpose of the scheme. As the Responsible Body KCC is also responsible for compliance with all relevant statutory obligations and is required to secure any statutory approvals required to deliver the scheme.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Children, Young People and Education

**Date:**

Not before May 2019

**Reason if Key Decision**

Tenax Trust and the Department for Education will have considered the equality impacts of opening a new school as part of their decision making. In respect of this proposed decision, to agree KCC can enter into a contract to deliver the school building, there are no known equalities implications.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

<p><b>Consultees</b></p> <p>The matter does not need to be considered by the Infrastructure Commissioning Board as the proposal is outside of the terms of reference.</p> <p>Consultation on the proposal to open a new school would be a matter for Tenax Trust and the DfE.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The ESFA has allocated funding for the build costs of the school (circa £8.35 million) and this will be secured within a Development Agreement prior to KCC entering any Construction Contract. There will be no capital funding requirements from KCC in relation to the scheme and therefore no impact on the County Council’s MTFP.</p> <p><b>Support documents</b></p>

**NOT BEFORE 17 APRIL 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> N/A.</p> <p><b>Key No</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>19/00028 - Expansion of Palmarsh Primary School</b></p> <p><b>The Decision needed:</b>  Background Information:</p> <p>In January 2017 permission was agreed to release £2,200,000 from the Education and Young People’s Services Capital budget to enable Palmarsh Primary School to expand to 1FE. It was understood that this would be the first phase of a gradual expansion to 2FE.</p> <p>The first phase of the expansion would provide 3 new classrooms, a new entrance off Jubilee Close, offices and car parking with further classrooms being added in later phases.</p> <p>Planning permission for the first phase of the expansion has been achieved.</p>

However, in order to secure the said planning permission significant adaptations needed to be made increasing the capital costs to £2,600,000.

Options:

Consideration has been given as to how we can scale back the first phase of the expansion plans, ensuring there is: is sufficient high quality classroom space for the school to expand to 1FE; provision of a new entrance off Jubilee Close; increased car parking and the completion of agreed s278 works.

Sufficient classroom space could be achieved via the removal of an old mobile classroom and replacing this with a new two classroom mobile unit. The new offices and permanent classrooms could be delivered in a later phases as an when there is a need for second FE of provision. The total costs for the mobile classrooms, new entrance off Jubilee Close, car parking and s278 works would be in the region of £700,000.

A variation to the present planning permission will be required if this was to proceed.

Proposed decision:

The Cabinet Member for Children, Young People and Education is asked to release £625,000 of the £2,200,000 already agreed from the Children, Young People and Education Capital budget to expand Palmmarsh Primary School to 1FE.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Children, Young People and Education

### **Date:**

Not before April 2019

### **Reason if Key Decision**

The Equality Impact Assessment is in place. The variation in plans will not impact on the judgements in the EqIA.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

This matter will be considered by the Infrastructure Commissioning Board on 30 April 2019 or 24 May 2019.

A consultation on expanding to 1FE was undertaken in 2016, as there is no change to this decision further consultation is not required.

The report will be submitted to the Children's, Young People and Education Cabinet Committee meeting on 28 March 2019.

The view of the local member will be sought prior to the Cabinet Committee meeting.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

£1,200,000 has been secured in developer contributions of which £887,000 has been paid so far. The estimated costs for the mobile classrooms, new entrance, carparking and s278 works would be in the region of £700,000. The School will put the £75,000 towards this from their capital funding with the rest coming from the Children, Young People and Education Capital budget. The School will receive increased funding through the Delegated Budget. The rising roles will be protected in line with KCC Growth Funding Policy. Revenue funding will also be allocated to enable the School to resource one of the classrooms. At present that is at a value of £6,000.

**Support documents**

**NOT BEFORE 27 MARCH 2019 BY CABINET MEMBER**

**NOT BEFORE JANUARY 2018 BY CABINET MEMBER**

**Responsible Cabinet Member** - Deputy Leader and Cabinet Member for Finance and Traded Services

**Reference No:** Provision of this service is a statutory responsibility. The market was tested to establish levels of interest.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**17/00125 - Healthwatch Kent interim contract**

**The Decision needed:**

Proposed decision: To agree:-

- a) the implementation of an interim contract for the provision of a Local Healthwatch for Kent for the period April 1<sup>st</sup> 2018 to March 31<sup>st</sup> 2020,

with sufficient break clauses to end earlier where appropriate; and

- b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract

How the decision relates to Corporate Objectives

- Commissioning Framework Principle 7: Customers at the heart of our commissioning approach
- KCC's commissioning of a Healthwatch for Kent is required by duties under the Health and Social Care Act 2012, which built upon the Local Government and Public Involvement in Health Act 2007

The matter is referred to in the Business Plan/Medium Term Capital Programme.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Deputy Leader and Cabinet Member for Finance and Traded Services

### **Date:**

Not before January 2018

### **Reason if Key Decision**

No equalities implications – whole Kent provision.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed incorporation of the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract was discussed by the Adult Social Care Cabinet Committee on 23 November 2017.

The interim contract will be discussed by the Health Reform and Public Health Cabinet Committee on 24 January 2018.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.

### **Support documents**

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**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

<b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services  <b>Reference No:</b> None  <b>Key</b> Yes
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<b>Title:</b> <b>17/00094 - Disposal of Land East of Great Chart Primary School, Singleton</b>  <b>The Decision needed:</b> Approval to the Director of Infrastructure to progress with and enter into the necessary documentation to complete the disposal of the aforementioned property in consultation with the Cabinet Member for Corporate and Democratic Services. The Decision will seek legal agreements to be actioned to complete the sale of the relevant properties.
<b>Section 2 – Who is taking the final decision and when</b>
<b>Who is taking the Decision</b> Cabinet Member for Corporate and Democratic Services  <b>Date:</b> Not before October 2017  <b>Reason if Key Decision</b> None  <b>Reason if this decision has been delayed/withdrawn from a previous plan</b> Securing a capital receipt to fund the capital programme and to streamline the Council’s property portfolio to achieve financial and efficiency benefits in line with appropriate policy
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>  Property decisions to be discussed at the Property Sub Committee.
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<b>Your name, Your Service, Your phone number and email address:</b>

Property holding costs will cease upon sale.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Planning, Highways, Transport and Waste

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**17/00084 - (Phase 2) A274 Sutton Road, Maidstone at its junction with Willington Street**

**The Decision needed:**

The Willington Street Junction Improvement Scheme is to help reduce congestion on the Sutton Road corridor on the A274 strategic route. Public engagement on the revised scheme layout will be carried out during August 2017, a report will be presented to advise the feedback and potential amendments including any related mitigation measures.

The scheme supports policy objectives of supporting existing businesses and encouraging economic activity with housing growth and job creation by reducing congestion and improving infrastructure and accessibility.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Planning, Highways, Transport and Waste

**Date:**

Not before October 2017

**Reason if Key Decision**

None - detailed scheme design will consider equalities aspects

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

On-going liaison and engagement with residents and business community as required and at appropriate stages of the scheme development.

The decision will be discussed at the Environment and Transport Cabinet Committee on 21<sup>st</sup> September 2017.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The estimate cost is £3m and will be covered under existing budget allocations from the Local Growth Fund and Section 106 Developer Contributions.

**Support documents**

**LONG TERM**

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:**

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**Lawn Primary School, Gravesend - New Playing Field**

**The Decision needed:**

Update 01 February 2017: Officers have confirmed that the decision is still 'live' and that KCC continue to work with the landowner regarding use of the land and any consequential s106 arrangements. The process is expected to be lengthy and is likely to be ongoing for the duration of 2017.

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The Cabinet Member will be asked to agree that KCC take a long lease of 99 years at a nominal rent from Lafarge to facilitate expansion of school roll. Lafarge to create new playing field and to maintain subsoil thereafter. The Playing Field is being delivered as part of a s106 Agreement being a contribution to mitigate the impact of adjacent development of 510 homes upon Lawn Primary School and free up space on the existing Lawn PS site to enable expansion of the existing school buildings from 1FE to 2FE.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

<p>Cabinet Member for Corporate and Democratic Services</p> <p><b>Date:</b> Before January 2018</p> <p><b>Reason if Key Decision</b> This decision is considered as a key decision owing to the length of the lease, in accordance with the Council's Property Management Protocol</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed Cabinet Member decision will be considered by the Property Sub-Committee at its meeting scheduled 27 March 2015</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Lead officer: Kahren Knott – Estates Surveyor, Property &amp; Infrastructure Support 03000 416356 kahren.knott@kent.gov.uk Lead Director: Rebecca Spore – Director of Property &amp; Infrastructure Support 03000 416716 Rebecca.spore@kent.gov.uk</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Children, Young People and Education</b></p> <p><b>Reference No:</b> 16/00101</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>16/00101 - Proposal to expand Marden Primary School</b></p> <p><b>The Decision needed:</b> The Cabinet Member for Children, Young People and Education will be asked to</p>

agree to:

- i. Expand Marden Primary School, Goudhurst Road, Marden, Tonbridge, Kent, TN12 9JX, from 280 places to 420 places, increasing the published admission number (PAN) from 40 to 60 for Year R entry in September 2018
- ii. Allocate the budget from the Basic Needs budget (full details to be provided within the Education and Young People's Services Cabinet Committee Report)

In accordance with Appendix 4 Part 2 16 (a) of the Council's constitution, the Council's Executive Scheme of Officer Delegation provides that "Once a Member-level decision has been taken.....the implementation of that decision should be delegated to officers..." In this instance it is envisaged that the Director of Infrastructure will inherit the authority to act and will enter into any necessary contracts/ agreements on behalf of the County Council or further delegate responsibilities in accordance with 16 (c) of the same scheme "Senior Managers exercising delegated powers will...be able to sub-delegate...functions to more junior officers"

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Children, Young People and Education

### **Date:**

Not before January 2018

### **Reason if Key Decision**

This proposal will help "to ensure that Kent's young people have access to the education....necessary to support Kent business to grow ..." as set out in 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015 - 2020)' and supports delivery of KCC's responsibility to provide sufficient, high quality places where they are needed as set out in the 'Commissioning Plan for Education Provision in Kent 2016-2020'

Financial Implications: Will be set out in the report that will be considered by the Children's, Young People and Education Cabinet Committee.

Legal Implications: Any legal implications will be identified in the report that will be considered by the Children's, Young People and Education Cabinet Committee

Equality Implications: An Equality Impact Assessment has been produced and can be viewed here: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations) .

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The Commissioning Plan for Education Provision 2016-20 identified Marden as an area of future need and Marden Primary School was therefore proposed for expansion to meet that predicted demand. The Plan was considered and endorsed by the Education and Young People's Services Cabinet Committee on 15 December 2015 prior to the final version being considered and approved by Cabinet on 21 March 2016.

A public consultation commenced on 23 September 2016 and closed on 21 October 2016. Further information is available on the School Consultation webpage: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

The outcome of the consultation was due to be reported to Education and Young People's Services Cabinet Committee on 23 November. The report was deferred, pending further discussions on the design and planning process and will be considered by the Cabinet Committee at its meeting scheduled for 22 June 2017

#### **Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Jared Nehra, Area Education Officer for West Kent  
03000 412209  
Jared.nehra@kent.gov.uk

#### **Support documents**

### **UPDATE AWAITED**

**Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services**

**Reference No:** 13/00095

**Key** Yes

#### **Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**Disposal - Residential Land adjoining Great Clayne Lane Farm, Gravesend.**

**The Decision needed:**

To seek approval for the Director of Property and Infrastructure Support in consultation with the Cabinet Member for Corporate and Democratic Services to progress with and enter into the necessary legal documentation to complete the disposal of residential land adjoining Great Clayne Lane Farm, Gravesend following the marketing of the site. The

site has been marketed and offers received, shortlisted and a preferred purchaser has been identified. The Decision will seek for legal agreements to be actioned to complete the sale of the property.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

### **Date:**

Not before October 2015

### **Reason if Key Decision**

Financial criteria is likely to be exceeded

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

Lead officer: Rebecca Spore

Director of Property & Infrastructure Support

Tel: 01622 - 221151

E-Mail: rebecca.spore@kent.gov.uk

### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Corporate & Democratic Services

**Reference No:** 14.00022

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

## **Former Shepway Resource Centre, Folkestone - Disposal**

### **The Decision needed:**

#### **LATEST UPDATE:**

19/05/2014 - Decision due date changed from 18/02/2014 to 01/08/2014.

**REASON:** The proposed decision to dispose of the Centre was delayed while internal processes were undertaken to ensure that no other suitable use could be found before disposal. This process is complete and the former resource centre will be placed on the market shortly. Responses from the market will be gauged after a period of approximately 3 months and a proposal for the site put forward at that time. The decision will be considered by the Property Sub-Committee or the Policy and Resources cabinet Committee before being taken by the Cabinet Member.

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To seek approval to the disposal of the former Shepway Resource Centre following the marketing of the site

### **Section 2 – Who is taking the final decision and when**

#### **Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

#### **Date:**

Not before October 2015

#### **Reason if Key Decision**

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

### **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

#### **Consultees**

The proposed decisions will be discussed at Policy & Resources' Property Sub Committee following marketing.  
The property is situated within the electoral division of Folkestone West. Cllr Hod Birkby has been consulted.

### **Section 4 – Responsible Officer – Who to contact for more information.**

#### **Your name, Your Service, Your phone number and email address:**

Alyson McKenna,  
01622 696032  
alyson.mckenna@kent.gov.uk  
Rebecca Spore,  
01622 221151  
rebecca.spore@kent.gov.uk

**Support documents**

**DEFERRED**

**Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services**

**Reference No:**

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**Sandwich Highways Depot**

**The Decision needed:**

**Update 09/03/2015:**

**DEFERRED: The disposals team at KCC are currently working on new plans for the site in order to ensure that the maximum value is secured; surveys are being carried out with a view to marketing the site in the future dependent on the outcome of those surveys.**

**Latest Update:**

19/05/2014: Decision due date changed from 23/12/2013 to ‘Not before’ 01/11/2014.  
REASON: The disposals team at KCC are currently working on new plans for the site in order to ensure that the maximum value for the site is secured. Options appraisal work is underway and this work is expected to take approx. 6 months, therefore an expected decision date is set for November.

To seek approval to proceed with the disposal of the above site to raise a capital receipt which will be allocated to support the capital programme.

To seek approval to identify and progress with the acquisition of a new site for the service.

The Director of Property and Infrastructure Support will be authorised to finalise terms for both the disposal and acquisition of a new site.

This decision is needed to enable a modern highway service operation to be provided in the East Kent Area that is both reactive and responsive to changing demands. It directly supports 3 of the Bold Steps for Kent.

- Firstly it helps deliver the “Kent Environment Strategy” by the provision of new environmentally friendly facilities (e.g. grey water) via the construction technique with the eventual adaptation of new work practices within the new depot.

- Secondly it builds relations with key business sectors across Kent as the supply chain involved in such a project provides work to businesses of all sizes.
- Thirdly by the better siting and provision of facilities for the new depot it ensures that the most robust and effective public protection arrangements are in place for road management including bad weather response.

The impact of the decision is that full assessment of the potential disposal of the site can be explored within the market place to ensure that best value principles are adhered to. In tandem a full search and feasibility study will be undertaken to identify a new location for the alternative highways depot which satisfies the above objectives.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

**Reason if Key Decision**

**Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The matter was considered by the Property Sub Committee of the Policy and resources Cabinet Committee at its meeting on 27<sup>th</sup> February 2013. The proposed decision was endorsed by the Committee.

The report to committee was exempt from publication and consideration of it took place in private.

Public minutes can be viewed by clicking on the link below:

<https://democracy.kent.gov.uk/documents/g5176/Printed%20minutes%2027th-Feb-2013%2014.00%20Property%20Sub-Committee.pdf?T=1>

## **Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

**Support documents**

<p><b>Responsible Cabinet Member -</b></p> <p><b>Reference No:</b> 12/020231</p> <p><b>Key No</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>Eden Centre Lease</b></p> <p><b>The Decision needed:</b>  <b>LATEST UPDATE:</b>  19/05/2014 - Decision due date changed from 01/03/2014 to 01/01/2015.  <b>REASON:</b> The decision remains at the earliest stages of investigation and options appraisal. A further review will take place in January 2015 when a decision pathway will be identified and the proposed decision updated further.</p> <p>-----</p> <p><b>To seek agreement to the principle of granting a long lease to a charitable community interest company or similar vehicle, of The Eden Centre, Four Elms Road, Edenbridge.</b></p> <p>The proposal directly links to Bold Steps for Kent, putting the citizen in control, building new partnerships and providing a new fit for purpose building to deliver Library and FSC services in conjunction with other partners such as the Citizen’s Advice Bureau and House (West Kent Action), to support Kent’s more vulnerable citizens.</p> <p>The impact of the decision will be that KCC will have less control of the management and operation of the centre as they would become the responsibility of a third party.</p> <p>Risks identified are:</p> <ul style="list-style-type: none"> <li>• Reliance on the professionalism of the trustees to deliver a successful facility, agreeing with all partners a financial model for the charitable vehicle</li> <li>• Reputational damage to KCC if the charitable vehicle were to fail</li> <li>• Obtaining buy in from all community groups in occupation to form trust</li> <li>• Untried and untested model</li> <li>• Level of income generation from the centre which could go to the charitable vehicle is currently unknown as a new facility</li> <li>• Continued KCC ownership of a non-core asset</li> <li>• Officers may be unable to get agreement from stakeholders, charitable vehicle does not prove financially sustainable or the trust may break down and charitable vehicle will have to pick up void periods and associated costs (benefit to KCC).</li> </ul>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b></p> <p><b>Date:</b></p>

**Reason if Key Decision**

Not a key decision

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The Eden Church, Citizen's Advice Bureau, House (West Kent Action), Edenbridge Library and FSC as partners in the centre. It is expected that representatives from all of these occupier groups will be represented by the charitable vehicle trustees, along with Sevenoaks District Council and Edenbridge Town Council.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Rebecca Spore - Director of Property & Infrastructure Tel no 01622 22115, Rebecca.spore@kent.gov.uk

Barbara Cooper, Director of Economic Development. Tel no 01622 221856, Barbara.cooper@kent.gov.uk

**Support documents**

**– Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**