

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 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.

The Kent County Council Cabinet Members are:	
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

NOT BEFORE 10 FEBRUARY 2021

<p>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</p> <p>Reference No: KCC will need to enter into and or vary a number of legal agreements with Medway Council in order to secure the project. KCC will need to terminate, enter into and or vary a number of legal agreements to deliver the scanning services which will affect current suppliers. KCC will need to enter into a number of legal agreements to develop and deliver the site. Including potentially purchase of the site</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 21/00010 -Digital Autopsy</p> <p>The Decision needed: Proposed Decision:</p> <p>In relation to the delivery of the Digital Autopsy facility, to delegate authority to the Corporate Director of Growth, Environment and Transport to:</p> <p>Enter into and or vary significant legal agreements including, but not limited to, a Service Level Agreement, Memorandum of Understanding and Collaboration Agreement with Medway Council and any other stakeholders as required.</p> <p>Enter into and or vary contracts for the delivery of the Digital Autopsy service including, but not limited to, body scanning and body transport.</p> <p>Consult with the Director of Infrastructure and enter into all necessary legal agreements for the delivery and the construction of the project, including purchase of the site if necessary.</p> <p>Reasons for Decision:</p> <p>KCC has a statutory responsibility for funding all the costs of the Coroners Service for Kent and Medway with Medway Council contributing 15.3% (based on Medway population) to the running costs of the service. Included in this is the provision of a mortuary service which is currently delivered through NHS hospitals on a contract basis.</p> <p>There are several issues putting the continuation of the current service levels at risk:</p>

- 1. NHS mortuaries are struggling to store the Coroner Services bodies as they do not have sufficient capacity to deal with the normal throughput of Coroner cases during the winter period, as well as their own hospital deaths. To do so they must hire in temporary storage for which KCC must pay for, and which is a growing pressure on the service.**
- 2. Pathologist costs have and are continuing to rise sharply due to a national lack of staff which has created significant unfunded pressures for the service. This cost has been rising year on year due to a shortage of pathologists available in the Kent area and or who are willing to commit their time to Coroner work. The number of Pathologists working on Coroner cases has reduced in recent times and therefore agency pathologists with much higher costs have had to be commissioned.**
- 3. The uncontrollable nature of both the lack of mortuary capacity and pathologist staff builds in risk to the Coroner Service budgets, which have as a result, increased year on year.**
- 4. There remains a potential risk of a Judicial Review if the current arrangements adversely affect service delivery to the statutory standards set by government.**

This project enables KCC to deliver a Digital Autopsy and body storage facility. The digital solution will deliver a body image scanning facility that will seek to provide efficiencies for the service, by significantly reducing the number of invasive post-mortems required and making the process quicker and more efficient. This in turn will deliver an improved level of service to the communities in Kent, from having their loved ones returned sooner and avoiding the need for invasive procedures which is not supported by some faith groups and can be distressing for some families.

This digital approach is supported by the Kent Senior Coroners, while also future proofing the resilience of the service and mitigating future unfunded costs. It could also strengthen KCC's ability to respond to Mass Fatalities and mitigates against significant financial outlays that would come with such an event.

Options

Other options considered included:

1. Do nothing – (continue with outsourcing model)
2. Digital Autopsy all the way through to construction
3. Digital Autopsy all the way through to construction and Public Mortuary to planning – preferred option

4. Digital Autopsy and Public Mortuary all the way through to construction

KCC has a statutory responsibility to support the Coroner Service and meet all service costs.

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 February 2021

Reason if Key Decision

Equalities impact has been completed and some positive impacts have been identified as per the earlier text and no adverse impacts have been identified in the Equalities Impact Assessment. This will be kept under review as the project progresses.

No adverse data protection issues are expected as part of this project.

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 will be undertaken wherever it is required as part of the delivery of the Digital Autopsy service including planning for example.

The proposed decision will be taken to Growth, Economic Development and Communities Cabinet Committee date to be confirmed.

Views have been sought from local Members

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

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

KCC is seeking to invest up to the approved budget of c£3M in delivering the Digital Autopsy and body storage facility in Kent. We will be seeking a financial investment from Medway Council towards the delivery of the scheme .

KCC is seeking to deliver revenue savings as part of this project .

Row ref 10 p9 of KCC 2020/21 Budget Book.

Support documents

Responsible Cabinet Member - Cabinet Member for Highways and Transport

Reference No: The award of any contracts will be in full compliance with all relevant procurement regulations

Key Yes

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

Title:
21/00009 Highway Civils Framework

The Decision needed:

Proposed Decision:

To procure and delegate authority to the Corporate Director for Growth, Environment and Transport to award and commission the Highway Civils Framework.

Reasons for Decision:

Under section 41 of the Highways Act 1980, as the local Highway Authority, the Council has a legal duty to maintain its respective sections of the highway network. This includes responsibility for maintaining, managing and, where necessary, improving their section of the network. These services will need to be commissioned externally to ensure the Council meets its statutory obligations and that service continuity is maintained.

The proposed Highways Civils Framework is to enable the procurement and delivery of significant highway infrastructure development, civil engineering works and associated major value constructions works. The framework will be split into two lots:

Lot 1 - Civil Engineering Works

Lot 2 - Multidisciplinary Civil Engineering Works

This framework will cover the South East of England and, while predominately supporting the Highway and Transportation directorate, it will be open to other government organisations. To ensure there is sufficient headroom for the Council and other government organisations, the value of the framework is set at £500m over a term of four years.

Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Cabinet Member for Highways and Transport</p> <p>Date: Not before February 2021</p> <p>Reason if Key Decision An Equalities Impact Assessment has been carried out and no implications have been identified at this early stage</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan No public consultation is planned. The matter will be considered by the Environment and Transport Cabinet Committee at its meeting on 19 January 2021</p>
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: There is no workload guarantee in the framework agreement. All schemes awarded to contractors will incorporate their own contract (NEC 4 suite) and such projects will need to be taken through the appropriate governance and funding process</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</p> <p>Reference No: The Care Act 2014 makes it a requirement for the council to deliver early intervention and preventative services for adults with mental health needs. The Children Act 2004 places a duty to promote and safeguard the welfare of children in Kent and Medway.</p> <p>The Public Contracts Regulations 2018 which set out the legal basis for Local Authority procuring services.</p> <p>Key Yes</p>

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

Title:

20/00132 - Commissioning of a Specialist Bereavement Service

The Decision needed:

Reason for the decision

A key decision is required as it affects more than 2 electoral divisions and expenditure if over a million.

Kent and Medway CCG and Kent and Medway Suicide Prevention Team have identified funding to provide specialist bereavement support services across Kent and Medway. There are currently limited support services available for those bereaved and as such the funding will ensure a comprehensive and consistent service is put in place. This is seen as critical given the impact of Coronavirus (COVID-19).

Bereavement is a natural part of human experience but can be intensely painful and negatively impact on physical and mental health (Selman et al 2020). As part of NHS England's national Suicide Prevention Transformation Funding and through NHS Kent and Medway CCG, it is identified that there are two particular groups in which bereavement can have an increased risk of depression, self-harm and other mental illness. These include children, young people and young adults and people bereaved by suicide. There is likely to be an increase in people needing these services due to the COVID-19 pandemic.

KCC, in collaboration with the Kent and Medway CCG and Medway Council will procure two services to support Kent and Medway residents through a competitive procurement exercise with a maximum value of £1,493,750 over the period of five years.

Strategic outcome

The commissioned services support KCC's outcomes:

- Every Child has the best start in life;
- Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life; and
- Older and vulnerable residents are safe and supported with choices to live independently.

The services will also align to the following outcomes set out in the draft KCC Strategic Delivery Plan (2020-2023):

- Stronger and safer Kent communities
- Opportunities for children and young people
- Quality health, care and support

The outcomes of the service are to:

- Improve service user's resilience and their capacity to cope in their

surroundings

- Improve service users physical and mental health (measured by evidence-based tools)
- Personal goals and outcomes achieved
- Reduction in stigma and discrimination

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 February 2021

Reason if Key Decision

Equality Impact Assessment for the service has been completed and any recommendations for improvements in service delivery have been incorporated in the service specification. It will be a requirement for the awarded provider to update the Equality Impact Assessment based on their delivery model.

Data Privacy Impact Assessment (DPIA) is in the process of being completed and recommendations will be actioned. It would be a requirement within the service specifications for the awarded provider to complete a DPIA for the data in which they are the controller for.

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

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

Consultees

This item will be discussed at the Health Reform and Public Health Committee on the 21st January 2021 and in March 2021.

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

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

Kent and Medway CCG and Kent and Medway Suicide Prevention Team have identified funding to provide specialist support services across Kent and Medway.

The maximum total amount for both services including possible two-year extensions is £1,493,750 over a period of five years.

Support documents



NOT BEFORE 2 FEBRUARY 2021

<p>Responsible Cabinet Member - Cabinet Member for Environment</p> <p>Reference No: The County Council has a legal obligation under the Town and Country Planning Acts to prepare and maintain a statutory Development Plan for planning purposes and to set out the timescale for this work in a Local Development Scheme.</p> <p>The County Council is also required by national planning policy to ensure that local plans promote sustainable minerals and waste development. The review of the KMWLP will play an important role in ensuring that minerals and waste development in Kent remains in line with national planning policy.</p> <p>There is an expectation by the Minister for Housing, Communities and Local Government (MHCLG) that all planning authorities have an up to date local plan and Statement of Community Involvement in place. Without an up to date adopted plan, there is a risk that MHCLG will step in as the plan making authority, reducing local accountability</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 21/00008 Minerals and Waste Local Development Scheme – Revision 2021</p> <p>The Decision needed: Adoption of the revised Mineral and Waste Local Development Scheme which sets out the work programme and timescale for the Council’s statutory local plan making responsibilities as planning authority for minerals and waste management development.</p> <p>Reason for the decision</p> <p>Section 15 of the Planning and Compulsory Purchase Act 2004 requires the County Council, as the minerals and waste planning authority for Kent, to maintain a scheme, known as the Local Development Scheme. This Scheme sets out the timetable for preparing and revising the Council’s development plan documents. The development plan documents are more commonly referred to as Local Plans and set new policy that affects more than one electoral division.</p> <p>Background</p>

The County Council's current Local Development Scheme, which was adopted in February 2019 includes a timetable for preparing the Kent Mineral Sites Plan and completing an Early Partial Review of the Kent Minerals and Waste Local Plan 2013-30. Work on the Mineral Sites Plan and Early Partial Review has now been completed.

The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted in July 2016 and the Council is statutorily required to review adopted planning policy at least every five years. The elements of the plan recently updated by the Early Partial Review will not require review until 2025.

An updated Local Development Scheme, to be known as the Kent Minerals and Waste Development Scheme 2021, is therefore required to set out the timetable for the review of the Kent Minerals and Waste Local Plan 2013-30.

It is proposed that the scheme also be updated to include details of the timetable for completing the following:

- Updates to the Kent Minerals and Waste Safeguarding Supplementary Planning Document (SPD); and,
- review and update of the Council's Statement of Community Involvement (SCI).

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

The KMWLP and associated policy documents support the County Council's corporate policies contained within the Council's Strategic Statement 'Increasing Opportunities, Improving Outcomes – Kent County Council's Strategic Statement 2015-2020 and national planning policy requirements.

Kent's mineral and waste planning policies support and facilitate sustainable growth in Kent's economy and support the creation of a high-quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before February 2021

Reason if Key Decision

Equalities implications

As the Kent Minerals and Waste Development Scheme is essentially a programme for updating planning policy (and associated documentation) it is considered that an Equality Impact Assessment (EQIA) is not required. Separate EQIA has, and will be, undertaken which considers the equalities implications of updated planning policy and guidance of documents prepared in accordance with the Scheme

Data Protection implications - A Data Protection Impact Assessment is not required.

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

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

Consultees

Plan documents identified in the Local Development Scheme will be subject to public consultation in line with statutory requirements and the Council's Statement of Community Involvement.

All Members will be consulted at each stage of the preparation of the Plan documents.

Report to Environment and Transport Cabinet Committee January 2018

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

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

The costs of reviewing the KMWLP and updating the Safeguarding SPD and the SCI are met from the Environment, Planning and Enforcement Division's budget.

Support documents

Responsible Cabinet Member - Cabinet Member for Highways and Transport

Reference No: KCC will be entering into a funding agreement with Ebbsfleet Development Corporation detailing the conditions of the grant funding. KCC will be appointing Invicta Law to progress this.

No further legal implications have been identified

Key Yes

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

Title:
21/00007 Urban Traffic Management and Control (UTMC) Project

The Decision needed:

The Cabinet Member for Highways & Transport is asked to give approval for KCC to accept the capital grant from Ebbsfleet Development Corporation (EDC) and to take the UTMC project through the stages of development and delivery.

Specifically, to provide:

- i. Approval for KCC to enter into a funding agreement with EDC subject to the approval of the Corporate Director of Finance, Corporate & Strategic Services
- ii. Approval to undertake the design and surveys for the UTMC project. The design work will be undertaken by the KCC Traffic & Network Solutions Team.
- iii. Approval to progress all statutory approvals or consents required for the schemes, including transfer of land and rights;
- iv. Approval to carry out any additional consultation required for the schemes;
- v. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the schemes:

Approval for any further decisions required to allow the schemes to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

Reason for the decision:

This fully funded scheme proposes to upgrade the existing Urban Traffic Management and Control (UTMC) system by ensuring the traffic signal junctions within or adjacent to Ebbsfleet Garden City are utilising the latest traffic control systems.

UTMC enables traffic signals to react to traffic conditions and incidents by adapting traffic signal timings to ease congestion. The UTMC system will integrate real time traffic information informing road users of conditions via Variable Messaging Signs (VMS).

The purpose of the scheme is to improve journey times for all road users and ensure that the transport infrastructure across Ebbsfleet and the

surrounding area is used as efficiently as possible.

- Options (other options considered but discarded)

EDC and KCC have considered options for the scale of UTMC implementation within the business case for the UTMC project. The following options were considered:

- No implementation of the UTMC across all junctions
- Scaled back, partial implementation of UTMC on some of the identified junctions only
- (Chosen option) Implementation of UMTC on the identified 41 junctions

For UTMC to effectively work the scheme coverage needs to include groups of junctions coordinated through UTMC. This means there is no practicable option that would reflect a scaled back version of the preferred option, without eroding the coherence of the overall intervention.

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

Implementation of the scheme will support the Council in meeting its Strategic outcome for "Kent Communities to feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life". This will be achieved through the projects supporting continued operation of key transport networks in Dartford and Gravesham, as well as helping support growth by enabling new residential and commercial development.

The key priorities set out in the County Council's Integrated Transport Strategy 'Delivering Growth without Gridlock' in terms of providing additional highway capacity, improving accessibility, and reducing congestion are also delivered. The scheme will set out to provide improved growth and economic prosperity through having an efficient highway and transport infrastructure.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before February 2021

Reason if Key Decision

An initial equalities impact assessment has been carried out for the scheme. This identified no adverse impacts or discrimination against any person with a protected characteristic. In addition, those members of the public who regularly use or rely exclusively on public transport should experience more reliable journey times by better functioning of Fastrack route junctions. This will be continually reviewed throughout the project.

Data Protection implications - A DPIA is not required for this project

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 on the proposals has been completed or planned as these works are to existing traffic systems infrastructure and in line with our statutory duties to maintain such assets. There will be no fundamental change to the operation of the junctions and no facilities for vulnerable user groups will be adversely affected, only improved to meet the latest standards.

The Environment and Transport Cabinet Committee's views and recommendations on the proposed UTMC project will be sought to inform the decision requested of KCC's Cabinet Member for Highways and Transport.

Which Divisions / Local Members are particularly affected:

This scheme covers several junctions across the urban areas of Dartford and Gravesham.

Dartford North East – Cllr Dave Butler

Dartford East – Cllr Penny Cole

Dartford West – Cllr Jan Ozog

Swanscombe and Greenhithe – Cllr Peter Harman

Wilmington – Cllr Ann Allen

Views and opinions have been sought from local members through the Kent Thameside Strategic Transport Infrastructure Programme Steering Group, on which the Leaders for Dartford and Gravesham sit.

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

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

The UTMC project is fully funded by EDC grant funding and S106 funding collected for the Kent Thameside Strategic Transport Infrastructure Programme. Ebbsfleet Development Corporation is providing KCC with a grant of £3.81m between 2020/21 and 2024/25 to deliver the Urban Traffic Management and Control (UTMC) scheme. This grant funding will consist of a revenue grant of £0.18m, a non-repayable capital grant of £1.93m and a repayable capital grant of £1.7m which KCC will repay once developer contributions have been paid into STIPS. Based on forecasted development build out rates, these contributions are anticipated to be repaid by 2028. The risk of any potential financial overspend will be prevented by only delivering improvements within the available level of funding.

KCC Officer time required for the delivery of the programme will be capitalised and met from the project funding or met from the EDC revenue grant, where it is not appropriate to capitalise the costs. There is no reve

Support documents

Responsible Cabinet Member - Cabinet Member for Environment

Reference No: A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the municipal waste collected from households in Kent.

The Resource and Waste Strategy published in December 2018, states an ambition to reduce greenhouse gas emissions from landfill, this adheres with KCC's aim of zero waste to landfill

Key Yes

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

Title:

21/00006 Dry Mixed Recyclables Waste Processing Contract

The Decision needed:

Delegated authority to the Cabinet Member for Environment to approve the award of a new contractual arrangement for the receipt and processing of Dry Recyclate delivered to KCC's Transfer Stations by Collection Authorities in Mid and West Kent.

Reason for the decision

- **The current contract which commenced 4th July 2016, has seen two extension periods; One to the 3rd July 2020 and extended again for an additional 12 months to 3rd July 2021 under the Procurement Policy Note 01/20: Responding to COVID-19. The current extension expires on 3rd July 2021 and to ensure KCC's statutory obligations are met as the Waste Disposal Authority and provide continuity of service, a commissioning activity is required.**

Background

- **As the Waste Disposal Authority, KCC has a statutory responsibility to dispose of waste collected by the Waste Collection Authorities, one of which is Dry Mixed Recycling (DMR) – co-mingled (Paper and Card, Cans, Plastics and Glass).**

- In taking receipt and processing this waste, it is sorted and separated at a Materials Recycling Facility and each separated material is recycled into new products.
- KCC Waste Management currently operates a contract with Viridor Waste Management Limited (ref. SS15105) for the processing of household co-mingled mixed dry recyclable materials that are collected from households by Waste Collection Authorities within Kent.
- It is envisioned that the commission will be presented in one lot and sourced via KCS's framework for the 'Supply of Waste Management Services' (ref. Y21003) and will include the provision for managing circa 66,107 tonnes of DMR.
- The contract is expected to commence on the 4th July 2021, for a duration of 27 months to 29th September 2023, (with an additional 12 month extension if required) to align with the cessation of an existing Dry Recycling contract that covers a different recycle mix of other Waste Collection Authorities.

Options (other options considered but discarded)

- Option 1 - Do nothing – the current arrangements will elapse; this is not an option as this will result in KCC's failure to meet its statutory requirements as the Waste Disposal Authority for making a disposal provision.
- Option 2 - Continue to accept the waste, but utilise alternative disposal options by using landfill or incineration; this is not an option as there is a desire to move this material up the waste hierarchy and to meet landfill diversion targets. These are also more expensive options, and incinerating recycle is not a desired outcome for KCC.
- Option 3 – Discontinue accepting the DMR waste from the Collection Authorities; this is not an option due to KCC's obligation to take this waste as the Waste Disposal Authority.
- Option 4 - Undertake a commissioning activity to secure a provider who is able to treat and utilise the waste material meeting the circular economy desired outcomes and is both financially and environmentally beneficial for the Authority, demonstrating best value for Kent residents.

Preferred option:

Option 4 is the preferred option. The authority is seeking to appoint a new Provider to secure a contract (for up to 39 months) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the Statutory duty of KCC operating under

the Environmental Protection Act 1990, to dispose of collected municipal waste.

The commission of this contract will meet Kent CC's Strategic Statement 2015 – 2020 regarding the following outcomes:

- **Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.**

The vision is to focus on improving lives by ensuring every pound spent in Kent is delivering better outcomes for Kent's residents, communities and business.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before February 2021

Reason if Key Decision

An EQIA has been carried out and no equality implications have been identified as this is a collection contract and not a public facing service.

Data Protection implications:

- There will be no personal data collected or exchanged and there are 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

Public consultation is not required as there is no impact on the end user.

Cabinet Committee consultation planned with the E&TCC and the Divisions / Local Members are particularly affected: Ashford, Dartford, Gravesham, Maidstone, Sevenoaks and Swale, during the term of the Contract.

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 commission for the 27 month initial period is projected to be circa £7,135,920 based on 68,000 tonnes;
- The extension of 12 months valued at £3,171,520 based on 68,000

tonnes;

- Difference between budgeted tonnes and estimated tonnes for commission is due to pandemic impact on kerbside waste likely to continue into 21/22
- The current markets for co-mingled mixed dry recyclables plastics, cans, glass and paper fluctuate as they are market driven;
- Haulage costs are accounted for within Transfer Station contracts, however they will be included as part of the tender evaluation.
- The 21/22 revenue budget is £2,844,000 based on 60,979 tonnes on an average tonnage price of £46.64.
- Materials Recycling Facilities Incl. Glass: P 7WC 61018 523 52U 0000 00

Support documents

Responsible Cabinet Member - Leader of the Council

Reference No: The grant agreements give Kent County Council the legal and financial responsibility for ensuring the proper use and administration of the funding in accordance with the terms and conditions.

The legal agreements will ensure that any potential claw back of GBF by the Government comes from the third-party project promoter, not from Kent County Council.

Key Yes

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

Title:

21/00005 - Investment of Getting Building Funding in third-party projects

The Decision needed:

To agree that the Getting Building Funding (GBF) will be used to support the third-party project - St George's Creative Hub project promoted by Gravesend Borough Council - that the South East Local Enterprise Partnership's Strategic Board prioritised to receive GBF at its board meeting on 11 December 2020.

To act as the accountable body for third-party projects within Kent's geographical boundaries that are selected by the SELEP to receive GBF grant funding.

To delegate to the Section 151 Officer the authority to sign on KCC's behalf a grant agreement or equivalent, where this is required to draw down funds

following business case approval.

This key decision is required to enable a grant agreement to be entered into so that the Government funding can be secured for St George's Creative Hub project, promoted by Gravesend Borough Council. Due to the terms and conditions of the Government's Getting Building Fund, this funding can only be spent on specific GBF projects.

Background

On 3rd July 2020, the Government informed the South East Local Enterprise Partnership (SELEP) that it would receive £85million of 'Getting Building Fund' (GBF) for 'oven-ready' schemes to stimulate economic recovery and help mitigate the impact that COVID-19 has had on employment levels. GBF is capital grant funding.

Kent County Council has previously taken decision 20/00086 in September 2020 which enabled the investment of GBF into four third-party delivered projects within Kent. One of the schemes covered by this decision is the construction of a New Performing and Production Digital Arts Facility at North Kent College, Dartford. Since the decision was taken, the project has submitted a full business case which is seeking a lower amount of GBF than in the original expression of interest.

£323,204 of GBF is therefore available to allocate to next project on the GBF reserve which is St George's Creative Hub project, promoted by Gravesend Borough Council.

Options (other options considered but discarded)

If Kent County Council were to choose to not enter into a grant agreement the GBF funding could be either (i) retained by central government or (ii) reallocated by SELEP to another project(s).

How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)' The GBF investment will help Kent County Council to deliver against its objectives within Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020). Specifically, the capital grant investment will help deliver these outcomes:

Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life.

Kent business growth is supported by having access to a well skilled local workforce with improved transport, broadband and necessary infrastructure.

Kent County Council supports well planned housing growth so Kent residents can live in the home of their choice.

Kent's physical and natural environment is protected, enhanced and enjoyed by residents and visitors.

Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Leader of the Council</p> <p>Date: Not before February 2021</p> <p>Reason if Key Decision Equalities implications - The third-party promoters are required to write an EqlA as a condition of their business case receiving SELEP Accountability Board approval.</p> <p>Data Protection implications - DPIA is not required, as personal data is not included in the grant agreements or project business cases.</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>The proposal is being considered at the Growth, Economic Development and Communities Cabinet Committee at its meeting in January 2021.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: Kent County Council will enter into a capital grant agreement for £323,204. The GBF capital grant funding is provided by the Government via SELEP. It is not KCC funding.</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Highways and Transport</p> <p>Reference No: None</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.
Title:

21/00004 A229 Loose Road Corridor Junction Improvements

The Decision needed:

Approval to take the A229 Loose Road Corridor Junction improvement scheme through the next stages of development and delivery including authority to progress statutory orders and to enter into funding and construction contracts.

Reason for Decision:

The scheme is identified in the Maidstone Integrated Transport Package (MITP) to reduce congestion and ease traffic movements through the town.

Background:

The scheme involves the removal of an existing building, which has been purchased by KCC property team and the construction a signalised junction on the A229/A274. In conjunction with this improvement, and to ensure connectivity between the junctions on the corridor, a new set of traffic signals will be installed at the junction with Plains Avenue, reconfiguration of the junction at Armstrong Road/Park Way and alteration of the lining leading into Sheals Crescent.

Options: Various options have been considered but discarded as the proposal being taken provides the maximum benefits and least impact on the surrounding area. Alternative options required the acquisition of multiple adjacent private frontages, which would have required all residents to agree the purchase. The cost of purchase and agreements would have been protracted and made the scheme unviable.

How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)' The scheme supports policy objectives of supporting existing businesses and encouraging economic activity with housing growth and job creation by reducing congestion and improving infrastructure and accessibility. These also meet the objectives set out in the existing Local Plan.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before February 2021

Reason if Key Decision

None. A screening report has been completed and a full EqIA developed. Detailed scheme design will further consider and review equalities aspects.

Data Protection implications – N/A as no personal data will be collected

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 on the proposals have been undertaken and completed in March 2020.

The proposal will be considered by Members of the Environment and Transport Cabinet Committee at their meeting on 19th January.

Views of local members were sought as part of the consultation process in March 2020 and continue to be sought via the Maidstone Joint Transportation Board and individual meetings.

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

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

Total cost of the scheme is £4.5m. Funding has been secured from the Local Growth Fund and developer contributions to deliver these improvements. All associated staff costs and post scheme monitoring have been included within the pre-tender estimates

Support documents

Responsible Cabinet Member - Cabinet Member for Highways and Transport

Reference No: There are no legal implications associated with this scheme. Invicta Law will draft the legal agreement, and will be completed, subject to receiving a Key Decision

Key Yes

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

Title:
21/00003 Market Square, Dover

The Decision needed:

Approval for the County Council to enter into legal agreements, as necessary, with Dover District Council for the County Council to act as the delivery partner for the Infrastructure Works associated with the Market Square project. The approval shall include the following:

- i) Approval to enter into legal agreements with Dover District Council to undertake the delivery of the Infrastructure Works at no cost or risk to the County Council.
- ii) Approval for KCC officers to project manage, input into the delivery and supervision of the project, with the cost of all staff and consultant time being recoverable against the project funding.
- iii) Approval to complete the detailed design for the project. This work will be undertaken by a design consultant appointed through the Medway Professional Services Framework Contract.
- iv) Approval to progress all consents required for the scheme including Traffic Regulation Orders.
- v) Approval to enter into construction contracts as necessary for the delivery of the scheme subject to the approval of the recommended procurement strategy.
- vi) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

Reason for the decision

Dover District Council (DDC) have been successful in a funding bid to MHCLG via the Coastal Communities Fund for the delivery of a public realm improvement project within the Market Square area of the Town Centre. DDC do not have the in-house resources to deliver a highway project of this scale and have asked KCC to deliver the project on their behalf.

Background – Provide brief additional context

The aim of the Market Square project is to provide a high-quality public realm scheme. To encourage local growth, provide a safer, more attractive environment for pedestrians, businesses, and residents. Repurposing Dover's historic Market Square as a hub connecting the local community and tourists alike and to create a multipurpose events space, through providing safer crossing points and increased footway widths for pedestrians, strengthen connections to the St James development, manage the impacts on traffic and improve drop off / pick up logistics for buses and coaches. A key aspect of the project is the replacement of the existing redundant fountain with a new water misting feature.

Options (other options considered but discarded)

The proposed design builds on the previous design developed by the Dover Town Team, and has evolved following ongoing engagement with DDC and the Dover Town Team and meets the requirements of the funding bid

by DDC.

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

The scheme has a strong fit with the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'.

The scheme particularly supports Strategic Outcome 2

- Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life
- Kent residents enjoy a good quality of life, and more people benefit from greater social, cultural, and sporting opportunities
- Kent's physical and natural environment is protected, enhanced, and enjoyed by residents and visitors

The public realm scheme is seen as an opportunity to improve a key focal point for the town centre, draw in additional visitors and to provide a boost to the local economy.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before February 2021

Reason if Key Decision

Equalities implications - An EQIA assessment is currently being undertaken and will be available for publishing alongside the ROD and Decision Report.

Data Protection implications - The requirements of the KCC's Data Protection Impact Assessment Policy and Guidance document dated 12 November 2019 has been reviewed and the project does not meet the requirements for a DPIA. However, during the life of the project, this will be continuously assessed and if required a DPIA will be carried out.

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 by the Dover Town Team on an earlier iteration of this project as part of the funding bid but engagement of the current design proposals, which is being led by DDC, is currently being

programmed to be carried out in January 2021.

The Environment and Transport Cabinet Committee will consider the proposed decision at its meeting on 19 January 2021 and its views and recommendations on the proposed scheme will inform the decision requested of KCC's Cabinet Member for Highways and Transport

The views of local members have been sought. Nigel Collor is actively engaged with the project in his capacity as Portfolio Holder for Transport and Licensing at DDC.

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

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

The overall estimated cost of the project is £2.94m, which is fully funded by DDC through the successful Coastal Communities Fund bid of £2.44m and a match funding contribution of £0.5m by DDC. The funding has already been drawn down by DDC, and KCC will invoice DDC monthly for costs incurred. DDC have accepted that for KCC to provide the resources to deliver the project, there will be no financial cost or risk to KCC. This will be reflected in the legal agreement between KCC and DDC

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:

21/00002 Active Travel Tranche 2 Funding

The Decision needed:

Approval to move to the design stage and the next steps towards the second consultation, subject to results of the initial consultation which will run from 9th December to 19th January 2021.

Reason: To inform Members of secured funding from the Department for Transport Active Travel Fund and seek approval to proceed to the next stage of design and second consultations.

<p>Background – The Department for Transport have awarded Kent County Council £6.098m for five named active travel schemes across the County.</p> <p>How the proposed decision meets the objectives of ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’. The scheme supports policy objectives of promoting active travel in line with the Active Travel Strategy. Delivering health benefits, reducing congestion, promoting healthy neighbourhoods and improving infrastructure and accessibility.</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Highways and Transport</p> <p>Date: Not before February 2021</p> <p>Reason if Key Decision An initial EQIA screening has been carried out as part of the initial consultation and will be regularly updated.</p> <p>Data Protection implications -None at this stage</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p> <p>Initial high-level consultation of the proposed schemes will take place between 9th December and January 2021. Communication with residents, businesses and stakeholders will take place over this period too.</p> <p>Cabinet Committee consultation planned: and Transport Cabinet Committee at their meeting on 18 January.</p> <p>Meetings have been set up to brief the local Members and MP’s prior to the scheme consultation commencing</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: The DfT grant will fully cover both the capital and revenue costs associated with the scheme as per current concept designs; the schemes’ costs are scalable to suit the budget available</p>

Support documents

Responsible Cabinet Member - Cabinet Member for Economic Development

Reference No: KCC will continue to act as the managing authority for the existing two BEIS contracts. KCC will also continue to be responsible for developing and marketing the funding schemes. KCC will undertake eligibility and due diligence checks on all applications before being examined by an Investment Advisory Board (IAB). Most of the members of the IAB come from the private sector, including Finance and Banking, Manufacturing, and the Scientific and Creative Industries. Once an application has been reviewed by the IAB, it makes a recommendation to KCC to Approve or Reject the project and what conditions should be set if funding is approved. Invicta Law Ltd will continue to provide advice on contracts, insolvency issues and works with the KCC Business Investment Team to recover the maximum amount of loan value. KCC Internal Audit will oversee the investment procedures and processes and advice on other matters related to the use of the funds. To minimise risk for loans, KCC will require applicant

Key Yes

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

Title:

21/00001 Kent and Medway Business Fund Extension

The Decision needed:

– Kent County Council is seeking to extend the Kent and Medway Business Fund (KMBF) which is currently due to end on the 31 March 2021, for a further 2 years, until the 31 March 2023. The extended KMBF scheme will offer investments in the form of grants, loans, and equity, financed from recycled equity and loan repayments received from recipients of both the KMBF and the former Regional Growth Fund (RGF) schemes - Expansion East Kent (ExEK), Tiger and Escalate programmes. Investment in the extended KMBF scheme will be subject to the same decision-making structures, procedures, and safeguards that operate under the existing KMBF scheme.

Reason for the decision

KMBF and the former RGF schemes are administered by KCC via two contracts with the Department for Business, Energy & Industrial Strategy (BEIS). An East Kent contract (original contract end date 31 March 2021) and a West Kent, North Kent, Medway & Thurrock contract (original contract end date 31 March 2023).

BEIS have now unilaterally extended the East Kent contract until 31 March 2023 to bring its end date in line with the West Kent, North Kent, Medway & Thurrock contract.

When the Key Decision for the Kent and Medway Business Fund (KMBF) was agreed in 2016 (Decision 16/00107), the decision was made to seek approval to spend

until the end date of the then East Kent contract – 31 March 2020. Now that the East Kent contract has been extended, KCC are seeking to extend the KMBF scheme until 31 March 2023.

Background

BEIS allocated £55 million from the Government’s Regional Growth Fund to KCC between 2011 and 2014. This funded three RGF schemes covering the whole of Kent and Medway and additional local authority areas:

- East Kent (Expansion East Kent - £35 million).
- North Kent, Medway, and Thurrock (Tiger - £14.5 million).
- West Kent (Escalate - £5.5 million).

These schemes operated from November 2011 to January 2016. For most businesses, loan finance was provided at 0% interest, with a repayment period of between 5 and 7 years.

Since January 2017, KCC has used the recycled RGF loan repayments to enable the Kent and Medway Business Fund (KMBF) to provide loans and equity investments ranging between £50,000-£500,000 to eligible businesses across Kent and Medway. Most funding recipients receive 0% interest loans, with a repayment period of up to 5 years. The recycled RGF loan repayments are also used to finance the Kent Life Sciences (KLS) Fund, a sub-programme of the KMBF scheme. This provides equity investments predominantly in the life science sector. Since 2017, KMBF has made the following investments:

	No. of Investments	Value of Investments
KMBF Loans	73	£8,365,449
KMBF Equity (Kent Life Sciences Fund)	10	£4,100,000
Total	83	£12,465,449

KMBF Jobs Created FTEs	165
KMBF Jobs Protected FTEs	59

FTE=Full-Time Equivalent

KCC are seeking to operate the extended KMBF scheme in a similar way, offering grants, loans, and equity.

Options (other options considered but discarded)

KCC could seek to appoint an external third-party to manage the grant and loans (an on-going external equity management arrangement already exists). This option has not been pursued due: a) the value of the contract would require a lengthy procurement exercise; b) this contract would only initially last for a maximum of two years i.e., March 2023; c) it is unclear if these arrangements would offer savings or improved investment performance.

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

The decision supports the outcome “All Kent’s communities benefit from economic

growth and lower levels of deprivation” as it will allow KCC to deliver the Kent and Medway Business Fund, which is seeking to deliver business investment, create new jobs and safeguard existing jobs in the 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 February 2021

Reason if Key Decision

An EqIA has been prepared for the KMBF.

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

After discussions with the KCC Engagement and Consultation Development Officer it was agreed that public consultation would not be required.

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

Consultees

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

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

The Capital costs will be sourced from current and future recycled loan and equity investments from the KMBF and former RGF schemes. These are estimated at £24,662,159 - this consists of: a) current uncommitted recycled loan repayments (£15,181,300); b) estimated value of future recycled RGF loans repayments up to March 2023 (£9,480,859).

The Revenue costs of this activity will be funded from: a) a management charge of 5% levied against payments to funding recipients; b) an administrative charge of 5% levied on all companies receiving loans.

The annual cost to KCC of administering the KMBF scheme (inc. staff, legal, appraisal and monitoring costs) is £450,000 per annum.

The KMBF scheme has allocated £6 million towards loans for 2020-21. A similar allocation of KMBF funds is anticipated for 2021-22 but will be formally agreed based on a review of the economic and business situation in 2021.

KCC is responsible for the recovery of outstanding investments, if these funds can

Support documents

Responsible Cabinet Member - Cabinet Member for Environment

Reference No: - Legal Services will be required to draft the Head of Terms and Lease Agreement and will be commissioned through Infrastructure part of Strategic and Corporate Services

- Provision of this facility will ensure that the WDA fulfils its statutory duty

Key Yes

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

Title:

20/00130 - New leasing arrangement to develop a new Waste Transfer Station for KCC's use at Dunbrik, Sundridge.

The Decision needed:

- Reason for the decision

To secure new leasing arrangements for KCC to enable sustainable waste disposal operations through the provision of a new Waste Transfer Station. To provide enhanced capacity that is fit for purpose whilst accommodating future legislative changes.

- Background

A Waste Transfer Station has been located at Dunbrik, Sevenoaks since 1992. It is used for the bulking of household waste collected by Sevenoaks District Council; the site also receives quantities of trade waste on a commercial basis.

The transfer station is small and logistically limited in that there is insufficient capacity to receive all waste arisings collected by the District as the Waste Collection Authority. Alternative, but unsustainable arrangements exist at different locations to receive and bulk the local authority’s garden waste and some recycled materials. In addition to this, the Government’s Resources and Waste Strategy is expected to mandate the separate collection of food waste from 2023 by the District Council, therefore the Kent County Council must make provision for this as part of its statutory undertaking as Waste Disposal Authority (WDA).

Further to this, the current facility is also unsustainable in terms of its ability to receive additional waste arisings expected as a result of planned housing growth within the district.

The landlord has existing planning consent to develop a new, much larger facility at the site for KCC’s use, although non-material, minor amendments would require further approval by KCC’s Planning which is most likely to be administered via Officer delegation.

An existing lease for the Transfer Station is in place until 2030, This lease will be relinquished and replaced by a new lease upon the completion of the new development, the current lease costs will be held until 2030 and to budget. In order that the Landlord recovers the capital investment, the term of the lease will extend for up to thirty years.

- Options (other options considered but discarded)

Over recent years KCC has investigated the potential of developing a Waste Transfer Station in alternative locals within the District but given the extent of the green belt within the District, there are no viable alternative locations to develop a new site. The proximity to the capital and strategic road network makes this area highly desirable and costly which prohibits viable alternative arrangements.

Dunbriek has excellent transport links and is also sited closely to the waste transport depot for waste vehicles belonging to the District Council.

KCC does not have alternate waste sites outside the immediate border to support the District, and even if these were available compensatory revenue payments would be due to the Collection Authority due to additional travel – these would create an unnecessary higher carbon footprint.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before February 2021

Reason if Key Decision

- An EqIA has been undertaken with no identified impacted protected characteristics as this is a Business to Business agreement

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

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

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

- The total overall lease costs to 2052 would be £18m, but subject to indexation

- Lease provision to 2030 at £3.8m in line with budget. From 2031 up to 2052 £14.2m – subject to indexation. These increased costs will be funded by savings of waste disposal, increase revenues from agreed sub-letting and additional receipts from trade waste.
- Market assessment is arranged to satisfy that this lease offers good value
- Existing lease costs are held until 2030 and increase will be applied for the duration so will form part of the MTFP
- Funding and budget line P7WG61040120000000000

Support documents

Responsible Cabinet Member - Cabinet Member for Environment

Reference No: • A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the disposal of household municipal waste.

- In 2015, the European Commission adopted an ambitious Circular Economy Package to help make the transition to a stronger and more circular economy where resources are used in a more sustainable way. This circular economy model aims to reduce waste streams by reusing waste as a resource elsewhere.
- The Resource and Waste Strategy published in December 2018, states an ambition to reduce greenhouse gas emissions from landfill, this aligns with KCC’s aim of zero waste to landfill.

Key Yes

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

Title:
20/00129 - Contract for the Processing & Recycling of Metal Waste

The Decision needed:
Reason for the decision

- KCC currently has no formal contractual arrangements for the receipt and processing of metal, therefore KCC Waste Management is seeking a new formal contractual arrangement to manage the County’s waste metal.

Background

- As the Waste Disposal Authority, KCC has a statutory responsibility to dispose of waste deposited at Kent’s 18 Household Waste Recycling

Centres, of which one stream is metal.

- KCC Waste Management has recently resumed ownership of metal as a waste stream since the completion of the HWRC and Transfer Station contract in Mid and East Kent (Nov 2020), where the provider held title. In West Kent, non-contractual arrangements have historically been in place and KCC is seeking to amalgamate the tonnages into a consistent and county-wide provision to seek optimum value for money for KCC.
- A 5-year contract is sought to incorporate the processing of circa 4,000 tonnes which will include an appropriate break clause to protect KCC's interests.
- It is envisaged that the contract will be split into geographical Lots to take into consideration the haulage aspect of the disposal.
- By processing metal, it is segregated into ferrous and non-ferrous streams, shredded, and recycled into either new steel products or sold on to other metal off-takers for reuse.

Options

- Do nothing – the non-contractual arrangements will continue with an off-taker recycling the material. This is not an option as KCC will obtain best value for money through a competitive process and via a contractual arrangement.
- Discontinue accepting the metal waste at the HWRCs – this is not an option due to KCC's obligation to take this material under waste legislation.
- Undertake a full commissioning activity to procure a new contract - a new commissioning activity is required to secure a provider who can process the waste material which is both financially and environmentally beneficial for the Authority.

Preferred Option

- Option 3 is the preferred option. The authority is seeking to appoint a provider to secure a contract (for up to five years) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the statutory duty of KCC operating under the Environmental Protection Act 1990.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before February 2021

Reason if Key Decision

<ul style="list-style-type: none"> An Equality Impact Assessment has been carried out and there is no adverse impacts <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address:</p> <ul style="list-style-type: none"> The current revenue budget is for £56,500 per annum of income, which is based upon the current contractual arrangement whereby contractors take title of this material. The projected income for the commission is circa £1.9 million for a 5-year contract, the increase reflects the title of materials reverting to KCC. Haulage costs are accounted for within the Transfer Station contracts. The Metal price is market tracked and the income level can fluctuate. Budget code: P-7WC-61021-929-511-0000-00 <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Environment</p> <p>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 temporary arrangement enabled the Authority to discharge its statutory duty as Waste Disposal Authority</p> <ul style="list-style-type: none"> The Resource and Waste Strategy published in December 2018, states an ambition to reduce greenhouse gas emissions from landfill, this adheres with KCC's aim of zero waste to landfill. <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 20/00128 - Contract for the receipt and processing of Paper and Card</p>

The Decision needed:

Reason for the decision

- KCC has entered into a short term supply agreement (from 16 January 2021 until 1st December 2021) for East Kent Paper and Card (est. 15,000 tonnes p/a) to ensure continuity of supply, whilst KCC goes out to market for the wider receipt and processing service which incorporates County-wide provision within a longer-term contractual arrangement.

Background

- As the Waste Disposal Authority, KCC has a statutory responsibility to dispose of waste collected by the Waste Collection Authorities and deposited at Household Waste Recycling Centres, one stream being Paper and Card.
- The current arrangements are:
 - o an existing contract with Smurfit Kappa (which ceases in December 2021) for the receipt and processing of paper and card collected at Kent's 18 Household Waste Recycling Centres (HWRCs) and received from South West Kent's kerbside collections.
 - o a short-term contract (10.5 months) for the receipt and processing of paper and card collected from the East Kent kerbside which became KCC's title in January 2021.
- A longer-term contractual arrangement (up to 5 years) is sought for the receipt and processing of paper and card collected from the East Kent and South West Kent kerbsides and to include paper and card from all Kent's HWRCs.
- It is envisaged that the commission will be presented in geographical Lots to take account of haulage considerations to the treatment facility and will include provision for managing circa 33,000 tonnes of Paper and Card.
- This is an income generating material which is market tracked. There is further financial benefit in segregating the card from the mixed paper at the HWRCs.

Options (other options considered but discarded)

- Option 1 – Do nothing – the current arrangements will continue; this is not an option as one of the contracts is a short term contingency for East Kent only and the other contract ceases in December 2021 with no extension provision; best value would be secured from a longer term contract providing for all of the County's Paper and Card processing needs.
- Option 2 – Discontinue accepting Paper and Card waste from the Collection Authorities and at HWRCs; this is not an option due to KCC's obligation to take this waste as the Waste Disposal Authority.
- Option 3 – Continue to accept the waste, but utilise alternative disposal options by using landfill or incineration; this is not an option as there is a priority to move this material up the waste hierarchy and to meet landfill diversion targets.
- Option 4 – continue with the interim arrangement whilst undertaking a commissioning activity to secure a provider/s who is able to process and recycle the waste material meeting the circular economy priority outcomes which is both financially and environmentally beneficial for the Authority.

Preferred option:

- Option 4 is the preferred option. The authority is seeking to appoint a new provider to secure a contract (for up to five years) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the Statutory duty of KCC operating under the Environmental Protection Act 1990, to dispose of collected municipal waste.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before February 2021

Reason if Key Decision

- An EQIA has been carried out and no equality implications have been identified as this is a business to business service. Any public interaction at the HWRCs with regard to segregating paper and card will be covered by the HWRC 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

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

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

This is a revenue-based INCOME contract.

- The current markets for mixed paper and card fluctuate as they are market driven, such factors can affect the overall cost and although historically there is value in this material stream, the value and demand has dropped over the last few years as can be seen on a range of industry indices.
 - The income from the interim arrangement from January 2021 – December 2021 is projected to be circa £450k;
 - The total income of the commission for the 5 year period is projected to be circa £4.9m;
 - Haulage costs are accounted for within Transfer Station contracts;
 - Budget Line: Waste Facilities & Recycling Centres P 7WC 61021 929 510 0000 00

Support documents

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

Reference No: As this procurement directly relates to the Covid-19 situation, we are using the following in line with Regulation 32(2)(c):

- extending or modifying a contract during its term.

COVID-19 is serious and its consequences pose a risk to life. Regulation 32(2)(c) of the PCRs is designed to deal with this sort of situation.

The regulation states that: in responding to COVID-19, contracting authorities may enter into contracts without competing or advertising the requirement so long as they are able to demonstrate the following tests have all been met:

1) There are genuine reasons for extreme urgency, e.g.: you need to respond to the COVID-19 consequences immediately because of public health risks, loss of existing provision at short notice, etc;

- you are reacting to a current situation that is a genuine emergency - not planning for one.

2) The events that have led to the need for extreme urgency were unforeseeable, e.g.:

- the COVID-19 situation is so novel that the conseq

Key Yes

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

Title:

20/00127 - Community Day Opportunities for Individuals with Disabilities Framework: Extension to call-off contracts

The Decision needed:

Proposed decision – Extend the call-off contracts with external providers delivering community day opportunities for Kent residents with a disability for a period of 12 months from 1 April 2021 and delegate authority to the Corporate of Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

Reason for the decision: The Community Day Opportunities for Individuals with Disabilities framework contract is due to expire on 31 March 2021, there is no extension clause, procurement was due to start in 2020. Due to the ongoing situation with COVID, it was not possible to commence any engagement activity. With the situation unlikely to change significantly in the coming months commissioners will not have the time to conduct a full and proper recommissioning process before the contract ends. It is proposed to start the project in early 2021. The future model of commissioning of these services is dependent on the outcome and

recommendations of another programme of work, both are within the Making a Difference Everyday programme. The recommended course of action, to allow the appropriate time for recommissioning of the future contract, is for the current contracts to be extended for 12 months.

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 February 2021

Reason if Key Decision

An EqlA will be undertaken. These services are for a particularly vulnerable residents and a protected group under the Equalities Act. Key issues identified during COVID: The majority of the day service providers (58%) have been running a hybrid of on-site and remote services.

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 consultation planned: The proposed decision will be discussed at the Adult Social Care Cabinet Committee meeting on 20 January 2021.

Which Divisions / Local Members are particularly affected: All

Have views been sought from local Members? Views will be sought and included in any report to Cabinet Committee/Cabinet Member and the record of decision if requested by the Local Members.

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

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

The cost of extending the contracts for 12 months from 1 April 2021 will be up to £7m.

Support documents

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: There could be a challenge from other training providers that this is awarded without competition. To mitigate this, a VEAT notice will be published. A VEAT (Voluntary Ex-Ante Transparency Notice) can be published when a contracting authority has chosen a particular route to market. This route falls under the label of a closed competition tender.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 20/00126 - Leadership of Inclusion Module for Kent School Leaders</p> <p>The Decision needed: Proposed decision:</p> <p>To award a contract, without competition, to Leadership Learning South East (LLSE) to deliver a range of training modules on Inclusion for Kent School Leaders.</p> <p>To delegate decisions about the establishment of the new service to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director in liaison with the Cabinet Member for Education.</p> <p>Reason(s) for decision:</p> <p>KCC is facilitating, on behalf of schools, a range of training on Inclusion for Kent School Leaders. This is part of the agreed 1% of Schools Budgets for 2020/2021 to be used to support the inclusion agenda in mainstream schools.</p> <p>Background:</p> <p>Plans approved by the County Education Reference Group and the Schools’ Funding Form include a proposal to develop a new suite of school leadership development modules, focused on leadership of inclusion. Schools have expressed support for a module that is aligned with and delivered, as far as possible, alongside the existing National Professional Qualifications (NPQ) for school leaders.</p> <p>The NPQ programmes can only be delivered by accredited providers, appointed by the DfE, of whom there are a number across the South East but only one in Kent: Leadership Learning South East (LLSE). LLSE are also the only NPQ provider who are commissioned by Kent Association of</p>

Headteachers to deliver the Kent Leadership Strategy. The accredited providers bring their own networks of teaching schools, and hold exclusive rights to delivery, although these rights are not geographically-based. This means that technically any accredited NPQ provider could be appointed to deliver in Kent, although there are likely to be logistical and financial implications of this, and uptake may well be affected if a less familiar network of teaching schools were appointed to lead delivery.

Since the DfE manage the qualification framework as well as the providers, the additional inclusion module cannot be formally embedded within the course. Instead, the proposal is to align delivery as far as possible so that existing NPQ participants would have the option to take part in an additional inclusion module as part of their programme of study. In order to test this approach, it is proposed that the additional module is developed and trialled with existing NPQ participants, ideally from January 2021.

This will allow opportunity to evaluate the impact of the programme, but also enable alignment with the procurement timelines of the DfE's process to appoint new NPQ providers to deliver from September 2021. These new providers will be appointed to a four-year Framework Agreement from which schools and central government will be able to call off contracts; clarification is being sought as to whether local authorities will also be eligible to do so. Once the outcome of the procurement process is known (award anticipated in Spring 2021) we will be able to better understand the potential market and procurement options for any future competitive process for delivery from September 2021.

Options (other options considered but discarded):

- 1) Operate a pilot (without competitive process) – one of the requirements of a Pilot is to run a full competitive tender at the end, and it is not yet known what the outcome of the DfE procurement will be, which providers are on the Framework, how that could align with a comprehensive and seamless service in future years, or whether Local Authorities could access their Framework.
- 2) Run a competitive process (Light Touch Open Procedure, below OJEU threshold) – this would be viable with a new contract in place from April/May, but given that the outcome of the national re-tendering for NPQ providers will not be known until Spring 2021, this is likely to impact negatively on any competitive process. In addition, LLSE are not taking on new participants from January and with a diminishing cohort, the opportunity to evaluate the approach would be lost with a new contract from April/May 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 2021

Reason if Key Decision

An Equality Impact Assessment (EqIA) screening has been completed and has concluded that the proposed decision does not present any adverse equality impact.

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

Based on 250 participants and the current fees charged for modules, it is expected that this will cost £125,000. This will be funded from the 1% Inclusion Funding and is supported by the Kent Association of Head Teachers.

Support documents**Responsible Cabinet Member - Cabinet Member for Integrated Children's Services**

Reference No: If implemented as proposed, the employment of existing therapeutic practitioners would transfer from Coram to KCC, as required under TUPE legislation. The TUPE transfer process would be managed by KCC's HR department.

A further legal implication is that it may be necessary to extend the current contract for a short period of up to three months if unforeseen circumstances mean that more time is needed to ensure a smooth transition process.

Key Yes

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

Title:

20/00124 - Provision of therapeutic practitioners for Kent's post adoption support service

The Decision needed:

Proposed decision:

Authorise KCC to directly employ therapeutic practitioners to operate as part of the multi-disciplinary team that provides post-adoption support services.

Agree to a contingency arrangement for a short extension of the current contract of up to three months to ensure a smooth transition to inhouse provision

Delegate decisions about the establishment of the new service to the Corporate Director for Children, Young People and Education, or other Officer as instructed by the Corporate Director in liaison with the Cabinet Member for Integrated Children's Services

Reason(s) for decision:

Currently, KCC commissions the Thomas Coram Foundation (known as Coram) to employ and provide clinical supervision for five practitioners who provide family systemic therapy, therapy, clinical psychology and occupational therapy that forms part of Kent's post-adoption support offer for adoptive families in Kent. KCC now has the capability and opportunity to bring the therapeutic element of the service inhouse when the current contract expires in March 2021.

Background:

Kent's adoption services are now part of Adoption Partnership South East, the Regional Adoption Agency for Kent, Medway and Bexley. This means that the therapeutic input will need to be flexible enough to respond to changing needs and potentially to expand the scope of provision to cover Medway and Bexley as and when there is a need and funding is available.

Options (other options considered but discarded):

The main alternative to bringing the service inhouse is to retender the contract before it expires in March. This option would not offer the same level of flexibility to adapt and respond to changing the requirements of Adoption Partnership South East over the next few years. Bringing the therapeutic service inhouse will also mean that KCC will no longer need to pay a management fee to an external provider to manage the service on our behalf.

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 January 2021

Reason if Key Decision

An Equality Impact Assessment (EqIA) screening has been completed and has concluded that the proposed decision does not present any adverse equality impact.

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

The annual cost of the therapeutic practitioner part of the post-adoption support service is £310,000 per annum. In recent years, this cost has been mostly covered by external income from the government's Adoption Support Fund (ASF). The net annual cost of the service is included in the KCC budget for 2021/22.

Analysis of the costs regarding both options reveals that overall there is no difference between either option in the budget required, so the decision on who employs the practitioners is cost neutral. Directly employing the therapeutic practitioners does mean that a management fee will not be paid to an external provider, however this saving will be used to offset the higher salary and pension contribution costs.

Support documents

Responsible Cabinet Member - Cabinet Member for Integrated Children's Services

Reference No: - Contract award will be made using direct award against the CCS Framework, which is in line with the framework terms and conditions.

Key Yes

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

Title:
20/00123 - Liquidlogic Contract for Integrated Children's

Services and Disabled Children's Services

The Decision needed:

Proposed decision – To award a contract to Liquidlogic for 7 (5+1+1) years for the provision of case management systems within Integrated Children's Services and Disabled Children's Services

- Reason for the decision
 - The contract end date of the current contract is March 2021, so a new contract needs to be in place for April 2021.
 - It is recommended that Kent reprocures Liquidlogic's systems for Integrated Children's Services and Disabled Children's Services with a contract end date aligned to the system used in Adults (to support a coordinated approach to future contract awards), and continues to host the system internally, but moves the hosting to the Microsoft Azure cloud, in line with KCC's cloud-first ICT strategy.
 - Re-procuring with Liquidlogic ensures ongoing system functionality and stability, which supports Kent to fulfil its statutory safeguarding duties.
- Background – Provide brief additional context
 - Liquidlogic's LCS system (named Liberi in Kent), was implemented in 2013 and went live in December 2013. The Liquidlogic suite has been added to extensively over the last six years and is used across all of children's social care, intensive early help, and disabled children's services. It is well established and well used.
- Options (other options considered but discarded)
 - External hosting by the supplier was considered but discarded on the basis of risk and cost

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 January 2021

Reason if Key Decision

- An EqIA has been undertaken. No significant issues have been highlighted, and risks are low, as there is no change to the information that is recorded, the way it is recorded, or the software on which it is held.

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

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

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

- Total Liquidlogic contract value over the 7 years exceeds £1million
- The annual licence costs are funded by ICT Commissioning, as the budget moved to them when their centralised service was established.

Support documents

Responsible Cabinet Member - Cabinet Member for Environment

Reference No: A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the disposal of household municipal waste. In 2015, the European Commission adopted an ambitious Circular Economy Package to help make the transition to a stronger and more circular economy where resources are used in a more sustainable way. This circular economy model aims to reduce waste streams by reusing waste as a resource elsewhere. The Resource and Waste Strategy published in December 2018, states an ambition to reduce greenhouse gas emissions from landfill, this adheres with KCC's aim of zero waste to landfill.

Key Yes

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

Title:

20/00122 - Contract for the Processing & Recycling of Wood Waste 2020

The Decision needed:

Proposed decision:

To provide delegated authority to the Cabinet Member for Environment to approve the award of a new contractual arrangement for processing the County's waste wood deposited at the Household Waste Recycling Centre's by Kent residents'.

Reason for the decision:

- KCC currently has in place a contractual arrangement that is due to expire 14th November 2021, therefore KCC Waste Management is seeking a new contractual arrangement for the processing of waste wood from that date.

Background:

- As the Waste Disposal Authority, KCC has a statutory responsibility to dispose of waste deposited at Kent's 18 Household Waste Recycling Centres, of which one stream is wood.
- KCC Waste Management currently operates a contract with Countrystyle Recycling Ltd for the processing of wood waste deposited at all Household Waste Recycling Centres in Kent by the public which amounts to an estimated 23,711 tonnes per annum.
- By processing this wood, it is recycled into panel board or used for energy at a biomass facility in Kent.
- The current contract commenced 4th October 2010 and following the initial term and 5 year extension period, a further 1-year extension period in accordance with the Public Contract Regulations 2015 (PCRs) using regulation 32(2) (C) was invoked in November 2020 and is due to end 14th November 2021.
- Medway Council also utilise the contract for the processing of their wood waste and KCC has agreed that this can continue with the new contract.
- A commissioning activity is being undertaken to ensure continuity of service in respect of the acceptance of waste wood continuing at Kent and Medway's Household Waste Recycling Centres.

Options:

- Do nothing – the current contract will elapse. This is not an option as KCC as the Waste Disposal Authority has a statutory obligation to provide a waste disposal service.
- Discontinue accepting the Wood waste at the HWRCs – this is not an option due to KCC's obligation to take this material under waste legislation.
- Undertake a full commissioning activity to procure a new contract - The Contract has already been extended twice therefore a new commissioning activity is required to secure a provider who is able to process the waste material which is both financially and environmentally beneficial for the Authority.

Preferred Option:

- Option 3 is the preferred option. The authority is seeking to appoint a new provider to secure a contract (for up to ten years) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the Statutory duty of KCC operating under the Environmental Protection Act 1990, to dispose of collected municipal waste.

The commission of this contract will meet Kent CC's Strategic Statement 2015 – 2020 regarding the following outcomes:

Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.

- The vision is to focus on improving lives by ensuring every pound spent in Kent is delivering better outcomes for Kent's residents, communities and business.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before January 2021

Reason if Key Decision

An Equality Impact Assessment has been carried out and there is no adverse impacts

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 is not required as there is no impact on the end user.

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

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

The cost will be met by existing revenue budgets. Haulage costs are accounted for within the Transfer Station contracts. The cost for the commission is circa: £3.7 million for an initial 5-year phase, with an additional £4.1 million for a further 5-year extension (including estimated indexation), with an overall cost of circa £7.8 million for a 10-year contract. There is possibility of a profit share or rebate on the recycled material. Budget code: P-7WC-61019-523-50Q-0000-00

Support documents

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 temporary arrangements enabled the Authority to discharge its statutory duty as Waste Disposal Authority

Key Yes
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 20/00121 - Contract for Receipt and Treatment of Highway Mechanical Arisings</p> <p>The Decision needed: Proposed decision:</p> <p>To provide delegated authority to the Cabinet Member for Environment to approve the award of a new contractual arrangement for the receipt and treatment of Highway Mechanical Arisings delivered to KCC’s Transfer Stations by Collection Authorities.</p> <p>Reason for the decision</p> <ul style="list-style-type: none"> • As the Waste Disposal Authority, KCC has a statutory responsibility to dispose of waste collected by the Waste Collection Authorities, one of which is Highway Mechanical Arisings (HMA), or street sweepings collected by a street sweeper vehicle. • KCC has entered into temporary supply agreements (from 1 November 2020) to ensure continuity of supply while KCC goes out to market for these services and is seeking a contractual arrangement for the receipt and treatment of this material: <p>Background</p> <ul style="list-style-type: none"> • By treating this waste, it is separated into constituent parts’, such as sand, stones and metals for re-use in construction projects. • It is envisaged that the commission will be presented in two geographical Lots: West Kent, and East & Mid Kent to take account of haulage considerations to the treatment facility and will include provision for managing 13,300 tonnes of HMA collected by the Collection Authorities across Kent. • The contract is expected to commence on 1st May 2021 for a duration of 3 years, with a potential extension of an additional 2 years based on performance. <p>Options (other options considered but discarded)</p> <ul style="list-style-type: none"> • Option 1 – Do nothing – the current arrangements will continue; this is not an option as they are short term contingency only and best value would be secured from a longer term contract. • Option 2 – Discontinue accepting the HMA waste from the Collection Authorities; this is not an option due to KCC’s obligation to take this waste as the Waste Disposal Authority.

- Option 3 – Continue to accept the waste, but utilise alternative disposal options by using landfill or incineration; this is not an option as there is a desire to move this material up the waste hierarchy and to meet landfill diversion targets.
- Option 4 – undertake a commissioning activity to secure a provider who is able to treat and utilise the waste material meeting the circular economy desired outcomes and is both financially and environmentally more beneficial for the Authority.

Preferred option:

- Option 4 is the preferred option. The authority is seeking to appoint a new provider to secure a contract (for up to five years) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the Statutory duty of KCC operating under the Environmental Protection Act 1990, to dispose of collected municipal waste.

The commission of this contract will meet Kent CC's Strategic Statement 2015 – 2020 regarding the following outcomes:

- Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life.
- The vision is to focus on improving lives by ensuring every pound spent in Kent is delivering better outcomes for Kent's residents, communities and business.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before January 2021

Reason if Key Decision

An EQIA has been carried out and no equality implications have been identified as this is a collection contract and not a public facing service.

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 is not required as there is no impact on the end user.

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

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

The total cost of this commission for the 5 year period is projected to be circa £3.7m; The gate fee will vary depending on the treatment type offered at the facility; There is possibility of a profit share or rebate on the recycled material: Haulage costs are accounted for within Transfer Station contracts; The cost will be met by existing revenue budgets; Budget Line: P-7WC-61020-523-50X-0000-00

Support documents

Responsible Cabinet Member - Cabinet Member for Environment

Reference No: Invicta Law will review the final draft agreements. Current drafts are based upon existing approved drafts by of Invicta Law

Key Yes

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

Title:

20/00120 - Waste performance payments for Canterbury City Council & Thanet District Council

The Decision needed:

Proposed decision – The Cabinet Member for Environment proposes to provide continued financial support for the kerbside collection systems, through Inter Authority Agreements which detail a performance-based payment scheme. Canterbury City Council & Thanet District Council are implementing kerbside household waste collection services to sustain increased recycling and composting levels. Payments will be based upon waste disposal cost reduction, with savings shared equally between the County Council and both Collection Authorities.

Reason for the decision: These proposed agreements accord with the policy approach agreed by the Cabinet Committee on the 31st May 2018, that new Waste Partnership Agreements with Collection Authorities should include the reward based on performance.

Background: Partnership agreements and shared savings have proved to be a very successful method to share the benefits and rewards of reducing residual waste, they actively act as an incentive and have driven higher levels of recycling and therefore positive environmental outcomes. They have already been implemented in West Kent at Gravesham, Tonbridge & Malling and Tunbridge Wells Folkestone & Hythe and Dover District and

Borough Councils.

Options: The existing fixed enabling payments will no longer continue as the East Kent Waste Partnership ends in January 2021. These fixed payments have not proved to incentivise collection Authorities to achieve the targeted levels of recycle. KCC has borne this commercial risk over the last 7 years

How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)': Improved and available kerbside recycling schemes contributes to the protection and enhancement of the natural environment, supports a good quality of life for residents and allows sustainable waste growth through increased housing and population growth.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before January 2021

Reason if Key Decision

An EqlA has been undertaken with no identified impacted protected characteristics as this is a Business to Business agreement. The District Councils will have developed an EqlA that is relative to the service they are delivering for their residents.

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 and included in the report to Cabinet Committee / Cabinet Member and the record of decision if requested by the Local Members.

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

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

Total for the overall revenue costs £6.5m for up to an 8-year agreed term. There is no capital expenditure. This term is equal to the term of kerbside collection specification or contract. Funding and budget line P7WE6102252300000000. The new agreement represents a cost saving for the Authority and this is included in the Medium Term Financial Plan, any higher payments will be as a consequence of improved recycling performance, funded by reduced disposal cost.

Support documents

Responsible Cabinet Member - Cabinet Member for Highways and Transport

Reference No: Local agency agreements will be needed between KCC and the local District / Borough Councils to manage the back-office system.

Key Yes

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

Title:

20/00118 - Automatic Number Plate Recognition (ANPR) Enforcement of Bus Lanes and Bus Gates

The Decision needed:

Proposed Decision :

As Cabinet Member for Highways and Transport I agree to:

- (i) the use of ANPR enforcement of bus priority measures (including bus gates and lanes) for Dover and Kent Thameside Fastrack services; and
- (ii) to support the wider use of ANPR enforcement of bus priority measures county wide, allowing officers to approve enforcement of new schemes.

Background:

The Transport Act 2000, with the introduction of new statutory instruments in 2005, allows the enforcement of bus lanes through camera technology by approved Local Authorities outside the Greater London area. The primary objective of a camera enforcement system is to ensure the safe and efficient operation of the network by deterring motorists from contravening restrictions, which may or may not require traffic regulation orders, and detecting those who do. This is not a profit-making exercise but a way of improving sustainable travel. Any surplus money should be reinvested to make improvements to roads and transport in the County.

Options:

The preferred model for enforcement involves Borough and District Councils carrying out the back-office function of issuing penalty charge notices (PCN’s) and taking the necessary payment. The Borough and District

Councils will keep enough of the fines received to cover their costs, with any surplus being passed to KCC for reinvestment into the bus service. The fines will be in line with the National standards for contravening bus priority measures.

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

The ANPR scheme particularly supports Strategic Outcome 2 "Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life". The ANPR scheme aims to reduce congestion, by providing more reliable Fastrack journey times and improved public transport links and accessibility. This in turn will support Kent business and housing growth and encourage economic activity to benefit the local and wider communities.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before January 2021

Reason if Key Decision

An EqlA will be submitted with the decision report.

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

Has any public consultation been undertaken or is any planned?:

The Dover Fastrack scheme consultation references the use of ANPR cameras to manage the bus, cycle and pedestrian only sections of the route. <https://www.dover.gov.uk/Consultation/Dover-Fastrack.aspx>

The Bean Road tunnel planning application referred to ANPR enforcement for the bus way through the tunnel. The Gravesend Bus Hub planning application made reference to ANPR control of the Clive Road bus gate.

Future schemes can be consulted on via the planning process.

Cabinet Committee consultation planned:

A paper will be presented to Environment and Transport Cabinet Committee in January 2021.

Have views been sought from local Members?:

Fastrack ANPR has been discussed at Dartford and Gravesham JTB.
Fastrack ANPR was also detailed within the Dover scheme consultation pack.

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

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

There are no significant financial implications to KCC for the Dover and Kent Thameside Fastrack services.

Future ANPR schemes may have a cost implication to KCC dependent on the scheme and the District / Borough Councils involved and their ability to procure the necessary equipment.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: - Contract award will be made using direct award against the Kent Commercial Services Y20011 framework, which is in line with the framework terms and conditions.

Key Yes

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

Title:

20/00119 - To award a contract to Capita ESS for 5 (3+2) years for the provision of SIMS to LA maintained schools in Kent

The Decision needed:

Proposed decision

To award a contract to Capita ESS for 5 (3+2) years for the provision of SIMS to LA maintained schools in Kent

Reason for the decision

-The contract end date of the current contract is March 2021, so a new contract needs to be in place for April 2021. The contract is solely for maintained schools, as it is a Local Authority (LA) contract. If schools convert to academy status, they are no longer LA schools, and at that point they are obliged to move to SIMS standard pricing. For this reason, the cost per year changes due to the number of maintained schools in the

LA.

- It is recommended that Kent reprocures SIMS for its maintained schools, as if schools buy direct from SIMS the cost is significantly higher (between 2 and 10 times the current cost depending on size and phase of school).
- Re-procuring SIMS ensures ongoing system functionality and stability for Kent's maintained schools, which supports them to fulfil their statutory education duties.

Background – Provide brief additional context

- The current SIMS contract has been in place for Kent maintained schools since 2014. Most Kent schools use SIMS, provided by Capita, which is the market leading schools information management system.
- Stakeholder engagement took place in October and November 2019. Schools that currently use SIMS provided by the Local Authority were surveyed by the Analytics team within Strategic Commissioning. Most schools are happy with SIMS and are not looking to move away from it.

Options (other options considered but discarded)

- Not purchasing for schools was considered but this option was discarded on the basis that this costs schools between 2 and 10 times more to buy direct from Capita ESS (depending on their phase and pupil numbers).
- How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'
- It supports the council's ability to ensure that 'Children and young people in Kent get the best start in life'. A robust schools information management system is required for schools to record and monitor pupil characteristics, contact details, pupil attendance, attainment and progress, and more, to support the education and safeguarding of children and to fulfil their statutory requirements to return information to the LA and the DfE.

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 2021

Reason if Key Decision

- An EqIA has been undertaken. No significant issues have been highlighted, and risks are low, as there is no change to the information that is recorded, the way it is recorded, or the software on which it is held.

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
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address:</p> <ul style="list-style-type: none"> - Total Capita ESS SIMS contract value over the 5 years exceeds £2million (full detail in cabinet report) - The annual licence costs are funded by de-delegation of school budgets, as agreed by the Schools’ Funding Forum. <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: Section 13A of the Education Act 1996 states every admission authority must, before the beginning of each school year determine the admission arrangements which are to apply for that year 7. Local authorities are required by Section 92 of the School Standards and Framework Act and the Education (School Information) (England) Regulations 2008 to publish admission arrangements for all maintained schools in their area. Under section 88(1A) of the School Standards and Framework Act 1998 (as inserted by section 42 of the Education and Inspections Act 2006) it is the duty of a governing body of a community or voluntary controlled school, for which a local authority is the admissions authority, to implement any decision relating to the admission of pupils taken by the admission authority.</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 20/00117 - Admission Arrangements and Scheme for 2022-23 Academic Year</p> <p>The Decision needed: Proposed decision:</p> <p>To determine the primary and secondary school co-ordinated admissions schemes for 2022 intake year and the admission arrangements for Kent community and voluntary controlled primary schools and the admission arrangements for Kent community and voluntary controlled secondary schools for 2022 intake year.</p>

Background:

Admission authorities are legally required to determine admissions arrangements for their schools by 28 February each year. It is intended that admissions arrangements for schools where KCC is the admissions authority are to remain broadly unchanged. It is proposed, however, to reduce the Published Admissions Number for Hythe Bay Church of England Primary, which is detailed in the consultation documentation available through the link detailed below. The consultation is due to run until 14th December 2020.

Local Authorities are also required to consult with all schools within their geographical boundaries on an Admissions Scheme, which details how the co-ordinated and in year admissions processes will operate for the forthcoming year. This consultation is due to run until 14th December 2020.

Following the completion of both consultations, Cabinet Member for Education and Skills requested to approve the proposed admission arrangements and scheme.

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 2021

Reason if Key Decision

The Cabinet Member will consider the EqIA 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

Is any public consultation planned or has already been undertaken?:

Public consultation on Admission arrangements [here](https://www.kent.gov.uk/education-and-children/schools/school-places/admissions-criteria/admissions-criteria-consultation-202223)
(<https://www.kent.gov.uk/education-and-children/schools/school-places/admissions-criteria/admissions-criteria-consultation-202223>)

Scheme consultation is not open to members of the public and has been circulated internally with all Kent schools

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

Cabinet Committee consideration is required for all Key Decisions: CYPE
Cabinet Committee – 15 January 2021

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 - Cabinet Member for Education and Skills

Reference No: As the original proposal increased of the designated number by 10% or 20 pupils (whichever is lesser), legislation required statutory process to be undertaken. The second phase will be subject to a formal agreement being in place between KCC and Broomhill Bank School.

Key Yes

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

Title:

20/00116 - Proposal to allocate Basic Need funding and enter necessary contracts to enable the second phase of expansion at Broomhill Bank School

The Decision needed:

Proposed decision –

The Cabinet Member for Education and Skills proposes to:

- a) authorise the allocation of £2.4m from the Children Young People and Education Services Basic Need Capital Budget to deliver the accommodation required for the second phase of building works at Broomhill Bank School;
- b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with KCC General Counsel and the Director of Education to enter into any necessary agreements on behalf of the County Council with the Broomhill Bank School; and
- c) delegate authority to the Director for 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.

Reason for Decision:

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.

Following a statutory process, the school's Designated Number was increased from 210 to 318 places on 1st October 2020. Additional accommodation is required to enable the school to accommodate increased pupil numbers. A Cabinet Member Decision is required as a capital allocation of in excess of £1m is necessary.

Background:

Feasibility and curriculum analysis work was undertaken across both of the school's sites to assess the accommodation and resources required for the expansion. It was determined that the additional accommodation to provide capacity for the proposed increased Designated Number would be delivered over two phases. The first phase of works would not require planning permission and would deliver the accommodation required for the School Year beginning in September 2020. Detailed costings identified a cost of £2m for the first phase of work.

The increase to the school's Designated Number and the authorisation for expenditure on the first phase of works were approved by the Cabinet Member for Education and Skills on 24th June 2020 (Decision Number 20/00053).

The proposed second phase would provide the school with the new additional accommodation required to gradually admit pupils up to a total of 318 in subsequent years. This would include the provision and enhancement of sports facilities. It is anticipated that the phase 2 works would be completed within the school year commencing in September 2021. The proposed Decision relates to the allocation of capital funding necessary to enable the second phase of works.

Options:

There is limited ASD specific provision available in the West and North of the county, with the nearest Special School to the Broomhill Bank sites with ASD as its main need type having already recently expanded. After exploring the options, the increase in Designated number for Broomhill Bank School was deemed the suitable option.

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

The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that “Children and Young People in Kent get the best start in life”.

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 2021

Reason if Key Decision
 An Equality Impact Assessment (EqIA) was completed as part of the consultation. The screening found there is no evidence that the change will impact negatively on pupils from Protected Groups or lead to them being treated less favourably. The school will remain co-educational and continue to welcome pupils placed by KCC regardless of gender identity, race, ethnicity or religion beliefs. To date no comments have been received and no changes are required to the Equality Impact Assessment.

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

Has any public consultation been undertaken or is any planned?:

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

An informal education consultation was completed from 1st May 2020 to 8th June 2020. Further information is available on the School Consultation webpage: www.kent.gov.uk/schoolconsultations

Following the Cabinet Member for Children, Young People and Education’s

decision to approve the project (Decision Number 20/00053), a Public Notice ran from 3rd July to 31st July 2020.

Cabinet Committee consultation planned:

The original decision was taken by the Cabinet Member outside of Cabinet Committee on 24th June 2020 to enable the statutory processes to be completed before the end of the 2019/20 academic year. It is planned that the proposed second phase funding and contractual arrangements will be considered by the 15th January 2021 Children's, Young People and Education Services Cabinet Committee.

Have views been sought from local Members?:

The Local Member's views were sought, and any comments included in the original Cabinet Member report concerning the expansion of Broomhill Bank. The Local Members will be given an opportunity to register their views again within the committee report concerning the second phase of the project.

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

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

Detailed feasibility has been undertaken and identified that the second phase of the scheme will require an allocation of £2.4m from the CYPE Basic Need Capital Budget. It is proposed that this will be a school managed scheme. KCC will provide the allocated Basic Need Funding in return for the school providing the necessary accommodation and resources to meet the increased Designated Number of 318 pupils. The roles and responsibility of each party will be formally set out through an agreement between KCC and the School. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met. Should the scheme progress, £6,000 per new learning space would be provided towards the cost of furniture and equipment. This would be provided to the school to purchase 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/projection equipment.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: The funding allocation is subject to a contractual agreement between KCC and the Trust to offer a minimum of 150 Year 7 places from September 2021. The school's current published admission number (PAN) is 120.

Key Yes

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

Title:

20/00115 - Proposal to permanently expand Highsted Grammar School, Highsted Road, Sittingbourne, ME10 4PT from 120 places to 150 places for September 2022

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills proposes to:

- a) agree to provide £4m from the Children's, Young People and Education Capital Budget for the permanent expansion of Highsted Grammar School by 1FE for September 2021;**
- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts / agreements on behalf of the County Council; and**
- c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.**

Reason for the decision:

To allocate £4m from the Capital budget for the expansion of Highsted Grammar school by 1FE. The funding allocation would be subject to a contractual agreement with the Trust to offer a minimum of 150 Year 7 places for September 2021 and to permanently expand the school by 1FE from September 2022 linked to the delivery of a Basic Need capital build programme. The school's current published admission number (PAN) is 120.

Background:

The Kent Commissioning Plan 2020-2024 identified the need for additional selective places for the Sittingbourne and Sheppey Planning group. Forecasts indicated a deficit of up to 60 Year 7 places for 2021 and a continual need through the plan period of between 1.5FE and 2FE in additional selective school places. Discussions have been held with both grammar schools in Sittingbourne and each school has agreed to progress a 1FE expansion, delivering a total of 60 additional places from September 2021.

Options (other options considered but discarded):

There are two grammar schools in Sittingbourne, and they have both agreed

to a 1FE expansion. Neighbouring planning groups, including Faversham and Canterbury Selective and Maidstone Selective planning group, have a deficit of year 7 places.

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

This proposal will help to secure our ambition "to ensure that Kent's young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy" as set out in 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2017 - 2022)'.

The Commissioning Plan for Education Provision in Kent 2020-24 identified the need to commission additional capacity in Sittingbourne Selective Schools.

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 2021

Reason if Key Decision

An Equality Impact Assessment has been produced and the assessment identified the following positive impacts:

- Sufficient year 7 places will be provided for September 2021 intake.
- Year 7 pupils will be able attend Grammar school provisions in their locality
- More pupils will be able to attend a good or outstanding school.

No adverse impacts were identified during the assessment.

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

Has any public consultation been undertaken or is any planned?:

Highsted Grammar School will undertake a consultation as part of the delivery of the project. It is anticipated that this will commence at the beginning of 2021. Consultation results will have to be included in the fast track case for expansion the Trust will be required to submit to the DfE.

Cabinet Committee consultation planned: It is planned to take the report to the Children's, Young People and Education Cabinet Committee on the 15th January 2021

Have views been sought from local Members?:

The views of Members will be sought and included in any report to Cabinet Committee and Cabinet Member.

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

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

The capital allocation of £4m is to deliver a programme to provide the additional general and specialist classrooms required to meet the additional pupil place need. The funding allocation would be subject to a contractual agreement between KCC and the Trust to offer a minimum of 150 Year 7 places for September 2021 and to expand permanently from September 2022. The school's current published admission number (PAN) is 120. The £4m has been agreed based on a curriculum and space needs analysis of the school's current accommodation and this figure is in line with the DfE's benchmark figures for an expansion of a secondary school by 1FE. Highsted Grammar School has agreed to deliver and project manage the programme.

Support documents

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 Children, Young People and Education 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:

20/00114 - Proposal to expand Whitstable and Seasalter Endowed CE Junior School from 192 places to 240 places, increasing the published admission number (PAN) from 48 to 60 for Year three entry in September 2021

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills proposes to:

- (i) Issue a public notice to permanently expand Whitstable and

Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2021;

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

- (ii) Expand Whitstable and Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2021;
- (iii) agree to provide £959,926 from the Children's, Young People and Education Capital Budget for the permanent expansion of Whitstable and Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2021;
- (iv) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts / agreements on behalf of the County Council; and
- (v) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts/

This decision is conditional upon planning permission being granted.

Reason for the decision:

Decision is required to proceed with the project and publish a public notice.

Background Information:

Whitstable has two junior schools and they historically have operated for many years with organisationally inoperable Published Admission Numbers (the number of pupils it can take in each year group). In December 2018 Whitstable Junior School ran a consultation to reduce its Published Admission Number from 75 to 60 with effect from September 2020 onwards. This reduction was agreed by the Schools Adjudicator but was conditional on Whitstable and Seasalter CE Endowed consulting on a proposal to increase its PAN from 48 to 60 to ensure that there were sufficient Junior places to match the number of places in the Whitstable Infant schools. This proposal will ensure the financial viability of both junior and infant schools in Whitstable and ensure that all children attending the infant schools can have the opportunity to move onto a Whitstable Junior school. Whitstable and Seasalter Endowed CE Junior School is a popular school judged "Outstanding" by Ofsted.

Options (other options considered but discarded):

There are only two junior schools in Whitstable and therefore there were no other options available.

How the proposed decision meets the objectives of 'Increasing Opportunities,

Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)':

This proposal will help to secure our ambition "to ensure that Kent's young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy"

The Commissioning Plan for Education Provision in Kent 2020-2024 sets out the need for commissioning additional school places.

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 2021

Reason if Key Decision

An Equality Impact Assessment has been produced as part of the consultation process. The assessment identified the following positive impacts:

- Sufficient local junior provision for children in Whitstable.
- Future financial viability of the school.

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

Has any public consultation been undertaken or is any planned?:

A consultation documentation can be found at:

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

Have views been sought from local Members?:

Views have been sought from the Local Member during the consultation period and will be included in the report submitted to Children's, Young People and Education Cabinet Committee on 15th January 2021.

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 at the school and the feasibility estimates the costs for this proposal to be £959,926. Two new classrooms are to be created using the existing kitchen, dining hall and conservatory space. As part of this work, the children's toilets will be refurbished. A new, separate building will house a new kitchen and dining hall together with additional parking spaces. The CYPE Cabinet Committee report will confirm the costs as the concept designs are prepared and surveys completed in readiness for the planning application. As per KCC policy, a total of £6,000 per new classroom will be provided to the school from the DGS revenue budget.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: Any legal implications will be identified and reported in the Children and Young People's Cabinet Committee Report.

Key Yes

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

Title:

20/00113 - Proposal to allocate £6,187,241 to permanently expand Simon Langton Grammar School for Boys, Nackington Lane, Canterbury Kent CT4 7AS from 120 places to 150 places from September 2022

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills proposes to:

- a) authorise the allocation of £6,187,241 from the Children's, Young People and Education Capital Budget to permanently expand Simon Langton Grammar School for Boys, Nackington Lane, Canterbury Kent CT4 7AS from 120 places to 150 places from September 2022;
- b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with KCC General Counsel and the Director of Education to enter into any necessary agreements on behalf of the County Council; and
- c) delegate authority to the Director for Infrastructure, Strategic and Corporate Services to take necessary actions, including but not limited to entering into necessary contracts or taking other legal actions as required to implement the decision.

Reason for the decision:

To allocate £6,187,241 from the Capital budget for the expansion of Simon Langton Grammar school for Boys by 1FE. Simon Langton Grammar School for Boys has offered over their 120 PAN since 2019 and in 2019 consulted to increase their PAN to 150. The school has capacity to take one more year (September 2021 entry) at 150 before they require additional buildings to accommodate a permanent expansion to a PAN of 150. As part of the proposed project it is planned that the Basic Need programme will encompass an earlier agreed modernisation project designed to replace current dated and no longer fit for purpose mobile accommodation.

Background:

The Kent Commissioning Plan 2020-2024 identified the need for additional selective places for the Canterbury and Faversham Planning group. Forecasts indicated a deficit of 20 Year 7 places for September 2021 and a continual need through the plan period of up to 37 additional places. However, as Simon Langton increased their PAN in 2020 before the agreed build programme, their expansion has already been factored into the forecast. The expansion at Simon Langton Grammar School for Boys will also ensure that the Boys and Girls Grammar school's PANs are closer in the numbers offered, helping to secure equality of opportunity for boys and girls to attend a grammar school in the planning area.

Options (other options considered but discarded):

There are four grammar schools in Canterbury and Faversham selective planning group. We have commissioned a feasibility study to expand Queen Elisabeth Grammar by 1FE. Barton Court Grammar School was expanded by 1FE in 2017 and Simon Langton Girls Grammar school has a Priority School Building programme nearing completion, rebuilding, and relocating the school on their current site. Neighbouring selective planning groups, including Sittingbourne and Sheppey and Thanet, forecast a deficit of year 7 places.

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

This proposal will help to secure our ambition "to ensure that Kent's young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy" as set out in 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2017 - 2022)'.

The Commissioning Plan for Education Provision in Kent 2020-24 identified the need to commission additional capacity in Canterbury and Faversham Selective Schools.

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 2021

Reason if Key Decision

An Equality Impact Assessment has been produced and the assessment identified the following positive impacts:

- Sufficient year 7 places will be provided for September 2021 intake.
- Year 7 pupils will be able attend grammar school provisions in their locality
- More pupils will be able to attend a good or outstanding school.

No adverse impacts were identified during the assessment.

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

Has any public consultation been undertaken or is any planned?:

Simon Langton Grammar School for Boys conducted a consultation to increase their PAN during the in-round Admission consultation period in 2019/20. There will be a pre -planning consultation which will take place before submitting proposals for planning in February 2021.

It is planned to take the report to the Children's, Young People and Education Cabinet Committee on 15th January 2021.

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

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

The capital allocation of £6,187,241 would be funding the 16 additional classrooms required to meet the additional pupil place need and to replace the mobile accommodation that can no longer be used due to their condition. A breakdown of the cost associated with the 1FE expansion (Basic Need) and the replacement of the mobile accommodation (Modernisation) will be provided in the CYPE CC report.

Support documents

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: N/A.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 20/00112 - Changes to the KCC local funding formula for schools</p> <p>The Decision needed: <u>Proposed Decision</u></p> <p>To approve changes to the Kent County Council local funding formula for schools that is used to calculate school budgets from 1 April 2021.</p> <p>Delegate authority to the Corporate Director of Children, Young People and Education to make any necessary changes to the Local Funding Formula rates once final affordability is known in January 2021 after provisional school budgets have been calculated</p> <p><u>Reason for the decision</u></p> <ul style="list-style-type: none">• In response to the Government confirming the additional funding for schools, Kent County Council is set to receive approximately £36m additional funding in 2021-22 for primary and secondary school budgets and approximately £20m for high needs related services. Funding for Early years providers is yet to be confirmed. This decision will confirm how this additional funding will be distributed in line with Government guidelines.• Background: The Government has confirmed the Council continues to be responsible for operating a local funding formula for Kent maintained schools (and this formula is also used by the Education and Skills Funding Agency for calculating Kent academy budgets) during 2021-22 and legislation dictates that any changes to that formula is subject to an all school consultation. The consultation will focus on how we allocate any additional funding and a request to transfer a further 1% from the schools to the high needs block to support inclusive practices in schools (the latter is also subject to Secretary of State approval).• Options: the options considered are outlined in the consultation document to schools. Proposed changes to the primary and secondary schools funding formula have been limited to avoid any excessive deviation from the National Funding Formula (NFF) used by Government

to allocate school funding to local authorities for distribution to schools. This is in line with previous recommendations from both schools & the Schools Funding Forum who have supported the general principle that “our Local Funding Formula should move towards the NFF, but at the same time continue to utilise local flexibility to address areas of local concern”. Mandatory factors and rates prescribed by Government have also limited proposed options.

- The decision is linked to achieving the objective “the Children and young people in Kent get the best start in life” within the ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before December 2020

Reason if Key Decision

An equalities impact assessment has been completed and is included as part of the consultation documentation. There were no adverse impacts identified. The EQIA will be reviewed in light of consultation response and final proposals to both the Schools Funding Forum and Cabinet Member for 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

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

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

The costs of the new funding formula will be fully met from the Dedicated Schools Grant and will not be a cost to Council funding.

Support documents

<p>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</p> <p>Reference No: New services joining the contract will be assessed in line with current Public Contract Regulations 2015 and therefore there is a low risk of legal challenge.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 20/00108 - Residential Care Home Services Contract For People With Learning Disability, Physical Disability And Mental Health Needs - Opening Of The Dynamic Purchasing System</p> <p>The Decision needed: Proposed decision: To approve the use of the Dynamic Purchasing System to enable new services to join the Residential Care Home Services Contract and 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.</p> <p>Reason for the decision: The Dynamic Purchasing System is a procurement method designed to be opened periodically to enable new entrants to join, to meet our needs and demand and forms part of the process for the commissioning of Residential Care Home Services for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. Contracts for these services were awarded under decision number 18/00030, however, provision was not made in that decision to allow new services to join the contract. This decision seeks authority to use the Dynamic Purchasing System on a regular basis to ensure the appropriate mechanism is in place to award contracts to new services joining the Residential Care Home Services Contract.</p> <p>Care homes form part of the services to meet statutory requirement for provision of services across Kent for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. This provision relates to Strategic Outcome 2 and 3.</p> <ul style="list-style-type: none">• Focus on improving lives by ensuring that every penny spent in Kent is delivering better outcomes for Kent’s residents, communities and businesses

- Older and vulnerable residents are safe and supported with choices to live independently
- Those with long term conditions are supported to manage their conditions through access to good quality care and support

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 December 2020

Reason if Key Decision
 The Equality Impact Assessment has been updated with the changes proposed and can be fully considered.

Reason if this decision has been delayed/withdrawn from a previous plan
 Cabinet Committee consultation planned: The proposed decision will be discussed at the Adult Social Care Cabinet Committee meeting on 25 November 2020.

Has any public consultation been undertaken or is any planned?
 Market and stakeholder engagement was undertaken around shaping the new contracts.

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

Consultees

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

Your name, Your Service, Your phone number and email address:
 The Dynamic Purchasing System is a procurement method to allow new entrants to join the contract. It is estimated that costs for services joining the Residential Care Home Services Contract through the Dynamic Purchasing System will be the same as previously reported and in line with the current overall value of the contract. Current contract arrangements are for a minimum of 4 years with 2 x 2year extensions. The total value of the 4-year contract is approximately £412m.

Support documents

Responsible Cabinet Member - Cabinet Member for Integrated Children's Services

Reference No: Activities and services undertaken are covered under the Children Act 1989, and the new provision will be fully compliant with Statutory Duties included within this legislation.

Key Yes

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

Title:
20/00102 - Community Support Services for Disabled Children & Young People

The Decision needed:
Proposed decision –
The Cabinet Member for Integrated Children's Services is asked to agree that community support services for disabled children and young people (currently spot purchased) be included in the procurement exercise for the upcoming extension to the Adults Care and Support in the Home contract with future buying taking place through this provision for the duration of this contract.

Further Information –

There is currently a mixed economy of home care/community support services for disabled children, young people, and their families across Kent, secured via externally sourced providers under spot-purchase arrangements.

These arrangements do not facilitate a holistic approach to the market across the county. They generate a wide range of locally agreed rates and costs which are difficult to manage and administer. Information and intervention regarding effectiveness and performance is difficult within disparate working arrangements and inconsistent contractual arrangements.

It is our ambition to find a better commissioning solution to the provision of home care/community support services for the support for disabled children and young people.

Adults Social Care faced similar challenges and have recently procured a Care and Support in the Home Framework which contains a common set of terms and conditions, performance and reporting criteria as well as the opportunity to make more informed decisions about provision requirements as identified by Social Workers.

Opportunities now exist to align support to disabled children, young people

and their families with this framework. Analysis suggests strong alignment of at least 80% between providers of spot purchased for support to children & young people and those included in the Adult's Care and Support in the Home Framework.

Options -

1. Do Nothing – this option would allow the continuance of local spot purchasing of community support for disabled children and all of the current risks (financial and otherwise) that are inherent in this approach. This option has been discounted for this reason.
2. Procure new Framework ringfenced to Disabled Children (0-25) – this option is viable and would provide commonality of terms and conditions alongside the opportunity to manage performance, costs and provision in a more holistic fashion.

Our proposal is to utilise the Care and Support in the Home Framework recently let by the Adult's Commissioning Unit to include provision for children and young people (0-25). The Framework already provides support to individuals 18+ and given the high correlation of suppliers to current arrangements there should be minimal disruption to the market in taking this approach.

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

This service is purchased to meet the KCC Strategic Outcome of 'Children and young individuals in Kent get the best start to life'.

The main supporting outcomes of the above are:

- Kent communities are resilient and provide strong and safe environments to successfully raise children & young individuals
- We keep vulnerable families out of crisis and more children and young individuals out of KCC care
- Children and young individuals have better physical and mental health

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 November 2020

Reason if Key Decision

EqlA has been undertaken as part of the Care & Support in the Home contract provision last year. Additional scoping has confirmed that this is adequate for children's activity.

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

plan
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>Has any public consultation been undertaken or is any planned?</p> <p>Market consultation discussions taken place through Summer 2020.</p> <p>Cabinet Committee consultation planned:</p> <p>A report will be taken to the Children’s, Young People and Education Cabinet Committee on the 18 November 2020.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address:</p> <p>The current budget for Care Support Services is £1.3m. The contract for Care and Support in the Home is due to expire on 31/03/24, with potential for extension for a further 36 months. The financial implication of this decision is therefore circa £3.9m followed by a potential further circa £3.9m should extensions be put in place. This subject to budget setting decisions and fluctuations in need. It is envisaged that the recommended option will generate minor savings through rationalisation of currently disparate rates and alignment with similar activities undertaken through the adults framework, but importantly will provide many intangible benefits related to performance and provision management and more constructive use of Social Worker time.</p> <p>Support documents</p>

NOT BEFORE 6 OCTOBER 2020

<p>Responsible Cabinet Member - Cabinet</p> <p>Reference No: The Kent Commissioning Plan for Education enables KCC to meet its Statutory responsibility to ensure that every child receives appropriate educational provision.</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title:</p> <p>20/0097 - Commissioning Plan for Education Provision in</p>

Kent 2021-25

The Decision needed:

Proposed decision –

The Cabinet Member for Education and Skills is asked to agree the Commissioning Plan for Education Provision 2021-25.

Background –

The Commissioning Plan for Education Provision in Kent (KCP) is a five-year rolling plan which is updated annually. It sets out how Kent discharges its statutory responsibility, as the Strategic Commissioner of Education Provision, to provide sufficient Early Years, SEND, Primary and Secondary places and to ensure that there are appropriate learning pathways for pupils at Post 16. It is also our responsibility to ensure that we have enough places in the right locations, to meet the demands of increased pupil numbers and parental preferences. It reflects the fact that the Local Authority's role has changed to being the commissioner, as well as continuing to be a provider, of education provision.

Options -

The Education Commissioning Plan sets out the principles by which we determine proposals, and it forecasts the need for future provision. It also sets out in more detail plans to meet the commissioning needs which arise in each District in Kent, during the next two to three years.

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

Outcome 1 states that children and young people in Kent get the best start in life. The Commission Plan will ensure that there are sufficient, high quality early years, primary and secondary school places in all Districts.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet

Date:

Not before October 2020

Reason if Key Decision

A full EqIA will be completed and will be presented to The CYPE Committee on 18 November 2020.

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

CYPECC 18 November 2020
Cabinet January 2021

Have views been sought from local Members? If not please confirm that they will be sought and included in any report to Cabinet Committee / Cabinet Member.

Local Members are briefed on the key issues and commissioning intentions identified in the Commissioning Plan during the Autumn Member Briefings.

Further consultation is undertaken at the CYPECC meeting on 18 November 2020.

The views of Local Members on individual school consultations in their Divisions will be sought as they come forward.

Is any public consultation planned or has already been undertaken?

Individual consultations will be undertaken on each proposal outlined in the Commissioning Plan as required.

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

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

The Local Authority as Strategic Commissioner of Education Provision has a key role in securing funding to provide sufficient education provision in the County, particularly in schools, in order to meet its statutory responsibilities. The cost of providing additional school places is met from Government Basic Need Grant, supported borrowing by KCC and developer contribution monies. The forecast capital outlay needed to fulfil the need identified in the Commission Plan 2021-25 will be provided in the report to CYPE Cabinet Committee on 18 November 2020 for comment, prior to full sign off by Cabinet in January 2021.

Support documents

ROD

NOT BEFORE 14 APRIL BY CABINET MEMBER

Responsible Cabinet Member - Cabinet

Reference No: There are no legal implications arising from the decision.

Key Yes

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

Title:

20/0027 - 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 EqIA 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

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

<p>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.</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p> <p>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.</p> <p>The report to the CYPE CC to approve the proposal will be presented at the 10 January 2019 cabinet committee meeting.</p> <p>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.</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>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.</p> <p>Support documents</p>

NOT BEFORE 18 DECEMBER BY 2019 CABINET / CABINET MEMBER

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 Inform/consult/Involve) including relevant scrutiny councillors

Consultees

The proposed Key Decision will be discussed at the Growth, Economic

Development and Communities Cabinet Committee on 28 November 2019.

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

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

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.

Support documents

NOT BEFORE 27 NOVEMBER BY CABINET MEMBER / CABINET

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 EqlA 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 8th October 2019 to 12th November 2019, with a drop-in event for stakeholders to raise issues and concerns on 6th 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 15th 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 30 JULY 2019 BY CABINET MEMBER

Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services

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

Key Yes

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

Title:

19/00052 - Gypsy and Traveller Pitch Allocation Policy

The Decision needed:

Proposed Decision:

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

Background:

This review work is part of ongoing, council-wide activity to update and

improve our processes, policies and practices.

The priorities for the Gypsy and Traveller service are to:

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Community and Regulatory Services

Date:

Not before July 2019

Reason if Key Decision

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

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

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

Consultees

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

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

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

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

Increased, consistent vetting of tenants will ensure that affordability of pitches

is checked prior to licences to occupy being issued.

Recovery of 100% of rent costs for all tenants is critical to enable the ongoing quality, sustainable management of the sites in the future.

Support documents

Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services

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

Key Yes

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

Title:

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

The Decision needed:

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Community and Regulatory Services

Date:

Not before July 2019

Reason if Key Decision

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

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

Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>The proposed decision was considered and endorsed at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: Based on 2018-19 activity levels the estimated cost for the 4 years is £676,000</p> <p>Support documents</p>

NOT BEFORE 30 APRIL 2019 BY CABINET MEMBER

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Children, Young People and Education

Date:

Not before April 2019

Reason if Key Decision

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

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

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

Consultees

A consultation will take place in April/May 2019.

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

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

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

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

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

Support documents

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

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

Key No

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

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

The Decision needed:
Background:

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision
Cabinet Member for Children, Young People and Education

Date:
Not before May 2019

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

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

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

Consultees

The matter does not need to be considered by the Infrastructure Commissioning Board as the proposal is outside of the terms of

reference.

Consultation on the proposal to open a new school would be a matter for Tenax Trust and the DfE.

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

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

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.

Support documents

NOT BEFORE 17 APRIL 2019 BY CABINET MEMBER

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

Reference No: N/A.

Key No

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

Title:

19/00028 - Expansion of Palmarsh Primary School

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 Palmmarsh Primary School to 1FE.

Section 2 – Who is taking the final decision and when

Who is taking the Decision
 Cabinet Member for Children, Young People and Education

Date:
 Not before April 2019

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

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

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

Consultees

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

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

The report will be submitted to the Children’s, Young People and Education

Cabinet Committee meeting on 28 March 2019.

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

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

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

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

Support documents

NOT BEFORE 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 1st 2018 to March 31st 2020, with sufficient break clauses to end earlier where appropriate; and
- b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract

How the decision relates to Corporate Objectives

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Deputy Leader and Cabinet Member for Finance and Traded Services

Date:

Not before January 2018

Reason if Key Decision

No equalities implications – whole Kent provision.

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

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

Consultees

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

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

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

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

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

Support documents

NOT BEFORE OCTOBER 2017 BY CABINET MEMBER

Responsible Cabinet Member - Cabinet Member for Corporate and

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

LONG TERM

<p>Responsible Cabinet Member - Cabinet Member for Corporate and Democratic Services</p> <p>Reference No:</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: Lawn Primary School, Gravesend - New Playing Field</p> <p>The Decision needed: Update 01 February 2017: Officers have confirmed that the decision is still ‘live’ and that KCC continue to work with the landowner regarding use of the land and any consequential s106 arrangements. The process is expected to be lengthy and is likely to be ongoing for the duration of 2017.</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>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Corporate and Democratic Services</p> <p>Date: Before January 2018</p> <p>Reason if Key Decision 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>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p>

The proposed Cabinet Member decision will be considered by the Property Sub-Committee at its meeting scheduled 27 March 2015
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: Lead officer: Kahren Knott – Estates Surveyor, Property & Infrastructure Support 03000 416356 kahren.knott@kent.gov.uk Lead Director: Rebecca Spore – Director of Property & Infrastructure Support 03000 416716 Rebecca.spore@kent.gov.uk</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Children, Young People and Education</p> <p>Reference No: 16/00101</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 16/00101 - Proposal to expand Marden Primary School</p> <p>The Decision needed: The Cabinet Member for Children, Young People and Education will be asked to agree to:</p> <ol style="list-style-type: none"> 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) <p>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</p>

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 .

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

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
<p>Consultees</p> <p>Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>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</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services</p> <p>Reference No: 14.00022</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.
<p>Title: Former Shepway Resource Centre, Folkestone - Disposal</p> <p>The Decision needed: LATEST UPDATE: 19/05/2014 - Decision due date changed from 18/02/2014 to 01/08/2014. REASON: The proposed decision to dispose of the Centre was delayed while internal processes were undertaken to ensure that no other suitable use could be found before disposal. This process is complete and the former resource centre will be placed on the market shortly. Responses from the market will be gauged after a period of approximately 3 months and a proposal for the site put forward at that time. The decision will be considered by the Property Sub-Committee or the Policy and Resources cabinet Committee before being taken by the Cabinet Member.</p> <p>----- -----</p> <p>To seek approval to the disposal of the former Shepway Resource Centre</p>

following the marketing of the site

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Corporate & Democratic Services

Date:

Not before October 2015

Reason if Key Decision

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

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

Consultees

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

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

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

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

Support documents

DEFERRED

Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services

Reference No:

Key Yes

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

Title:
Sandwich Highways Depot

The Decision needed:

Update 09/03/2015:

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

Latest Update:

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

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

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

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

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

- Firstly it helps deliver the “Kent Environment Strategy” by the provision of new environmentally friendly facilities (e.g. grey water) via the construction technique with the eventual adaptation of new work practices within the new depot.
- Secondly it builds relations with key business sectors across Kent as the supply chain involved in such a project provides work to businesses of all sizes.
- Thirdly by the better siting and provision of facilities for the new depot it ensures that the most robust and effective public protection arrangements are in place for road management including bad weather response.

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

<p>Cabinet Member for Corporate & Democratic Services</p> <p>Date:</p> <p>Reason if Key Decision</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p> <p>The matter was considered by the Property Sub Committee of the Policy and resources Cabinet Committee at its meeting on 27th February 2013. The proposed decision was endorsed by the Committee.</p> <p>The report to committee was exempt from publication and consideration of it took place in private.</p> <p>Public minutes can be viewed by clicking on the link below:</p> <p>https://democracy.kent.gov.uk/documents/g5176/Printed%20minutes%2027th-Feb-2013%2014.00%20Property%20Sub-Committee.pdf?T=1</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address:</p> <p>Support documents</p>

<p>Responsible Cabinet Member -</p> <p>Reference No: 12/020231</p> <p>Key No</p>
<p>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</p>
<p>Title:</p> <p>Eden Centre Lease</p> <p>The Decision needed:</p> <p>LATEST UPDATE: 19/05/2014 - Decision due date changed from 01/03/2014 to 01/01/2015.</p>

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.

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