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Council**  
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## **FORWARD PLAN OF DECISIONS**

**14 October 2021 - 28 February 2022**

**This Edition of the Forward Plan Supersedes ALL Previous Editions**

Leader of the County Council – Roger Gough  
Published by Democratic Services

This Forward Plan lists “Key Decisions” which Kent County Council intends to take over the next six months. It gives information on the projects that will be coming forward and who will be involved with them. The Plan also contains reference to other proposed decisions, which although not Key Decisions are nonetheless significant in terms of their outcomes.

Please use the contact details given to let us know your views.

## **FORWARD PLAN OF DECISIONS**

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

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

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

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

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

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

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

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

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

<b>The Kent County Council Cabinet Members are:</b>	
Mr Roger Gough	Leader of the Council
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
Mr David Brazier	Cabinet Member for Highways and Transport
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 Derek Murphy	Cabinet Member for Economic Development
Mrs Shellina Prendergast	Cabinet Member for Education and Skills
Mr Bryan Sweetland	Cabinet Member for Communications, Engagement, People and Partnerships

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 12 NOVEMBER 2021**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Environment</p> <p><b>Reference No:</b> The County Council has a statutory responsibility to review its Local Plan every 5 years and to prepare revised policy and guidance as necessary in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Failure to have an up to date Plan risks the Secretary of State appointing others to undertake the Council's plan making function.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>21/00089 - Kent Minerals and Waste Local Plan 2013-30: 2021 Review - Public Consultation</b></p> <p><b>The Decision needed:</b> <b>Proposed decision</b> Following a review of the 2016 Kent Minerals and Waste Local Plan, to approve and publish for public consultation (Regulation 18) proposed changes to the Kent Mineral and Waste Local Plan 2013-30 (the 2021 Review).</p> <p><b>Background</b> 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 2021 (NPPF) and the National Planning Policy for Waste 2014 (NPPW). This responsibility is realised through the preparation of a Local Plan, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations).</p> <p>The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted by Full Council in July 2016 and subject to an early partial review of a limited number of policies in 2020 represents the planning policy framework for minerals and waste development in Kent. The KMWLP contains a number of policies relating to strategic planning for minerals supply and waste management capacity, as well as Development Management policies against which planning applications for these types of development should be assessed. The Plan also includes a number of policies related to the safeguarding of mineral resources and waste management facilities.</p> <p>The Regulations require Local Planning Authorities to review their Local Plans every 5 years. This is to ensure that the policies remain relevant, conform</p>

to national policy and guidance and satisfactorily address the needs of the local community. Policies must be both legally compliant and sound, and in order to be considered sound they should meet the tests of being positively prepared, justified, effective and compliant with national policy. The Plan was partially reviewed in 2020 in the KMWLP Early Partial Review 2020.

In accordance with plan making requirements set out in the Regulations, the Council has undertaken a 5 year review of the 2016 adopted KMWLP and identified a number of policies as outdated or no longer meeting the tests of soundness. This assessment is set out in detail in the Review of the Kent Minerals & Waste Local Plan 2021. The identified changes needed to the 2016 Kent Mineral and Waste Local Plan form the basis for the next plan making cycle.

Revisions are proposed to the Local Plan to principally reflect changes in national policy and guidance since 2016. These include amongst others changes to the National Planning Policy Framework, government policy and guidance on the achievement of a circular economy and those concerned with climate change and protection and enhancement of the natural environment. Revised draft policy and supporting text has been prepared. To satisfy the requirements of the Plan Making Regulations, consultation is now required on the proposed revisions to the adopted Plan so as to inform and influence future local plan work and the version that the Council will ultimately submit for examination to the Planning Inspectorate.

**How the proposed decision meets the objectives of ‘Setting the Course’: Kent County Council’s Interim Strategic Statement (December 2020)**

The Kent Minerals and Waste Local Plan delivers the Council’s adopted Mineral and Waste planning strategy and policies and is important in the determination of planning applications in Kent. A local plan is in accordance with national planning policy and guidance and provides a local perspective. It supports the County Council’s corporate policies contained within the Council’s Setting the Course – Kent County Council’s Interim Strategic Plan 2020, which sets the Council’s priorities until 2022.

Kent’s mineral and waste planning policies support and facilitate sustainable growth in Kent’s economy. In addition, they support the protection and creation of a high-quality environment, with accessible local services that reflect the needs of the community. The proposed revised policy will reflect recent changes to the environmental agenda including mitigation and adaptation to climate change and Kent’s Climate Change Statement and measures to support covid recovery.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before November 2021

<p><b>Reason if Key Decision</b> An Equalities Impact Assessment (EqIA) will be undertaken as part of the proposed changes to the adopted Local Plan. No equalities implications are anticipated to arise from the review work</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> The costs of preparing a review of the 2016 Kent Minerals and Waste Local Plan will need to be met from existing KCC budgets.</p> <p>There is a risk and likelihood that any changes proposed to the Local Plan will attract objection in response to the public consultation. These will be considered as part of the plan making process and where appropriate defended via the planning examination.</p> <p><b>Support documents</b></p>

**NOT BEFORE 12 OCTOBER 2021**

<p><b>Responsible Cabinet Member - Cabinet Member for Highways and Transport</b></p> <p><b>Reference No:</b> Once an EP Plan and Schemes are made by the Council, measures and facilities agreed by the authority will become a legally enforceable commitment. An EP is a statutory scheme with a procedure that must be followed.</p> <p><b>Key No</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>21/00087 - Publication and Submission of the Pre-Funding Settlement Version of the Kent Bus Service Improvement</b></p>

## **Plan (BSIP)**

### **The Decision needed:**

#### **Proposed Decision**

The Cabinet Member for Highways & Transport is asked to agree to publish on the KCC website and submit to DfT the pre-funding settlement version of Kent's Bus Service Improvement Plan.

### **Background**

On 15th March 2021, the Department for Transport (DfT) published its wide-ranging National Bus Strategy (NBS) entitled "Bus Back Better".

It is a strategy which sets out ambitious goals covering a range of key areas supporting bus operation. The NBS is backed by £3 billion of investment across England and a commitment to repurpose current funding. It is aimed at seeing passengers benefiting from "more frequent, more reliable, easier to use, easier to understand, better coordinated and cheaper bus services."

There is an expectation that LTAs will work closely in partnership with bus operators, particularly those with commercial services, to better integrate bus routes and ticketing to make travel easier for passengers.

The strategy sets an ambitious timeline for LTAs to comply with the strategy, which allows continued access to both current and future funding. Operators also need to co-operate with this process to retain their funding streams.

The timelines dictate that it has not been possible to follow normal governance processes for development and sign off of this version of the BSIP but officers have sought to engage with all Members and other stakeholders throughout its formation and have developed a program that will allow for greater input to the version that will be formed following understanding of the funding settlement.

The required timelines to be met are as follows:

1. LTAs and bus operators must commit in principle to the introduction of EPs by 1st July 2021 – Complete
2. LTAs are required to publish a Bus Service Improvement Plan (BSIP) by the end of October 2021 – The purpose of this decision.
3. The EP will be developed in line with the Statutory processes to achieve implementation of the EP Plan and EP Schemes by April 2022.

### **Options**

The NBS effectively narrows the decision down to just two options. Firstly, to comply with the procedure and timescales set out by the DfT, or secondly, not to proceed with this second part of the process (BSIP publication). The latter course of action would put funding from the Government's BSOG and CBSSG schemes at risk, taking some £7 million of annual funding out of Kent's bus network.



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

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

Cabinet Member for Highways and Transport

### **Date:**

Not before October 2021

### **Reason if Key Decision**

The EQIA screening process has indicated that there are no expected adverse effects arising from the BSIP. Depending on funding levels awarded, there are potentially positive equality benefits.

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

Public consultation via Let's Talk Kent has been undertaken to inform priorities and attract suggestions for service enhancements.

Workshops have been conducted with District Councils and other stakeholders and two KCC Member briefings have been held.

This is an iterative process and further engagement through the same channels is proposed to review the BSIP in light of the funding settlement and as we work towards the formation of our EP Plan and Schemes.

### **Cabinet Committee consultation planned**

Subject to the timing of the funding settlement, a paper will be presented to Environment and Transport Cabinet Committee at an appropriate point to help inform the implementation of initiatives in the BSIP and their relationship to EP plans and schemes.

## **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:**

At this stage, there are no significant financial implications to KCC whilst plans are being developed.

The BSIP is to be published by the end of October 2021 and submitted to the DfT who will then advise Kent's funding allocation.

Once this is known, the EP can then be formed out of the BSIP action plans for introduction from April 2022. It is by that point that the Council will need to have committed to investment in the partnerships.

Further papers will be submitted to Cabinet at appropriate points including proposals for KCC expenditure.

**Support documents**

Decision Report

PROD

EqlA

Kent BSIP Draft

**NOT BEFORE 21 OCTOBER 2021**

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

**Reference No:** Whilst there is no statutory requirement to provide Open Access youth work, Kent County Council has maintained a strong commitment to an offer which has always included VCS organisations as part of delivery. The Open Access offer in Kent contributes to young peoples' learning and development, working to give a sense of place and purpose and to reach their full potential. The two Children's Centres form part of the totality of offer available to Children and Parents. By not having the two commissioned centres in place we would not be removing the children centre offer but would be detrimentally impacting two communities that are amongst the most deprived in the county. Action by way of Direct Award means awarding contracts without competition which is not compliant with Spending the Council's Money or the Public Contract Regulations 2015.

**Key** Yes

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

**Title:**

**21/00086 - Commissioned Open Access Provision for Youth Services and Children's Centres**

**The Decision needed:**

**Proposed Decision**

To directly award contracts to all existing commissioned Open Access provision (Youth Services, seven providers, for 16 months and Children's Centres, two providers, for 12 months) on the same terms and conditions and values as the current contracts. Taking both 'lots' to April 2023.

**Background**

- This proposal is to seek authorisation for contracts to be awarded directly to the existing commissioned Open Access providers (Youth Services and Children's Centres). Current contracts for the youth provision, expire on 30 November 2021 and for the two commissioned Children's Centres on 31 March 2022.

- The Direct Award is required for reasons of extreme urgency (reg. 32(2)(c)).
- The Direct Award will be for a period of 16 months for the Youth provision and 12 months for the Children's Centre contracts to bring them both in line to the end of the 2022/2023 financial year.
- Following the Council's approach of the response and recovery to Covid-19, the Strategic Reset Programme identified workstreams that will look at how the Council can reset its priorities resiliently. The impact of this has provided delays in the development of a procurement process to align with the ending of these contracts.

### Options

1. **Do Nothing:** Allow the contracts to lapse. KCC funded Open Access Offer, particularly in rural localities, will be greatly reduced and in the case of the two commissioned Children's Centre's (Millmead, Thanet and Seashells, Swale) fully removed.
2. **Allow contracts to lapse and if applicable TUPE across staff from incumbent providers whilst awaiting the results of Strategic Reset Programme:** This option may impact on the ability of the current providers to continue as businesses as well as significantly increase the headcount of KCC Open Access staff. The flexibility afforded to the organisations to respond rapidly to local need will also be removed. Also, some young people only engage in this provision because they do not recognise it as being part of KCC, there is a risk that we may lose some of our harder to reach cohort if they feel they are now engaging with the Local Authority rather than a local provider.
3. **Externally procure a new service:** Since the award of these contracts in 2016 there have been no new entrants to the market that could provide a district wide provision with no mobilisation time. This would result in a gap in provision at the very time when young people who have already experienced a reduction in opportunities due to Covid-19 need it most. As a result of the pandemic, the Council has established a Strategic Reset Programme which is reviewing, amongst other things, the use of the Council's estate. The progress of this has been delayed due to priorities re-opening buildings after the Covid-19 restrictions were lifted. Work is due to re-start over the coming months to review whether these services meet the needs of service users. The outcome of this review will be pivotal to the development of specifications and service design for any new procurement. If Commissioners were to commence a procurement in advance of this review, contracts would potentially need to be changed or ended to minimise any duplication and maximise value for money.
4. **Directly award contracts (due to reasons of extreme urgency (reg. 32(2)(c)) for a period of 16 months to the seven providers of Youth Services and 12 months to the two providers of commissioned Children's Centres to bring both in line to the end of the March 2023.** In the Council's approach to the response and recovery of Covid-19, the Strategic Reset Programme has identified workstreams that will look at how the Council can reset its priorities resiliently. The impact of

this has provided delays in the development of a procurement process to align with the ending of these contracts. It is proposed that a full commissioning plan will be developed before the end of the proposed Direct Award contracts that will consider the implementation of recommendations of the workstreams and the understanding of the long-term effects of Covid-19 on the local communities they serve.

Only on completion of the reviews can a balanced and informed commissioning plan be developed that does not risk adversely impacting the deprived communities served. This plan will need to consider the long term added value that providers will continue to deliver and how this can be quantified moving forward to evidence the continuing viability of the services being commissioned to the external market.

To meet the end of the review, all services will need to be “extended” by way of directly awarding a 16-month contract with the seven incumbent youth providers and a 12-month contract with the two incumbent children’s centre providers under Direct Award, with the terms and conditions, contract values etc being unchanged.

### **Risks**

- Options 1 and 3 pose the highest risks, in that to do nothing or to create a gap in provision whilst awaiting the results of a procurement, will leave the Children, Families and Young People of Kent without suitable provision. The Covid-19 outbreak has highlighted and created both economic and health consequences, the full implications of which are still far from known. Any gap in provision will only act to further exacerbate this for our most vulnerable service users.
- Option 2 has some merits, although many of the providers will face an uncertain future, putting at risk the additional social value projects (such as food banks, employment of apprentices, wider SEND support, social action projects and racism education and awareness projects, to name a few)

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

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

Cabinet Member for Integrated Children's Services

### **Date:**

October 2021

### **Reason if Key Decision**

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

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

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>Decision time-frame does not allow for Cabinet Committee consideration. Non-Executive Members to be engaged prior to decision.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> This action looks to continue the funding of services at the same level for 16 months for Youth Services and 12 months for Children’s Centre to the end of March 2023. There is an option in the contracts to terminate with a three-month notice period, should that be required. The existing contracts are fully funded within the current revenue budget for the Youth Services and Children Centres key service lines. The Children Centre budget is funded from a combination of the KCC base budget and public health grant. The Youth Services budget is funded from both the KCC base budget and Dedicated Schools Grant. The value of the contracts will remain unchanged for the period of the extension, there are no further financial implications from this proposal.</p> <p><b>Support documents</b></p>

**NOT BEFORE 15 OCTOBER 2021**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> Contracting for KCC framework building contractors.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>21/00085 - Proposal to Expand Thamesview School</b></p> <p><b>The Decision needed:</b> <b>Proposed decision</b></p> <ul style="list-style-type: none"> <li>i. Allocate £5m from the Children Young People and Education Services Capital Budget to the scheme to expand Thamesview School to a PAN of 210.</li> <li>ii. Authorise the Director of Infrastructure in consultation with the General Counsel and the Director of Education to enter into any necessary</li> </ul>

contracts / agreements on behalf of the County Council.

- iii. Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **Background**

This FED follows on from the Decision 19-00071, taken on 15 October 2019 whereby the Cabinet Member for Education and Skills agreed to publish a Public Notice on a proposal to expand Thamesview School by increasing the Published Admission Number (PAN) from 150 places to 210 places from September 2021 by confirming the school's Published Admission Number at 180, and to then add an additional 1FE taking the school PAN up to 210 for September 2021.

KCC continually monitors the provision of school places through the County Council's Commissioning Plan for Education Provision. The plan is a five-year rolling plan that 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>

In 2019, the Commissioning Plan indicated that there was a growing demand for Year 7 non-selective places in the Gravesham and Longfield non-selective planning area from the start of the 2019-20 academic year.

Early forecast figures that will populate the next iteration of the Commissioning Plan (2022-2026) indicate that Gravesend and Longfield Non-Selective Planning Group is forecast to have a small surplus of 38 Year 7 places (1FE) for the 2022/23 intake. However, the following year shows a deficit of 75 places (2.5FE) by 2023/24. This deficit fluctuates in succeeding years but is not forecast to return to a surplus.

Following discussions with the school, the decision has now been taken to expand the school from its current PAN of 180 to 210 from September 2023, to assist in addressing the forecasted deficit.

This FED is to notify the decision to allocate the funding for the proposal to permanently expand Thamesview School from a PAN of 150 to a PAN of 180 in September 2021 and to further increase the PAN to 210 in September 2023.

## **Options**

There are seven secondary schools in the Gravesend and Longfield Non-Selective Planning Group. These are: Longfield Academy, Meopham

School, Northfleet School for Girls, Northfleet Technology College, Saint George's CE School (Gravesend), St. John's Catholic Comprehensive School and Thamesview School.

Of these, Meopham School, St George's CE School, Northfleet School for Girls and Meopham School are either being expanded, or are the subject of a future proposal to expand. Northfleet Technology College is under feasibility for an expansion and Longfield School has been offering additional places under a local arrangement for several years. Thamesview School is the only remaining candidate for expansion.

Thamesview School is a popular school and the proposal to increase the number of Secondary places at the school is therefore, in line with the expectation of expanding popular & successful schools. The proposal will confirm the school's admission number of 180 and add an additional 30 places taking the school PAN up to 210 for September 2023. It will be achieved through building additional accommodation and service space on the Thamesview site.

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

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

Cabinet Member for Education and Skills

#### **Date:**

October 2021

### **Reason if Key Decision**

An EqlA has been completed and can be viewed here:

<https://kccconsultations.inconsult.uk/consult.ti/Thamesview/consultationHome>

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

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

### **Consultees**

The decision will be considered at the meeting of the Children's and Young People Education Cabinet committee on 14 September 2021.

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

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

An initial feasibility study was carried out which estimated the cost of delivery being between £4.0m and £4.5m, wholly funded by the CYPE Basic Need Capital Budget. In line with the agreement of Cabinet Committee on 7 May 2019, the capital figure reported to the Cabinet Committee was a budget estimate, pending a full costings exercise. Following a more detailed feasibility study, the refined cost estimate is £5m. The reason for the increase over the

two years is due primarily, to the cost of materials rising significantly due to Covid and logistical challenges from contractors. KCC Officers have determined that the cost increase is entirely proportionate to that being experienced in other projects and maintain that the project provides value for money. In addition, an allowance of up to £2500 may be payable to outfit the teaching room with appropriate ICT equipment, such as touch screens or projection equipment.

### **Support documents**

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

**Reference No:** The conditional contract will be legally binding and will commit KCC to the eventual sale of the land subject to the granting of a qualifying planning consent within the terms of the contract.

**Key** Yes

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

**Title:**

**21/00084 - Disposal of land at Bensted House, Kiln Court, Osbourne Court & Former SEC, Faversham ME13 7NY.**

**The Decision needed:**

**Decision** –to agree to the disposal of the sites and delegate authority to:

1. The **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to finalise the contractual terms of the disposal.
2. The **Director of Infrastructure** to authorise the execution of necessary contractual and land agreements required to implement the above.

**Reason for the decision**

Proposed property disposal in line with the Council’s s.123 best consideration obligations and over £1million which requires a key decision.

**Background**

KCC is to dispose of the combined sites at Bensted House, Kiln Court, Osbourne Court and Former Social Enterprise Centre, Lower Road, Faversham, ME13 7NY (approximately 7 acres, split in half by Lower Road). Facilities operating from the site closed in 2016/17, and the sites were subsequently declared surplus to operational requirements and suitable for disposal.



Comprehensive marketing has been undertaken following which bids have been received, and a preferred bidder is recommended to take forward the development.

The Kiln Court site was registered as an Asset of Community Value under the Localism Act 2011. All necessary notices have been served to the relevant authority relating to Kent County Council's intention to dispose of the site, all relevant moratorium periods have elapsed.

A decision is now sought to finalise the terms of the disposal and authorise disposal of the site.

**Options**

The sites have been declared surplus by Kent County Council as such there are no operational requirements for them.

Kent County Council has an overarching duty under Section 123 of the Local Government Act 1972 to secure not less than best consideration in respect of property disposals.

KCC appointed planning consultants to design a residential development in compliance with the local authority's current planning and affordable housing requirements to inform prospective bids.

The sites have been openly marketed by a Kent based agent who advertised nationally in Estates Gazette. Conditional bids have been received.

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

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.

**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 October 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

The issue was discussed by the Policy and Resources Cabinet Committee on 22<sup>nd</sup> September 2021 and the proposed decision endorsed.

## 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.

Development costs are minimised due to the structuring of a conditional contract with further consultant fees being initially borne by the developer.

The holding costs associated with the properties will cease once the property transaction has completed.

### Support documents

2100084 PROD Disposal Bensted House.Kiln Crt. Osbourne Crt. Former SEC. Faversham

2100084 UNRESTR Dec Rep to Cab Mem. 21-00084 Disposal Bensted House.Kiln Crt. Osbourne Crt. Former SEC

2100084 UNRESTR Appendix 1 site plan. Dec Report to Cab Mem. Disposal Bensted House.Kiln Crt. Osbourne Crt. Former SEC

2100084 EXEMPT Appendix 2. Dec Rep to Cab Mem. Disposal Bensted House.Kiln Crt. Osbourne Crt. Former SEC (1)

**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:

**21/00083 - Disposal of KCC's interest in the Former Royal Mail Sorting Office, 98 Sandling Road and Cantium House, 99-102 Sandling Road, Maidstone, Kent to Maidstone Borough Council.**

### The Decision needed:

#### Proposed decision

To agree to the freehold disposal of KCC's interest in the Former Royal Mail Sorting Office and Cantium House and delegate authority to:

1. The Director of Infrastructure in consultation with the Deputy Leader

and Cabinet Member for Finance, Corporate and Traded Services, to finalise the contractual terms of the disposal.

2. The Director of Infrastructure to authorise the execution of necessary contractual and land agreements required to implement the above.

### **Reason for the decision**

Property disposal in line with Council's s.123 best consideration obligations and over £1million which requires a key decision.

### **Background**

Kent County Council and Maidstone Borough Council jointly acquired the Former Royal Mail Sorting Office site from the Royal Mail in Sept 2016, on an equal 50/50 basis (see KCC decision 15/00069).

The primary long-term objective was to masterplan and facilitate the delivery of a comprehensive, high quality, mixed use scheme to include the adjoining Cantium House (office owned by KCC) and the Maidstone East Station car parks (owned by Network Rail).

Maidstone Borough Council's current Local Plan, adopted in 2017, allocated the combined Former Royal Mail Sorting Office, Cantium House & National Rail commuter car park site for comprehensive retail led development.

Through the Kent County Council/Maidstone Borough Council partnership and stakeholder engagement, the Council has corporately promoted the Former Royal Mail Sorting Office and Cantium House sites through the planning system to deliver a residential led, mixed use allocation (with the option of a new civic office and health element, if required) independent of the adjacent Network Rail land releasing it from various delivery constraints.

A number of options were considered as to how the partnership best take forward the masterplan which included:

**Option 1** – KCC to sell its 50% stake of the Former Royal Mail Sorting Office plus its freehold interest in Cantium House to Maidstone Borough Council.

**Option 2** – KCC to acquire Maidstone Borough Council's 50% stake of the Former Royal Mail Sorting Office Site.

**Option 3** – KCC/MBC to continue to work in partnership to deliver a scheme through to practical completion (direct development or via securing a development partner).

Following consideration, it is recommended KCC sell its interest in the project to Maidstone Borough Council and focus its resources within its own Estate, whilst continuing to work collaboratively in the context of the wider Town Centre Strategy Masterplan.

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

## **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 October 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**

The issue was discussed at Policy and Resources Cabinet Committee on 22<sup>nd</sup> September 2021 and the proposed decision endorsed.

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

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

anticipated capital receipt over £1m in line with Council's s.123 best consideration obligations following an open marketing process. The sale of the property will result in a capital receipt for KCC which will be used to support the Council's Capital Programme.

### **Support documents**

2100083 PROD - Disposal of FRMSO & CH v2

2100083 UNRESTR Dec Rep to Cab Mem. 21-00083 Disposal of FRMSO CH Sept21

2100083 UNRESTR Appendix 1 -Dec Rep to Cab Mem. Maidstone East landownership with site areas

2100083 EXEMPT Appendix 2 -Dec Report to Cab Mem. Disposal FRMSO CH Sept21

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

**Reference No:** The Council will be supported throughout the tender process by its broker Gallagher, who will complete the evaluation process on its behalf and ensure that all legal requirements are upheld appropriately.

**Key** Yes

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

**Title:**  
**21/00082 - Insurance Tender 2021**

**The Decision needed:**

**Proposed decision**

The Cabinet Member for Finance, Corporate and Traded Services to agree the award of a new contract for Kent County Council's insurance arrangements to the successful provider identified through a procurement exercise for the period of 3-5 years, with the possible option to extend for a further 1-2 years.

**Reason for the decision**

The current insurance programme was due to be tendered during 2020 but as a result of the impact of Covid-19 and the volatility in the market, a decision was taken to agree one-year policy extensions. The tender process re-commenced in 2021 and new arrangements are due to be in place for 1<sup>st</sup> January 2022.

**Background**

Insurance cover is required to protect the Council's financial position in respect of losses it may suffer when undertaking its business.

Kent County Council's main insurance programme is currently held with Zurich Municipal under a 5-year Long Term Agreement. The agreement requires Zurich Municipal to provide cover by way of casualty (Public Liability & Employer's Liability), motor and property policies.

**Options**

Kent County Council has three options, when the arrangement with Zurich Municipal ends on 31<sup>st</sup> December 2021, –

1. To seek a further 12-month extension to the current programme.
2. To do nothing and self-insure without additional insurance cover.
3. To undertake a tender exercise to procure a new insurance programme

It is recommended the Council proceeds with a tender exercise to procure a new insurance programme for the next 3-5 years. Whilst a further extension might be available, the proposed terms are currently unknown, and it is likely that prices would be increased in the absence of competition.

Proceeding without insurance cover is not recommended as the Council would risk significant claims spend – particularly if a total property loss was to be suffered or a catastrophic personal injury claim was to be received.

How the proposed decision meets the objectives of 'Setting the Course': Kent

County Council's Interim Strategic Statement 2021-2022'

The proposed decision responds to the financial challenge articulated in 'Setting the Course' as the insurance tender will seek to secure value for money.

**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 October 2021

**Reason if Key Decision**

An Equalities Impact Assessment has been carried out and no adverse impacts have been identified.

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

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

**Consultees**

The decision will be considered at Policy & Resources Cabinet Committee on 22<sup>nd</sup> September 2021.

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

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

The three available options all carry financial uncertainty. The insurance fund provides cover for these but the recommended option of proceeding to tender, is considered to carry the least amount of risk in terms of financial impact.

Extending current contracts – the terms of these extensions would be unknown at this stage, and it is likely that premium prices would further increase in the absence of competition.

To do nothing and self-insure – the Council would have no insurance cover and be totally exposed to unpredictable expenditure. The premium spend would be saved but there would be potential for significant claims spend.

Complete the tender exercise – the market remains unsettled but there has been the emergence of several new insurance companies since the last tender in 2015 and a tender provides the opportunity for the Council to test the market and hopefully reduce premium spend

**Support documents**

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

**Reference No:** The main legislative framework for the Care and Support in the Home Service is the Care Act 2014, and the principles of the Mental Capacity Act 2005. These are statutory duties, and the new service will be compliant with both legislations. Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 (TUPE) is likely to apply, and the Council will ensure in the event of a change of employer, that it will undertake necessary arrangements, within its remit, to provide for the protection of employees' rights.

**Key** Yes

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

**Title:**

**21/00081 - 'Care and Support in the Home' Service phase 2 - Supported Living**

**The Decision needed:**

**Decision:** To award contracts to provide Care and Support in the Home Phase 2– Supported Living Services to the successful bidders following a procurement exercise and delegate authority to the Corporate Director of Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

This Decision is to award contracts to additional providers under the pre-existing Supported Living framework which went live on June 15<sup>th</sup>, 2020, and was agreed under decision 20/00031 – Care in the Home Service

**Reason(s) for decision:** There is a mixed economy of Care in the Home Services across Kent for older and vulnerable residents with assessed needs, predominantly contracted to external providers and spot purchasing arrangements. The scope of these services includes:

Phase 1 – Home Care Services and Supporting Independence Services (SIS)  
The services in scope deliver very similar tasks in people's homes and there was an opportunity to achieve improved consistency across the market by bringing services together. Additionally, providers delivering services such as SIS are already delivering within an outcomes-focussed approach, whilst the Home Care provision remained time and task focussed.

Phase 2 – Supported Living and Care in the Home Community Vacancies  
The contract was retendered in 2019 and was implemented in part in June 2020, a second tender process was opened in March 2021 to add new

providers to the contract addressing the market gaps identified since June 2020.

Aligning services under one contractual arrangement has enabled the Council to take a consistent and equitable approach in shaping the market to focus on the personalisation and outcomes agendas and supporting the Council's strategic outcome that 'older and vulnerable residents are safe and supported with choices to live independently'.

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

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

Cabinet Member for Adult Social Care and Public Health

#### **Date:**

Not before October 2021

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

An EQIA screening was completed, there are no significant changes to the delivery of care, the only changes are to mechanisms of managing the care. No protected group is seen to be adversely affected by any decisions relating to this contract.

Data Protection Impact Assessment Implications: A DPIA has been completed for Phase 1 and Phase 2 of the Care and Support in the Home Service programme.

#### **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 was considered and endorsed by the Adult Social Care Cabinet Committee on 29 September 2021.

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

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

The planned contract arrangements for the Care and Support in the Home Service Phase 2 are anticipated to run until March 2024, with an option to extend, for further three years with a total value of £92m per annum, to be determined through contract solution design, currently being progressed. This Decision is sought to add providers to the existing framework agreed under the previous decision 20/00031- Care in the Home Service which took place in June 2020.

To add providers to the contract there is an estimated cost of £0.322m per annum to meet the minimum rates we feel the providers will accept. This will run within the same time scale as the contract let in June 2020, through to



March 2024 with an option to extend for a further 3 years.  
The Supported Living service is one in which residents may remain for many years and in some cases most of their lives. Achieving a stable home and support is the first building block to achieving a happy and healthy life.

**Support documents**

21 00081 PROD - Care and Support in the Home Phase 2 Supported Living  
21 00081 Report - Care and Support in the Home Phase 2 Supported Living  
21 00081 App A Exempt Care and Support in the Home Phase 2 Supported Living Award Report

**NOT BEFORE 8 OCTOBER 2021**

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

**Reference No:**

**Key** Yes

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

**Title:**

**21/00079 - Contracts for Post Mortem Facilities for the Mid Kent & Medway, North East Kent and Central & South East Kent coroner areas**

**The Decision needed:**

Proposed Decision

To award 12 month extensions to the contracts for the provision of post mortem (PM) facilities to East Kent Hospitals NHS Trust and Medway NHS Trust.

Further Information

The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention eg where a Deprivation of Liberty Safeguard Order (DoLS) is in place

In some cases the Coroner will order a PM to establish the cause of death and in

such cases the deceased is taken to one of 5 NHS mortuaries across Kent and Medway located at Margate, Ashford, Dartford, Tunbridge Wells and Gillingham.

On behalf of the Senior Coroner, KCC ensures there is adequate storage capacity for Coroner's bodies and that the Coroner has access to PM facilities. KCC does not have its own public mortuary facility and so like many other coroner areas across England and Wales it has no choice but to use local NHS hospitals which have the necessary facilities for this purpose; there are no private sector providers of PM facilities anywhere in England and Wales.

The contracts with these two NHS Trusts expire on the 30<sup>th</sup> September 2021 and it is necessary to put in place contract extensions to secure this critical service until such time as the proposed Digital Autopsy facility at Aylesford opens for business, currently estimated for July 2022. Discussions have been held with each of the Trusts and whilst they are happy to extend the contracts they have insisted this must be for 12 months to guarantee that all their fixed and variable costs are met, which is an understandable approach. It has therefore been agreed that the contracts will be extended from 1 October 2021 to 30 September 2022 and if need be, can be terminated early by KCC serving six months notice.

#### Financial Implications

The contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in 12 equal installments. At the point where the DA facility opens, all deceased that would normally have undergone an invasive PM will be scanned, so dependent on if and when notice is served to end the contract extension, KCC could potentially be liable for both DA scanning charges and the monthly charge for PM's even though no PM's will be taking place in the East Kent area. To mitigate this scenario, the move over to DA will be phased with deaths in the East Kent area not being scanned until the contract extension comes to an end. Based on 2020 activity levels the estimated cost of the East Kent contract extension is within the budgeted revenue cost for 2021-22.

The contract with Medway NHS Trust is based on a cost per PM, so if there are no PM's, there are no costs to KCC. This means that at the point where the DA facility opens, KCC will only have to meet the scan charge. Based on 2020 activity levels the estimated costs of the Medway contract extension is within the budgeted revenue cost for 2021-22.

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> Not before October 2021</p> <p><b>Reason if Key Decision</b></p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p><b>Support documents</b></p>

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

**Reference No:** KCC is obliged to fulfil its statutory responsibilities regarding fostering as set out in The Children Act 1989 (Section 22G), the Sufficiency Duty and other regulations and guidance such as the National Minimum Standards for Fostering Services. In summary local authorities are required to take steps which meets the needs of children that the local authority is looking after, and whose circumstances are such that it would be consistent with their welfare for them to be provided with accommodation that is in the local authority's area ("the sufficiency duty"). KCC's own Sufficiency Strategy supports the use of KCC foster care prior to accessing placements through IFP's, recognising that good placement matching should be paramount in searching for placements.

**Key** Yes

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

**Title:**  
**21/00077 - External Fostering Placements Commissioning Strategy**

**The Decision needed:**

Proposed decision:

- a) Direct Award of a two-month contract on existing terms and conditions of existing Framework by two months from 1 February 2022 to 31 March 2022.
- b) Competitively tender for a new Framework Agreement for Independent Fostering Providers, jointly with Medway Council, from April 2022.

Decision required because total value of contracts will exceed £1m and affects more than two Electoral Divisions.

Reason for the decision

The proposed decision is regarding the commissioning of external fostering placements through a Framework Agreement with Independent Fostering Providers jointly with Medway Council, from April 2022. This will be done through completion of a competitive tender process, and this will support KCC in meeting its Sufficiency Duty.

Background

KCC has a significant in-house Fostering Service, and the vast majority of new fostering placement starts are provided by our own provision. However, there is still a need to search externally for approximately 20% of our fostering placement needs in order to meet our sufficiency requirements.

Externally commissioned fostering placements are called-off from the current Kent and Medway Independent Fostering Provider (IFP) Framework Agreement which is a joint arrangement between KCC and Medway Council. It went live on 1 February 2018 and is due to end on the 31 January 2022.

It is proposed that a short contract will be awarded (effectively an extension) to the existing Framework Agreement taking the expiry date up to 31 March 2022. This will enable the new Framework Agreement once it has been tendered and awarded to be aligned to financial years which will greatly assist in the reporting of performance and financial data, and internal budget build processes.

Through the commissioning and tendering of this contract, we will support the following strategic outcomes of KCC:

- Kent children have the best start in life and families get the right help and support when they need it.
- Kent children get the education, skills and experiences they need for a successful future.

In addition, this service will support achievement of the following priorities in KCC's Children in Care and Care Leavers Strategy 2018-2022:

- Work more closely and innovatively with providers of accommodation.
- Review our approach to current spot purchased services and, where appropriate, develop new contracting models.
- Improve the matching process to create greater placement stability.
- Review mental health support for children in placements with Health colleagues.
- Deliver a new value model for placements which are highest cost.
- Explore the potential for collaboration with other authorities.

#### Available Options

##### 1. Do Nothing

Fostering placements would continue to be sourced via spot purchase arrangements. no additional staff resources would be required. There is likely to be a decline in availability of placements due to IFPs working closely with contracted local authorities, thereby limiting choice and availability for our children in care. In addition, this option does not comply with the Public Contract Regulations 2015.

##### 2. Competitively tender for a new Framework Agreement

The proposed decision to competitively tender for a new Framework Agreement will cause the least disruption to KCC and to the market. It allows for clear pricing mechanisms linked to placement types and categories of need. Strong contract management arrangements ensure the service is delivered in accordance with agreed performance and quality levels. This type of arrangement makes it easier to maintain and develop strong supplier relationships. The local market has expressed a view that they favour this type of arrangement and there is a willingness to continue working and collaborating with KCC.

This is the preferred and recommended option which was presented to CYPE DMT and they agreed this recommendation.

##### 3. Establish an alternative approach to a Framework, for instance a Qualified Provider List (QPL) or Dynamic Purchasing System (DPS)

Working with a QPL to source fostering placements will require additional work on negotiating individual placement costs based on child needs to be carried out by the Total Placement Service (TPS). For referrals not planned with sufficient time and of a more reactive nature there is the potential to be pushed into an "emergency" price.

Using a DPS would allow new providers to join the Framework, however it would also allow existing providers to leave and re-join with a different indicative pricing mechanism which would reduce any cost leverage with this market.

4. Agree a block contract arrangement with a select group of Providers

This type of arrangement lacks flexibility and does not take into account increases in demand and service pressures. Individual providers can feel they are being forced to take placements which may be unsuitable and there is a risk that matching a child's needs to the skills and expertise of individual foster carers becomes less important. Close monitoring would be required to ensure maximum use made of the block arrangement. Engagement with the market on different contracting models has shown that there is little appetite for block contract arrangements.

5. Join a Regional Arrangement

The Department for Education and relevant national bodies are generally supportive of regional arrangements as they bring consistency of approach to the market. However, it would be considerably harder to maintain and manage provider relationships in their current guise. It is difficult to evidence that combined buying power as part of a larger regional arrangement would bring savings.

Responsibilities in terms of contract management differ between models; this would either be carried out by the agency running the arrangement or each local authority would take responsibility on behalf of the region for provider inspections in their respective geographic boundary. For an Authority the size of Kent with a sizeable provider market, this could be a big commitment which would require dedicated resources.

**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 October 2021

**Reason if Key Decision**

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

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

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

**Consultees**

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

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

The majority of the funding for external fostering placements is in existing budgets within Integrated Children's Services, with some in Disabled Children and Young People's Services.

The spend per annum over the last 3 years on external fostering placements, including UASC, is: Financial Year 18/19 £11,253,664, 19/20 £12,069,419, 20/21 £11,090,868. This is reported within the following Key Service Lines in the budget: Looked After Children - Care & Support, Looked After Children (with Disability) - Care & Support, and Asylum. These budgets are funded by either the UASC Grant or the Council's revenue base budget, as appropriate.

As part of the tender, clear pricing for different age cohorts and placement types will be sought. The prices submitted will form part of the overall evaluation criteria and they will be firm for the length of the contract. Agreeing prices at the tender stage for a period of time gives certainty to the market. As part of the terms and conditions we

**Support documents**

PROD  
Report

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

**Reference No:** Activities and services undertaken are covered under the Children and Families Act 2014, and the new provision will be fully compliant with Statutory Duties included within this legislation.

This procurement makes the previous activity of spot purchasing compliant with the Public Contract Regulations (2015) and Spending the Council's Money.

**Key** Yes

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

**Title:**

**21/00076 - Provision of Community Support Services for Disabled Children and Young People - Outcome of Procurement Process**

**The Decision needed:**

<p>Proposed decision –</p> <p>Contracts to be awarded to successful providers for the provision of Community Support Services (Care and Support in the Home) for Disabled Children and Young People following a recent procurement exercise linked to the Adults Care and Support in the Home contract.</p> <p>Delegate decisions on the implementation to the Corporate Director of Children, Young People and Education, or other Officer, in consultation with the Corporate Director of Adult Social Care and Health as appropriate.</p> <p>Further information –</p> <p>Decision 20/00102 - Community Support Services for Disabled Children &amp; Young People was taken on 19 March 2020 and allowed officers to follow a competitive procurement process for children’s community support services within the Adults ‘Care and Support in the Home’ contract.</p> <p>Following the competitive procurement process a further decision is required to award the contracts to the successful providers.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Integrated Children's Services</p> <p><b>Date:</b> Not before October 2021</p> <p><b>Reason if Key Decision</b> An Equality Impact Assessment scoping has been undertaken as part of the Care and Support in the Home contract provision last year. Preliminary scoping has confirmed that this is adequate for Children’s activity.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Each year, approximately £1.3m of Children’s Community Support Services is commissioned, the actual spend is normally less as actual services provided can vary depending on circumstances. This is fully funded through the KCC</p>



revenue base budget and reported within the within key service line Children in Need (disability) – Care and Support in the budget book.

The contract for new provision (Care and Support in the Home) is due to expire on 31 March 2024, with potential for extension for a further 36 months. Over the life of the contact, the total 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 is subject to budget setting decisions and fluctuations in need.

The contract has been designed to reduce the dependence of spot purchases

**Support documents**

**NOT BEFORE 21 SEPTEMBER 2021**

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

**Reference No:** The County Council has a statutory responsibility to review its Local Plan every 5 years and to prepare revised policy and guidance as necessary in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Failure to have an up to date Plan risks the Secretary of State appointing others to undertake the Council's plan making function.

**Key** Yes

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

**Title:**  
**21/00073 - Kent Minerals and Waste Local Plan 2013-30:  
Proposed Changes Resulting from the 2021 Review**

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

To agree the 5 year Review of the Kent Minerals and Waste Local Plan 2013-30, as adopted July 2016.

**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 2021 (NPPF) and the National Planning Policy for Waste 2014 (NPPW). This responsibility is realised through the preparation of a Local Plan, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations).

The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted by

Full Council in July 2016 and subject to an early partial review of a limited number of policies in 2020 represents the planning policy framework for minerals and waste development in Kent. The Kent Minerals and Waste Local Plan contains a number of policies relating to strategic planning for minerals supply and waste management capacity, as well as Development Management policies against which planning applications for these types of development should be assessed. The Plan also includes a number of policies related to the safeguarding of mineral resources and waste management facilities.

The Regulations require Local Planning Authorities to review their Local Plans every 5 years. This is to ensure that the policies remain relevant, conform to national policy and guidance and satisfactorily address the needs of the local community. Policies must be both legally compliant and sound, and in order to be considered sound they should meet the tests of being positively prepared, justified, effective and compliant with national policy. The Plan was partially reviewed in 2020 in the KMWLP Early Partial Review 2020. As a minimum, the 5 year Review requires an assessment of the 2016 policies that were not revised as a result of the 2020 Early Partial Review work.

The current Review process has been undertaken with an assessment of all policies. As a result, a number of policies have been identified as outdated or no longer meeting the tests of soundness. This assessment is set out in detail in the Review of the Kent Minerals & Waste Local Plan 2021. To satisfy the Regulations regarding the 5 year Review, the Council is required to agree the assessment. This 5 year Review effectively completes the current local plan cycle.

The changes needed to the 2016 Kent Mineral and Waste Local Plan identified as a result of the review work form the basis for the next plan making cycle. This starts with a public consultation on the proposed changes, in line with Regulation 18 of The Regulations.

Revisions are proposed to the adopted Local Plan to principally reflect changes in national policy and guidance since 2016. These include amongst others, changes to the National Planning Policy Framework, government policy and guidance on the achievement of a circular economy and those concerned with climate change and protection and enhancement of the natural environment. Revised draft policy and supporting text have been prepared. To satisfy the requirements of the Plan Making Regulations, consultation is now required on the proposed revisions to the adopted Plan so as to inform and influence future local plan work and the version that the Council will ultimately submit for examination to the Planning Inspectorate.

This Executive Decision addresses the need to agree the 5 year Review of the 2016 adopted Kent Minerals and Waste Local Plan 2013-30 and approves for public consultation (Regulation 18) proposed changes to the Kent Mineral and Waste Local Plan 2013-30.

**How the proposed decision meets the objectives of ‘Setting the Course’:**

**Kent County Council’s Interim Strategic Statement (December 2020)**

The KMWLP delivers the Council’s adopted Mineral and Waste Local Plan strategy and policies and is important in the determination of planning applications in Kent. A local plan is in accordance with national planning policy and guidance and provides a local perspective. It supports the County Council’s corporate policies contained within the Council’s Setting the Course – Kent County Council’s Interim Strategic Plan 2020, which sets the Council’s priorities for the next 18 months. .

Kent’s mineral and waste planning policies support and facilitate sustainable growth in Kent’s economy. In addition, they support the protection and creation of a high-quality environment, with accessible local services that reflect the community’s needs. The proposed revised policy will reflect recent changes to the environmental agenda including mitigation and adaptation to Climate Change and Kent’s Climate Change Statement and measures to support covid recovery.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before September 2021

**Reason if Key Decision**

Equalities Impact Assessments (EqIA) have been undertaken as part of the 5 year review work and for the proposed changes to the adopted Local Plan. No equalities implications arise from the review work.

**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**

To inform the review work, early engagement was undertaken with key stakeholder groups including District and Borough Councils in Kent, neighbouring Minerals and Waste Planning Authorities, representatives from the minerals and waste operators in Kent and specialist consultees such as the Environment Agency, Natural England and Historic England.

A total of 9 representations were received, which are detailed in the KMWLP Initial Engagement Summary. These were considered in preparing revisions to the adopted Plan.

Consultation and community engagement are key parts of the plan making process with a number of consultations required by legislation. The first of which is the Regulation 18 consultation on the revised policies

proposed as a result of this key decision.

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

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

The costs of identifying those policies requiring change are met from the Growth and Communities Division - Planning Application's budget. The costs of implementing the 5 year review and preparing the future Mineral and Waste Local Plan will need to be met via an application to a corporate reserve.

There is a risk and likelihood that any changes proposed to the Local Plan will attract objection in response to the public consultation. These will be considered as part of the plan making process and where appropriate defended via the planning examination.

**Support documents**

**NOT BEFORE 10 SEPTEMBER 2021**

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

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

**Key** Yes

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

**Title:**

**21/00070 - Proposal to expand Whitstable and Seasalter Endowed CE Junior School from 192 places to 240 places, increasing the published admission number (PAN) from 48 to 60 for Year three entry in September 2022**

**The Decision needed:**

Proposed decision –

- (i) Issue a public notice to permanently expand Whitstable and Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2022.

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

- (ii) Expand Whitstable and Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2022.

- (iii) agree to provide £1.5 million from the Children's, Young People and Education Capital Budget for the permanent expansion of Whitstable and Seasalter Endowed CE Junior School from 48 to 60 PAN from September 2022.
- (iv) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts / agreements on behalf of the County Council.
- (v) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

This decision is conditional upon planning permission being granted.

- Reason for the decision

To agree to provide £1.5m from the Children's, Young People and Education Capital Budget for the permanent expansion of *Whitstable and Seasalter Endowed CE Junior School* from 48 to 60 PAN from September 2021. Decision is required to publish a public notice and to proceed with the project as the project costs have increased to £1.5m

- Background – Provide brief additional context

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

A report was taken to Children, Young people and education Cabinet Committee on 15 January 2021 as it was envisaged that planning was to be submitted in February. Due to a number of factors including Covid, method of construction, roofing and drainage issues have all contributed to the costs of the project increasing and planning permission not being submitted until 1 June 2021.

- Options (other options considered but discarded)

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

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

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

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

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

**Who is taking the Decision**  
Cabinet Member for Education and Skills

**Date:**  
Not before September 2021

**Reason if Key Decision**  
An Equality Impact Assessment has been produced as part of the consultation process and is attached. The assessment identified the following positive impacts:

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

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

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

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

**Consultees**

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

**Your name, Your Service, Your phone number and email address:**  
A feasibility study and final cost at planning stage have been received. The costs of this project have been valued at£1.5m. The project includes both refurbishment and new build. Two new classrooms will be created using the existing kitchen, dining hall and conservatory space and the children’s toilets and library will be refurbished. A new, separate new building will be built to house a new kitchen and dining hall together with additional parking spaces. As per KCC policy, a total of £6,000 per new classroom will be provided to the school from the DGS revenue budget.

## Support documents

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

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

**Key** Yes

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

**Title:**

**21/00069 - Proposal to permanently expand Borden Grammar School, Avenue of Remembrance, Sittingbourne, ME10 4DB from 120 places to 150 places for September 2022**

**The Decision needed:**

Proposed decision.

- i. agree to provide £4,930,041 from the Children, Young People and Education Capital Budget for the permanent expansion of Highsted Grammar School by 1FE for September 2022.
- ii. 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.
- iii. Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

- Reason for the decision

To allocate £4,930,041 from the Capital budget for the expansion of Borden Grammar school by 1FE from September 2022. The figure of £4,930,041 will be finalised following the planning process, in the report to the Children and Young People's Cabinet Committee Report.

- Background

The Kent Commissioning Plan 2021-2025 identified the need for additional selective places for the Sittingbourne and Sheppey Planning group. Forecasts indicated a deficit of up to 64 Year 7 places for 2022 and a continual need through the plan period of between 1.5FE and 2.5FE of additional selective school places. Discussions have been held with both grammar schools in Sittingbourne and each school has agreed to progress a 1FE expansion, delivering a total of 60 additional places from September 2022.

- Options (other options considered but discarded)

There are two grammar schools in Sittingbourne, and they have both agreed to a 1FE expansion. Neighbouring planning groups, including Faversham and Canterbury Selective and Maidstone Selective planning group, have a deficit of year 7 places.

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

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

The Commissioning Plan for Education Provision in Kent 2021-2 identified the need to commission additional capacity in Sittingbourne Selective Schools.

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before September 2021

### **Reason if Key Decision**

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

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

No adverse impacts were identified during the assessment.

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

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

### **Consultees**

The Children's and Young People Cabinet Committee considered this decision on 14 September 2021.

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



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

The capital allocation of £4,930,041 is to deliver a programme providing the additional general and specialist classrooms plus a new sports hall required to meet the additional pupil place need. The school's current published admission number (PAN) is 120. The £4,930,041 has been agreed based on a full feasibility and curriculum analysis against BB103 requirements for a 5FE school. This figure is in line with the DfE's benchmark figures for an expansion of a secondary school by 1FE.

**Support documents**

**NOT BEFORE 17 AUGUST 2021**

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

**Reference No:** This work is taking place, in part, due to the Ofsted and Care Quality Commission (CQC) joint review of SEND provision for Kent CYP and the resulting Written Statement of Action (WSoA) KCC implemented to address the concerns of the review. The proposed new Offer is a result of several areas found lacking in the review which are addressed through the WSoA alongside direct feedback from the Working Group.

**Key** Yes

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

**Title:**

**21/00067 - Supporting Parents to Build Resilience and Self-Help Strategies**

**The Decision needed:**

- Proposed Decision: To commission a dedicated service that offers robust and consistent support to parents whose child has either received a diagnosis, awaiting diagnosis, or considering a referral to the Neurodevelopmental (ND) Pathway. The scope of the new service aims to address the issues raised by parents by offering a range of options that can be delivered in addition to services currently on offer across the County. The Key Decision is to allow Commissioners to commence formal procurement activity to tender for a service, award a contract and develop internal provision for ownership and oversight of the activity.

**Background:**

- This proposal is to develop a new dedicated service that offers robust

and consistent support to parents who are concerned their child may require some additional support, linked to Autistic Spectrum Condition (ASC).

- The Service will be facilitated jointly by parents, utilising lived experience, building resilience and developing self-help strategies amongst fellow parents. The overarching aim of the service is to reduce the emphasis on needing to wait for diagnosis before being able to access support, in turn it is hoped that this will have a positive impact on the diagnosis backlog and waiting lists.
- In January 2021 a working group was set up with multi-agency partners and parent representatives to co-produce key components required of the new Model. This group captured good practice, issues, and current gaps in the provision.
- In addition to the development of the 'Supporting Parents Service', this work will be used to further support future SEND inspections.
- Partners included, but not limited to, Kent PACT, Kent and Medway Clinical Commissioning Group (CCG), Information Advice and Support Kent, Specialist Teaching and Learning Service, Voluntary and Community Sector, Public Health, Disabled Children and Young People Services, SEN Early Years, Early Help, Adolescent and Open Access.
- The scope of the proposed new service aims to address the issues raised by parents and carers by offering a range of options that can be delivered in addition to services currently on offer across the County.
- The SEND inspection of 2019 highlighted issues regarding the following:
  - The widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's need.
  - The limited role parents and carers have in reviewing and designing services for children and young people with SEND.
- Key to delivery will be facilitators with lived experience. Parents as service users have robustly reported that it is lived experience that is key to the success of their engagement with the programmes. In addition, having parents at the heart of delivery will ensure continuous improvement of the Offer.
- Following discussions with Kent & Medway CCG, they support the proposed Model and have agreed to add £100,000 to the funding pot for each year of the contract/Service Level Agreement, to support a Countywide multi-disciplinary ND resource.
- **Year One of this provision will focus on children and young people currently in receipt of an Integrated Children's Service intervention. The new service will increase the total Countywide Offer to parents by 42%.**
- **Whilst it is not anticipated to reduce demand, the overarching aim is to reduce levels of anxiety and reduce those parents reaching crisis point whilst on the waiting list. This work will also join up with the Parent and Place Workshops that will bring together a range of professionals that parents can access as part of their ND**

**journey. The Model will include provision for a KCC Countywide Co-Ordinator post, whose primary objective will be to develop, join up and expand the parenting offer.**

#### Options

**1. Do Nothing:**

Support and advice to parents relating to the ND Pathway will continue to be fragmented, inconsistent across the County and difficult to find, resulting in a postcode lottery and additional stress for parents and families.

**2. Create the new service In-House:**

This option may impact on the capacity within teams, with the risk of staff being pulled back to their 'day job.' Also, parents have told us they are nervous/not likely to approach KCC regarding initial worries and support delivered with lived experience is more meaningful.

**3. Externally commission the new service via Voluntary and Community Sector (VCS):**

VCS are already set up to deliver the whole range of support to parents/families and benefit from long-standing relationships with parents as well as being very experienced in managing volunteers. Robust contract management will be in place.

**4. Hybrid Model - Externally commission the new service via VCS – with additional oversight via KCC Co-ordinator post:**

As above in Option 3, with additional dedicated KCC Service Co-ordinator post for robust oversight of whole County Offer. Service provision will be in addition to current in-house delivery.

#### Risks

- The main risk is to do nothing. The numbers awaiting diagnosis have doubled during COVID with a wait time between two and a half and three years. The overarching aim of the new service is to support parents to build resilience and robust strategies that help to reduce levels of anxiety and reduce those parents reaching crisis point whilst on the waiting list.

### **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 August 2021

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

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

<p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p> <p>The proposed decision was considered and endorsed by Children’s Young People and Education Cabinet Committee on 14 September 2021.</p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>On 15 November 2019 CYPE Cabinet Committee approved for funding originally badged against the Early Help pathway within the Children and Young People Mental Health (CYPMH) contract to be repurposed, with the aim of reducing the burden on the ASC pathway.</p> <p>Total funding available is £500,000:  £400,000 (From the Early Help Pathway in CYPMH contract) with the addition of £100,000 funding from Kent and Medway CCG per year for the length of the contract/Service Level Agreement.</p> <p><b>Support documents</b>  EqIA</p>

<p><b>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</b></p> <p><b>Reference No:</b> KIDAS contributes to the council’s response to the Home Office’s ‘Call to End Violence Against Women and Girls’ Strategy, with the main themes focussing on:</p> <ul style="list-style-type: none"> <li>• prevention</li> <li>• the provision of good quality services and</li> <li>• improved partnership working</li> </ul> <p>The Domestic Abuse Act received Royal Assent on 29 April 2021 Under the new statutory duties, KCC must ensure appropriate and adequate support within safe accommodation that meets the needs of all victims.</p> <p>The Domestic Abuse Act received Royal Assent on 29 April 2021 Under the new statutory duties, KCC must ensure appropriate and adequate support within safe accommodation that meets the needs of all victims.</p> <p><b>Key</b> Yes</p>
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**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**21/00063 - Kent Integrated Domestic Abuse Service (KIDAS) contract extension**

**The Decision needed:**

**Proposed decision:**

To use the first of the two, two year options to extend the Kent Integrated Domestic Abuse (KIDAS) contract to 31 March 2024 and delegate authority to the Corporate Director of Adult Social Care and Health to use the second two year option, subject to market testing and good performance, to extend the KIDAS Contract to 31 March 2026, should it be required.

**Background:**

It has not been possible to bring this decision to an earlier Cabinet Committee due to the timing of the Domestic Abuse Act legislation and accompanying guidance. Whilst Domestic Abuse Act legislation received Royal Assent in April, the guidance about the new legal obligations was not published until mid-June and the government's consultation period on this guidance does not conclude until 27 July. It is this guidance that enables the council to judge whether the existing contractual arrangements are best placed to meet its newly acquired responsibilities. With no cabinet committee date between June and September, taking the decision out of cycle gives members the most time to make any alternative recommendations, should they wish. A delay until the September committee would mean the decision could not be taken and implemented until the end of October which will leave members with little alternative but to extend.

The current term of the Kent Integrated Domestic Abuse Service (KIDAS) contract is due to expire on 31 March 2022. The contract has options to extend to 31 March 2026. The performance of the contract has been evaluated and found to be good. It is evidently delivering positive outcomes for victims of domestic abuse. The council has been allocated over £3m in new funding for 2021/22 in relation to the new statutory responsibilities under the Domestic Abuse Act.

With the guidance now published, the KIDAS contract is the ideal vehicle to use this money effectively and compliantly. It is recommended that the council exercise the option to extend the KIDAS contract contained within the contract. The first contract extension runs to 31 March 2024 at a value of £4,636,690.40. The second two-year extension available will be subsequently needed, subject to good performance and market testing. This will enable the council to respond to the future government plans for this agenda. This extension will run to 31 March 2026 and its value is £4,636,690.40.

**Reason for the decision:** The current term of the Kent Integrated Domestic Abuse Service (KIDAS) contract is due to expire on 31 March 2022. The

performance of the Kent Integrated Domestic Abuse Service (KIDAS) contract has been evaluated and found to be good. The contract provides an ideal vehicle to mobilise the 2021/22 new funding allocation and effectively and compliantly to support the council in delivering its new statutory duties under the Domestic Abuse Act 2021. The contract has two options to extend. The first contract extension runs to 31 March 2024 at a value of £4,636,690.40.

The second two-year extension available will be subsequently needed, subject to good performance and market testing. This will enable the council to respond to the future government plans for this agenda. This extension will run to 31 March 2026 and its value is £4,636,690.40.

## **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 August 2021

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

An EQIA was completed for the commissioning of the Kent Integrated Domestic Abuse Service and is being revised as part of the Needs Assessment and Strategy work which will be published by 31 October 2021.

Data Protection implications: There are no anticipated data implications associated with these decisions, as there will not be a change to current services, or the data collected or shared, and therefore this will be covered under existing contract clauses.

#### **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 cannot reasonably be deferred until the next meeting of the Adult Social Care Cabinet Committee, however all members of the Adult Social Care Cabinet Committee will have an opportunity to comment on the proposed decision and these comments will be included in the record of decision. The decision will be reported retrospectively to the Adult Social Care Cabinet Committee on 29 September 2021.

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

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

The cost to extend the Kent Integrated Domestic Abuse Service (KIDAS), until 31 March 2024, is £4,636,690.40. The second extension to run to 31 March 2026 is valued at £4,636,690.40

**Support documents**

**NOT BEFORE 13 AUGUST 2021**

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

**Reference No:** KCC will be entering into a funding agreement with Ebbsfleet Development Corporation detailing the conditions of the grant funding.

No further legal implications have been identified.

**Key** Yes

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

**Title:**  
**21/00065 - Bath Street - Fastrack Infrastructure Scheme**

**The Decision needed:**

The Cabinet Member for Highways & Transport is asked to give approval to accept the capital grant from Ebbsfleet Development Company and to take the Bath Street scheme through the stages of development and delivery as indicated on the proposed decision sheet attached at Appendix A and specifically for:

- i. Approval for KCC to enter into a funding agreement with EDC subject to the approval of the Corporate Director of Finance, Corporate & Strategic Services
- ii. Approval to undertake the detailed design and surveys for the Bath Street Scheme.
- iii. Approval to progress all statutory approvals or consents required for the schemes, including any transfer of land and rights;
- iv. Approval to carry out any additional consultation required for the scheme;
- v. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the scheme subject to a review of the procurement strategy by the Capital Officers Group;

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

### **Background**

This fully funded scheme proposes to implement a key Fastrack link between the Northfleet Embankment East development and Gravesham Town Centre in the form of a contraflow bus lane in Bath Street.

The scheme is part of the overall Fastrack programme, which comprises 28 individual projects across Dartford, Gravesham and Ebbsfleet. Fastrack operates via congestion-free routes across a 40km network extending from Dartford to Gravesham. It is a combination of dedicated Fastrack busways, bus priority lanes and on-street running with priority at all signalled junctions.

The purpose of the scheme is to improve journey times for Fastrack passengers and facilitate additional bus stops for existing residents and those from new developments such as Clifton Slipways, The Charter and Northfleet Embankment.

### **Options**

EDC and KCC have considered options for the scale of the Bath Street scheme within the business case for the project. The following options were considered:

- No implementation of the Fastrack A Route extension
- Extension of the Fastrack A Route with routing via Overcliffe
- (Chosen option) Extension of Fastrack Route A, including the road improvement schemes and the routing of the network via West Street and Bath Street.

The chosen option will reduce journey times for passengers and provide a short walk to access the Fastrack service for occupants and workers at the Northfleet Embankment East, Clifton Slipways and The Charter developments.

In addition to the expected journey time benefits, the appraisal exercise identified other potential beneficial effects that the scheme may generate including:

- Additional demand from new developments served by the new route.
- Operating cost savings derived from the journey time savings

### **Strategic Fit**

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

The key priorities set out in the County Council’s Integrated Transport



Strategy 'Delivering Growth without Gridlock' in terms of providing additional highway capacity, improving accessibility and reducing congestion will also be supported through the delivery of the project. The scheme will set out to provide improved growth and economic prosperity through having an efficient highway and transport infrastructure.

The scheme also aligns with 'Bus Back Better' the Department for Transport's National Bus Strategy which encourages 'significant increases in bus priority' through investment in bus lanes and traffic signal priority for buses (Chapter 3, Page 46).

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

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

Cabinet Member for Highways and Transport

#### **Date:**

Not before August 2021

### **Reason if Key Decision**

An initial equalities impact assessment has been carried out for the scheme. This identified no long-term adverse impacts or discrimination against any person with a protected characteristic.

In addition, those members of the public who regularly use or rely exclusively on public transport should experience more reliable journey times by better functioning of Fastrack route junctions.

### **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**

Gravesham Joint Transport Board (JTB) were provided with a report for information at the March 2021 meeting, with a letter also sent to Cllr John Burden.

Environment and Transport Cabinet Committee endorsed the proposed decision at its meeting on 29 June 2021.

Local Members were consulted via the Fastrack advisory board.

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

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

The scheme will be fully funded through a capital grant from Ebbsfleet Development Corporation (EDC) that has been approved as a separate future year commitment to EDC by the Ministry of Housing, Communities and Local Government (MHCLG).

Ebbsfleet Development Corporation is providing KCC with a grant of £5.52m between 2020/21 and 2022/23 to deliver the scheme.

Conditions of the grant agreement include taking the Fastrack development designated S106 contributions from Northfleet Embankment East development as a contribution (circa £0.99m) but without risk to KCC if the funding does not come forward.

There is no revenue or capital exposure to KCC in the delivery of this project and the project estimate includes sufficient risk allowance. KCC Officer time required for the delivery of the programme will be capitalised.

**Support documents**

**NOT BEFORE 21 JULY 2021**

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

**Reference No:**

**Key** Yes

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

**Title:**

**21/00058 - Updated 2021-22 and 2022-23 Admissions Arrangements for Community and Voluntary Controlled schools**

**The Decision needed:**

Proposed decision – To update the determined 2021-22 and 2022-23 admission arrangements for Kent community and voluntary controlled primary schools and Kent community and voluntary controlled secondary schools to accommodate new legal requirements in the forthcoming 2021 School Admissions Code.

**Reason for Decision:**

Admission authorities are legally required to determine admissions arrangements for their schools by 28 February each year. KCC fulfils this

duty annually and following consideration at Education Cabinet Committee, the Cabinet Member for Education formally determines admission arrangements in line with the requirements of the 2014 Admissions Code.

Government consulted on a new Admissions Code in late 2020 and following consideration of responses, laid a new Admissions Code before parliament which will come into force on 1 September 2021, subject to the necessary parliamentary procedure.

The 2021 School Admissions Code requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC).

This new provision will necessitate variations to determined admission arrangements to take effect from 1 September 2021. All admission authorities will need to vary their admission arrangements for 2021/22 (which would have been determined by 15 February 2020) and their admission arrangements for 2022/23 (which would have been determined by 15 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from this date.

In the event that the 2021 School Admissions Code does not come into force on 1 September 2021 of any reason, admissions arrangements will remain unchanged from their previously determined state.

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

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

Cabinet Member for Education and Skills

#### **Date:**

Not before July 2021

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

Equalities implications were considered by government during their National consultation. KCC is legally required to make these changes.

#### **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**

PROD

Cabinet Member Report 2021-22 and 2022-23 Admission Arrangements

Appendix A - Determined Primary Admissions Arrangements 2021

Appendix B - Determined Primary Admissions Arrangements 2022

Appendix C - Determined Secondary Admissions Arrangements 2021

Appendix D - Determined Secondary Admissions Arrangements 2022

Appendix 5\_Annex

**Responsible Cabinet Member - Cabinet**

**Reference No:** None known at this stage.

**Key** Yes

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

**Title:**

**21/00055 - KCC's Civil Society Strategy**

**The Decision needed:**

Proposed decision-

Following consultation, for the Cabinet to agree the adoption of KCC's new Civil Society Strategy and infrastructure support offer, to be aligned to the strategy framework.

Further information-

The Civil Society strategy will replace KCC's existing VCS policy and set out the future relationship with civil society and the 'social sector', voluntary, community and social enterprise sector (VCSE), as a core part of that.

The strategy was previously consulted on between February and April 2020, however due to Covid the development of the strategy was paused. We are now revising the draft to reflect the events of the last year and ensure that it will still meet the challenges going forward.

The strategy will set out the objectives and intentions for KCC's future offer of infrastructure support to the VCSE. The funding agreed for this is £2.1m over the 3 years of the strategy; and will be allocated against the priorities and framework set out in the strategy.

The strategy will also revise the grant framework for the council, which was developed in 2015 and has been updated based on feedback from the past 6 years of operation. This is intended to create consistency and clarity in the way we award grants to the VCSE across the Council.

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

This will be a supporting strategy to the Interim Strategic Plan and longer term, to the new Strategic Statement for the Council.

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

**Who is taking the Decision**  
Cabinet

**Date:**  
Not before July 2021

**Reason if Key Decision**  
An Equalities Impact Assessment screening has been undertaken.

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

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

**Consultees**

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

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

**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 5 MARCH 2021**

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

**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.

**Key** Yes

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

**Title:**

**21/00017- Proposal to establish a 16 place Specialist Resourced Provision (SRP) for ASD at Garlinge Primary School & Nursery from September 2021**

**The Decision needed:**

Proposed decision:

- (i) Issue a public notice to establish a 16 place Specialist Resourced Provision (SRP) for Autistic Spectrum Disorder (ASD) at Garlinge Primary 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**

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p><b>Capital Cost</b>  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.</p> <p><b>Revenue Costs</b>  As per KCC policy a total of £6,000 per newly provided classroom will be provided to the school from the DSG revenue budget.</p> <p><b>Human</b>  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.</p> <p><b>Support documents</b></p>

**NOT BEFORE 14 APRIL BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet</b></p> <p><b>Reference No:</b> There are no legal implications arising from the decision.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>20/00027 - Clean Up Kent and Public Realm Improvements</b></p> <p><b>The Decision needed:</b>  <b>Proposed Decision:</b></p>

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

**Background:**

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

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

**Options:**

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

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

**Who is taking the Decision**

Cabinet

**Date:**

Not before April 2020

**Reason if Key Decision**

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

<p>Data Protection implications No personal data will be collected, therefore there are no data protection implications.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The 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><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> 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><b>Support documents</b></p>

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

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> 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><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>20/00007 - Proposal to permanently increase the capacity at</b></p>

## **Pilgrims Way Primary School, Pilgrims Way Canterbury CT1 1XU**

### **The Decision needed:**

#### **Background –**

The Kent Commissioning Plan for Education 2019-2023 identifies a need for additional places in the Canterbury City Planning Area from 2021 this is due to pressures from new housing developments in Canterbury City and specifically the private development on the former Howe Barracks Site. This development will produce a total of 500 new homes. In addition to this, the refurbishment of former army houses by Redbridge Council is resulting in 38 new families moving in from November 2019. To mitigate the need for places, it is proposed that Pilgrims Way will expand by 0.5 forms of entry (FE) to become a 2FE Primary school. Pilgrims Way is the nearest primary school to these developments and was named for any developer contributions linked to the development of private housing on the former barracks site. Canterbury City Council Local Plan identifies 16,000 new homes over the plan period to 2031. 8,737 are planned for the Canterbury area, with 6,533 in the Canterbury City Primary planning area where Pilgrims Way Primary School is located. Pilgrims' Way Primary School was registered as a new school on 1st May 2018 and is part of the Veritas Academy Trust. They are awaiting their first Ofsted inspection. Currently Pilgrims Way has 261 on the school roll with 31 on the nursery roll totalling 292 (May school census 2019)

#### **Proposed decision –**

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

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

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

Cabinet Member for Education and Skills

#### **Date:**

Not before January 2020

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

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

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

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

#### **Consultees**

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

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

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

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

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

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

##### **Support documents**

**NOT BEFORE 18 DECEMBER BY 2019 CABINET / CABINET MEMBER**

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

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

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

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



**Key** Yes

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

**Title:**

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

**The Decision needed:**

Proposed Decision:

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

*Provided that:*

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

**Background:**

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

These terms have been discussed with Essex County Council and have received an in-principle agreement. However, they will need to be formalised when an agreement to lend to a borrower have been reached.

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

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

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

**Who is taking the Decision**

Cabinet Member for Economic Development

**Date:**

Not before December 2019

**Reason if Key Decision**

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

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

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

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

**Consultees**

The proposed Key Decision will be discussed at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.

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

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

The loan of £5.3m will be capital funding allocated from non KCC funding sources (that is, the SELEP Growing Places Fund). KCC estimates that there will be revenue costs associated with application processing, appraisal, valuation and legal costs: these can be confirmed at the application stage. There will also be an ongoing administrative cost to KCC related to monitoring

over the period of the loan, which would be covered by an administration charge levied on the borrower.

**Support documents**

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

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

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

**Key** Yes

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

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

**The Decision needed:**

**Background Information:**

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

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

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

**Proposed Decision:**

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

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

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

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

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

- **All schools in the Dartford Borough**
- **Elected Members (Kent County Council, Dartford Borough Council)**
- **Parish and Town Councils**
- **Local MPs**
- **Dioceses of Rochester and Southwark**
- **Church Groups**
- **Residents Groups**
- **Children’s Centres, Community and Voluntary Groups, Youth Groups**

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

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

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

**Revenue Funding:**

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

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

### Pupil Growth Funding

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

### Support documents

**NOT BEFORE 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**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Community and Regulatory Services</p> <p><b>Reference No:</b> This opportunity has not been subject to competition. This is supported by Regulation 32(2)(b)(ii) of the Public Contract Regulations which states that a Negotiated Procedure without Prior Publication may be used where services can be supplied only by a particular economic operator where competition is absent for technical reasons</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>19/0055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area</b></p> <p><b>The Decision needed:</b>  To award a 4 year contract to Maidstone &amp; Tunbridge Wells NHS Trust (MTW) for the provision of post mortem (PM) facilities at Tunbridge Wells Hospital, Pembury for the Mid Kent &amp; Medway coroner area.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b>  Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b>  Not before July 2019</p> <p><b>Reason if Key Decision</b>  An Equality Impact Assessment has been carried out and there is no potential for discrimination and all opportunities to promote equality are currently being taken in line with KCC policies and statutory requirement. Should any issues arise they will be dealt with in accordance with KCC policies and statutory requirements.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed decision was considered and endorsed at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>

**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

**Support documents**

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

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

**Reference No:** N/A

**Key** Yes

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

**Title:**

**19/00031 - Increase in the designated number at The Elms School, Dover**

**The Decision needed:**

Background:

The Elms School is a good school designated for 96 pupils with behaviour and learning needs. Currently the school has 130 pupils on roll. This number is expected to increase to 158 from September 2019. It is necessary therefore, to regularise this situation and increase the designated number of the school via a statutory process.

Legislation requires that statutory proposals are undertaken where the number of pupils on roll of a special school exceeds its designated number by more than 10%. Therefore, we are proposing to increase the designated number to 158, to regularise the current position and to increase the number of places available.

Proposed decision:

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

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

**Who is taking the Decision**

Cabinet Member for Children, Young People and Education

**Date:**



<p>Not before April 2019</p> <p><b>Reason if Key Decision</b> The Equality Impact Assessment is in place. No adverse impacts have been identified at this point.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>A consultation will take place in April/May 2019.</p> <p>The Children’s, Young People and Education Cabinet Committee will receive a report on this matter in June 2019.</p> <p>The view of the local members will be sought as part of the consultation.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> The 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.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> KCC will accept the contractual responsibilities for the construction contracts to deliver the new school.</p> <p><b>Key No</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00037 - New St Andrew's Primary Free School Contract Approval</b></p> <p><b>The Decision needed:</b> <b>Background:</b></p>

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

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

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

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

Cabinet Member for Children, Young People and Education

### **Date:**

Not before May 2019

### **Reason if Key Decision**

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

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

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

### **Consultees**

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

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

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

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

The ESFA has allocated funding for the build costs of the school (circa £8.35 million) and this will be secured within a Development Agreement prior to KCC

entering any Construction Contract. There will be no capital funding requirements from KCC in relation to the scheme and therefore no impact on the County Council's MTFP.

**Support documents**

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

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

**Reference No:** N/A.

**Key No**

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

**Title:**

**19/00028 - Expansion of Palmarsh Primary School**

**The Decision needed:**

Background Information:

In January 2017 permission was agreed to release £2,200,000 from the Education and Young People's Services Capital budget to enable Palmarsh Primary School to expand to 1FE. It was understood that this would be the first phase of a gradual expansion to 2FE.

The first phase of the expansion would provide 3 new classrooms, a new entrance off Jubilee Close, offices and car parking with further classrooms being added in later phases.

Planning permission for the first phase of the expansion has been achieved. However, in order to secure the said planning permission significant adaptations needed to be made increasing the capital costs to £2,600,000.

Options:

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

Sufficient classroom space could be achieved via the removal of an old mobile classroom and replacing this with a new two classroom mobile unit. The

new offices and permanent classrooms could be delivered in a later phases as an when there is a need for second FE of provision. The total costs for the mobile classrooms, new entrance off Jubilee Close, car parking and s278 works would be in the region of £700,000.

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

Proposed decision:

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

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

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

Cabinet Member for Children, Young People and Education

### **Date:**

Not before April 2019

### **Reason if Key Decision**

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

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

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

### **Consultees**

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

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

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

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

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

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

£1,200,000 has been secured in developer contributions of which £887,000 has been paid so far. The estimated costs for the mobile classrooms, new

entrance, carparking and s278 works would be in the region of £700,000. The School will put the £75,000 towards this from their capital funding with the rest coming from the Children, Young People and Education Capital budget. The School will receive increased funding through the Delegated Budget. The rising roles will be protected in line with KCC Growth Funding Policy. Revenue funding will also be allocated to enable the School to resource one of the classrooms. At present that is at a value of £6,000.

**Support documents**

**NOT BEFORE JANUARY 2018 BY CABINET MEMBER**

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

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

**Key** Yes

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

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

**The Decision needed:**

Proposed decision: To agree:-

- a) the implementation of an interim contract for the provision of a Local Healthwatch for Kent for the period April 1<sup>st</sup> 2018 to March 31<sup>st</sup> 2020, with sufficient break clauses to end earlier where appropriate; and
- b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract

How the decision relates to Corporate Objectives

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

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

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

<p><b>Who is taking the Decision</b> Deputy Leader and Cabinet Member for Finance and Traded Services</p> <p><b>Date:</b> Not before January 2018</p> <p><b>Reason if Key Decision</b> No equalities implications – whole Kent provision.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed 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>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.</p> <p><b>Support documents</b></p>

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> None</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>17/00094 - Disposal of Land East of Great Chart Primary</b></p>

<p><b>School, Singleton</b></p> <p><b>The Decision needed:</b> Approval to the Director of Infrastructure to progress with and enter into the necessary documentation to complete the disposal of the aforementioned property in consultation with the Cabinet Member for Corporate and Democratic Services. The Decision will seek legal agreements to be actioned to complete the sale of the relevant properties.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Corporate and Democratic Services</p> <p><b>Date:</b> Not before October 2017</p> <p><b>Reason if Key Decision</b> None</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b> Securing a capital receipt to fund the capital programme and to streamline the Council's property portfolio to achieve financial and efficiency benefits in line with appropriate policy</p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b> Property decisions to be discussed at the Property Sub Committee.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Property holding costs will cease upon sale.</p> <p><b>Support documents</b></p>

**LONG TERM**

<p><b>Responsible Cabinet Member - Cabinet Member for Corporate and Democratic Services</b></p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
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**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

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

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

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

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

**Who is taking the Decision**  
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](http://www.kent.gov.uk/schoolconsultations) .

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

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

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

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

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

Jared Nehra, Area Education Officer for West Kent  
03000 412209  
[Jared.nehra@kent.gov.uk](mailto:Jared.nehra@kent.gov.uk)

**Support documents**

UPDATE AWAITED

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate &amp; Democratic Services</p> <p><b>Reference No:</b> 13/00095</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>Disposal - Residential Land adjoining Great Clayne Lane Farm, Gravesend.</b></p> <p><b>The Decision needed:</b> 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.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Corporate &amp; Democratic Services</p> <p><b>Date:</b> Not before October 2015</p> <p><b>Reason if Key Decision</b> Financial criteria is likely to be exceeded</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.</p>

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

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

Lead officer: Rebecca Spore  
Director of Property & Infrastructure Support  
Tel: 01622 - 221151  
E-Mail: rebecca.spore@kent.gov.uk

**Support documents**

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

**Reference No:** 14.00022

**Key** Yes

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

**Title:**

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

**The Decision needed:**

**LATEST UPDATE:**

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

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

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

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

**Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

Not before October 2015

<p><b>Reason if Key Decision</b></p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed decisions will be discussed at Policy &amp; Resources' Property Sub Committee following marketing. The property is situated within the electoral division of Folkestone West. Cllr Hod Birkby has been consulted.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Alyson McKenna, 01622 696032 alyson.mckenna@kent.gov.uk Rebecca Spore, 01622 221151 rebecca.spore@kent.gov.uk</p> <p><b>Support documents</b></p>

**DEFERRED**

<p><b>Responsible Cabinet Member - Cabinet Member for Corporate &amp; Democratic Services</b></p> <p><b>Reference No:</b></p> <p><b>Key Yes</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>Sandwich Highways Depot</b></p> <p><b>The Decision needed:</b></p>

**Update 09/03/2015:**

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

**Latest Update:**

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

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

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

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

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

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

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

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

**Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

**Reason if Key Decision**

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

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

**Consultees**

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

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

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

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

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

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

**Support documents**

**Responsible Cabinet Member -**

**Reference No:** 12/020231

**Key No**

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

**Title:**  
**Eden Centre Lease**

**The Decision needed:**

**LATEST UPDATE:**

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

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

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**To seek agreement to the principle of granting a long lease to a charitable community interest company or similar vehicle, of The Eden Centre, Four Elms Road, Edenbridge.**

The proposal directly links to Bold Steps for Kent, putting the citizen in control,

building new partnerships and providing a new fit for purpose building to deliver Library and FSC services in conjunction with other partners such as the Citizen's Advice Bureau and House (West Kent Action), to support Kent's more vulnerable citizens.

The impact of the decision will be that KCC will have less control of the management and operation of the centre as they would become the responsibility of a third party.

Risks identified are:

- Reliance on the professionalism of the trustees to deliver a successful facility, agreeing with all partners a financial model for the charitable vehicle
- Reputational damage to KCC if the charitable vehicle were to fail
- Obtaining buy in from all community groups in occupation to form trust
- Untried and untested model
- Level of income generation from the centre which could go to the charitable vehicle is currently unknown as a new facility
- Continued KCC ownership of a non-core asset
- Officers may be unable to get agreement from stakeholders, charitable vehicle does not prove financially sustainable or the trust may break down and charitable vehicle will have to pick up void periods and associated costs (benefit to KCC).

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

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

**Date:**

### **Reason if Key Decision**

Not a key decision

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

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

### **Consultees**

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

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

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

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



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

**Support documents**

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