



## **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 Roger Gough	Leader of the Council
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
Miss Susan Carey	Cabinet Member for Environment
Mrs Sue Chandler	Cabinet Member for Integrated Children's Services
Mr Mike Hill	Cabinet Member for Community and Regulatory Services
Mr Richard Long	Cabinet Member for Education and Skills
Mr Michael Payne	Cabinet Member for Highways and Transport
Mrs Shellina Prendergast	Cabinet Member for Communications, Engagement and People
Mr Mike Whiting	Cabinet Member for Economic Development

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**

**URGENT DECISION - IMMEDIATE IMPLEMENTATION**

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

**Reference No:** Legal support has been engaged to develop an Infection Control Grant Agreement, in line with the requirements from Central Government and KCC's own contractual and commissioning policies. These agreements will need to be completed by the recipients before funding is released.

The issue of whether state aid will apply to these payments has been considered during the development of the agreement and measures are in place to ensure appropriate compliance. The agreement makes clear the conditions of the funding and provides for detailed monitoring of the application of the funding and requires re-payment where not used for specified purposes or where compliance is not met.

**Key** Yes

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

**Title:**  
**20/00061 - Infection Control Fund**

**The Decision needed:**

Proposed decision – As Cabinet Member for Adult Social Care and Health, I agree that:

- i) Kent County Council accepts the Infection Control Fund grant (£18.88m) under the terms set out by the government.
- ii) 75% of the Infection Control Fund received from central government (£14.16m) is made available to all registered care home beds in Kent based on the number of registered beds..
- iii) In line with the terms set out by the government, the money will be paid to each provider in two equal instalments upon the provider entering into a legally binding commitment to:
  - (a) Complete and update the national capacity tracker
  - (b) Only spend the money for infection control purposes as set out in the letter from the Secretary of State for Health and Social Care
  - (c) Only spend the money on expenditure relating to Kent care homes which they would not otherwise have incurred.
  - (d) Apply open book accounting methods to demonstrate how the money has

been spent

(e) Return any money paid where they cannot demonstrate that the money has been

spent as permitted by 30 September 2020

(f) to minimise third party charges (for example, costs to avoid the use of public transport)

(g) Confirm that in no circumstances is any element of profit or mark-up applied to

any costs or charges to be reimbursed as part of this scheme.

iv) when the second instalment of infection control funding is received, the second instalment is made available on the same basis as the first, to operators once they can demonstrate they have spent the first instalment

v) the Corporate Director for Adult Social Care will develop proposals on how to allocate

the remaining 25% (£4.72m) of the Infection Control Fund grant, in line with the terms of

the grant, to support the whole care market (including homecare, supported living and

those on direct payments) with wider resilience in relation to COVID-19 Infection Control.

These proposals will be subject to a further key decision.

vi) to DELEGATE authority to the Corporate Director of Adult Social Care and Health, in consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director for Finance, to finalise the terms of and confirm the relevant payments as required; and

vii) to DELEGATE authority to the Corporate Director of Adult Social Care and Health to take other relevant actions, including but not limited to entering into and finalising the terms of relevant contracts or other legal agreements, as necessary to implement the decision

Reason for urgency:

To support the security of the social care provider market in Kent during the COVID19 crisis and enable providers to maintain delivery of essential services to the vulnerable people of Kent.

The government have stipulated that 75% of the initial grant should be passported to providers as quickly as possible. Whilst the government have advised this should be within ten working days upon receipt of the funding, given the scale and complexity of the social care market in Kent, and the number of providers with whom we have no relationship, funds will be passported as quickly as possible.

Background:

On 14 May, the government wrote to Local Authorities announcing that £600 million will be issued to councils to support care providers through a new Infection Control Fund. This will be received in two instalments: 50%

in late May and 50% in July. The government has required that 75% of this funding is for direct passporting to homes that have met the conditions outlined in the grant. There is more discretion over how the remaining 25% of the grant can be spent.

## **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:**

June 2020

### **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**

No Cabinet Committee consultation possible due to urgency of the decision

The chair of the Scrutiny Committee, Group Spokespeople of the Scrutiny Committee and Chair and Group Spokespeople of the Adult Social Care Cabinet Committee have all been briefed on this matter and their comments have been included in the Record of Decision

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

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

The funding to the Council is received as a grant paid under section 31 of the Local Government Act 2003 ring-fenced exclusively for actions which support care homes in reducing the rate of COVID-19 transmission or to support wider workforce resilience including to domiciliary care providers; the total value is £18.88m.

A first instalment of £9.44m was received at the end of May and is required to be passed on to the market as soon as possible. This is based on 75% of the allocation being for all care homes in the market. This includes elements of the market that, until now, the Council has not had dealings with, and arrangements will need to be made with each home to ensure payment can be made to them.

The payment of the second instalment to providers is contingent on the first being used for infection control measures and being used in its entirety, if not fully used, funds will need to be returned to government.

The guidance sets out that the remaining 25% is for the

### **Support documents**

**NOT BEFORE 9 JULY 2020**

**Responsible Cabinet Member** - Cabinet Member for Highways and Transport

**Reference No:** Legal Implications – None as Highways England will sign up to the approved legal agreement prior to any funding being transferred

**Key** Yes

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

**Title:**

**20/0058 - Local Growth Fund Round 3b Third Party Scheme - M2 Junction 5 Improvement Scheme**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Highways & Transport is asked to give approval to progress the M2 Junction 5 Improvement scheme, via KCC's Local Growth Fund arrangements, allowing it to progress to the stages of development and delivery.

Specifically:

- **to confirm that KCC will act as the accountable body for the project;**
- **to enter into a funding agreement for the Local Growth Fund (LGF) and KCC contributions to the scheme; and**
- **to enter into legal agreements with the relevant third party delivering the scheme to transfer the conditions of the LGF spend and project management to them**

Also, to agree to delegate authority to Corporate Director of GET, in consultation with the Corporate Director of Finance & Procurement, to enter into relevant legal agreements and take other actions necessary to implement this decision.

**Background:**

In the Growth Deal announcements in July 2014 (Round One), January 2015 (Round Two) and February 2017 (Round Three), the Government allocated £570 million from the Local Growth Fund to capital projects

across the South East Local Enterprise Partnership (SELEP) area.

In total, through the three rounds, £128m Local Growth Fund was allocated towards the delivery of 25 Highways and Transportation projects and 6 non-transport projects in Kent.

As the end of the Growth Deal (March 2021) approaches, several projects throughout the SELEP region have experienced difficulty with delivery. This has resulted in projects having their LGF allocations removed and to date £33.396m of funding has been returned to SELEP for reallocation to projects which have demonstrated deliverability by March 2021.

Through this process, an allocation has been made available for the M2 junction 5 improvement scheme. This scheme will be delivered by Highways England and KCC will transfer the LGF on to the third party for the delivery of the scheme.

It has been agreed with Government that SELEP and therefore Kent County Council will receive Local Growth Fund in quarterly instalments in advance in accordance with the scheme spending profiles, subject to completion of a Business Case for each project and the approval of the project by SELEP Accountability Board.

A legal agreement has been prepared between KCC and Highways England which will transfer all the LGF spend and project management responsibility on to them. This includes updating Kent County Council monthly on project progress and spend; as well as completing the post scheme monitoring required by SELEP.

The scheme will be delivered in line with the current governance arrangements under the Local Growth Fund (KCC and SELEP). Therefore, it will carry out necessary consultation and equality impact assessments as part of the scheme progression.

The business case for the M2 junction 5 scheme was approved at SELEP Accountability Board on 14<sup>th</sup> February 2020.

The M2 Junction 5 scheme is subject to a Public Inquiry which has been delayed due to the Covid-19 emergency. It is likely that the Public Inquiry will now be considered in August 2020. In order to demonstrate that the full funding package is in place; Highways England need to have sealed legal agreements available to show the LGF and KCC contributions towards the scheme delivery.

Before the legal agreement can be sealed for the scheme; a key decision is required. The LGF cannot be spent until the Key Decision is in place.

No funding will be transferred to Highways England until the result of the Public Inquiry is announced; and it can be demonstrated that the project will proceed to delivery.

**Options –**

The options considered for the M2 Junction 5 Improvement Scheme are set out in the business case document which can be accessed here:

M2 Junction 5 (pages 13-15)

<https://www.southeastlepp.com/app/uploads/2019/07/M2-J5-LGF-Business-Case-redacted.pdf>

**How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'**

The scheme particularly addresses Strategic Outcome 2 "Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life". The improvement scheme will increase the capacity at the already constrained M2 junction 5; reducing journey times to assist Kent's residents to reach employment, education and leisure activities. The junction is one of the top 50 national casualty locations on England's major A roads and motorways; and the scheme will improve the safety for residents and visitors to Kent. The infrastructure will also unlock housing sites in Swale to generate economic growth within the area.

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

**Who is taking the Decision**

Cabinet Member for Highways and Transport

**Date:**

Not before July 2020

**Reason if Key Decision**

Equalities implications - An EQIA is being developed by Highways England in line with the necessary governance for the LGF allocation to be drawn down.

**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**

Public consultation was carried out 6<sup>th</sup> September to 17<sup>th</sup> October 2017 by Highways England. The consultation report can be found here <https://highwaysengland.citizenspace.com/he/m2-junction-5-improvements/>

There is a further opportunity for interested parties and stakeholders to comment or object to the proposed scheme following an announcement of a Public Inquiry: <https://highwaysengland.co.uk/projects/m2-junction-5->

[improvements/](#)

Views have not been sought by KCC as this is a third party delivered scheme. Confirmation of the delivery partner seeking Member views will be provided within the Cabinet Member report.

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

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

M2 Junction 5 – KCC will provide a £900,000 capital contribution to the delivery of the £94m scheme; LGF will provide £1.6m and the remainder will be provided by Highways England through their RIS funding. The £900,000 capital contribution towards the scheme will come from the £1.6m allocated to the scheme shown on page 74, line 4 of the approved 2019/20 Budget Book.

**Support documents**

**NOT BEFORE 1 JULY 2020**

**Responsible Cabinet Member - Cabinet Member for Economic Development**

**Reference No:** The extension to the existing inward investment services contract with Locate in Kent from 1 August 2020 to 31 July 2021 is consistent with the Public Contract Regulations 2015 and with Procurement Policy Note 1-20 (Response to Covid19).

**Key** Yes

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

**Title:**

**20/00033 - UPDATED - Inward Investment Services**

**The Decision needed:**

**Proposed Decision:**

The Cabinet Member for Economic Development to agree to extending the current inward investment services contract with Locate in Kent for the period 1 August 2020 to 31 July 2021.

**Background:**

Kent County Council is seeking to extend the existing Inward Investment Services contract with Locate in Kent for the period 1 August 2020 to 31 July 2021. The current contract with Locate in Kent commenced in August 2016 and runs until 8 August 2020.

The existing contract was originally awarded for 3 years to August 2019 with an option to extend for a further 12 months. That extension has already been taken. The overall value of the current contract to August 2020 is £4,262,488.

The Inward Investment Service will deliver, alongside Kent County Council and Medway Council, specific outcomes that contribute to economic development in Kent and Medway. These are:

- More investment opportunities from overseas markets
- Increased supply chain benefits for local businesses
- More inward investment in Kent and Medway
- Raised profile as a destination for inward and foreign direct investment.

The purpose of the service will be to promote and raise the profile of Kent and Medway as an attractive business investment location for UK and foreign-owned businesses relocating and expanding within and into the county, and to create jobs from successful company investments.

Since August 2016, the Inward Investment Service has been funded by Kent County Council, Medway Council and the European Structural and Investment Funds (ESIF) Growth Programme, which is administered by the Ministry for Housing, Communities and Local Government (MHCLG). In March 2020, MHCLG approved an application by Kent County Council for continued ESIF funding to support the Inward Investment Service for Kent and Medway to March 2023. Both KCC and Medway Council have already confirmed funding to March 2023.

A key condition of ESIF funding is that all service contracts are procured in accordance with the requirements of the Public Contracts Regulations (PCR) 2015. This means that the inward investment service would need to be re-procured so that a new contract could commence in August 2020.

The procurement process had already commenced in January 2020 with the publication of the Prior Information Notice. The intended procurement timeline for the new contract is set out below:

Stage	Timescale
Prior Information Notice	January 2020
Specification Development	October 2019 – February 2020
Tender and Contract Documentation	
OJEU Advert Placed	March 2020
Call for Competition and Selection Questionnaire	March 2020
Tender Issue	April 2020
Tender Return	May 2020
Tender Evaluation and Negotiations	May 2020
Contract Award	June 2020
Contract Mobilisation	June – July 2020
Contract Commences	August 2020

Following the Call for Competition in March 2020, we received three expressions of interest from prospective providers. The Invitation to Tender was due to be issued in the first week of April, However, the Covid19 emergency has meant that KCC's procurement resources have been diverted towards supporting the procurement of health services and supplies associated with the pandemic. This has resulted in significant delays to the procurement process for the inward investment service, which has yet to resume.

The likelihood that procurement of the inward investment service would not be completed until much later in the year was brought to the attention of MHCLG in March 2020. At the request of MHCLG, the County Council commissioned Invicta Law to provide a legal opinion as to whether an extension to the current contract with Locate in Kent would be consistent with Regulation 72(1) of PCR 2015 and with Procurement Policy Note 1-20 (Response to Covid19) issued by the Cabinet Office in March 2020. Following the advice given by Invicta Law, on 30 April 2020 MHCLG agreed to allow an extension of 12 months to the current contract with Locate in Kent.

**The extended inward investment services contract will be to 31 July 2021 and will cost £1,060,000. The contract will be funded by KCC, Medway Council and the ESIF Growth Programme.**

The service will aim 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 for the period 1 August 2020 to 31 July 2021 will be 1,400 new jobs from SMEs and non-SMEs and 50 successful projects. There will be specific outputs for the ESIF-funded part of the project to provide consultancy support to SMEs and to create new jobs, which are included within the overall 1,400 target.

#### **Options considered:**

Two options were considered in addition to a Do Nothing option:

- **Doing nothing.** This would mean having no further external service commission after the cessation of the current contract with Locate in Kent, and no in-house provision within KCC. This would provide significant financial savings to KCC. However, because there is currently no comparable business support service in Kent and Medway, this would result in a failure to capitalise on opportunities for growth in the local economy and job creation. It would also result in loss of funding support from Medway Council and the ESIF Growth Programme.
- **Option 1 – Do minimum.** This would mean establishing for the first time a bespoke, outward-facing business support service based in KCC. Although currently KCC does not have the expertise in-house to provide the specialised, face-to-face support that businesses want, this would potentially deliver cost savings to the County Council. However, it is unlikely to attract financial support from Medway Council, the ESIF

programme and the private sector. There would also be TUPE implications of transferring staff from the current supplier to KCC.

- **Option 2 – Preferred option.** This is to extend the contract for 12 months from 1 August in line with PCR 2015 Regulation 72(1), ceasing the current procurement process until early 2021 and allowing up to six months to re-tender with adequate mobilisation periods should the existing supplier change. Prospective suppliers who have submitted Selection Questionnaires will be formally notified by KCC’s Strategic Commissioning team about the halt in the procurement process due to the Covid19 pandemic. They will be advised as to the revised indicative procurement timescales and contacted when the new advert is published. The award of a new contract for the period August 2021 to March 2023 will require a Key Decision.

**How does the proposed decision meet the objectives of ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’?**

The project supports KCC’s Strategic Outcome 2 (Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life). It also supports the following themes that influence the achievement of Outcome 2 (Planning for Growth, Investing in our Infrastructure, Standing up for Kent and Smart Places).

The project is consistent with the emerging draft of Kent’s Economic Recovery Plan, which recognises the need to support businesses in the return to growth including through focussed efforts on place marketing, sector specific support and supply chain development and support for innovation.

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

**Who is taking the Decision**

Cabinet Member for Economic Development

**Date:**

Not before July 2020

**Reason if Key Decision**

Equalities implications:

An Equalities Impact Assessment has been undertaken for the service. No issues have been identified.

Data Protection implications:

An early stage Data Protection Impact Assessment has been undertaken for the service. No issues have been identified although this will be kept under review as the project continues.

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

<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>Is any public consultation planned or has already been undertaken? No.</p> <p>Cabinet Committee consultation planned or undertaken. The proposed contract was considered by Growth, Economic Development and Communities Cabinet Committee on 13 September 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></p> <p>The expected total revenue cost of the contract from 1 August 2020 to 31 July 2021 is £1,060,000. There are no capital costs. This would be funded by KCC (£510,000), Medway Council (£70,000) and ESIF (£480,000). KCC's financial contribution for 2020-1 is included within the GET Revenue Budget for 2020-21 (row 79) as agreed by County Council (February 2020). Medway Council's financial contribution has already been confirmed for the period 2020-23. ESIF funding to March 2023 was confirmed on 26 March 2020.</p> <p><b>Support documents</b></p>

**NOT BEFORE 19 JUNE 2020**

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Reference No:</b> There are no legal implications.</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>20/00057 - Microsoft 365 licensing agreement (s) contract award</b></p> <p><b>The Decision needed:</b>  Background:</p> <p>KCC entered into an Enterprise Licensing Agreement with Microsoft via its reseller in June 2018 for three years. Since the contract was awarded Microsoft have made available a discounted licencing arrangement over a new 3 year term. This agreement provides access to a variety of M365</p>

applications, tools and modules which are essential to supporting the Councils business operations. As part of this arrangement the Council will be able to take advantage of enhanced licensing which is critical to support its COVID -19 response including a transition from Skype to Teams and enhancing the security of KCC's infrastructure.

Proposed decision:

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services agrees to enter into a new Microsoft licensing agreement for 3 years to meet KCC business and Infrastructure licensing requirements – delegation to Director of Infrastructure for the necessary contractual negotiations and authority to enter into any legal agreements.

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

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

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

### **Date:**

Not before June 2020

### **Reason if Key Decision**

There are no equality 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**

### **Consultees**

Cabinet Committee Members were engaged informally via email in advance of this proposed decision being published and all comments received were duly considered by the Cabinet Member.

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

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

Discussions are underway with Bytes and Microsoft to confirm final commercial arrangements.

Initial indication based on current use is that the 3 year costs (July 2020 – June 2023) will equate to approx. £9,900k.

Year 1 July 2020 - June 2021 - £2,963K

Year 2 July 2021 - June 2022 - £3,273K

Year 3 July 2022 - June 2023 - £3,666K

It is proposed that COVID-19 budget is used to fund the element that has been brought forward ahead of forecast expenditure. The remaining contract costs will be accounted for within the IT budgets.

**Support documents**

PROD Microsoft E5 Licence 20-00057

Unrestricted Microsoft E5 Licence Decision Report 20-00057

EXEMPT Microsoft E5 Licence Decision Report 20-00057

**NOT BEFORE 17 JUNE 2020**

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

**Reference No:** KCC will enter into a Conditional Agreement with the TFM providers by way of a Contract Change Notice. This agreement is outside of the current delegated authority envisaged under the original decision No 12/01838.

**Key** Yes

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

**Title:**  
**20/00054 - Extension of TFM contract**

**The Decision needed:**

Background

The current TFM (Total Facilities Management) contracts with Amey and Skanska expire in October 2021. Prior to March the Council was at the initial market testing stages of finalising the scope and approach for the procurement of new facilities management services when the existing contracts came to an end. To meet this timetable the competition was due to start in June/July, COVID-19 has had a significant impact on the wider market and whilst there remains a strong interest from the market, in order to ensure that the Council has the strongest position, it is prudent to delay the start of the re-procurement to allow the market position to stabilise.

Reason for the decision

The decision is needed to ensure that KCC properties continue to receive Facilities Management Services, including for example, maintenance, cleaning, security and statutory compliance. The cost of the extension will exceed £1million and is outside of the original delegated authority envisaged under the original contracts.

<p>Proposed decision</p> <p>Proposed decision –Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services agrees to a conditional extension for the current Total Facilities Management Service Contracts for East, Mid and West to mitigate the service gap as a result of the COVID-19 delay to the re-procurement of Facilities Management contract – finalisation of terms and authority to enter into relevant contracts and other legal agreements to be delegated to the Director of Infrastructure.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Date:</b> Not before June 2020</p> <p><b>Reason if Key Decision</b> No EqlA impacts are envisaged as there is no change from the current contract, an EqlA assessment has been completed.</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>No requirement for public consultation.</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> The financial implication is approximately £20 million per annum which split between revenue and capital and are provided for within the current infrastructure budgets. The overall cost depends on the length of the extension which will not be known until a later date but will be adjusted in line with the contract indexation provisions.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Reference No:</b> The Collaboration Agreement commits KCC to the eventual</p>
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sale of the land. This decision specifically seeks consent to both the entering into the Collaboration Agreement and the eventual disposal of the site per the terms of the Collaboration Agreement.

**Key** Yes

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

**Title:**  
**20/00055 - Disposal of Land South of Four Elms Sevenoaks**

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

Subsequent to the previous disposal to the NHS trust for the construction of a medical hub, KCC is to dispose of the remaining balance of its Land South of Four Elms, Sevenoaks. The disposal is by way of Collaboration Agreement with the neighbouring landowner to jointly seek planning consent for residential-led redevelopment, promote, market and sell a combined site in pursuance of best value to a third party.

**Proposed decision**

In respect of Kent County Council owned land South of Four Elms in Sevenoaks to agree to authorise:

1. the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to enter into a Collaboration Agreement with the neighbouring landowner to promote, market and dispose of the site.
2. the Director of Infrastructure to enter into the necessary contractual and land agreements required to implement 1 above.

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

**Who is taking the Decision**

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

**Date:**

Not before June 2020

**Reason if Key Decision**

N/A

**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**

<b>Consultees</b>
<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>  The eventual sale of the property will result in a capital receipt for KCC which will be used to support the Council's Capital Programme. Revenue costs are minimised due to the structuring of the Collaboration Agreement with consultant fees being initially fronted by the neighbouring landowner.</p> <p><b>Support documents</b></p>

**NOT BEFORE 10 JUNE 2020**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> Contracting for KCC framework building contractors.</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>20/00053 - Proposal to increase the Designated Number of places at Broomhill Bank School, Broomhill Road, Royal Tunbridge Wells, Tunbridge Wells, TN3 0TB from 210 to 318 places from September 2020</b></p> <p><b>The Decision needed:</b>  <b>Proposed decision –</b></p> <p>The Cabinet Member for Education and Skills is asked to:</p> <ul style="list-style-type: none"> <li>a) increase the Designated Number of places at Broomhill Bank School, Broomhill Road, Royal Tunbridge Wells, Tunbridge Wells, TN3 0TB from 210 to 318 places from September 2020.</li> <li>b) agree to fund the expansion from the CYPE Basic Need Capital Budget.</li> <li>c) authorise the expenditure of up to £2m to deliver the additional accommodation required for the first phase of building works, required for the School Year commencing in September 2020.</li> </ul>

- d) delegate authority to the Corporate Director for Children, Young People and Education to take necessary actions, including but not limited to entering into necessary contracts or taking other legal actions as required to implement the decision.

**Background Information:**

KCC, as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings. The County Council's Commissioning Plan for Education Provision in Kent 2020-24 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link:

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision>

The Commissioning Plan highlights the SEN place pressure that Kent has experienced, with the number of Education Health and Care Plans (EHCPs) increasing significantly in recent years. The most prevalent and fastest growing need type is ASD (Autistic Spectrum Disorder) and data indicates that 40% of children and young people aged 0-25 years with EHCPs have ASD as their primary need type.

The demand for ASD places at Broomhill Bank School has increased commensurately, with strong parental preference. Broomhill Bank has a Designated Number of 210, but there is pressure for the school to accept additional pupils to meet demand in both West and North Kent. The Broomhill Bank Governing Body, with support from KCC, is proposing to increase the school's Designated Number from 210 to 318 places from September 2020.

Feasibility work and curriculum analysis has been undertaken across both school sites to ensure the school can meet the needs of the additional number of pupils proposed. This work indicates that the school will need increased classroom provision, car parking and school access changes; alongside enhancement of existing sports provision at the Broomhill Bank North site at Swanley, and additional sports provision at the West site in Tunbridge Wells. Additional modular accommodation will be required on both the West and North sites as well as internal reconfiguration within existing buildings.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before June 2020

**Reason if Key Decision**

An Equality Impact Assessment (EqIA) has been produced and no issues were identified in the early stage EqIA, but the assessment will be reviewed as the project continues.

**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**

In accordance with the Department for Education's Statutory Guidance (October 2018): Making 'prescribed alterations' to maintained schools, there is a need to undertake a formal statutory consultation process.

There will be an informal education consultation from 1<sup>st</sup> May 2020 to 8<sup>th</sup> June 2020. Further information is available on the School Consultation webpage:

[www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

Subject to the decision from the Cabinet Member, a Public Notice is planned to run from 19<sup>th</sup> June to 17<sup>th</sup> July 2020

Decision by the Cabinet Member outside of Cabinet Committee would be needed to enable the statutory process to be completed before the end of the 2019/20 academic year.

The Local Member's views will be sought and any comments provided will be included in the Cabinet Member report concerning the proposed change.

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

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

Feasibility work has been undertaken which estimates the total cost of additional accommodation to be circa £4m, which would be wholly funded by the CYPE Basic Need Capital Budget. The delivery of the additional accommodation to provide capacity for the increased Designated Number is proposed to be delivered over two phases. The first phase of works will deliver the accommodation required for the School Year beginning in September 2020. Detailed costings have been undertaken for these works and a cost of £2m identified. Planning permission would not be required for the works. This would provide the school with the initial capacity it would need to accommodate a staggered increase in pupil numbers.

A second phase of works would be undertaken to provide the school with the additional accommodation it requires to accommodate a total roll of 318 pupils in subsequent years. This would include the provision and enhancement of sports facilities... Continued in Cabinet Member report/PRoD.

**Support documents**

NOT BEFORE 4 JUNE 2020

**Responsible Cabinet Member - Cabinet Member for Environment**

**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 original commissioning solution enabled 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 extend these Contracts.

**Key** Yes

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

**Title:**  
**20/00052 - Organics Waste Processing Contracts - Request for approval to extend the Contracts**

**The Decision needed:**

**Background:**

There is an existing ROD, decision number 14/000/44 for the processing of Green Waste in Kent. There is no delegation to extend the contracts under the existing ROD, however, there exists the option to extend within the current contractual arrangements. The Contracts have the option to extend the Initial Term in two phases: the first period of 48 months and the second period of 24 months.

**The Contracts were awarded to:**

- SS1273 (Lot 3) – Green Waste arising in East Kent - Countrystyle Recycling Limited.
- SS1273 (Lot 4) – Green Waste arising in Mid Kent - New Earth Solutions (Kent) Limited.
- SS1273 (Lot 5) – Green waste arising in West Kent - New Earth Solutions (Kent) Limited.

The contract with Countrystyle Recycling Limited already contains conditions for incorporating the processing Waste collected from the kerbside, which is additional volume to that currently received at Household Waste Recycling Centres, this is in accordance with Regulation 72(1)(a) of the Public Contract Regulations 2015. The extension of this contract will enable KCC to meet future demand by incorporating the processing of green Waste collected from the kerbside by the Waste Collection Authorities in East Kent when the title of Waste transfers to KCC on 16 January 2021.

Options - it is a legal requirement (2012 Executive Arrangements regulations) to outline other options considered

**There are two options as follows:**

1. **Do nothing – the current contracts will elapse with an unofficial arrangement in place with the current provider/s.**
2. **Extend the existing arrangements under the current contracts' terms and conditions, with the additional processing of Green Waste collected from the kerbside by the Waste Collection Authorities in East Kent from 16 January 2021**

The 2<sup>nd</sup> option is possible as the existing contracts are satisfactory and performing well. A full procurement is not required as there is already the option to extend; both contracts are commercially competitive and have been through a competitive tendering process at the time of the initial decision.

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

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

Cabinet Member for Environment

#### **Date:**

Not before June 2020

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

Equalities Implications:

An EQIA was completed for the original ROD and there are no changes to the assessment.

Data Protection implication:

There is no personal data collected or exchanged and no implications under GDPR.

#### **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**

Views will be sought from all members as part of the decision-making process.

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

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

- Across both phases of the contract extensions, there is sufficient budget to fund the service.

- KCC's Waste Management's budget for the current year (2019/2020)

for the Organics contracts is £2,221,900.00. The costs for the two extensions are:

- Phase 1 extension – 48 months = £8,407,431.00
- Phase 2 extension – 24 months = £4,606,122.00

These are revenue-based expenditure contracts that are within existing budgets, However, there is an opportunity to realise savings by negotiating a reduction to the gate fee for Green Waste received in East Kent when the requirement to process both kerbside and HWRC Green Waste increases the volumes of Green Waste processed by Countrystyle Recycling Limited.

Provide £ total for the overall cost to KCC (including capital and revenue across whole project or full lifetime of the contract if relevant)?

The total cost for the two extension phases (72 months in total) across all three Contracts is, with annual indexation: £13,013,553.00.

### **Support documents**

**NOT BEFORE 3 JUNE 2020**

**Responsible Cabinet Member** - Cabinet Member for Education and Skills

**Reference No:** Any legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision.

**Key** Yes

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

**Title:**

**20/00047 - Proposal to establish two 16 place Specialist Resourced Provisions (SRPs) for ASD in Thanet District at Garlinge Primary School & Nursery and Holy Trinity and St John's CE Primary schools from January 2021**

**The Decision needed:**

**Background:** Around 3% of the total school population for which the Local Authority is responsible for have an Education, Health and Care Plan (EHCP). The number of pupils in the Thanet District with an Education, Health and Care Plan (EHCP) in January 2019 was 1,369. This was an increase of 12.8% from 2018. This was higher than the national increase of 11%. As at January 2019, 4.8% of the pupils aged 5-19 years in Thanet (maintained and independent) were subject to an EHCP. Pupils with an EHCP in Kent are less likely to be educated in a maintained mainstream school than would be expected nationally. The establishment of SRPs

attached to mainstream schools is part of the continuum of provision to enable pupils to be included within mainstream settings.

A number of students with an EHCP require higher level of support than can be provided in mainstream schools, but their needs are not so complex that a special school placement is appropriate. For these students we maintain a range of Specialist Resourced Provisions (SRPs) which are based in mainstream schools with places reserved for students with an EHCP.

Autistic Spectrum Disorder (ASD) remains the most common primary need type with 40% of children and young people aged 0-25 years having an EHCP with this primary need identified. This is significantly higher than the national figure of 29%

Currently there are no SRPs in the Thanet district for primary aged children for ASD.

**Options:** Options regarding the establishment of SRPs has been fully investigated with the SEN team and Garlinge Primary School & Nursery and Holy Trinity and St Johns Primary School were considered to be the best options to create an SRP for ASD for 16 children at each school. Both school's governing bodies are fully in support of the proposals and creating two provisions will enable choice for parents in Thanet with a child who requires additional support from an SRP provision.

**Proposed decision:** The Cabinet Member for Education and Skills is asked to:

- (i) Issue two public notices to establish two 16 place Specialist Resourced Provisions (SRPs) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery and Holy Trinity and St John's CE Primary School from January 2021.

And, subject to no objections being received to the public notices

- (ii) Establish two 16 place Specialist Resourced Provisions (SRPs) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery and Holy Trinity and St John's CE Primary School from January 2021.

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before June 2020

### **Reason if Key Decision**

An Equality Impact Assessment has been produced as part of the consultation process for both proposals and is attached. The assessment identified

the following positive impacts:

- Children with ASD in the Thanet district will be able to attend provision local to their homes.
- Children with ASD will be able to attend SRP provision in mainstream primary schools in Thanet.
- There will be two SRPs for Primary school aged children with ASD established in the in the Thanet District.

No adverse impacts were identified during the assessment. The outcome of the public consultation and community consultation will enable the Local Authority to test out these assumptions.

**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 for both proposals is taking place from 11 March 2020 to 6 May 2020. A drop-in information session was arranged for 21 April at Garlinge Primary School and 28 March at Holy Trinity and St Johns CE Primary School. However due to the current Covid-19, social distancing and the closure of schools to all but keyworker and vulnerable children, the drop-in sessions have been cancelled. Consultation documentation can be found at

<https://www.kent.gov.uk/education-and-children/schools/school-consultations>

A report is planned to be submitted to the Children's, Young People and Education Cabinet Committee meeting on 26 June 2020.

Views will be sort from the Local Members during the consultation period and will be included in the report submitted to Children's, Young People and Education Cabinet Committee on 26 June 2020.

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

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

Feasibility studies have been carried out at both schools to develop the proposals for the establishment of the SRPs. Garlinge Primary and Nursery School: The feasibility estimates the costs for this proposal to be £895,627. The proposal is for a new two classroom extension with care facilities and small group rooms. The CYPE Cabinet Committee report will confirm the costs as the concept designs are prepared and surveys completed for the planning application. Holy Trinity and St Johns CE Primary School: The feasibility estimates the costs for this proposal to be £532,644. The proposal is to refurbish a building which is currently used for SEN interventions and was once the on-site nursery. It will include two classrooms with care facilities and small group intervention rooms. The CYPE Cabinet Committee report will confirm the costs as the concept designs are prepared and surveys

completed for the planning application.

### Support documents

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

**Reference No:** Section 17 of the Crime and Disorder Act 1998, as amended by the Police and Justice Act 2006, requires responsible authorities to consider crime and disorder (including antisocial behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making.

**Key** Yes

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

**Title:**

**20/00051 - Kent Community Warden Service - Enhance and Expand - Implementation**

**The Decision needed:**

**Background:**

The Kent Community Warden Service (KCWS) has, since 2002, become a recognised and highly valued service to Kent's communities, helping to create stronger and safer communities – its overarching purpose. The service forms a key part of the County Council's response to its statutory responsibilities under the Crime and Disorder Act 1998 (amended by the Police and Justice Act 2006) delivering a frontline response to local issues in partnership with the other statutory responsible authorities.

Whilst retaining its broad remit, the KCWS has adapted and evolved over the years to effectively build upon the original aims as it responds to local issues including preventing crime and scams, supporting vulnerable residents, tackling social isolation and leading community development activities. The result has been that requests for assistance from various KCC departments, partnership agencies, external organisations and charities as well as public demand has been on the rise. Given the current climate and of course the current COVID-19 pandemic, the demands and need for the service have never been greater.

Enhancement is required to ensure the service is fit for purpose and supported through improvements to efficiency and effectiveness. Expansion is required to meet the existing high demand, which is expected to continue increasing, not just in terms of the progressively

complex criminal and societal problems but also as the 65+ population increases by an estimated 24.9% over the next 10 years

### **Options**

The following options have been considered to address the KCC strategic objectives to enhance and expand the KCWS;

1. Maintain status quo and current service as is. (Not recommended - as does not address the increasing demand on the service, the recruitment and retention issues or fit with SDP 2020-23.)
2. Increase frontline warden numbers only. (Not recommended - as expansion would fail to address issues of recruitment and retention, warden job roles and appropriate supervision).
3. Enhance service and then expand as per proposal. (Recommended - to enable service improvements and maximise the impact of expansion whilst meeting the objectives outlined in the SDP.)

### **How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)':**

The proposed decision supports all three strategic outcomes as the service's focus is on the wellbeing of communities and particularly vulnerable residents.

## **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 June 2020

### **Reason if Key Decision**

Equalities implications:

The changes being introduced to the volunteer scheme have been subject to an equality impact assessment, with an outcome of 'low adverse' impact alongside a number of positive impacts due to the more flexible nature of the new scheme. The role review, career gradings and structural changes will be subject to a full EqIA as part of the business plan and consultation documents for the proposed changes.

Data Protection implications:

The Case Management System that is being developed is undergoing a Data Protection Impact Assessment to both inform the final configuration of the system (what data will be held and how) and the subsequent procedures (e.g. privacy notices, retention) required to suitably manage

the data once the system is ready to go live.

**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**

Cabinet Committee Members were engaged informally via email in advance of the proposed decision being published and all comments received were duly considered by the Cabinet Member as part of their decision-making.

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

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

The total cost of the proposal is £1m. A bid into the Strategic Development Board (SDB) £3.5m pot allocated in the Budget annually at County Council in February 2020 is being made to fund this proposal.

**Support documents**

**NOT BEFORE 5 MAY 2020 BY CABINET MEMBER**

**Responsible Cabinet Member - Cabinet Member for Education and Skills**

**Reference No:** Failure of the LA to publish and adhere to County Policy, could leave it open to challenge where pupils may be denied access to education to which they are legally entitled.

**Key** Yes

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

**Title:**

**20/00037 - Elective Home Education (EHE) Policy**

**The Decision needed:**

**Background Information:**

KCC formalised its Elective Home Education (EHE) Policy in 2015. It is administered by Fair Access in CYPE. Kent children can quickly get the right support to ensure their educational needs are met at the earliest opportunity be that advice and signposting for home educating families or direct action to assist them in securing a school where they have had

difficulties with this. Since 2015 the numbers have grown from 1622 in the 2015/16 academic year to 2690 in the 2018/19 academic year. There is a National trend in growth and Kent has the highest numbers in the country. It is 5 years since the Policy was last reviewed and this updated version reflects the most recent government guidance in this area of work.

**Proposed Decision:**

The Cabinet Member for Education and Skills is asked to agree the revised County EHE Policy. The revised County EHE Policy reflects the changes made to departmental guidance issued by the Department for Education and prepares the way for any legislative changes which may be introduced in the near future.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before May 2020

**Reason if Key Decision**

There is no negative impact on any particular groups. There is positive impact on SEN (disability), race and religion/belief, as the policy is aimed at providing greater awareness of processes for all families who are choosing elective home education and will ensure that children are in receipt of the education to which they are legally entitled, either through Home education or by returning to mainstream education, whilst ensuring that staff working in EHE are sensitive to cultural or religious backgrounds.

**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**

No public consultation is planned or has been undertaken. There are no significant changes to the previous policy, just further clarity of wording and presentation and further alignment to government advice.

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

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

N/A – The Policy update will not impact existing operations financially other than to clarify the county approach and provide better information for parents.

**Support documents**



**NOT BEFORE 21 APRIL**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Adult Social Care and Public Health</p> <p><b>Reference No:</b> The works and lease agreement will be managed by KCC Infrastructure, who will obtain all necessary consents from solicitors and required works from qualified surveyors.</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>20/00026 - Thanet Sexual Health Premises: The Flete Unit, Margate</b></p> <p><b>The Decision needed:</b> <b>Reason(s) for decision:</b></p> <p>Kent County Council has a statutory duty to provide comprehensive sexual health services under the Health and Social Care Act 2012, which includes the site from which they are delivered. The Department of Health &amp; Social Care and Public Health England Suggested Integrated Sexual Health Service Specification stipulates the location of premises should be based on the needs of the local population, be accessible by public transport and should meet the majority of need from one site.</p> <p>Specialist sexual health services in Thanet are delivered over three separate sites, each offering a service aspect during a part of the week. The sites are Newington Road Clinic, College Road Clinic and the Queen Elizabeth Queen Mother Hospital. The current arrangements lack the facilities and/or capacity to fully meet current and future need.</p> <p>A new site has been progressed to enable a fully integrated sexual health service to be delivered in Thanet in one site.</p> <p>The Kent Sexual Health Needs Assessment identified the number of attendances at local services by Kent residents increased on average by 31.8% annually between 2013 and 2017 an increase between 2013 and 2017 of 51.1%. 2016 data identified Thanet as having the highest attendance per 100,000 population at just over 4,800 and the third-highest average attendance per patient when compared to other Kent districts.</p> <p>The Flete Unit, Margate, has been identified as a suitable premise to house a comprehensive integrated sexual health service offer for population of Thanet and surrounding areas.</p>

**Any alternatives considered and rejected:**

Other sites in Thanet have been considered to varying degrees, however, none were able to be progressed due to the site either being unsuitable or being granted to a different service/provider. Sites include;

- 3 retail units
- Mill Lane, Margate
- Sarre Unit, Margate
- Margate Adult Education Centre
- Norfolk Road Hotel, Margate

**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 April 2020

**Reason if Key Decision**

An Equality Analysis/Impact Assessment (EqIA) is included the decision paperwork

Data Protection implications

There are no anticipated data protection implications from this 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**

Over December 2017 and January 2018, public health undertook stakeholder insights work to understand the views of stakeholders which established the need for improving clinics and creating an offer with a more flexible service to meet commuter hours. To date, an interim solution has been in place while a suitable site was located.

The Health Reform and Public Health Cabinet Committee have previously endorsed the sexual health commissioning strategy which highlighted the need to identify a suitable site in to deliver an integrated specialist sexual health service in Thanet.

The draft decision paperwork was shared with the Health Reform and Public Health Cabinet Committee informally in May 2020 as committee meetings are suspended due to the Covid-19 pandemic, and support for the proposal was expressed.

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

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

Total of £2,868,000 over 15 years

o Year 1 (2020/21) Total of £894,000 including £753,000 construction works and £141,000 rental and utilities.

o Year 2 onwards (until 2035/36) Total of £141,000 per annum, including rental and utilities.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Highways and Transport

**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:**

**20/0028 - A20 Hall Road Junction Improvement**

**The Decision needed:**

**Proposed decision:**

Approval to take the highway improvement through development and delivery including authority to progress any statutory orders and to enter into funding, land and construction contracts.

**Background:**

- The scheme involves the removal of the existing signalisation and provision of an elongated roundabout at the crossroads junction of A20 London Road with Hall Road and Mills Road.
- The A20 is a key route into Maidstone and to M20 J5 from the west. Mills Road serves the Quarry Wood industrial and retail estate that serves over eighty firms including a supermarket. The existing junction is at capacity with regular congestion at peak periods and it will come under increasing pressure from committed and future developments in the area. Although the junction is located within Tonbridge & Malling Borough area the scheme is complementary to the proposed Maidstone Integrated Transport Programme of schemes.

<ul style="list-style-type: none"> <li>The objective of the scheme is to improve the efficiency of the junction and provide additional capacity together with dedicated signal-controlled pedestrian crossings and rationalised bus layby locations.</li> </ul>
<b>Section 2 – Who is taking the final decision and when</b>
<b>Who is taking the Decision</b> Cabinet Member for Highways and Transport  <b>Date:</b> Not before April 2020  <b>Reason if Key Decision</b> The detailed scheme design will consider equalities aspects. A screening report has been completed and a full EqIA will be developed.  <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>
<b>Consultees</b>  The proposed decision will be considered at the Environment and Transport Cabinet Committee on 31 March 2020.
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<b>Your name, Your Service, Your phone number and email address:</b> None. Scheme is fully funded by Local Growth Fund (LGF) and from S106 planning obligation contributions  <b>Support documents</b>

**NOT BEFORE 14 APRIL BY CABINET MEMBER**

<b>Responsible Cabinet Member - Cabinet</b>  <b>Reference No:</b> There are no legal implications arising from the decision.  <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>

## **20/00027 - Clean Up Kent and Public Realm Improvements**

### **The Decision needed:**

#### **Proposed Decision:**

- a) Approve a programme of works to deliver a range of projects to 'clean up' Kent and to improve the public realm across Kent
- b) Approve the proposed funding allocations and project development arrangements required to support and deliver the programme; and
- c) Delegate authority to the Corporate Director for Growth Environment and Transport to take relevant actions, including but not limited to, entering into relevant contracts, legal arrangements or other arrangements, as necessary to implement this decision.

#### **Background:**

*Kent's Future, Our Priority* will become Kent County Council's new 5 Year Plan, to replace the previous strategic statement *'Increasing Opportunities, Improving Outcomes (2015-2020)'*. The Plan is structured around seven outcomes which reflect the key things that residents and businesses said were essential to a good quality of life in Kent. One of the seven outcomes is, 'A cleaner and greener Kent.'

A key message from the recent public consultation was that residents care about the places they live in, they are proud of where they live, and want to protect these places by looking after the quality, maintenance and cleanliness of our physical environment, especially town centres, local streets, beaches, public rights of way and green spaces.

#### **Options:**

It was also clear from the public consultation that residents wanted the County to be clear how it will deliver the plan. This detail is contained within the 5-Year Plan objectives including working with partners to improve the quality of Kent's public realm. It is intended that a range of physical improvements will be developed, in conjunction with local stakeholders to reflect different priorities but will be targeted at cleaning up and improving the quality and appearance of the public realm.

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

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

Cabinet

#### **Date:**

Not before April 2020

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

- Equalities implications

**Equalities Implications:**

There are no equality implications directly arising from the decision. An EqlA will be undertaken for individual projects as they are developed.

**Data Protection implications**

No personal data will be collected, therefore there are no data protection 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**

**Consultees**

The decision is based on consultation feedback from the 5 Year Plan. Consultation included targeted workshops and a public consultation. Members were also involved via a cross-party Member workshop and political group briefings. The Leader also wrote personally to key partners to welcome their views in the consultation.

The proposed decision will be discussed at the Environment and Transport Cabinet Committee on 31 March and final decision will be taken at Cabinet on 27 April 2020.

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

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

An allocation for funding has been made from the Growth for Strategic Statement Priorities revenue budget line. There is also potential for Districts and Boroughs to match fund.

**Support documents**

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

**Reference No:** The procurement process has been followed in accordance with Public Contracting Regulations 2015

**Key** Yes

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

**Title:**

**20/00030 - Residential Care for People with Learning**

## **Disabilities, Physical Disabilities and Mental Health Needs**

### **The Decision needed:**

Residential Care services for People with a Learning Disability, People with a Physical Disability and people with Mental Health Needs last went out to competitive tender in 2002 for the Disability contract and 2004 for the Mental Health contract.

The purpose of this tender is to ensure a relevant specification and to update current terms and conditions as well as to show due regards to the fair cost of care. The intention is to establish new contracts for care homes for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs from June 2020.

### **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 June 2020

#### **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**

Which Divisions / Local Members are particularly affected: All Members

There will be no public consultations, as the service delivery will remain essentially the same as current provision, in the foreseeable future. Provider market engagement activities will be undertaken to engage with and develop relationships with potential providers, who currently provide or have experience in working with adults and children with assessed support needs in their own homes and within the community. This will be followed up by regular communication via bulletins and information sharing using the council's website. There may be changes to these services within the life of the contract, which may require public consultation.

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

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

The significant risk to letting these contracts is the impact on price. With the

change of how sleep-in shifts are measured, there will be impact on the overall price paid. Engagement with the market will provide the detailed information required to work with Finance colleagues to scope the potential financial impact balancing the pressure from providers, good outcomes for service users, legal requirements, transparency of a fair cost of care.

New contract minimum of four years with two, two-year extensions. 4 years approx. value £322m

### **Support documents**

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

**Reference No:** The procurement process has been followed in accordance with Public Contracting Regulations 2015

**Key** Yes

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

**Title:**  
**20/0031 - Care in the Home Service**

**The Decision needed:**

Reason(s) for decision:

There is a mixed economy of Care in the Home Services across Kent for adults and children with assessed needs, predominantly contracted to external Providers and spot purchasing arrangements. The scope of these services includes:

- Home Care Services
- Extra Care Support (background hours and care and support)
- Discharge to Assess Services
- Supporting Independence Services (SIS)
- Supported Living Services

The services in scope deliver very similar tasks in people's homes and there is an opportunity to achieve improved consistency across the market by bringing services together. Additionally, providers delivering services such as SIS and Discharge to Assess are already delivering within an outcomes-focused approach, whilst the Home Care provision remains time and task focused. Aligning services under one contractual arrangement will enable the Council to take a consistent and equitable approach in shaping the market to focus on the personalisation and outcomes agendas. This will also support the Council's strategic outcome that 'older and vulnerable residents are safe and supported with choices to live independently'.

The new contract will bring together the above services, which have previously been delivered separately, under one contractual arrangement. An integrated Care in the Home Service will support a greater level of consistency, purchasing rigour and transparency in practice. It will also develop a clearer pathway, with less handoffs between services and a subsequent reduction in assessment costs. From a Provider perspective, this will enable better control as to how they manage need. This is in line with the requirements of the Care Act 2014 and Children Act 1989.

Furthermore, there is significant overlap between the tasks delivered by Care in the Home Service delivered by the Local Authority and Continuing Health Care support funded by the NHS. The new contract offers an opportunity to improve understanding of this duplication and realise efficiencies through working more collaboratively with health partners.

This has provided an opportunity to rethink what the Local Authority and the public need from Care in the Home services and, with approval, commission a new integrated model.

Legal Implications: The main legislative framework for the Care in The Home Service is the Care Act 2014, the Children Act 1989 and the principles of the Mental Capacity Act 2005.

Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 (TUPE) is likely to apply, and the Council will ensure in the event of a change of employer, that it will undertake necessary arrangements, within its remit, to provide for the protection of employees' rights.

## **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 June 2020

### **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**

Which Divisions / Local Members are particularly affected: All Members

There will be no public consultations, as the service delivery will remain

essentially the same as current provision, in the foreseeable future. Provider market engagement activities will be undertaken to engage with and develop relationships with potential providers, who currently provide or have experience in working with adults and children with assessed support needs in their own homes and within the community. This will be followed up by regular communication via bulletins and information sharing using the council's website. There may be changes to these services within the life of the contract, which may require public consultation.

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

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

£175m per annum – 5 year contract length planned

**Support documents**

**NOT BEFORE 7 APRIL 2020 BY CABINET MEMBER**

**Responsible Cabinet Member - Cabinet Member for Environment**

**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:**

**20/00025 - Kent County Council adoption of Kent Nature Partnership Biodiversity Strategy 2020-2045**

**The Decision needed:**

**Background:**

The Kent Nature Partnership Biodiversity Strategy (the Strategy) sets out the contribution the county of Kent can make to the Government's ambition to "leave our environment in a better state than we found it" and the further aspirations set out in its 25 Year Environment Plan, A Green Future (2018). The Kent Biodiversity Strategy aims to help steer the collective action of conservationists, government, business and individuals to work in partnership so that the county's natural landscape can be restored, and threatened species can be saved.

The Strategy aims to deliver, over a 25-year period, the maintenance, restoration and creation of habitats that are thriving with wildlife and plants, ensuring the county's terrestrial, freshwater, intertidal and marine environments regain and retain good health. It looks to protect and

recover threatened species and enhance the wildlife habitats that are particularly important in Kent. It also aims to provide a natural environment that inspires citizen engagement and is well used and appreciated, so that the mental and physical health benefits of such a connection can be realised by the people of Kent.

These aims will be achieved through the delivery of the following goals in Kent for 2045:

- A rich and growing terrestrial biodiversity, underpinned by more resilient and coherent ecological networks and healthy, well-functioning ecosystems.
- Clean, plentiful and biologically diverse freshwater and intertidal ecosystems underpinned by implementation of a catchment-based approach.
- A reverse in the loss of marine biodiversity and delivering clean, productive and biologically diverse oceans and seas through good management.
- The widest possible range of ages and backgrounds will be benefiting from the mental and physical health benefits of the natural environment; and we will have inspired the next generation to take on guardianship of the county's biodiversity.

Action is steered by a broad spectrum of ambitious objectives. In addition, the Strategy includes priority habitats and species, the restoration of which, can play a significant part. The Strategy also looks to further work addressing overarching considerations affecting biodiversity recovery including wilding, climate change, natural solutions, soil health and invasive species.

The Strategy was prepared for the Kent Nature Partnership by Kent County Council and the Kent Wildlife Trust under the guidance of a Task and Finish Group, comprising members of the Kent Nature Partnership.

Following stakeholder engagement and a formal consultation process in 2019, the Strategy was approved by the Kent Nature Partnership on 28th February 2020. It is now with the Kent Nature Partnership's partners for adoption or endorsement.

The Strategy supports the Council's Strategic Outcome of "Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life" by helping to support a physical and natural environment that is protected, enhanced and can be enjoyed. The Strategy will also contribute to a good quality of life and, through local plans, will help steer well planned housing growth. The review is backed by an Equality Impact Assessment.

It is considered that the Kent Biodiversity Strategy can be adopted by KCC. It is not anticipated that the Strategy will place any new financial burdens on the authority in terms of its implementation. Rather it will influence the way it delivers its services and capital works, and, potentially, where it may direct resources and investment in the future.

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Environment</p> <p><b>Date:</b> Not before April 2020</p> <p><b>Reason if Key Decision</b> The Strategy supports the Council’s Strategic Outcome of “Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life” by helping to support a physical and natural environment that is protected, enhanced and can be enjoyed. The Strategy will also contribute to a good quality of life and, through local plans, will help steer well planned housing growth. The review is backed by an Equality Impact Assessment.</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>
<b>Consultees</b>
<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> It is considered that the Kent Biodiversity Strategy can be adopted by KCC. It is not anticipated that the Strategy will place any new financial burdens on the authority in terms of its implementation. Rather it will influence the way it delivers its services and capital works, and, potentially, where it may direct resources and investment in the future.</p> <p><b>Support documents</b></p>

**NOT BEFORE 24 MARCH 2020 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</b></p> <p><b>Reference No:</b> KCC will obtain all necessary consents from the LL.</p>
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<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>
<p><b>Title:</b>  <b>20/00019 - Dartford Youth Centre</b></p> <p><b>The Decision needed:</b>  <b>Proposed decision:</b></p> <p>The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services proposes to:</p> <ul style="list-style-type: none"> <li>- Agree to sublease the Dartford Youth Centre to Europa Weightlifting Club for a period of 30 years; and</li> <li>- Agree to delegate authority to the Director of Infrastructure to take relevant actions, including but not limited to, entering into necessary contracts as required to implement this decision.</li> </ul> <p><b>Background:</b></p> <p>Kent County Council (KCC) has a long ground lease interest in a site known at Dartford Youth Centre (DYC). The land is located in the Temple Hill area of Dartford. The land upon which DYC is built; is owned by Dartford Borough Council (DBC) who is landlord to the County Council.</p> <p>The centre requires complete refurbishment to bring it into reasonable repair. Most of the property has been occupied by a private gym operator who wishes to take a long lease of the entire property. The present operator wishes to take a long lease to enable it raise funds for refurbishment.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b>  Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Date:</b>  Not before March 2020</p> <p><b>Reason if Key Decision</b>  The proposed sublease will provide an opportunity for the club to invest in the building; providing an enhanced community facility; which in turn will help to improve the health and well being for the community.</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</b>

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>Cabinet Committee Members were engaged informally via email in advance of this proposed decision being published and all comments received were duly considered by the Cabinet Member.</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>          Peppercorn rent per annum throughout the term of the sublease. Each party to bear their own legal costs. In return for a peppercorn rent, the gym provider will be required to put the building and grounds into a good state of repair within an agreed timeframe.</p> <p><b>Support documents</b>          20-00019 - PROD          EXEMPT REPORT - Dartford Youth Centre          EXEMPT App 1 Support Letter Dartford Councillors          EXEMPT App 2 Support Letter Gareth Johnson MP          EXEMPT App 3 Support Letter Sophie Ward</p>

**NOT BEFORE 4 MARCH 2020 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet Member for Integrated Children's Services</b></p> <p><b>Reference No:</b> KCC have a duty, under Section 22 of the Children Act 1989, to safeguard and promote the welfare of each child we look after. Section 11 of the Children's Act 2004 places a duty on a range of organisations and agencies to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children. Section 17 Children Act 1989 places a duty on Local Authorities to assess whether a young carer in their area needs support and what those needs.</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>20/00017 - Recommissioning of Early Help Services</b></p> <p><b>The Decision needed:</b>  <b>Background:</b></p>

The vision of Early Help and Preventative Services is that every child and young person and their family, who need Early Help services, will receive them in a timely and responsive way, so that they are safeguarded, their educational, social and emotional needs are met, and they achieve good outcomes.

In November 2016, KCC commissioned several Early Help and Preventative Services to complement and support the development of the internal provided Early Help Services. These services include:

- The Family Support Service – a service to provide early support for families experiencing difficult challenges.
- The NEET Service – offers support to those young people who have been either NEET in excess of 6 weeks or whom have experienced multiple periods of NEET.
- The Young Carers Service – a bespoke service that offers support to young people who have a caring responsibility within their family unit.

Since commissioning these service, KCC's Children, Young People and Education Directorate has undergone a transformation programme integrating internal services to develop the new Integrated Children's Service. This has included the enhancement of the adolescent offer, investment in training and development, new practice models and the development of a single 'front door' for all referrals.

Recommissioning the Early Help services will ensure alignment with the new service arrangements. The existing contractual levers have been utilised to extend all three services until 30<sup>th</sup> September 2020, allowing the recommissioning to take place alongside the work currently being undertaken to refocus the Early Help element of the Children and Young Person's Mental Health Service into alternative evidence-based services/interventions.

**Decision:**

1. Recommission a range of Early Help and Preventative Services in line with changes to KCCs Integrated Children's Services and the Local Transformation Plan for Children and Young People's Mental Health Services. Affected Services are:
  - The Family Support Service
  - The NEET Service
  - The Young Carers Service
2. Delegate authority to the Corporate Director for Children, Young People and Education, or other nominated officer to undertake the necessary actions to implement the decision.

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

**Who is taking the Decision**

Cabinet Member for Integrated Children's Services

**Date:**

Not before March 2020

**Reason if Key Decision**

An EQIA has been completed as part of the process and will continue to be reviewed as we progress the work. The services in scope form part of the wider Early Help offer and are designed to address the assessed needs of a child and their family through evidence-based interventions. Targeting of services will be based not only on individuals and groups with protected characteristics but also other areas of risk and vulnerability such as deprivation, substance misuse and mental health.

**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 work does not represent a significant service change. The contracts have been in place since 2016 and are performing well. Commissioners have started to consult with key stakeholders as part of the recommissioning exercise and will continue work with internal and external stakeholders (including Members, current service providers and the wider market) to best understand how the services should be shaped going forwards. Any proposed amendments to the current service provision will be communicated to schools, police and health providers and take into consideration the voice of the child. Where possible services will be co-designed by service users and young people will form part of the tender evaluation panels.

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

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

Total for services in scope: £2,910,878

There is existing capacity within the service to undertake the recommended changes. Further information on the recommissioning recommendations, including any identified financial savings opportunities, will be provided to CYPE Cabinet Committee on 11th March 2020.

**Support documents**

**NOT BEFORE 4 FEBRUARY 2020 BY CABINET MEMBER**

**Responsible Cabinet Member** - Leader of the Council

**Reference No:** Invicta Law have provided advice that KCC's Constitution requires Transport for the South East to be listed in Section 19, Partnerships.

**Key** Yes

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

**Title:**  
**20/00010 - Transport for South East (TfSE) - Proposal to Govt**

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

As Leader of the Council, in accordance with Section 19.2 of the Council's Constitution, I agree to:

1. Consent to Transport for the South East's Proposal to Government for powers in addition to the general powers of a Sub-national Transport Body and endorse the Transport Strategy for the South East as part of this proposal.
2. Participate in, and cooperate with, Transport for the South East in accordance with the powers requested from Government and those powers operating concurrently with Kent County Council as Highway Authority and Local Transport Authority.

And delegate authority to the Corporate Director of Growth, Environment and Transport, in consultation with the Leader and Monitoring Officer, to enter into relevant legal agreements and take other appropriate actions as necessary to implement the decision.

**Background**

The Cities and Local Government Devolution Act 2016 amended the Local Transport Act 2008 to allow the creation of Sub-national Transport Bodies (STBs). There are now several shadow STBs in England, with Transport for the North becoming the only statutory STB in April 2018.

The South East 7 (SE7 – Kent, Medway, Surrey, West Sussex, East Sussex, Hampshire, Brighton and Hove) councils proposed the establishment of an STB for the South East. From this, Transport for the South East (TfSE) emerged, which is now a partnership of 16 Local Transport Authorities and five Local Enterprise Partnerships. In addition to the SE7, TfSE includes Southampton, Portsmouth, Isle of Wight, and the Berkshire unitary authorities represented by the Berkshire Local Transport Body (West Berkshire, Wokingham, Windsor and Maidenhead, Bracknell Forest, Reading, Slough).

TfSE has sought to formalise its role as the South East's voice for strategic transport issues by becoming a statutory body. To do this, TfSE has worked with its members to develop a Proposal to Government. This draft proposal was consulted on from May to July 2019. KCC provided a response to the consultation, supporting the powers TfSE proposed. Some of these were supported only conditionally provided that the principle of subsidiarity is applied (i.e. powers are used at the most local level). This was in relation to highways and transport functions that constituent members already hold but TfSE wants to enact concurrently.

Transport for the South East have since revised their Proposal to Government taking account of the comments they received in the consultation. The revised Proposal includes the application of the principle of subsidiarity.

TfSE has also consulted on its draft Transport Strategy for the South East (October 2019 – January 2020). KCC responded positively to this consultation to support the overall aims and aspirations of TfSE. The development of a Transport Strategy is one of the central functions of a STB, and the Department for Transport awarded TfSE funding (in addition to funding from the constituent authorities) to produce one. The Transport Strategy for the South East is being revised now that the public consultation has closed.

TfSE plan to submit the revised Proposal to Government and the Transport Strategy for the South East to the Department for Transport concurrently. This is to present a unified vision for the region alongside the request for powers to achieve it, with the consent of constituent bodies.

### **Strategic Statement**

Transport for the South East is emerging as an important advocate of improved transport in the region, and its own aims closely match the objectives of the Strategic Statement. The vision for the Transport Strategy for the South East is:

*By 2050, the South East of England will be a leading global region for net-zero carbon, sustainable economic growth where integrated transport, digital and energy networks have delivered a step-change in connectivity and environmental quality.*

*A high-quality, reliable, safe and accessible transport network will offer seamless door-to-door journeys enabling our businesses to compete and trade more effectively in the global marketplace and giving our residents and visitors the highest quality of life.*

Thus, TfSE is fundamentally focused on improving lives, sustainable economic growth, and supporting all people to make informed transport decisions and have a range of transport choices so that they can benefit from improved quality of life. Consequently, TfSE has the potential to positively contribute towards all of the supporting outcomes identified in the Strategic Statement.

## Options

Kent County Council is one of the founding bodies of Transport for the South East. As such, the only other option would be to decline to endorse the Proposal to Government and rescind support for TfSE. This would restrict KCC's opportunities to progress transport schemes for investment and isolate the county from wider regional discussions about transport in the future. It could potentially see the Council's influence in lobbying for schemes on the Strategic Road Network and railway network diluted because KCC would be a small area alone, hence not in alignment with the move to regional prioritisation that the Government has promoted to date.

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

### Who is taking the Decision

Leader of the Council

### Date:

Not before February 2020

### Reason if Key Decision

An Equalities Impact Assessment 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

### Consultation

Transport for the South East published a draft Proposal to Government for consultation in May 2019, with the consultation ending in July 2019.

Transport for the South East have revised their Proposal to Government after review of the consultation responses received. The final Proposal to Government will be presented to Cabinet Committee in advance of this decision being taken.

### Cabinet Committee engagement

The KCC proposed response to the Transport for the South East draft Proposal to Government was taken to Environment and Transport Cabinet Committee on 16<sup>th</sup> July 2019. At that meeting it was resolved that the proposed response would be noted. This proposed response supported the powers requested by Transport for the South East, and

conditionally supported the powers that would be shared with KCC provided that the principle of subsidiarity applies – i.e. that decisions on the use of these powers are made at the most local level by constituent authorities.

The KCC proposed response to Transport for the South East's *Transport Strategy for the South East* will be taken to Environment and Transport Cabinet Committee on 31 March 2020.

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

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

As a constituent authority, KCC contributes £58,000 per year to fund the development of TfSE. This has been matched by £1 million of Department for Transport funding in 2018/19 and a further £500,000 in 2019/20.

##### **Support documents**

**NOT BEFORE 18 JANUARY 2020 BY CABINET MEMBER**

**Responsible Cabinet Member** - Cabinet Member for Education and Skills

**Reference No:** Any legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision to allocate the funding.

**Key** Yes

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

**Title:**

**20/00007 - Proposal to permanently increase the capacity at Pilgrims Way Primary School, Pilgrims Way Canterbury CT1 1XU**

**The Decision needed:**

**Background –**

The Kent Commissioning Plan for Education 2019-2023 identifies a need for additional places in the Canterbury City Planning Area from 2021 this is due to pressures from new housing developments in Canterbury City and specifically the private development on the former Howe Barracks Site.

This development will produce a total of 500 new homes. In addition to this, the refurbishment of former army houses by Redbridge Council is resulting in 38 new families moving in from November 2019. To mitigate the need for places, it is proposed that Pilgrims Way will expand by 0.5 forms of entry (FE) to become a 2FE Primary school. Pilgrims Way is the nearest primary school to these developments and was named for any developer contributions linked to the development of private housing on the former barracks site. Canterbury City Council Local Plan identifies 16,000 new homes over the plan period to 2031. 8,737 are planned for the Canterbury area, with 6,533 in the Canterbury City Primary planning area where Pilgrims Way Primary School is located. Pilgrims' Way Primary School was registered as a new school on 1st May 2018 and is part of the Veritas Academy Trust. They are awaiting their first Ofsted inspection. Currently Pilgrims Way has 261 on the school roll with 31 on the nursery roll totalling 292 (May school census 2019)

**Proposed decision –**

To expand Pilgrims Way Primary School by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2021.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before January 2020

**Reason if Key Decision**

An Equality Impact Assessment has been produced as part of the proposal and will be considered as part of the decision making process.

**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 public consultation was held between 4 October 2019 and 22 November 2019 and the feedback from this will be included in CYPE Cabinet Committee report. During this period a pre planning consultation event was held at the school on Monday 18 November 2019.

The report to the CYPE CC to approve the proposal will be presented at the 10 January 2019 cabinet committee meeting.

The local member has been informed of the proposal and their views have been sought during the public consultation period. Their view will be

included in the CYPE Cabinet Committee report.

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

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

The feasibility estimates the costs for this proposal to be £1.9m and the CYPE Cabinet Committee report will update costs as the concept designs are prepared and surveys completed for the planning application. Up to £2,500 is provided for each newly provided learning space for ICT equipment from the Capital budget. Totalling £10,000 for this project. £81,473.63 in developer contributions has been collected by Canterbury City Council towards the 0.5FE expansion of Pilgrims Way Primary School. A further £843,560 is expected but not received and £4,986 has been requested but not agreed. A total of £930,019.63 is therefore expected from developer contributions towards the expansion. As per KCC policy a total of £6,000 per new learning space will be provided to the school from the DSG revenue budget. For this proposal, costs will be £24,000.

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Education and Skills**

**Reference No:** Contracting for KCC framework building contractors. Revisions to existing leases and shared use agreements already in place for the site. These proposals will help to secure our ambition “to ensure that every child will go to a good school where they make good progress and have fair access to school places” as set out in the Kent Commissioning Plan.

**Key** Yes

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

**Title:**

**20/00009 - Proposal to expand Tunbridge Wells Grammar School for Boys, by increasing the Published Admission Number (PAN) from 210 places to 300 places from September 2021**

**The Decision needed:**

**Background:**

Kent County Council (KCC) as the local authority has a statutory duty to ensure sufficient school places are available. The County Council’s Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out our future plans as Strategic Commissioner of Education Provision across all types and

phases of education in Kent.

It is forecast that there will be significant short and medium-term pressure for additional Year 7 places in the West Kent Selective Planning Group which indicates that additional capacity will be needed for 2019/20 and in later years. The planning group includes all Grammar schools in the districts of Sevenoaks, Tonbridge and Tonbridge Wells.

In 2012, Kent County Council agreed to identify and pursue options to increase Grammar provision in that area.

Therefore, KCC has asked Tunbridge Wells Grammar School for Boys to provide additional places for local children by expanding the school onto a satellite in Sevenoaks district.

**Proposed Decision:**

Proposal to expand Tunbridge Wells Grammar School for Boys, by increasing the Published Admission Number (PAN) from 210 places to 300 places, facilitated by the establishment of a satellite of the school on the Wildernesse site in Sevenoaks, from September 2021.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before February 2020

**Reason if Key Decision**

An EqlA has been completed and can be viewed here:

[https://kccconsultations.inconsult.uk/gf2.ti/f/1080450/58011205.1/DOCX/-/TW\\_Grammar\\_EqlA.docx](https://kccconsultations.inconsult.uk/gf2.ti/f/1080450/58011205.1/DOCX/-/TW_Grammar_EqlA.docx)

**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 was held from 28 October 2019 to 6 December 2019. The consultation was held for the community and other stakeholders, and included the following groups: all schools in the Sevenoaks District, Elected Members (Kent County Council, Sevenoaks District Council), Parish and Town Councils, Local MPs, Dioceses of Rochester and Southwark, Residents groups where known and Children's Centres. A drop-in event for stakeholders to raise issues and concerns was held on 12 November 2019. A full public meeting was held on the 20th November, chaired by Sarah Hamilton.

This matter will be discussed at the CYPE Cabinet Committee meeting on 10<sup>th</sup> January 2020, Ian Watts will attend.

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

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

A feasibility study has been carried out which estimates the cost of delivery of buildings and appropriate site infrastructure, being approximately £15m, wholly funded by the CYPE Basic Need Capital Budget. Further information relating to the funding of this proposed decision will be contained within the report which will be submitted to the CYPE Cabinet Committee on 10 Jan 2020.

**Support documents**

**NOT BEFORE 10 JANUARY 2020 BY CABINET MEMBER**

**Responsible Cabinet Member -**

**Reference No:**

None Known

**Key** Yes

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

**Title:**

**19/00096 - KCC's Civil Society Strategy**

**The Decision needed:**

The Civil Society strategy (working title) will replace KCC's existing VCS policy and set out the future relationship with civil society and the 'social sector', voluntary, community and social enterprise sector (VCSE), as a core part of that. The strategy will also set out the objectives and intentions for KCC's future offer of support to the VCSE. How this will be delivered will be set out in a subsequent action plan, which will include the financial implications and commitments.

The strategy will include the grant framework for the council, which was developed in 2015 and has been updated based on feedback from the past 4 years of operation. This is intended to create consistency and clarity in the way we award grants to the VCSE across the Council.

The strategy will also replace the Kent Partners Compact, which was last revised in 2012 and will set out the principles of how we will engage and work with the VCSE in the future.

This will be a supporting strategy to the new Strategic Statement for the Council, to be agreed in early 2020 and will support a number of key objectives.

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

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

**Date:**

### **Reason if Key Decision**

An Equalities Impact Assessment screening 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**

**Early engagement has taken place through VCSE networks and representative bodies. Formal consultation will open in February (estimated) and will be for a 6-8-week period.**

**Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?**

**A draft proposal to go out to consultation in the new year and with a high-level outline of the strategy structure was taken to Policy and Resources Cabinet Committee on 8<sup>th</sup> November. The final draft of the strategy informed by the consultation will go back to P&R Committee on 12th May (estimated).**

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

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

None Stated

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Economic Development

**Reference No:** A legal agreement will need to be drawn up between KCC and Essex County Council to effect the transfer of Growing Places Fund monies to KCC.

A legal agreement will need to be drawn up between KCC and the borrower to transfer the Growing Places Fund monies to the borrower. The loan agreement would incur a charge being taken against the assets of the borrower.

KCC would maintain responsibility for monitoring repayments from the successful borrower.

**Key** Yes

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

**Title:**

**19/00095 - Discovery Park: Growing Places Fund**

**The Decision needed:**

Proposed Decision:

- *Kent County Council be the administration and funding decision authority for the £5.3m allocation from SELEP’s Growing Places Fund;*
- *KCC draws down capital funds of £5.3m from the Growing Places Fund;*
- *KCC makes available loan finance of up to £5.3m from the Growing Places Fund to support works at Discovery Park to build a spine road and associated infrastructure to enable the building of 500 new residential homes;*
- *Authority be delegated to the Director of Economic Development to take appropriate actions, including but not limited to, entering into legal agreements as necessary to implement this decision.*

*Provided that:*

1. *Kent County Council is able to agree a satisfactory loan agreement from Essex County Council as the accountable body for SELEP’s Growing Places Fund; and*
2. *The receipt of a satisfactory application for loan finance for the works at Discovery Park subject to the rules of the Growing places Fund and the findings of an independent financial appraisal.*

**Background:**

KCC shall invite applications for loan finance of up to £5.3m for infrastructure at Discovery Park. This £5.3m will be obtained from the Growing Places Fund (GPF), which is administered by the South East Local Enterprise Partnership (SELEP). Applications will then be appraised and considered through the same process as that which is currently used to determine applications for loans from the Kent and Medway Business Fund (KMBF). This means that any application will be required to submit a full business plan, be subject to independent appraisal and be considered by the KMBF Investment Advisory board before a decision is made by KCC. The owners of the Discovery Park site are aware of this proposed process and we anticipate that an application will be forthcoming when the process is launched. In parallel with this process, KCC shall seek to enter into a loan agreement with Essex County Council (the Accountable Body for GPF). These terms have been discussed with Essex County Council and have received an in-principle agreement. However, they will need to be formalised when an agreement to lend to a borrower have been reached.

**Options (it is a legal requirement (2012 Executive Arrangements regulations) to outline other options considered)**

The alternative would be for Kent County Council not to act as an agent for SELEP for the £5.3m Growing Places Fund loan. There is no evidence that this would be a more effective way of achieving the outcome of securing investment in Discovery Park, and there is a risk if the funding allocation is returned to SELEP that it is no longer ring-fenced for investment in Discovery Park or the wider Kent area.

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

**Who is taking the Decision**

Cabinet Member for Economic Development

**Date:**

Not before December 2019

**Reason if Key Decision**

Equalities implications – An Equalities Impact Assessment will be undertaken should a loan application be received.

Data Protection implications – To enable KCC to administer the Kent and Medway Business Fund, it is required to hold personal details about the borrower. KCC also collects anonymised information about protected characteristics as part of its Equalities Impact Assessment monitoring.

**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**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed Key Decision will be discussed at the Growth, Economic Development and Communities Cabinet Committee on 28 November 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></p> <p>The loan of £5.3m will be capital funding allocated from non KCC funding sources (that is, the SELEP Growing Places Fund). KCC estimates that there will be revenue costs associated with application processing, appraisal, valuation and legal costs: these can be confirmed at the application stage. There will also be an ongoing administrative cost to KCC related to monitoring over the period of the loan, which would be covered by an administration charge levied on the borrower.</p> <p><b>Support documents</b></p>

**NOT BEFORE 27 NOVEMBER BY CABINET MEMBER / CABINET**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Education and Skills</p> <p><b>Reference No:</b> Contracting for KCC framework building contractors.</p> <p><b>Key No</b></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>19/00083 - Proposal to Expand Gravesend Grammar School from 174 places to 210 places in September 2021</b></p> <p><b>The Decision needed:</b>  <b>Background:</b></p> <p>Kent County Council’s Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out the future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link: <a href="http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision">http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision</a></p> <p>KCC forecasts indicate a growing demand for Year 7 places in Gravesham</p>

from the start of the 2019-20 academic year. The Gravesend and Longfield Selective Planning Group is forecast to have a deficit of 36 Year 7 places (1FE) from 2019-20 that increases to a deficit of 62 places (2FE) for the 2021-22 intake and increases again to 99 places (3.3FE) by 2023/24.

Gravesend Grammar School has a Published Admission Number of 174, but has in the past, offered extra places through appeals.

KCC proposed an expansion of the school to take the PAN to 210 (7FE). The school currently has a permanent infrastructure that can accommodate a PAN of 150. There is a temporary two storey block on site that offers additional accommodation, facilitating the extra 24 places. To expand Gravesend Grammar School, KCC are proposing the removal of the temporary block and building a new block at the school, together with other infill and enhancement work to social spaces. This work would be completed before the September 2021 intake. This build would enable the school to offer 210 Year 7 places for September 2021.

**Proposed decision:**

The Cabinet Member for Education and Skills proposes to expand Gravesend Grammar School, Church Walk, Gravesend, Kent, DA12 2PR increasing the Published Admission Number (PAN) from 174 places to 210 places from September 2021.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An EqlA has been completed.

**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 Public Consultation ran from 30<sup>th</sup> September 2019 to 1<sup>st</sup> November 2019, with a drop-in event for stakeholders to raise issues and concerns on 15<sup>th</sup> October 2019. The consultation included the community and other stakeholders, including the following groups:

- **All schools in the Gravesham Borough**
- **Elected Members (Kent County Council, Gravesham Borough**

**Council)**

- **Parish and Town Councils**
- **Local MPs**
- **Dioceses of Rochester and Southwark**
- **Church Groups**
- **Residents Groups**
- **Children’s Centres, Community and Voluntary Groups, Youth Groups**

This matter will be discussed at the Children’s, Young People and Education Cabinet Committee on 15<sup>th</sup> November 2019 – Ian Watts will be in attendance.

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

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

A feasibility study has been carried out which estimates the cost of delivery being between £7.0m and £7.5m, wholly funded by the CYPE Basic Need Capital Budget. In line with the agreement of Cabinet Committee on 7 May 2019, the capital figure reported here is a budget estimate for information only. Subject to Members support for the proposal to progress, these estimates will be refined as detailed design work is undertaken and the scheme progresses through the planning process. Following receipt of planning permission, the refined cost estimate will be presented to Infrastructure Commissioning Board and the Cabinet Member for Children, Young People and Education for a key decision to be made. If Members support the progression of this proposal capital will be spent developing the design. This expenditure will be below the level requiring a key decision and within that delegated to officers.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Education and Skills

**Reference No:** Contracting for KCC framework building contractors.

**Key** Yes

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

**Title:**

**19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020**

**The Decision needed:**

**Background Information:**

Kent County Council (KCC) as the Local Authority has a statutory duty to

ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out our future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision>.

It is anticipated that there will be significant short and medium-term pressure for additional Year R places in the West Dartford Planning Group which indicates that additional capacity will be needed for 2019/20, continuing for later years.

As part of the measures being taken to address the capacity issues illustrated above, KCC is proposing that West Hill PAN to 90 for 2020.

**Proposed Decision:**

The Cabinet Member for Education and Skills proposes to expand West Hill Primary Academy, Church Walk, Dartford, Kent, DA12 2PR Dartford Road, Dartford, DA1 3DZ increasing the Published Admission Number (PAN) from 72 places to 90 places from September 2020.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An EqIA has been completed. There are no issues identified, but officers will continue to monitor.

**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 Public Consultation ran from 8<sup>th</sup> October 2019 to 12<sup>th</sup> November 2019, with a drop-in event for stakeholders to raise issues and concerns on 6<sup>th</sup> November 2019. The consultation included the community and other stakeholders, including the following groups:

- **All schools in the Dartford Borough**
- **Elected Members (Kent County Council, Dartford Borough Council)**
- **Parish and Town Councils**
- **Local MPs**

- **Dioceses of Rochester and Southwark**
- **Church Groups**
- **Residents Groups**
- **Children’s Centres, Community and Voluntary Groups, Youth Groups**

This matter will be considered at the CYPE Cabinet Committee meeting on 15<sup>th</sup> November 2019 – Ian Watts will be in attendance.

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

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

Capital:

A feasibility study has been carried out which estimates the cost of delivery being between £2.2m and £2.4m, wholly funded by the CYPE Basic Need Capital Budget.

Revenue Funding:

Should the scheme progress, £6,000 per new learning space will be provided towards the cost of furniture and equipment. This will be given to the school to purchase the required equipment.

In addition, an allowance of up to £2500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment.

Pupil Growth Funding

The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum.

**Support documents**

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

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

**Reference No:** 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.

**Key** Yes

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

**Title:**

**19/00058 - Strategic Acquisition & Disposal, Maidstone East**

**The Decision needed:**

**Proposed decision:**

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.

**Background:**

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.

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.

**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. 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 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 - delivery and transformation of Public Health services**

**The Decision needed:**

**Proposed Decision:**

To agree the extension of collaborative partnership arrangement with Kent Community Health NHS Foundation Trust (KCHFT) 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 was discussed by the Health Reform and Public Health Cabinet Committee on 24 September and the proposed decision endorsed. The minute of the discussion is as follows:

**19/00064 - Delivery and Transformation of Public Health Services.**  
*(Item. 8)*

The Chairman advised the committee that, as this and the exempt report later in the agenda (item 12) contained much detailed information, he was minded to take both reports together in a closed session at the end of the meeting. It was important that Members have the opportunity of a full understanding of the issues before being able to comment on them and consider the recommendations, and to do this they would need to be able to have a frank discussion and explore all of the available information. This could only be done effectively in a closed session.

**EXEMPT ITEM** (open access to minutes)

**19/00064 - Delivery and Transformation of Public Health Services.**  
*(Item. 12)*

*Mrs V Tovey, Public Health Senior Commissioning Manager, was in attendance for this item.*

1. Mrs Tovey introduced the reports for agenda items 8 and 12 and responded to questions of detail from the committee, including the recruitment and training of new nurses and retention and re-training of experienced nurses to take on new roles, for example, as health visitors and school nurses, to offer a new career pathway. The Care Quality Commission's recent rating of Kent Community Health NHS Foundation Trust (KCHFT) as 'outstanding' would help to retain and attract new staff. Other questions included clarity of the conditions that were required to be met for the County Council and KCHFT to enter into this agreement. Mrs Tovey confirmed that the conditions were set out in section 12(7) of the Procurement Regulations and also referenced within the exempt report. Mrs Tovey informed the committee that independent legal advice confirmed the arrangement met these criteria for the delivery of public health services and advised that this

would be subject to review during the five years to ensure the conditions continued to be met.

2. It was RESOLVED that:-

- a) the context, risk and assurance associated with the proposed procurement approach for public health services be noted; and
- b) the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health, to authorise the County Council to extend the collaborative arrangement with Kent Community Health NHS Foundation Trust, for the services listed in the report, until March 2025, be endorsed.

#### **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**

**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**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed decision will be discussed 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></p> <p>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.</p> <p>Increased, consistent vetting of tenants will ensure that affordability of pitches is checked prior to licences to occupy being issued.</p> <p>Recovery of 100% of rent costs for all tenants is critical to enable the ongoing quality, sustainable management of the sites in the future.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</b></p> <p><b>Reference No:</b> 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</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>19/00055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area</b></p> <p><b>The Decision needed:</b>  To award a 4 year contract to Maidstone &amp; Tunbridge Wells NHS Trust (MTW) for the provision of post mortem (PM) facilities at Tunbridge Wells Hospital, Pembury for the Mid Kent &amp; Medway coroner area.</p>

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> Not before July 2019</p> <p><b>Reason if Key Decision</b> 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.</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 was considered and endorsed 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> 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 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</b></p>

## **School, Dover**

### **The Decision needed:**

Background:

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.

Legislation requires that statutory proposals are undertaken where the number of pupils on roll of a special school exceeds its designated 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

<p><b>Reason if Key Decision</b></p> <p>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.</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 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></p> <p><b>19/00028 - Expansion of Palmarsh Primary School</b></p>

**The Decision needed:**

## Background Information:

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.

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.

Planning permission for the first phase of the expansion has been achieved. 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 Palmarsh 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 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.

<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>  The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.</p> <p><b>Support documents</b></p>

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet Member for Corporate and Democratic Services</b></p> <p><b>Reference No:</b> None</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>17/00094 - Disposal of Land East of Great Chart Primary School, Singleton</b></p> <p><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.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b>  Cabinet Member for Corporate and Democratic Services</p> <p><b>Date:</b>  Not before October 2017</p> <p><b>Reason if Key Decision</b>  None</p> <p><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</p>

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>
<p><b>Consultees</b></p> <p>Property decisions to be discussed at the Property Sub Committee.</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> Property holding costs will cease upon sale.</p> <p><b>Support documents</b></p>

**LONG TERM**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b></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>Lawn Primary School, Gravesend - New Playing Field</b></p> <p><b>The Decision needed:</b> 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.</p> <p>-----</p> <p>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.</p>
<b>Section 2 – Who is taking the final decision and when</b>

<p><b>Who is taking the Decision</b> 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</b> - Cabinet Member for Children, Young People and Education</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></p>

The Cabinet Member for Children, Young People and Education will be asked to 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.**

<p><b>Title:</b>  <b>Former Shepway Resource Centre, Folkestone - Disposal</b></p> <p><b>The Decision needed:</b>  <b>LATEST UPDATE:</b>  19/05/2014 - Decision due date changed from 18/02/2014 to 01/08/2014.  <b>REASON:</b> 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.</p> <p>-----  -----</p> <p>To seek approval to the disposal of the former Shepway Resource Centre following the marketing of the site</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 &amp; Democratic Services</p> <p><b>Date:</b>  Not before October 2015</p> <p><b>Reason if Key Decision</b></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 decisions will be discussed at Policy &amp; Resources' Property Sub Committee following marketing.  The property is situated within the electoral division of Folkestone West.  Cllr Hod Birkby has been consulted.</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>  Alyson McKenna,  01622 696032  alyson.mckenna@kent.gov.uk</p>

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**

**Responsible Cabinet Member -**

**Reference No:** 12/020231

**Key No**

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

**Title:**

**Eden Centre Lease**

**The Decision needed:**

**LATEST UPDATE:**

19/05/2014 - Decision due date changed from 01/03/2014 to 01/01/2015.

**REASON:** 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.

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**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.**

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.

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.

Risks identified are:

- Reliance on the professionalism of the trustees to deliver a successful facility, agreeing with all partners a financial model for the charitable vehicle
- Reputational damage to KCC if the charitable vehicle were to fail
- Obtaining buy in from all community groups in occupation to form trust
- Untried and untested model
- Level of income generation from the centre which could go to the charitable vehicle is currently unknown as a new facility
- Continued KCC ownership of a non-core asset
- 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).

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

**Who is taking the Decision**

**Date:**

**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**