

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 15 MARCH 2021 - SEMI-URGENT DECISION

<p>Responsible Cabinet Member - Cabinet</p> <p>Reference No: Normal governance and legal arrangements will apply to the establishment of the Programme, with detailed consideration of wider implications planned for the future significant key decision for implementation of the Programme.</p> <p>HAF element:</p> <p>a) The DfE will require the Section 151 Officer to confirm at the end of each financial year that the funding has been properly expended.</p> <p>b) The Authority will not overspend on the Programme, over and above their maximum funding allocation, without the prior written approval of the DfE. Unauthorised overspends will not be reimbursed by the DfE.</p> <p>c) The Authority must maintain reliable, accessible and up to date accounting records with an adequate audit trail for all expenditure funded by grant monies under this Determination.</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: 21/00035 - Reconnect: Kent Children and Young People Programme</p> <p>The Decision needed:</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet</p> <p>Date: March 2021</p> <p>Reason if Key Decision A programme level EQIA will be developed alongside the formation of the programme.</p> <p>HAF element:</p> <p>As previously indicated the conditions of the grant require KCC to ensure</p>

that delivered activity is inclusive and accessible to all eligible children. As KCC's commissioned provider TEP are currently undertaking the EqIA screening in line with KCC policy.

Reason if this decision has been delayed/withdrawn from a previous plan

Section 3 – Who is to be consulted, how and when, including relevant scrutiny councillors

Consultees

No Cabinet Committee consultation due to the urgency process.

However, to recognise the unique circumstances and the importance of providing a broader view of the membership of the Council, the Leaders of the Opposition parties have been invited to attend and speak at Cabinet on 15 March 2021.

Any comments supplied by other non-executive members prior to the decision being taken will also be noted as part of the decision-making process.

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

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

Spend from available funding via normal Officer delegation arrangements will support and facilitate the establishment phase of the Programme, with detailed funding allocation and arrangements to be confirmed in the later separate key decision to implement the full scoped project.

Grant funding is being made available by the DfE for the HAF element of this planned decision.

This will amount to £5.3m for Kent in total. Planned delivery will need to take place within this funding envelope. The DfE has confirmed that up to 10% i.e., £530k of the available grant can be used to meet the additional costs that Local Authorities may incur in administering the scheme. In light of this there are no revenue budget implications for KCC.

Support documents

NOT BEFORE 24 MARCH 2021

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

Reference No: A new section 75 agreement will be needed between the council and CCG that sets out the governance requirements and accountability that will cover the proposed LD&A strategic leadership body and system provider partnership.

Key Yes

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

Title:

21/00033 - Review of Kent County Council and Kent and Medway Clinical Commissioning Group Integrated Commissioning Framework, covering health services, social care and community support for people with a learning disability and autistic people (LD&A)

The Decision needed:

Proposed decision

To enter into such agreements that are necessary with the Kent and Medway Clinical Commissioning Group (CCG) and other local NHS organisations to create a new strategic planning and delivery framework for Kent's residents with a learning disability and autistic people and delegate authority to Corporate Director of Adult Social Care and Health to finalise and approve the formal agreements to establish the new framework.

Reason for the decision

In 2015/16 Kent County Council and the seven NHS Clinical Commissioning Groups (CCG) covering Kent and Medway, agreed to establish an integrated and partner strategic planning, commissioning and delivery framework covering healthcare, council social care and other support for Kent's residents with a learning disability, and autistic residents. This framework is governed by an agreement between Kent County Council and Kent and Medway CCG, agreed in accordance with the provisions of section 75 of the NHS Act 2006. This framework includes an Alliance Partnership comprising the council's adults social care service and the two NHS provider trusts that deliver specialist community health care for people with a learning disability and autistic people. This includes Kent Community Health NHS Foundation Trust (KCHFT) and *Kent and Medway NHS* and Social Care Partnership Trust (KMPT).

The framework covers community delivered services for people living in nursing and residential care; residents living with carers and their families and people living in their own homes or who live in specialist housing with support. The arrangement also covers specialist healthcare and support for residents with a learning disability and autistic people with highly complex needs, including Kent residents admitted to specialist hospitals located both in and outside Kent.

A review of the arrangements summarised above, commissioned by Kent

County Council but jointly agreed with Kent and Medway CCG identified challenges with how the council and NHS plan together to design and deliver effective solutions that can achieve strong and improving health and well being outcomes for Kent's residents with a learning disability and autistic people.

The challenges identified:

- Kent's current Learning Disability and Autism (LD&A) governance and programme management framework is:
 - Confusing with several bodies duplicating effort and decision making and ineffectual structural relationships between each body
 - Not competent to develop and implement a whole system strategy and strategic commissioning programme
 - Not fully sighted or driven by the priorities, challenges and resource pressures of all partners and is largely reactive to short term issues and targets
 - Less than clear about how the voices of learning disabled and autistic people impact or affect key decisions, with a deficient approach to coproduction and system codesign
- Improvement is required in the effectiveness of whole system commissioning and programme management
- Significant improvement is needed in whole system accountability and performance reporting, as investment decisions lack clarity on why and how they were determined and there is a lack of effective data and narrative to demonstrate the outcomes that are being achieved
- Improvement is also needed in the alignment, commissioning and coordination of service delivery across adults, children and young people and complex needs to ensure:
 - Effective and seamless care pathways;
 - Person centred and codesigned support;
 - Outcome driven delivery;
 - Stronger market management and micro-commissioning, to address service deficits and to support innovation to address changing needs and expectations.

Through extensive engagement and coproduction of the solutions to address the challenges above, the proposals summarised below emerged through a clear consensus of council and NHS leaders, frontline professionals and health clinicians and critically through face to face engagement and workshops with people with a learning disability, autistic people and carers supported by advocates and advocate organisations.

Summary proposals

The establishment of:

- A single senior level strategic leadership body of equal partners across the local authority, CCG, user and carer voice and system provider
- A joint LD&A strategic commissioning and programme management unit, supporting whole system planning, development and change management and the function of the strategic leadership body

- A trusted system provider based on an effective NHS and council partnership, delegated to deliver and micro commission all LDA health and social care 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 March 2021

Reason if Key Decision

An equalities impact assessment has been completed. It identified significant wellbeing and health inequalities affecting the lives of Kent's residents with a learning disability and autistic people including:

-A lack of effective health checks linked to residents with a learning disability and autistic people having a substantially lower life expectancy than all other residents and significantly increased risk of death from Covid

-More Kent autistic residents and residents with a learning disability with additional mental health and behavioural needs, are in specialist hospital services in comparison to the rest of England

-This adversely affects and impacts their choice, independence and human rights

-There is a need for more effective equalities monitoring of people with a learning disability and autistic people cared for in specialist hospitals as national evidence suggests that black and black British people are 4 times more likely to be compulsorily admitted to spec

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 expectation is that the proposals set out will not result in any significant additional funding or investment commitment from the council.

However, the proposals are expected to maximise the potential of council and NHS investments, to deliver significant improvements in the outcomes achieved for people with a learning disability and autistic people through more effective and focused partner planning and decision making of all LD&A

health, social care and other services.

Support documents

NOT BEFORE 17 MARCH 2021

<p>Responsible Cabinet Member - Cabinet Member for Highways and Transport</p> <p>Reference No: The grant will have terms and conditions that KCC will need to be assured can be met.</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: 21/00030 - Inland Border Facility - White Cliffs</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>To delegate to the Corporate Director of Growth, Environment and Transport, in consultation with the Leader of KCC and the Cabinet Member for Highways, and Transport, authority to spend grant funding from the Secretary of State to deliver the construction works necessary to facilitate an Inland Border Facility at White Cliffs (subject to approval of the Special Development Order being promoted by the DFT and to be submitted for approval to MHCLG.).</p> <p>Specifically approval is sought:</p> <p>To approve the acceptance of the Section 31 Grant monies award from the Department for Transport (DfT) to procure and manage works to deliver necessary construction works at the White Cliffs site to be secured by DfT to support Government Transition arrangements.</p> <p>This approval includes agreement to;</p> <p>a) AGREE to accept the Grants under the terms and conditions required by Government; and</p> <p>b) APPROVE the management and delivery of the necessary site works, including on site facilities) as detailed in this report;</p> <p>c) CONFIRM that the projects will be delivered via KCC contractual</p>

arrangements that allow for the delivery of Highway Improvement Schemes in support of traffic management plans; and

- d) DELEGATE authority to the Corporate Director for Growth, Environment and Transport to, in consultation with the Cabinet Member for Highways and Transport and the Leader, take any necessary actions to implement this decision, including but not limited to entering into relevant legal agreements and authorising spend from Grant monies.

Reason for the decision:

Inland Border Facilities and Border Control Posts are needed to support new trading arrangements with the EU arising from the UK's departure from the EU.

Background:

Post transition, there is a need for Inland Border Facilities and Border Control Posts. The Department for Transport (DfT) and Her Majesty's Revenue and Customs (HMRC) have identified White Cliffs as a potential site for an Inland Border Facility to help facilitate the flow of trade to assist with freight movements across the Short Straits. The proposal includes the provision of security measures and facilities to enable the checking of vehicles and goods entering and exiting the site along with local road mitigations arising from the project.

Options (other options considered but discarded):

The sites and infrastructure required have been identified by the DfT and HMRC

How the proposed decision meets the challenges in the Interim Strategic Plan

The Interim Strategic Plan recognises that Kent is the gateway to the UK and as such Transition will have a greater impact on Kent than other parts of the UK. A key element of our preparations is to work with local partners and National Government to ensure that appropriate infrastructure is in place to support new trading arrangements whilst also ensuring there is minimal disruption to local communities and businesses and impacts on existing infrastructure including the local road network is mitigated.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before March 2021

Reason if Key Decision

As a government-led project, the EqIA will be undertaken by the relevant Department

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: All works will be fully funded via Section 31 grants and there will be no call on KCC budgets The grant can be used to support revenue as well as capital works.</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Environment</p> <p>Reference No: The County Council is required by the Planning and Compulsory Purchase Act 2004 to prepare and maintain a Statement of Community Involvement (SCI) that sets out how the Council will engage with communities and other stakeholders when preparing, and updating, planning policy and processing planning applications.</p> <p>Legislation also requires the County Council to set out in its SCI how it will support the preparation of neighbourhood plans. The current SCI needs updating to reflect updates to consultation practice and how it supports neighbourhood plan preparation. The County is also required by the Regulation 10A of the Town and Country (Local Plan) (England) Regulations 2012 to review its SCI every five years.</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: 21/00029 - Statement of Community Involvement 2021</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>The adoption of a revised Statement of Community Involvement (SCI) for planning applications determined by the County Council and Local Plan</p>

projects.

Reason for the decision:

The Statement of Community Involvement (SCI) is a legal requirement arising from the Council's town and country planning responsibilities. It sets out the Council's approach to involving the community in plan making and its consideration of planning applications within Kent. The County Council's first SCI was adopted in 2006 and separate Addendum were published in April 2013 and January 2014.

As the Town and Country Planning Regulations require a council's SCI to be reviewed every five years, the current SCI requires review.

Background:

Following a review, revisions are proposed to the adopted SCI document, mainly to take into account changes in legislation and national planning policies and some minor factual updates. Key proposed changes will result in a streamlining of the plan making process and a shift towards increasing engagement via digital means. The document is formatted in a new way that is intended to make its contents clearer and includes a new section on how the County Council will support neighbourhood planning. It is of note that the opportunities for engagement during plan making and consideration of planning applications have not changed.

A draft SCI document was considered by the Environment and Transport Cabinet Committee in November 2020, where Members endorsed the document for public consultation in line with best practice.

The public consultation was undertaken from December 2020 – January 2021. As a result of the consultation, several minor amendments have been made to improve clarity throughout the document. The document however remains materially unchanged in terms of its policies and objectives from the public consultation version.

Following public consultation and the consideration of responses, the revised SCI should be adopted by the County Council as the basis for engagement on planning application and the Council's plan making responsibilities.

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

The revised SCI will be used to deliver the Council's adopted Mineral and Waste Local Plan strategy and policies in the Borough and District

Council's local plans. These are in accordance with national planning policies and 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 the recently approved Setting the Course – Kent County Council's Interim Strategic Plan 2020, which sets the Council's priorities for the next 2 years.

Kent's mineral and waste planning policies and the Council's infrastructure projects support and facilitate sustainable growth in Kent's economy. In addition, they 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 March 2021

Reason if Key Decision

An equality impact assessment (EQIA) has been completed and limited equality implications have been identified relating to how increasing use of digital communications might impact on older age groups and those with certain disabilities. These impacts will be ameliorated by material being available in alternative accessible formats upon request.

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

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

Consultees

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

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

The costs of implementing the SCI are met from the Environment, Planning and Enforcement Division - Planning Application Group's budget.

Support documents

Responsible Cabinet Member - Cabinet Member for Highways and Transport

Reference No: Whilst there is no specific legal obligation for KCC to take this key decision, adoption of this document setting out our carefully considered approach to highway maintenance helps us to demonstrate that we are a competent highway authority and are fulfilling our duty under the Highways Act 1980 to maintain a safe network. As the document also includes a detailed risk assessment of our services, it also makes the authority better prepared to defend claims.

Key Yes

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

Title:

21/00028 - Adoption of Highways Asset Management Plan - 2025/26

The Decision needed:

Proposed decision:

Adoption of Highways Asset Management Plan 2021/22-2025/26 – An Investment Strategy and Action Plan for the next 5 Years.

To adopt and publish a single document that sets out our approach to highways asset management over the next five years.

Background and reasons:

Over the past years we have significantly developed our approach to highways asset management enabling KCC to maximise Department for Transport (DfT) funding. As part of this work, KCC has formally adopted various key documents - Our Approach to Asset Management in Highways, Implementing Our Approach to Asset Management in Highways and Developing Our Approach to Asset Management in Highways. We have also introduced various measures to implement the Well-managed Highway Infrastructure (WMHI) code of practice, again resulting in the adoption and publication of a range of documents – Applying the code of practice in Kent, Implementing the code of practice in Kent and A Risk Based Approach –

Service Level Risk Assessments. As a result we have been able to demonstrate consistently that we are a Band 3 DfT Incentive Fund authority, make the case for additional funding, and optimise our ability to defend claims. Collectively, these published documents form our existing Highways Asset Management Plan (HAMP).

Despite making significant progress in recent years, we, as other highways authorities, are in an increasingly challenging environment, with deteriorating assets, increasing traffic volumes, uncertainty around future funding and, more recently, facing the impacts of the global pandemic. It is therefore timely to develop a new single and updated HAMP document,

to identify a clear investment strategy and associated action plan for the future that is fit for purpose and recognises the challenges and opportunities ahead.

The new document is a forward-looking document covering the next five years which:

- includes a vision statement
- sets out how highways asset management, as a key enabling service, contributes to achieving strategic outcomes and delivering Kent's interim strategic plan
- describes how we go about asset management and risk-based decision-making
- explains what we know about the condition of our assets both now and going forward based on various investment levels
- sets out what our service levels are in terms of what we do and what we do not, alongside an assessment of associated risks
- outlines our asset management and WMHI improvements and achievements in recent years
- includes a five-year forward works programme (for specific asset groups), and
- lists the actions we will take forward in the coming years to further improve our approach to asset management, maximise asset lifespans, reduce lifecycle cost and improve future maintainability.

In addition to being an asset management plan for highways, the document essentially amounts to an Investment Strategy and Action Plan for the next five years. It seeks to move towards treating the management and maintenance of our highway assets as a multi-year plan, rather than an annual one. In that respect, the document highlights the importance of consistency of (broad levels of) funding and approach over that longer period, to enable us to deliver a more efficient service with better condition outcomes.

At the time of writing, the Department for Transport has not confirmed the levels of capital grant to be provided for highway maintenance in 2021/22. There is considerable uncertainty about DfT funding in 2021/22 and beyond. In the event that available resource over the next five years is considerably different to the broad levels of funding assumed in our analyses, (based on current funding levels continuing), the new strategy provides detailed information to enable informed decision-making around how we prioritise investment going forward.

The main document also proposes new maintenance hierarchies for our road and footway assets, following detailed work during the last year in which we examined a number of options. The preferred hierarchies are based on those recommended in WMHI, as these provide sufficient granularity for our use given the scale and make-up of Kent's network. For roads, we have adjusted the WMHI hierarchy to include our Resilient Highway Network as a new top category. The proposed hierarchies also enable us to adjust our future inspection and maintenance approach, for example to move resource away from little used or impassable country tracks, so that higher risks can be targeted.

The new HAMP document also sets out in detail the asset management and related services we provide (and equally those we do not), and an assessment of risk associated with that balance.

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 March 2021</p> <p>Reason if Key Decision An Equality Act Impact Assessment screening has been carried out and it is judged that the proposals do not disproportionately affect protected groups. Indeed, the approach outlined in the document better enables KCC to target resource, for example on footway maintenance in areas with higher populations of older and disabled residents.</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>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: This decision does not have direct financial implications. However, it does include an assessment of the effect of current funding levels in terms of the services we provide (and what we do not), associated risks levels, and also forecasted condition trends. In the event that funding over the next five years is significantly different, it would be necessary to understand and record the effect on service levels, risks and future condition.</p> <p>Support documents</p>

Responsible Cabinet Member - Cabinet Member for Environment
<p>Reference No: The Kent Downs AONB is recognised and protected nationally and internationally for its natural beauty. A statutory requirement in the CRoW Act is placed on the County Council to act jointly with the other local authorities to prepare and review a management plan for the landscape.</p>

Key Yes

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

Title:
21/00027 - Kent Downs Area of Outstanding Natural Beauty Management Plan (2020-2025)

The Decision needed:

Proposed decision:

To request the formal adoption of the Kent Downs Area of Outstanding Natural Beauty Management Plan (2020-2025).

Reason for the decision:

Formal adoption of the reviewed and revised Kent Downs Area of Outstanding Natural Beauty Management Plan 2020-2025.

Background:

The Countryside and Rights of Way (CRoW) Act 2000 requires local authorities within an Area of Outstanding Natural Beauty (AONB) to act collaboratively to prepare and publish an up-to-date plan, which ‘formulates their policy for the management of the area and for the carrying out of their functions in relation to it’.

The Kent Downs AONB Management Plan has been prepared by the Kent Downs AONB Unit and the Kent Downs AONB Joint Advisory Committee for, and on behalf of, the twelve local authorities that have land within the Kent Downs AONB. Council member Matthew Balfour and Stephanie Holt-Castle, Interim Director for Environment, Planning and Enforcement, represent KCC on the Kent Downs AONB Joint Advisory Committee.

The Kent Downs AONB Management Plan sets out the vision for the future of the landscape. It seeks to address key issues and threats and sets out aims, policies and actions for the positive management of the Kent Downs for a five-year period, overseen by a 20-year vision. The vision seeks that by 2034, the qualities and distinctive features of the landscape will be valued and strengthened. Responses to climate change and development pressures are to have enhanced the landscape character of the area and allowed the landscape to be enjoyed and cherished, securing its future conservation and enhancement. Positive partnerships will have acted together to conserve, enhance and promote the nationally and internationally recognised and valued landscape.

The Kent Downs AONB Management Plan was originally adopted by the County Council and all other relevant local authorities in April 2004 and set out a 20 year vision for the AONB. Revisions to the Management Plan were adopted in 2009 and 2014. This is the third revision.

The overall vision for the AONB remains unchanged. This revision seeks to

respond to the changing context in which the 20 year vision operates – including the level of housing growth expected in Kent and climate and biodiversity challenges and opportunities - by refocusing elements of the Plan.

KCC submitted a range of technical comments during the formal consultation in September 2020 and further comments were recently provided in January 2021. KCC is satisfied that matters it has raised have been adequately addressed. Following stakeholder engagement and formal consultation, the Management Plan is now at its finalised stage, ready for adoption by the relevant local authorities.

The review is supported by an Environment Report, a Sustainability Appraisal and an Equality Impact Assessment.

It is considered that the Kent Downs AONB Management Plan 2020-2025, as amended, can be adopted by KCC. It is not anticipated that the revised Management Plan will place any additional obligations on the County Council in terms of resources. Relevant areas of the County Council will need to consider the revised Management Plan in relation to their operations, as they are already bound to do.

How the proposed decision meets the priority actions of Setting the Course: Kent County Council's Interim Strategic Plan (December 2020)

Priority actions to help address the economic challenge – Champion the rural and green economy.

Priority actions to help address the environmental challenge – build sustainable, liveable homes and communities.

The Management Plan supports the County Council's priority actions by supporting the economic and social wellbeing of local communities in ways which contribute to the conservation and enhancement of natural beauty. The Management Plan also promotes the enjoyment of the AONB landscapes and the health and wellbeing opportunities it offers.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before March 2021

Reason if Key Decision

The Equality Impact Assessment (EqIA) Screening for the statutory review of the Kent Downs Area of Outstanding Natural Beauty Management Plan was carried out by the Kent Downs AONB Unit, using the KCC standard template. The screening concluded that no adverse impacts were found. This was tested as part of the 2020 public consultation that also explored if there are any other inclusive practices which could be included in the

Management Plan.
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: The County Council makes an annual contribution of £26,200 to the Kent Downs AONB Unit.</p> <p>The implementation of the revised Management Plan will not place any additional financial burden on the County Council. For relevant areas of the County Council, the Management Plan may influence the delivery of services – including where resources and investment are directed in the future.</p> <p>Support documents</p>

Responsible Cabinet Member - Cabinet Member for Environment
<p>Reference No: As part of the independent Examination in Public of the Early Partial Review of the KMWLP, the County Council made a commitment to updating the 2017 SDP to ensure the effective interpretation of the mineral and waste policies in the Council’s local plan.</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: 21/00026 - Updated Kent Minerals and Waste Safeguarding Supplementary Planning Document</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>The adoption of an updated Kent Minerals and Waste Safeguarding Supplementary Planning Document (SPD) 2021.</p>

Background:

The County Council has a statutory responsibility to plan for future minerals supply and waste management within Kent as set out in the National Planning Policy Framework 2019 (NPPF) and the National Planning Policy for Waste 2014 (NPPW). In addition, the County Council has a responsibility to ensure that sustainable waste management and supply of primary aggregates within the county is not compromised by other forms of development. This is achieved through minerals and waste safeguarding.

The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted by Full Council in July 2016. The KMWLP contains a number of policies relating to the safeguarding of minerals and waste resources, which other local planning authorities (Borough and District Councils) across Kent must refer to when considering development in the proximity of minerals and waste infrastructure or primary mineral resources. In April 2017 the County Council adopted a Minerals and Waste Safeguarding Supplementary Planning Document (SPD) that set out in detail the process that should be followed by the County Council, the Borough and District Councils and applicants when dealing with applications and local plan allocations that have implications for minerals and waste safeguarding.

In 2017, an Early Partial Review (EPR) of the adopted KMWLP was undertaken. This included a number of amendments to the safeguarding policies within the Plan which improved their clarity and ease of application in practice. During the preparation of the EPR, the County Council made a commitment to update the Supplementary Planning Document to reflect the amendments to the policies and address representations made during the Examination in Public for the EPR in 2019.

Members of the County Council resolved to adopt the KMWLP as amended by the EPR in September 2020 and a subsequent public consultation was undertaken on the updated SPD. Following this consultation, a number of changes have been made to the SPD to provide clarity in implementing the adopted planning policies. Importantly, the guidance in the SPD does not change the policy as this can only be achieved through a further formal review of the local plan. To give full weight to the guidance in the SPD, the final stage of the process is adoption by the County Council. The 2021 version of the SPD it is now considered ready for adoption.

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

The revised SPD will be used to deliver the Council's adopted Mineral and Waste Local Plan strategy and policies in the Borough and District Council's local plans. These are in accordance with national planning policies and 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 the recently approved Setting the Course – Kent County Council's Interim Strategic Plan 2020, which sets the Council's priorities for the next 2 years.

Kent's mineral and waste planning policies support and facilitate sustainable growth in Kent's economy. In addition, they support the creation of a high-quality built environment, with accessible local services that reflect the community's needs.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Environment

Date:

Not before March 2021

Reason if Key Decision

The SPD is a document that is produced alongside the KMWLP as part of the process to ensure the safeguarding of minerals and waste resources. Equalities implications were therefore considered prior to the adoption of the KMWLP (as amended by the Early Partial Review) in September 2020, thus there are no equalities implications arising from the adoption of the SPD.

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 implementing the Minerals and Waste Safeguarding Supplementary Planning Document are met from the Environment, Planning and Enforcement Division - Planning Applications budget.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: The expansion will be subject to a legally binding and enforceable contract being in place between KCC and the Trust.

Key Yes

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

Title:
21/0025 - Proposed Expansion of Invicta Grammar School, Huntsman Lane, Maidstone, Kent, ME14 5DS

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills is asked to:

- a) authorise the allocation of £2,438,095 from the Children Young People and Education Services Basic Need Capital Budget to fund the permanent expansion of Invicta Grammar School, by increasing the Published Admission Number (PAN) from 192 places to 240 places from September 2022.
- 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 with the Valley Invicta Academies Trust.
- 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 Decision:

Kent County Council (KCC), as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. 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 forecasts for the Maidstone and Malling Selective planning group indicate that there will be a deficit of Year 7 places throughout the Plan period. The deficit builds during the early years of the Plan period and peaks at -106 places in 2023-24, before settling into around a 90 places shortfall for the last 3 years of the forecast period.

Within this planning group, some schools have admitted over PAN in recent years, creating temporary additional selective capacity. It is anticipated

that this pattern will continue and will accommodate the immediate forecast deficit of 28 places in 2021-22. However, from 2022-23 there is a need to commission up to 3FE of additional permanent provision and a further 1FE (or 30 temporary places) will be needed to meet the 2023-24 demand.

Background:

In recent years Invicta Grammar School has accepted bulges up to 240 pupils, which is 48 places above its PAN. These additional places have provided provision that ensured there were sufficient girls grammar places available in the Maidstone and Malling planning group. The latest KCP forecasts indicate a continued and growing demand for grammar places and in particular girls' provision.

However, Invicta Grammar School no longer has the physical capacity to accept pupils over their PAN beyond September 2021. Therefore, KCC intends to commission a Basic Need expansion of Invicta Grammar School to enable the school to continue to offer 240 places on a permanent basis from September 2022.

It is agreed with Valley Invicta Academies Trust (VIAT) that this would be a school managed scheme, with KCC providing the Basic Need funding and the Trust procuring and managing all capital works.

Options:

There are only 2 girls' grammar schools within the planning group and therefore the options for expanding girls' grammar provision are limited to these schools. KCC is currently working with both schools to assess the possibility of expansion, as it is likely it will be necessary for both schools to expand to meet the forecast deficit.

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 March 2021

Reason if Key Decision

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

reviewed as the project continues.

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

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

Consultees

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

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

VIAT and the school are the 'controllers' under the General Data Protection Regulation and will ensure that any personal information is processed fairly and lawfully within any consultation work completed as part of the fast-track business plan application.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: Kent County Council (KCC) as the Local Authority has a duty to ensure sufficient school places are available. If this decision does not take place there will be a risk that we cannot meet our statutory duties to provide education provision.

KCC will need to give the DfE a commitment to pass over the funding.

The s106 with the developer will be varied to provide for the repayment to KCC of the costs of providing access and utilities to the school site, and for mitigating any issues on site which are the developers responsibility under the s106.

Key Yes

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

Title:

21/00014 - Chilmington Green Secondary Provision - Ashford (updated)

The Decision needed:

Proposed decision:

- (a) Transfer of £22,500,000 s106 contributions in regard to Chilmington Green Secondary School to the DfE if the School is delivered via the DfE 'Wave' programme;
- (b) Approve up to £3.1m from the Children, Young People and Education capital budget to provide the access and service infrastructure required to provide a serviced school site; 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 the decision

Chilmington Green is a development with consent for 5,750 new homes. A s106 agreement provides a site for a new secondary school and, over time, £22.5m of contributions. The Secretary of State for Education has agreed, in principle, that United Learning Trust can open a new 6FE secondary school in Ashford, on the Chilmington Green site. This is in Wave 13 of the free schools programme. The Department for Education expects Kent County Council to commit to pass over the £22.5m of developer contributions as and when it receives these from the housing developer. This arrangement supports the early delivery of the school and KCC's cash flow. A formal decision is needed to provide the DfE with surety.

KCC will take transfer of the site for the secondary school from the developer. This will be transferred freehold to the DfE if the wave school proceeds. The site needs to meet the transfer requirements of the DfE, including having utilities provided to the curtilage of the site, access, and a safe walking route from the housing development. The requirements sit with the developer to provide these as part of the transfer requirements in the s106. However, the developer has not yet discharged these obligations. In order to support the delivery of the school, which is needed to secure KCC's duty to ensure every child can access a high-quality school place, and ensure the Wave funding is not forfeit, KCC is negotiating with the developer for it to deliver these obligations, with the developer refunding the council, with interest. The necessary works have been costed at £3.1m.

Options (other options considered but discarded)

KCC delivers the school itself – KCC does not have the capital funding to deliver the school itself prior to receipt of the s106 contributions which would delay delivery of the school by several years. KCC will be unable to provide the local school places needed to meet the demand in Ashford.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before March 2021

Reason if Key Decision

An Equality Impact Assessment has been completed. No adverse impact on protected groups has 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**

CYPE Cabinet Committee – 9 March 2021

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

Funding for Chilmington Green Secondary School has been agreed via a s106 agreement. There are 6 payments linked to both time or occupation triggers totalling £22,500,000 plus indexation. If the School is delivered via the 'wave' programme it is expected that the s106 payments, are transferred to the DfE as and when they are received by KCC.

The £3.1m cost of delivering the site in a condition to enable transfer to the DfE would represent a pressure of the capital budget, but this would be far less significant than these arising from the loss of the wave funding.

Support documents**NOT BEFORE 9 MARCH****Responsible Cabinet Member - Cabinet Member for Integrated Children's Services**

Reference No: The Specialist Teaching and Learning Service operates within a framework of national legislation and local strategies and standards.

The Children and Families Act 2014 and SEND Code of Practice 2015 set out the responsibility to improve services, life chances and choices for vulnerable children and to support families. The Act states that "where a pupil continues to make less than expected progress, despite evidence based support and interventions that are matched to the pupil's area of need, the school should consider involving specialists.

Schools also have a range of duties under the Equalities Act 2010, including

duties relating to disability.

Sensory STLS is the only service with a statutory function.

Key Yes

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

Title:

21/00023 - Extension of the Specialist Teaching and Learning Service (STLS) Service Level Agreement (SLA)

The Decision needed:

- **Reason for the decision**

The Specialist Teaching and Learning Service (STLS) is a specialist provision for Children and Young People (CYP) with Special Educational Needs and Disability (SEND). The service is co-ordinated via 12 Special Schools (one per district) and two countywide provisions for Sensory and Physical Disability. The expectations and quality assurance of the delivery of the service are outlined in a Service Level Agreement (SLA), which is annually renewed and due to expire at the end of March 2021.

The decision is required to enable the extension of the SLA for one year, within the existing annual financial envelop of £7.8M.

- **Background**

STLS was devolved to 12 Special Schools across Kent in September 2012. In January 2016, Kent's Special Schools aligned the use of their outreach funding with the STLS to further develop the district outreach and training offer.

STLS was set up to champion inclusive education, to fully harness and develop the special educational needs and disabilities (SEND) knowledge, skills and expertise present in all Kent early years settings and schools in order to create a coordinated, equitable, and effective provision of additional support for children and young people with SEND.

KCC maintain an activity tracker which records the specific activities undertaken by the STLS, including referrals into the service, frequency of Local Inclusion Forum Team (LIFT) meetings and number of school visits. Strategic oversight of the service is provided via the County-wide LIFT Executive Group.

A review of LIFT was undertaken in 2019 and found that whilst the STLS has been effective, there seemed to be a disconnect between the activity of the service and improved attainment outcomes for SEN pupils.

Furthermore, the OfSTED and CQC (Care Quality Commission) inspection of

services in early 2019 highlighted that too many children and young people with SEND do not get the support they need in Kent. The Written Statement of Action (WSoA) has identified the areas against which improvements need to be made, and the ambition is to develop this service alongside the delivery of the WSoA in a more joined up and effective inclusive practice for CYP with SEND in mainstream schools and settings in Kent.

An extension of the STLS SLA will allow a phased approach to the redesign of the service, whilst introducing a new set of KPIs, developed collaboratively with representative members of the Special Schools, Kent Special Educational Needs Trust (KSENT), Kent Association of Head Teachers (KAH), Head of SEN and Commissioning, to measure progress against the Children and Young People's Outcomes Framework, which has been developed with families and reflects what children and young people and their families have told us is important to them. It will also ensure future development of STLS will be aligned to the wider planned commissioning activity of inclusive practice, as identified in the WSoA.

Aside from commissioning activity, the extended period will be used to identify opportunities within the wider system, gain a better understanding of roles, responsibilities and interdependencies across the wider health, education and social care systems to achieve better outcomes with the investment and available resources.

- **Options (other options considered but discarded)**

The outcomes and KPIs are currently being revised in line with the Children and Young People's Outcomes Framework. The performance of the service will be analysed as part of the new service from April 2022, including a detailed options appraisal.

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

This supports Outcome One of the Strategic Statement "Children and young people in Kent get the best start in life"

The Kent SEND Strategy 2021 – 2024 (currently in consultation) has been developed alongside the delivery of the Written Statement of Action and sets out how Kent will continue to improve the outcomes for children and young people into the future.

The Mainstream Core Standards is an operational document that sets out the expectations of all schools, according to the needs of the CYP, with or without any formal diagnosis. It also sets out the additional support required by some CYP with SEND across four broad areas of need are:

- Communication and interaction
- Cognition and learning

<ul style="list-style-type: none"> • Social, emotional and mental health difficulties • Sensory and/or physical needs.
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Integrated Children's Services</p> <p>Date: Not before March 2021</p> <p>Reason if Key Decision An initial screening of Equality Impact Assessment (EQIA) has been completed and is attached. A full EQIA will be undertaken as part of the new service development expected to commence from April 2022.</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 proposed decision will be considered at the Children’s and Young People Cabinet Committee on 9th March 2021.</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 annual budget for the STLS is £7.8m per annum. This budget is funded from the High Needs Block of the Dedicated Schools Grant</p> <p>Support documents</p>

NOT BEFORE 5 MARCH 2021

<p>Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p>Reference No: N/A – Legal documentation will be actioned to implement the sale.</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>

Title:
21/00022 - Disposal of the former Ladesfield Care Home site, Vulcan Close, Whitstable, CT5 3LZ

The Decision needed:

Proposed decision:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to authorise the disposal of Ladesfield Care Home site, Vulcan Close, Whitstable, CT5 3LZ and to delegate authority to the Director of Infrastructure to finalise and enter into any necessary legal agreements.

Background and Options:

The site was a former operational Care Home, which has been closed and demolished. The site has been declared surplus, as KCC has no ongoing operational requirement for the site and the disposal process has been progressing, with the site marketed following the grant of Outline Planning consent for residential development.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

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

Date:

Not before March 2021

Reason if Key Decision

N/A

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

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

Consultees

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

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

The sale of the property will result in a capital receipt for KCC, which will be used to support the Council's capital programme and reduce operational property holding costs. The Council has followed a process in accordance with the Council's best value obligations.

Support documents

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

Reference No: Legal documentation will be actioned to implement the sale.

Key Yes

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

Title:

21/00021 - Whitehall Road - Disposal of former playing field

The Decision needed:

Proposed decision –

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to approve the disposal of the Former Remote Playing Field at Whitehill Road, Gravesend, Kent DA12 5PJ and to delegate authority to the Director of Infrastructure to finalise and enter into any necessary legal agreements.

Reason for the decision:

Proposed property disposal

Background:

Former remote playing field which has not been used for educational purposes for over 14 years with the site being declared surplus to KCC requirements. Following local plan promotion, the site has been openly marketed to secure best value and we now need to enter into contracts with the selected purchaser.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

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

Date:

Not before March 2021

Reason if Key Decision

N/A

Reason if this decision has been delayed/withdrawn from a previous plan
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
Consultees
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: The sale of the property will result in a capital receipt for KCC, which will be used to support the Council's capital programme and reduce operational property holding costs. The Council has progressed the disposal in accordance with the Council's best value obligations.</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: Kent County Council (KCC) as the Local Authority has a duty to ensure sufficient school places are available. If this decision does not take place there will be a risk that we cannot meet our statutory duties to provide education provision.</p> <p>KCC will enter into a legal agreement with The Governing Body of The Towers School and Sixth Form Centre which links the funding to a guarantee of additional school places.</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: 21/00020 - The Towers School - additional Year 7 places</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>Release £1,550,000 from the Children, Young People and Education Capital budget secure additional Year 7 places at The Towers School and Sixth Form Centre, Ashford.</p>

Reason for the decision:

The pressure for non-selective places in the Ashford North non-selective planning group is particularly acute with additional places being required for several years.

The addition of science classrooms at The Towers School and Sixth Form Centre will enable the School to accommodate an additional classes of Year 7 pupils as and when required and will support the need for additional secondary places in the Borough.

Background

In Ashford Borough, Year 7 rolls have risen from 1,290 pupils in 2010-11 (the last low point) to 1,651 in 2020-21, an increase of 361 places or 12FE. For the last three years we have managed to ensure every child was offered a local school places because schools have supported KCC by offering places above their published admissions numbers.

The Towers School and Sixth Form Centre has a PAN of 243. For the last two years (2019-20 and 2020-21) they have agreed to offer 270 places as of National Offer Day. To continue to be able to offer 270 places as and when required by KCC, the school will require additional specialist science facilities. These additional science facilities can be achieved via the reconfiguration of their present science facilities in addition to the conversion of adjacent classrooms.

In addition to being able to support KCC by admitting additional Year 7 pupils, this scheme will enable the School to permanently release to KCC two existing classrooms in a standalone block to create a special school (satellite). These will be used to provide facilities for 24 Wyvern School sixth form students, increasing the number of special school places in Ashford. The satellite will give Wyvern students the opportunity to join mainstream lessons with the support of Wyvern staff and take further steps towards an independent adulthood.

Options (other options considered but discarded)

All secondary schools in Ashford Borough have been admitting additional pupils on a temporary or permanent basis. The option of expanding each of the non-selective schools in the Borough has been explored and further proposals may need to be brought forward. This proposal is considered the best option as not only do the additional places offer good value for money, but they also offer the opportunity for additional special school places.

Allocating places outside of Ashford Borough where surplus places for 2021-22 and onwards may be available has been considered but discounted as all districts will be under pressure.

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

The decision will help to secure the additional high quality secondary school places and special school places that are required.

Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Cabinet Member for Education and Skills</p> <p>Date: Not before March 2021</p> <p>Reason if Key Decision An Equality Impact Assessment has been completed. No adverse impact on protected groups have been identified at this point.</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
Consultees
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: A feasibility study has been completed. The refurbishment and conversion of the existing facilities would in in the region of £1,550,000 or £11,481 per place. This is a significant saving against the KCC benchmark rates which for new builds ranges between £16,277 (20th centile) and £20,933 (80th centile) and for rebuilds and refurbishments at £17,455 and £24,945 respectively.</p> <p>Developer contributions totalling £720,000 have been agreed toward the project so far.</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: No Legal implications. The SEND strategy does not impact the service requirements to deliver a legally compliant process</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>

Title:
21/00019 - SEND Strategy 2021-2024

The Decision needed:

Proposed decision:

The Cabinet Member for Integrated Children's Services is asked to agree to approve the SEND strategy 2021 – 2024 and assign delegated decisions relating to the commissioning of county wide solutions to deliver against the strategy to the Corporate Director for Children, Young People and Education.

When OFSTED and CQC undertook their inspection of services in early 2019, they highlighted that too many children and young people with SEND do not get the support they need in Kent. A Written Statement of Action was developed and an improvement programme initiated to respond to the inspection and improve the outcomes for children and young people with SEND in Kent.

A SEND strategy has been drafted, building on the previous strategy which was published in 2017. The new strategy has been jointly developed by Kent County Council and the NHS in conjunction with children and young people, parents and carers, Kent PACT and other key stakeholders.

Reason for the decision:

The SEND strategy is a county wide strategy effecting all electoral divisions. It will shape the delivery of SEND services across the county, and is a key deliverable for the Written Statement of Action.

Background:

The SEND strategy 2021 – 2024 builds on the work of the previous SEND strategy which was published in 2017. It has been jointly developed by KCC and the NHS, in conjunction with children, young people, carers, parents and key stakeholders throughout the SEND programme.

Views were gathered through a number of co-production events in February 2020, parental surveys, working jointly with Kent PACT as well as through all workstream activities which have informed the development of the strategy.

The SEND strategy has been developed alongside the activities within the Written Statement of Action, but goes beyond the inspection (from Ofsted and CQC) and sets out the priorities for the next 3 years.

Once approved, this strategy will support the inclusion of all children and young people in Kent.

Options (other options considered but discarded)

None. The previous Kent strategy has expired.

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

Approval of this strategy cements Kent's intent and ambition to improve outcomes for children and young people with SEND in Kent. It will set the strategic framework for the delivery plan, and will be measured through a number of indicators that are monitored through the SEND Improvement Programme as well as new joint governance with the NHS.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before March 2021

Reason if Key Decision

An EqIA has been developed to support the strategy and the consultation, with the consultation questionnaire inviting views on equality and diversity. The EqIA will be further developed throughout the consultation period, taking into account the responses as well as revising it based in emerging data, insight and feedback, enabling the final version of the EqIA to be as robust as possible.

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 SEND strategy will be delivered within the existing MTFP approved budget.

Support documents

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: We have a duty to review the allowances and fees paid to foster carers on an annual basis as outlined in the National Minimum Standards for Fostering Services issued by the Secretary of State under section 23 of the Children Standards Act 2000.</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: 21/00018 - Proposed Revision of Rates Payable and Charges Levied by Kent County Council for Children's Social Care Services in 2021-22</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>(i) APPROVE the proposed changes to the rates payable and charges levied for Children’s Services in 2021-22.</p> <p>(ii) NOTE both the changes to the rates that are set by the Government/external agencies: Inter-agency charges and Essential Living Allowance and; any charges to other Local Authorities for use of in-house respite residential beds are to be calculated on a full cost recovery basis.</p> <p>(iii) DELEGATE authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.</p> <p><u>Reasons:</u></p> <ul style="list-style-type: none"> • This decision revises the rates payable and charges levied by this Council for Children’s Social Care Services from 1 April 2021 • The recommendation report will distinguish between those rates and charges over which Members can exercise their discretion, and those which are laid down by Parliament. • The rates payable and charges levied for Children’s Services are reviewed annually, with any revisions normally introduced from the start of the new financial year. • Some of the increases are directly linked to the published Department for Education fostering rates, which are reviewed by the Department annually.
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Education and Skills</p>

<p>Date: Not before March 2021</p> <p>Reason if Key Decision An assessment has been completed and did not identify any adverse impact within these proposals to increase funding rates for children's services. A copy of this will be attached with the report that is presented to CYPE Cabinet Committee on 9 March 2021.</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>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: The uplift of Rates & Charges is included in the Draft 2021-22 Revenue Budget and the Draft 2021-23 Medium Term Financial Plan.</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: No legal implications have been identified currently but any legal implications will be identified in the report to the Cabinet Member for Children, Young People and Education before he takes his decision.</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: 21/00017- Proposal to establish a 16 place Specialist Resourced Provision (SRP) for ASD at Garlinge Primary School & Nursery from September 2021</p> <p>The Decision needed: <u>Proposed decision:</u></p> <p>(i) Issue a public notice to establish a 16 place Specialist Resourced Provision (SRP) for Autistic Spectrum Disorder (ASD) at Garlinge Primary</p>

School & Nursery from September 2021.

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

- (ii) Establish a 16 place Specialist Resourced Provision (SRP) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery from September 2021.

This decision is conditional upon planning permission being granted where required.

Reason for the decision:

The Children, Young People and Education Committee report for Garlinge SRP will inform the committee of a decision that will need to be taken by the Member for Education and Skills after the March CYPE committee but before the next CYPE committee date in June. The decision cannot wait until the June committee date because May is the latest point at which the decision can be made and allow sufficient time for the statutory process to be completed for a September 2021 opening.

The decision is required as part of the statutory process to publish the public notice enabling the establishment of the 16 place SRP at Garlinge Primary School and Nursery for September 2021.

Background:

The Local Authority is responsible for maintaining Education Health and Care Plans (EHCPs) for children and young people between the ages of 0-25 years. As of January 2020, this totalled 13,499 children and young people with an EHCP. This is an increase of 1,736 since January 2019, an increase of 14.8% compared to 10% nationally.

The number of pupils in the Thanet District with an Education, Health and Care Plan (EHCP) in January 2020 was 16,000. This was an increase of 16% from 2019. 2% of Kent's EHCP cohort live in Thanet district and as at January 2020, 5.5% of the pupils aged 5-19 years in Thanet (maintained and independent) were subject to an EHCP. Pupils with an EHCP in Kent are less likely to be educated in a maintained mainstream school than would be expected nationally. A number of students with an EHCP require a higher level of support than can be provided in mainstream schools, but their needs are not so complex that a special school placement is appropriate. For these students a range of Specialist Resourced Provisions (SRPs) which are based in mainstream schools with places reserved for students with an EHCP are established. The establishment of SRPs attached to mainstream schools is part of the continuum of provision to enable pupils to be included within mainstream settings.

Autistic Spectrum Disorder (ASD) remains the most common primary need type with 41.2% of children and young people aged 0-25 years having an EHCP with this primary need identified in Kent. This is an increase from 40.3% in January 2019. Nationally ASD is also the most common primary

need, but Kent's percentage is significantly higher than the national figure of 30%

Currently we are establishing an SRP for ASD for 16 pupils at Holy Trinity and St Johns Primary School. This proposal will complement the provision at Holy Trinity and St. John's Primary School and provide additional capacity and choice for parents in the Thanet district. A 20 place Secondary SRP for ASD is also planned for the new secondary school in Thanet which will work closely with the two primary SRPs

Options:

Options regarding the establishment of SRPs have been fully investigated with the SEN team and Garlinge Primary School and Nursery was considered to be the best option (in addition to the approved SRP at Holy Trinity and St. John's primary School) for the establishment of an SRP for ASD for 16 children. The school's governing body is fully supportive of the proposals. This additional provision will enable choice for parents in Thanet with a child who requires additional support from an SRP provision.

- 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 proposal also supports the 'Strategy for children and young people with Special Educational Needs 2017-19. The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.

Kent's Strategy set out an intention to provide additional places for pupils with the following need types: Autistic Spectrum Disorder (ASD), Speech Language and Communication Needs (ASD), and Social, Emotional and Mental Health (SEMH).

The Commissioning Plan for Education Provision in Kent 2021-2025 sets out our commissioning intentions to meet the need for specialist provisions across Kent. A mixture of new schools, expansion of existing and the establishment of satellites and SRPs will be commissioned across Kent to meet the need.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before March 2021

Reason if Key Decision

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

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

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

Reason if this decision has been delayed/withdrawn from a previous plan**Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors****Consultees****Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:****Capital Cost**

A feasibility study is currently being carried out at Garlinge School to develop the proposals for the establishment of the SRP. The high level feasibility estimates the costs to be in the region of £778,848. The SRP will have 2 classrooms, care facilities and small group rooms. The CYPE Cabinet Committee report in March and the decision paper in May will confirm the costs as the concept designs are prepared and surveys completed for the planning application.

Revenue Costs

As per KCC policy a total of £6,000 per newly provided classroom will be provided to the school from the DSG revenue budget.

Human

KCC will work closely with the senior leadership teams of the school to ensure that all appropriate accommodation and facilities are provided to enable them to deliver an effective curriculum.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: The expansion will be subject to a legally binding and enforceable contract being in place between KCC and Leigh Academies Trust.

Key Yes

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

Title:

21/00016 - Proposed temporary expansion of Mascalls Academy, Maidstone Road, Paddock Wood, Kent, TN12 6LT

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills is asked to:

- a) Authorise the allocation of £1,242,960 from the Children Young People and Education Services Basic Need Capital Budget to fund a temporary expansion of Mascalls Academy, by increasing the number of Year 7 places offered in September 2022 and September 2023 from 240 to 300 places.
- 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 with the Leigh Academies Trust.
- 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 Decision:

Kent County Council (KCC), as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. 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 forecasts for the Tonbridge and Tunbridge Wells Non-Selective Planning Group indicate that there will be sufficient places

at the start and end of the Plan period, but there will be a 50 place deficit in 2022-23 and 36 deficit in 2023-24. These deficits will require up to 60 temporary places to be offered via existing secondary schools.

Background:

Mascalls is a co-educational comprehensive school for students of 11-18 years that converted to academy status in July 2011 and is now part of the Leigh Academies Trust. The school was rated 'Good' by Ofsted at its November 2016 short inspection. Mascalls provides a broad range of educational opportunities for all students regardless of their ability or background and aims to help them develop their potential to the full. The school has excellent ICT and sports facilities and in 2006 a brand-new building, providing state-of-the-art accommodation for Design and Technology, Art, Drama, Dance and Music was opened.

The school and Leigh Academies Trust are keen to expand the school and welcome the opportunity to temporarily expand for 2 years. Future housing development in the area is likely to necessitate a permanent expansion of the school in the longer-term future.

Following discussion regarding the accommodation needs of the school, KCC agreed with the Leigh Academies Trust that, should this proposal go ahead, it will be a school managed scheme, with KCC providing the Basic Need funding and the Trust undertaking the necessary capital works. The Trust regularly undertakes capital work relating to expansion and maintenance of its schools and has the organisational infrastructure to manage such schemes.

Options:

There are limited options for expansion of the schools within the Tonbridge and Tunbridge Wells Non-Selective Planning Group; the majority of the schools have been expanded within the past few years and for other temporary expansions would not be cost effective. On balance, the proposed temporary expansion of Mascalls Academy offers a relatively low-cost option in a location where there is demand generated by new housing developments.

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:

<p>Not before March 2021</p> <p>Reason if Key Decision An Equality Impact Assessment (EqIA) has been produced and no issues were identified in the early stage EqIA, but the assessment will be reviewed as the project continues.</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>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: Capital Funding: Initial feasibility work by the Trust has estimated the cost of delivery to be £1,242,960. It is proposed that it 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 temporary increased Year 7 intake from 240 to 300 places for 2 years. The roles and responsibility of each party will be formally set out through a legal contract between KCC and the Trust. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met.</p> <p>Revenue Funding: 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 or projection equipment. The sch</p> <p>Support documents</p>

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: Contracting for KCC framework building contractors.</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>

Title:

21/00015 - Lundsford and Birchington School Roofs

The Decision needed:

Proposed decision:

The Cabinet Member for Education and Skills is asked to:

- a) authorise the allocation of £6.6m from the Children Young People and Education Services Capital Budget to deliver the roof replacement schemes at Birchington Church of England Primary School and Lundsford Primary School.
- 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.
- 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. contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

Reason for Decision:

Kent County Council (KCC), as the Local Authority, is responsible for the maintenance of Community and Voluntary Controlled school buildings in Kent. This responsibility is taken seriously, with continuous maintenance and modernisation programmes in place to ensure that the school estate is fit for purpose. Included within these programmes are routine building checks that identify possible future maintenance issues with accommodation.

Through this maintenance programme the proactive replacement of the roofs of Birchington Church of England Primary School and Lundsford Primary School are recommended to remove the development of any future risks associated with the presence of reinforced autoclaved aerated concrete (RAAC).

Background:

RAAC is a lightweight form of concrete used primarily for roofs from the mid-fifties to the mid-eighties, most often in schools and office buildings. RAAC roofs are known to typically have more limited long term durability compared to other forms of roofing structures.

The LGA and DfE advise that Local Authorities and responsible school bodies identify any RAAC buildings in their portfolio and ensure that they are subject to regular and rigorous inspection by a structural engineer.

The County Council has two schools within its estate with RAAC structures.

Structural engineer inspections of the RAAC material used in both schools show that they are currently performing as expected and are in a safe state. The buildings are subject to regular inspection and the correct maintenance practices.

The Standing Committee on Structural Safety recommends that building owners consider the long-term plan for RAAC roofs and for replacement to be considered where there is doubt about their structural adequacy. There are currently no concerns held regarding the structural integrity of the roofs at the two schools. The Corporate Management Team has considered the long term options available for the RAAC roofs and recommended that they be proactively replaced to eliminate the potential for any risks to develop in the future.

The schemes will be considered by the Children's, Young People and Education Services Cabinet Committee on the 9th March 2021, prior to the decision by the Cabinet Member for Education and Skills to release the required capital expenditure.

The work on both replacement schemes would commence during the 2021 school Summer Holiday, with completion scheduled during the 2021/22 academic year. Both schemes will necessitate the use of temporary school accommodation whilst the works on the roof are completed. However, it is anticipated that the disruption to pupils' education will be minimal.

Options

The following options were considered by the Corporate Management Team:

Option 1 – Do nothing

This would not mitigate the risk of RAAC failure in the future or increase the longevity of the panels.

Option 2 – Remedial works to stop water ingress (manage risk)

This would not mitigate the risk of RAAC failure in the future but would provide further longevity of RAAC planks.

Option 3 – Remedial works to stop water ingress and provide support bracing to RAAC plank (manage risk)

This would not mitigate the risk of RAAC failure in the future but would provide further longevity of RAAC planks.

Option 4 – Full roof replacement (remove risk)

This would remove the risk of RAAC plank failure by removing existing roof and replacing with a new roof.

After reviewing the estimated costs, potential risk elements and the key advantages/disadvantages of each option it was agreed that the replacement schemes were the most appropriate solutions.

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 March 2021

Reason if Key Decision

An Equality Impact Assessment (EqIA) has been completed for both schemes. 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 temporary accommodation will be fully accessible and there will be no change to the schools’ published admissions number (PAN) or the admissions criteria.

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:

Feasibility studies have been carried out which estimate the cost of delivery to be £6.6m in total; £4.0m for Lunsford Primary School and £2.6m for Birchington Church of England Primary School. The funds will come from the CYPE Capital Budget.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: Kent County Council (KCC) as the Local Authority has a duty to ensure sufficient school places are available. If this decision does not take place there will be a risk that we cannot meet our statutory duties to provide education provision.

Key Yes

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

Title:
21/00014 - Chilmington Green Secondary School Provision (withdrawn as superseded)

The Decision needed:

Proposed decision:

Transfer of £22,500,000 s106 contributions in regard to Chilmington Green Secondary School to the DfE if the School is delivered via the DfE 'Wave' programme.

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 the decision:

The Government 'Wave' programme can support the early delivery of education infrastructure through the provision of the capital funding required prior to the receipt of s106 contributions. The Government will expect that s106 contributions are transferred to them once received by the Local Authority.

Background:

A new 6FE secondary school at Chilmington Green in Ashford has been approved via the Government 'Wave' programme. This means that the DfE will deliver the school and will be responsible for the capital cost rather than KCC. Given that a new secondary school can cost in the region of £28,000,000 this will be a substantial saving to KCC's Capital budget.

Options (other options considered but discarded)

KCC does not have the capital funding to deliver the school itself prior to receipt of the s106 contributions which in essence would delay the school be several years.

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

The decision will help to secure the additional high quality secondary school places that are required to support both the indigenous secondary school population in addition to any further pressure for secondary school places from Chilmington Green other developments across the Borough.

Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Cabinet Member for Education and Skills</p> <p>Date: Not before March 2021</p> <p>Reason if Key Decision An Equality Impact Assessment has been completed. No adverse impact on protected groups has been identified at this point.</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
Consultees
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: Funding for Chilmington Green Secondary School has been agreed via a s106 agreement. There are 6 payments linked to both time or occupation triggers totalling £22,500,000 plus indexation. If the School is delivered via the 'wave' programme it is expected that the s106 payments, are transferred to the DfE as and when they are received by KCC.</p> <p>Support documents</p>

NOT BEFORE 24 FEBRUARY 2021

<p>Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p>Reference No: The land would be transferred to MHCLG with freehold title. Invicta Law have not identified any impediments to transferring the land. They have been consulted on the terms of the transfer agreement and are drafting the necessary agreements.</p> <p>Key No</p>
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.

Title:**21/00032 - Danley Road - disposal of land****The Decision needed:**

Proposed decision:

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to approve to transfer the land at Danley Road, Sheppey to MHCLG and delegate authority to the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to take necessary actions, included but not limited to entering into relevant contracts or other legal agreements, as required to implement this decision.

Whilst the transfer of sites to the Minister for Communities Housing and Local Government (MHCLG) for Free Schools is a delegated and established practice, in view of the land matters for this particular site a decision is sought from the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services.

The County Council will need to transfer the land to allow the Department for Education (DfE) to deliver a new special school.

Background

KCC own the site at Danley Road Sheerness which was the site of the former Danley Middle School.

Part of the former KCC school site was transferred to the Governing Body of Halfway Houses Primary School in 2016. The land now being considered for transfer to MCHLG will be developed for a SEND School by the Department for Education (DfE). Upon transfer of the land by KCC and development of the site by DfE, DfE will grant a 125-year lease to the SABDEN Multi-Academy Trust. The School is proposed to open September 2022.

The new school will be delivered by the DfE Free Schools team to meet an increasing demand for special school places on the Isle of Sheppey. A bid was submitted by KCC in 2018 for Wave 2 of the Special and Alternative Provision Free Schools Programme. Notification was received in March 2019 that the bid had been successful, and discussions have been held with DfE over the site area to be transferred. The DfE undertook feasibility studies and consulted with KCC over the proposed site layout.

The proposal is that KCC will initially retain the area of land shown hatched green which includes the access road to the site, shown brown. It has been agreed that KCC will not dispose of any of the hatched green land, until after the development of the new free school.

The proposed terms of the transfer of the land at Danley Road (red land) from KCC to MHCLG include a right of access over the access road, with a covenant for MHCLG to pay a reasonable proportion of the total costs

incurred of the repair, maintenance, and/or replacement of the access road on a user basis to be agreed between the parties. This clause will mirror the obligations and rights agreed with the Governing Body of the Halfway Houses Primary School in their 2016 Transfer Agreement.

The land would be transferred to MHCLG subject to a restrictive covenant which would restrict the use of the site for educational purposes only.

If the development of the site for the SEND school by DfE has not commenced within 7 years of completion of the transfer from KCC to MHCLG, the land would be transferred back to KCC for £1.

Terms are currently being finalised with the DfE in respect of the land arrangements should the site not be required for educational use within 30 years.

Options (other options considered but discarded)

C to retain the freehold of the land and grant the DfE a Free School model 125-year lease of the site. As with other recent land transactions for school sites between KCC with MHCLG and DfE, the DfE will not accept anything other than the terms of their standard model lease when taking sites for schools. The DfE Model form of lease leaves KCC with ongoing risk and liabilities and thus is not acceptable to KCC.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

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

Date:

Not before February 2021

Reason if Key Decision

It is not felt that granting of this represents any impact on any of the nine areas specified by KCC under its Equality Impact Assessments. No detailed EqIA completed based on clear lack of 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

Mr Pugh and Mr Booth, local Councillors for the Sheppey Division were

advised 10th Feb 2020 regarding Licence for works to DfE and an email advising of the transfer was sent 15th September 2020.

Consultation with Property Sub-Committee planned on 26 February 2021

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

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

KCC are transferring the land for £1 and both parties will bear their own professional costs associated with the Transfer.

KCC may be able to identify surplus land once the development of the new SEND school is complete. If surplus land is identified upon completion of the school development, KCC may be able to dispose of land at best value and obtain a capital receipt. If surplus land is identified, KCC would endeavour to transfer all of its' retained land in order to avoid any future maintenance liabilities.

Support documents

Responsible Cabinet Member - Cabinet Member for Economic Development

Reference No: KCC will continue to act as the financially responsible authority for the existing loan contracts. 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 will continue to be responsible for monitoring and auditing under the terms of the existing contracts.

Where businesses find themselves in difficulty and are unable to repay the loans on the agreed terms KCC can offer to restructure their debt to support further business growth and resume repayments. In cases of non-engagement, KCC will pursue loan recovery through Security or Personal Guarantees, where applicable. A detailed report from Invicta Law is not required at this time.

Key Yes

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

Title:
21/00013 - Marsh Million - Next Stage

The Decision needed:
Proposed decision –

Kent County Council is seeking to close the Marsh Million scheme on 31 March 2021 and then return the uncommitted and recovered loan funds of the Marsh Million scheme to the original co-funders of the scheme (Magnox/NDA, KCC, Ashford Borough Council and Folkestone & Hythe District Council) on a pro-rata basis.

Reason for the decision -

Kent County Council currently manages the Marsh Million scheme. New funding approvals have not been made under this scheme since 2018. KCC is now seeking to close the scheme and allocate all the uncommitted and recovered loan funds to the original co-funders (Magnox/NDA, KCC, Ashford Borough Council and Folkestone & Hythe District Council) on a pro-rata basis.

Background

The Marsh Million scheme was established in 2013 as a £1 million economic growth fund for the Romney Marsh. The eligible area was designated parts of Ashford (Parishes of: Aldington, Appledore, Bilsington, Bonnington, Kenardington, Newenden, Orlestone, Ruckinge, Stone-Cum-Ebony, Warehorne, Wittersham) and Folkestone & Hythe (Parishes of: Brenzett; Brookland; Burmarsh; Dymchurch; Ivychurch; Lydd, Newchurch; New Romney; Old Romney; Snargate; St Mary in the Marsh). The scheme was co-funded by the Magnox Socio-economic programme, a joint initiative between Magnox and the Nuclear Decommissioning Authority (£500,000), Kent County Council (£400,000), Ashford Borough Council (£50,000) and Folkestone & Hythe District Council (£50,000).

Eligible applicants included businesses, social enterprises, charities and public bodies. Funding was allocated equally (£500,000 grants and £500,000 loans) between two sub-programmes.

- Marsh Million Economic Projects Scheme (EPS) which offered grants ranging between £10,000-£100,000 for projects seeking to help start-ups, small businesses and social enterprises in the Romney Marsh area to grow and diversify. Examples of such projects included training provision, environmental improvements (with an economic benefit) and tourism.
- Marsh Business Boost which offered 0% interest loans of up to £50,000 to help start-ups, small businesses and social enterprises in the Romney Marsh area who were seeking to develop new or expand existing products or services, where these would lead to sustained employment.

All applicants attended an Approval Board. This Board consisted of representatives of the co-funders, private and voluntary sectors and this Board will be stood down with the closure of the scheme. This Board made funding recommendations and KCC as the financially responsible authority endorsed these recommendations. KCC is responsible for receiving co-funder contributions, processing and appraising applications, entering funding agreements, making payments and ultimately collecting loan repayments and monitoring outcomes.

A final report on the impact of scheme was commissioned and completed in 2019 and was fully discussed by the Marsh Board. At the January 2021 Board meeting of the original co-funders (Magnar/NDA, KCC, Ashford Borough Council and Folkestone & Hythe District Council) agreed to close the existing scheme and return all uncommitted and recovered loan funds to the original co-funders on a pro-rata basis.

Options

KCC has looked at the option to maintain the Marsh Business Boost loan scheme. However, with a significantly diminished budget and with the ready availability of alternative loan funding from the Kent and Medway Business Fund and the No Use Empty scheme, the justification for maintaining a separate scheme is limited.

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 focus resources to deliver the Kent and Medway Business Fund and the No Use Empty scheme, which are seeking to deliver business investment, create new jobs and safeguard existing jobs on the Romney Marsh and other areas of Kent.

Financial Implications-

The scheme is closed to new applications and the funds currently available for redistribution to the co-funders is indicated below:-

Marsh Million Economic Projects Scheme (grant) and Marsh Business Boost (loan): Update January 2021		
	Loan £	Grant £
Budget	500,000	500,000
Committed	480,174	484,770
Not Committed	19,826	15,230
Loan Repayments	193,830	0
Outstanding Loan Repayments	238,420	0
Current Uncommitted Funding Available (Not Committed loans/grants + Repayments)	<u>213,656</u>	<u>15,230</u>

Based on KCC's pro-rata investment (40%), £89,554.40 will be returned to KCC immediately (£2,000 will be retained by KCC to cover on-going recovery costs). Returned KCC funds will be allocated: a) as a contribution to the funding of the Romney Marsh Partnership post (£6,092); b) the balance to KCC's general funds. Future recovered loan repayments collected by KCC and will be returned to the co-funders every six months.

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

cannot be recovered by legal means, KCC is not responsible for any subsequent bad debts.

KCC Budget Book, the capital entry for the Marsh Million, Appendix B, Row Ref 27.

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 EqlA is being prepared for the Marsh Million scheme.

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:

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: Local authorities have a duty to prepare and publish by 31 May each year an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training.

Key Yes

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

Title:
21/00012 - Post 16 Transport Policy 2021-22

The Decision needed:

Proposed Decision:

The Cabinet Member is asked to agree the Post 16 Transport Policy Statement for 2021/22.

Reason for Decision:

There is a legal requirement for post 16 learners to stay in education, training or work-based learning until they reach 18 years of age, and as young adults there is an expectation they will contribute to the cost of their travel in most circumstances. Whilst there is no statutory duty to provide transport for Post 16 Learners there is a duty to consider applications for assistance with transport and to enable access to education. There are no planned changes to the Post 16 Transport Policy Statement or this commitment for the 2021/22 academic year. KCCs primary method of meeting its obligation in regard to Post 16 Transport will be through the continued subsidy of the 16+ Travel Saver pass.

Further information:

The post 16 Transport policy for Kent County Council enables access to education for Kent Learners. To assist Kent's young adults in accessing their education in schools, colleges and through apprenticeships or work-based training provision.

Kent County Council has provided students with the opportunity to apply for a Kent 16+ Travel Saver pass which is subsidised by the Authority and can be purchased online through Kent County Council's website. The 16+ Travel Saver pass gives unlimited access to the public bus network and learning providers can choose to further subsidise this charge to their students or trainees if they wish in cases of financial hardship.

With the participation age raised to 18 years, the 16+ Travel Saver pass will widen the opportunity for Kent's young adults to access the education provision of their choice at a subsidised cost. This may be at schools, academies, colleges or in the workplace though an apprenticeship or other work-based training provision. Support for accessing education is not prescribed and Kent use the 16+ Travel Saver pass to meet its duty to enable users access to education.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before February 2021

Reason if Key Decision

Post 16 Transport Policy has an overall positive impact for learners with protected characteristics, with little to no negative effects.

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

A consultation is planned between 25 January 2021 and 5 March 2021 and will be held at www.kent.gov.uk/post16transport

CYPE Cabinet Committee – 9 March 2021

The final decision will be presented to the Committee prior to the decision being taken by the Cabinet Member for Education and Skills. Due to the pre-election period, the outcome of the consultation will be considered at an earlier Committee meeting than usual. As a result, the initial Committee report will be based on 4-5 week's consultation responses, with an addendum circulated shortly before the meeting to update statistics and key themes.

Which Divisions / Local Members are particularly affected:

<http://kent590w3:9070/mgFindMember.asp>

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.

Member will be informed of the consultation via the

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:

Whilst KCC is not directly funded to support any transport requirements for learners over the age of 16, KCC has made significant financial commitments to Post 16 Transport. The LA commits in excess of £5 million on Post 16 Transport and draws an income of less than £2 million. Numbers fluctuate from year to year, particularly following the limitations imposed by COVID-19, however the total subsidy usually averages around £3 million per annum.

Support documents

SEMI-URGENT DECISION - NOT BEFORE 25 JANUARY 2021

<p>Responsible Cabinet Member - Cabinet</p> <p>Reference No: None</p> <p>Data Protection implications – a DPIA was not required as there are no Data Protection implications arising from the recommendations in the report.</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: 21/00011 - Kent Rail Strategy 2021</p> <p>The Decision needed: Cabinet to adopt the Kent Rail Strategy 2021 and the associated policies.</p> <ul style="list-style-type: none"> • Reason for the decision – To provide KCC with a new rail policy for the next South Eastern agreement, with clear and concise objectives to meet the forecast needs of Kent’s rail passengers. • Background – The Department for Transport is expected to commence a new public consultation, in late 2021 or 2022, on the train service requirement for the new South Eastern agreement, which is expected to commence in 2022 or 2023. This new Kent Rail Strategy 2021 sets out KCC’s priorities for Kent’s rail services for the next decade and reflects the expected increase in demand generated by the planned growth in housing and population in the county to 2031.
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet</p> <p>Date: January 2021</p> <p>Reason if Key Decision An EqIA has been undertaken and approved by the diversity and equality team. The expectation is that the delivery of the proposed outputs and outcomes in the Kent Rail Strategy 2021 would provide a medium level of positive impact for passengers whose mobility is impaired and/or who are elderly, those who may be pregnant or have babies or very young children, and those who are carers.</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 Environment and Transport Cabinet Committee was consulted on 15 September 2020 and they endorsed the proposals.

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

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

None

Support documents

NOT BEFORE 10 FEBRUARY 2021

Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services

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

Key Yes

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

Title:

21/00010 -Digital Autopsy

The Decision needed:

Proposed Decision:

In relation to the delivery of the Digital Autopsy facility, to delegate authority to the Corporate Director of Growth, Environment and Transport to:

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.

Enter into and or vary contracts for the delivery of the Digital Autopsy service including, but not limited to, body scanning and body transport.

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.

Reasons for Decision:

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.

There are several issues putting the continuation of the current service levels at risk:

- 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 Adult Social Care and Public Health

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.

The Public Contracts Regulations 2018 which set out the legal basis for Local Authority procuring services.

Key Yes

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

NOT BEFORE 13 JANUARY 2021

NOT BEFORE 10 NOVEMBER 2020

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

EqIA 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

Consultees

Has any public consultation been undertaken or is any planned?

Market consultation discussions taken place through Summer 2020.

Cabinet Committee consultation planned:

A report will be taken to the Children's, Young People and Education Cabinet Committee on the 18 November 2020.

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

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.

Support documents

NOT BEFORE 6 OCTOBER 2020

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:**

20/00027 - Clean Up Kent and Public Realm Improvements

The Decision needed:**Proposed Decision:**

- a) Approve a programme of works to deliver a range of projects to 'clean up' Kent and to improve the public realm across Kent
- b) Approve the proposed funding allocations and project development arrangements required to support and deliver the programme; and
- c) Delegate authority to the Corporate Director for Growth Environment

and Transport to take relevant actions, including but not limited to, entering into relevant contracts, legal arrangements or other arrangements, as necessary to implement this decision.

Background:

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

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

Options:

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet

Date:

Not before April 2020

Reason if Key Decision

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

Data Protection implications

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

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

<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 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.</p> <p>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.</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>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.</p> <p>Support documents</p>

NOT BEFORE 18 JANUARY 2020 BY CABINET MEMBER

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>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.</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: 20/00007 - Proposal to permanently increase the capacity at Pilgrims Way Primary School, Pilgrims Way Canterbury CT1 1XU</p> <p>The Decision needed: Background –</p> <p>The Kent Commissioning Plan for Education 2019-2023 identifies a need for additional places in the Canterbury City Planning Area from 2021 this is</p>

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

Proposed decision –

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before January 2020

Reason if Key Decision

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

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

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

Consultees

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

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

The local member has been informed of the proposal and their views have been sought during the public consultation period. Their view will be included in the CYPE Cabinet Committee report.

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

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

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

Support documents

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

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: Contracting for KCC framework building contractors.</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: 19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020</p> <p>The Decision needed: Background Information:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Proposed Decision:</p> <p>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.</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Education and Skills</p> <p>Date: Not before November 2019</p> <p>Reason if Key Decision</p>

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.
<p>Title: 19/00055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area</p> <p>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.</p>
Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Cabinet Member for Community and Regulatory Services</p> <p>Date: Not before July 2019</p> <p>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.</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 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>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<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> <p>Increase the designated number of The Elms School, Dover from 96 to 158 places</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Children, Young People and Education</p> <p>Date: Not before April 2019</p> <p>Reason if Key Decision The Equality Impact Assessment is in place. No adverse impacts have been identified at this point.</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

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 access 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:

19/0028 - 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.

<p>Proposed decision:</p> <p>The Cabinet Member for Children, Young People and Education is asked to release £625,000 of the £2,200,000 already agreed from the Children, Young People and Education Capital budget to expand Palmarsh Primary School to 1FE.</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Cabinet Member for Children, Young People and Education</p> <p>Date: Not before April 2019</p> <p>Reason if Key Decision The Equality Impact Assessment is in place. The variation in plans will not impact on the judgements in the EqIA.</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>This matter will be considered by the Infrastructure Commissioning Board on 30 April 2019 or 24 May 2019.</p> <p>A consultation on expanding to 1FE was undertaken in 2016, as there is no change to this decision further consultation is not required.</p> <p>The report will be submitted to the Children’s, Young People and Education Cabinet Committee meeting on 28 March 2019.</p> <p>The view of the local member will be sought prior to the Cabinet Committee meeting.</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>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.</p>

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
<p>Consultees</p> <p>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.</p> <p>The interim contract will be discussed by the Health Reform and Public Health Cabinet Committee on 24 January 2018.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>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.</p> <p>Support documents</p>

NOT BEFORE OCTOBER 2017 BY CABINET MEMBER

<p>Responsible Cabinet Member - Cabinet Member for Corporate and Democratic Services</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.
<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>

Section 2 – Who is taking the final decision and when
<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>
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>Property decisions to be discussed at the Property Sub Committee.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<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>
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.
<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</p>

'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.

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Corporate and Democratic Services

Date:

Before January 2018

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

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 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.

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

Support documents

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

Reference No: 16/00101

Key Yes

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

Title:
16/00101 - Proposal to expand Marden Primary School

The Decision needed:

The Cabinet Member for Children, Young People and Education will be asked to agree to:

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Children, Young People and Education

Date:

Not before January 2018

Reason if Key Decision

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

Financial Implications: Will be set out in the report that will be considered by the Children's, Young People and Education Cabinet Committee.
Legal Implications: Any legal implications will be identified in the report that will be considered by the Children's, Young People and Education Cabinet Committee
Equality Implications: An Equality Impact Assessment has been produced and can be viewed here: www.kent.gov.uk/schoolconsultations .

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

Consultees

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

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

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

Lead officer: Rebecca Spore

Director of Property & Infrastructure Support

Tel: 01622 - 221151

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

Support documents

Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services

Reference No: 14.00022

Key Yes

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

Title:

Former Shepway Resource Centre, Folkestone - Disposal

The Decision needed:

LATEST UPDATE:

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

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Corporate & Democratic Services

Date:

Not before October 2015

Reason if Key Decision

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

Section 3 – – Who is to be consulted, how and when, (The Duty to

Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>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.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>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</p> <p>Support documents</p>

DEFERRED

<p>Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services</p> <p>Reference No:</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: Sandwich Highways Depot</p> <p>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.</p> <p>Latest Update: 19/05/2014: Decision due date changed from 23/12/2013 to 'Not before' 01/11/2014.</p>

REASON: The disposals team at KCC are currently working on new plans for the site in order to ensure that the maximum value for the site is secured. Options appraisal work is underway and this work is expected to take approx. 6 months, therefore an expected decision date is set for November.

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

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

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

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

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Corporate & Democratic Services

Date:

Reason if Key Decision

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

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

Consultees

The matter was considered by the Property Sub Committee of the Policy and resources Cabinet Committee at its meeting on 27th February 2013. The

proposed decision was endorsed by the Committee.

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

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

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

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

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

Support documents

Responsible Cabinet Member -

Reference No: 12/020231

Key No

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

Title:
Eden Centre Lease

The Decision needed:

LATEST UPDATE:

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

REASON: The decision remains at the earliest stages of investigation and options appraisal. A further review will take place in January 2015 when a decision pathway will be identified and the proposed decision updated further.

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