

FORWARD PLAN OF DECISIONS

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

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

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

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

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

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

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

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

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

The Kent County Council Cabinet Members are:	
Mr Roger Gough	Leader of the Council
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
Miss Susan Carey	Cabinet Member for Environment
Mrs Sue Chandler	Cabinet Member for Integrated Children's Services
Mr Mike Hill	Cabinet Member for Community and Regulatory Services
Mr Rory Love	Cabinet Member for Education and Skills
Mr David Brazier	Cabinet Member for Highways and Transport
Mrs Shellina Prendergast	Cabinet Member for Communications, Engagement and People
Mr Derek Murphy	Cabinet Member for Economic Development

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

NEW

NOT BEFORE 24 MAY 2023

<p>Responsible Cabinet Member - Cabinet Member for Education and Skills</p> <p>Reference No: The Education (School Day and School Year) (England) Regulations 1999 (SI 1999 No. 3181) require schools to hold at least 380 half-day sessions (190 days) in each school year, beginning with the first term to start after July. This is consistent with the 195 days a year required by a teacher's statutory conditions of service: the additional five days are for in-service training. As KCC has responsible for community and voluntary controlled schools it is part of our duty to set the dates.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 23/00036 - School Term Dates 2024-25</p> <p>The Decision needed: <u>Proposed decision</u></p> <p>The Cabinet Member for Education and Skills is asked to determine the School Year dates for community and voluntary controlled schools, by the local authority (LA).</p> <p><u>Further information</u></p> <p>Schools are required by statute to provide schooling for 190 days. Teaching staff are required by their terms and conditions to complete 195 days including 5 development days.</p> <p>Term dates and holidays, in England, are set:</p> <ul style="list-style-type: none">• for community and voluntary controlled schools, by the local authority (LA)• for foundation, voluntary aided schools, academies and free schools by the governing body. <p>The government's policies to promote academies and free schools will mean that increasingly school governing bodies will be determining the school term dates for their schools.</p> <p>The proposed calendar will be considered by Children's, Young People and Education Cabinet Committee and following this the Cabinet Member for Education and Skills will take the final decision. Following the consultation and approval, the agreed school term dates calendar for 2024-5 will be published.</p>

Setting school term dates has a relationship to one of the priorities in Delivering Vision and Priorities for Improvement 2018 – 2021. The priority states KCC will ‘ensure that the maximum number of children and young people of statutory school age are enabled to attend education provision on a full-time basis.’

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before May 2023

Reason if Key Decision

A full EqlA has been completed this will be updated once the consultation has finished and the full results will be presented to CYPE Cabinet Committee.

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:

There are no direct cost implications arising from the decision on the school calendar. However, if individual foundation, voluntary aided schools, academies or free schools determine a different pattern of term dates, they may incur additional costs in relation to home to school transport, as the authority passes any additional costs on to the schools concerned.

Support documents

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

Reference No: There are no legal implications.

Key Yes
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 23/00037 - Microsoft 365 Licencing Agreement Contract Award</p> <p>The Decision needed: <u>Proposed decision:</u></p> <ol style="list-style-type: none"> 1. The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to enter into a new Microsoft licencing agreement for 3 years to meet Kent County Council business and Infrastructure licensing requirements; and 2. to delegate authority to Director of Technology in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, for the necessary contractual negotiations to enter into any legal agreements required to implement the above. <p><u>Reason for the decision:</u> Kent County Council (KCC) needs to enter into a new licensing agreement to ensure continuation of the use of Office 365 and all of the tools available, including security packages.</p> <p><u>Background:</u> KCC entered into an Enterprise Licencing Agreement with Microsoft via its reseller in June 2020 for three years. Since the contract was awarded, Microsoft have made available a discounted licencing arrangement over a new 3-year term. This agreement provides access to a variety of M365 applications, tools and modules which are essential to supporting the Council’s business operations. As part of this arrangement the Council will be able to take advantage of enhanced licensing which is critical to support its remote working policy and enhancing the security of KCC’s infrastructure.</p> <p><u>Options:</u> No other options have been considered as viable.</p> <p><u>How the proposed decision supports the Interim Strategic Plan:</u> The Microsoft environment is a crucial part of the technology infrastructure and as such forms part of building our resilience.</p>
Section 2 – Who is taking the final decision and when
<p>Who is taking the Decision Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p>Date:</p>

<p>Not before May 2023</p> <p>Reason if Key Decision An Equalities Impact Assessment (EqIA) will be completed but no equality implications are envisaged.</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: Initial indication based on current use is that the 3-year costs (July 2023 – June 2026) will equate to approx. £10.3m.</p> <p>The contract costs will be accounted for within the ICT budgets through the Asset Maintenance Reserve.</p> <p>Support documents</p>

NOT BEFORE 3 MAY 2023

<p>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</p> <p>Reference No: Technology Enabled Care will be a tool to support the Adult Social Care and Health Directorate to deliver its requirements to promote wellbeing and preventing, delaying or reducing needs under the Care Act 2014, and support the delivery of Framing Kent’s Future.</p> <p>Legal implications have been identified in relation to data processing and data management across a range of technological devices and systems. Legal advice has been obtained to develop the DPIA and ensure the service will be compliant with the Data Protection Act 2018.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>

Title:

23/00034 - Technology Enabled Care Service Contract Award

The Decision needed:

Proposed decision:

- i. Award the contract to the successful bidder identified as part of the procurement process, for the provision of a countywide Technology Enabled Care Service for a maximum of seven years (initial five-year contract with a two-year extension option).
- ii. Delegate authority to the Corporate Director Adult Social Care and Health, after consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director Finance, to agree the relevant contract extension as required.
- iii. Delegate authority to the Corporate Director Adult Social Care and Health to take other 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.

Background:

Technology Enabled Care is a key area of Making a Difference Every Day; Our Strategy for Adult Social Care 2022 – 2027 and aligns with Framing Kent’s Future Strategy: “we have real opportunities to improve the effectiveness and efficiency of our adult social care services by making full use of new technology and innovations that mean we can better manage demand and focus resources where they are most needed.”

Technology Enabled Care is a term to describe a range of personalised IT and digital solutions which can be used to support outcomes for people who draw on care and support and carers. Innovative technology solutions and data are allowing people to remain independent for longer, identifying risk, preventing incidents and ensuring quick and appropriate responses to avoidable events such as falls.

The data harnessed from these technologies will not only support people more effectively at an individual level and has the potential to support management of health and wellbeing at a population-level and provide insights which support future service planning.

Technology Enabled Care has been evidenced in other local authorities to improve outcomes for people and achieve significant financial and non-financial benefits. The objective of the Technology Enabled Care Service is to fully embrace the range of technology now available in the market and embed a technology-focused and data-led approach in adult social care.

To gain a better understanding of the Technology Enabled Care Service

needed in Kent, a Build and Test project was commissioned in the East Kent area which began in April 2022. The project trialled different models of delivery, a wide range of technologies and gathered feedback from people drawing on care and support. The live Build and Test period ran from June 2022 until February 2023. During this period 133 people were supported by technology and 97% reported an improvement in the areas of daily living that were most important to them after 8 weeks. The design of the Technology Enabled Care Service and procurement approach was co-produced, along with learning from other local authorities. This approach recently won Kent County Council an iESE Public Sector Transformation award for innovative use of digital and technology and creating a new and dynamic service that will lead to improved outcomes.

The procurement for the countywide Technology Enabled Care Service began in December 2022 and has involved a range of stakeholders from Adult Social Care, the wider council, partner representatives from the Integrated Care Board, Co-production Groups and district and borough councils, ensuring that the service is shaped by people with the right expertise and experience.

Following completion of the procurement process it is proposed to award the contract, to the successful bidder, for the provision of the countywide Technology Enabled Care Service for a maximum of seven years (Initial five-year contract with a two-year extension option).

The contract will start on 1 June 2023 and end on 31 May 2028 (initial five-year contract) with an option to extend, subject to robust contract monitoring, for a further two years from 1 June 2028 to 31 May 2030.

Data Protection implications:

A full Data Protection Impact Assessment (DPIA) has been developed following the completion of the initial screening. The DPIA has been informed by engagement with KCC's Data Protection Office and the Adult Social Care Information Governance Lead. However, some of the mechanisms on how the data will be processed will not be known until the preferred provider is selected. Further work will be undertaken to develop the DPIA in partnership with the provider during the contract mobilisation phase in July and August 2023.

The preferred provider will also be required to undertake DPIAs to manage any devices and systems delivered under sub-contracting arrangements. The DPIA will be updated once a provider is appointed to reflect their specific processing arrangements.

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 May 2023

Reason if Key Decision

A full Equality Impact Assessment (EQIA) has been undertaken and has determined that the Technology Enabled Care Service is not expected to have a significant negative impact on any protected characteristic.

The EQIA identified an action to ensure Technology Enabled Care is promoted widely and in a way that is accessible to all individuals and communities in Kent. The EQIA will be updated once a provider is appointed.

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

Formal consultation has not been undertaken as this is not required. However, surveys and workshops have been undertaken to capture the views of people, organisations and social care and health professionals in Kent to understand the opportunities, interest, and the need for this type of support. A co-production Group was established to ensure that the service is built on the requirements of people currently drawing on care and support and people who may do so in the future; the co-production Group has actively participated at every stage of the procurement and has shaped market engagement activities, the development of the Build and Test and the service specification for the countywide Technology Enabled Care Service.

The proposed decision will be discussed at the Adult Social Care Cabinet Committee meeting on 17 May 2023.

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

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

Financial modelling has been undertaken based on extensive market consultation and engagement with local authorities who have implemented Technology Enabled Care services. The financial model assumes that a certain proportion of people will transfer from existing technology services into the new contract and explores a number of scenarios based on different service growth over the proposed life of the contract.

The Technology Enabled Care Service will grow over the life of the contract so that 50% of people entering Adult Social Care will receive some form of Technology Enabled Care as part of their care and support by year five of the contract. The lifetime value of the contract over the initial five years, including the two-year extension option, has been modelled as £27,585,392.

The entire cost is revenue cost, as under the proposed model KCC will lease technology devices from the provider rather than purchasing devices which potentially have a short lifecycle.

Support documents

NOT BEFORE 27 APRIL 2023

Responsible Cabinet Member - Cabinet

Reference No: There are no specific legal implications, the Care Leavers Covenant will give a framework to KCC by which to formalise the opportunities it offers to our young adults who are care experienced. It is not a statutory legal requirement or obligation for the organisation to be a signatory to the covenant. If agreed, this would become part of the Care Leavers Local Offer, which is a published document as part of our Corporate Parenting Responsibilities.

Key Yes

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

Title:

23/00035 - Care Leavers Covenant

The Decision needed:

Proposed decision –

- (a) That KCC becomes a signatory to the Care Leavers Covenant
- (b) To delegate authority to the Corporate Director of Children, Young People and Education, in consultation with the Cabinet Member for Integrated Children’s Services and impacted Portfolio holders, to take other relevant actions as necessary to implement the decision.

Reason for Decision:

This is a proposal for Kent County Council to become signatories of the Care Leavers Covenant. As part of this process, the 18+ Care Leavers Service have sought the views of the Young Adult Council, who are in support of this.

Background:

The Care Leavers Covenant was established in 2016, run by Spectra on behalf of the Department for Education. It is a national inclusion programme which supports care experienced young people to live

independently.

The Care Leavers Covenant is accessible to both private and public companies and agencies e.g., charities, businesses, and Local Authorities, to sign up and commit to providing opportunities to care experienced young adults.

Should Kent County Council become a signatory, they would take a 'whole council approach' in supporting the needs and progress of the young adults they are a Corporate Parent for. This means the whole of KCC will accept responsibility for its support provided to our young adults who are Care Leavers. As of 20th March 2023, we have 2051 young adult care leavers aged 18-25 years. "Under the Government's principles for corporate parenting all departments in local authorities are asked to recognise their role as a corporate parent and to look at the support and service they provide for care leavers". An example of this, is asking that all departments appoint a Care Leaver champion, who can represent their departments and make decisions around potential pledges and opportunities for our care experienced young adults.

Options:

For the Council, adoption of the Care Leaver Covenant is a commitment to the principles of accepting a whole council approach to Corporate Parenting on behalf of all departments across the Local Authority. In practice this may mean being part of a process that reviews such things as the Local Offer and helps the Children in Care and Care Leavers service improve its offer to Care Leavers and provides the political ambition and authority to do so.

For Elected Members, the signing of the Care Leaver Covenant is a confirmation of their political commitment to be the best corporate parents they can be for our Children in Care and Care Leavers. It will secure individual responsibility and accountability to be part of a process that looks at how they can individually contribute to the collective response and act as champions for care leavers when making decisions about the direction of the Local Authority. In practical terms this may mean championing care leavers causes with other organisations using their political influence, such as with the District Borough Councils or Health Authorities.

For Officers, it means promoting the Care Leaver Covenant across all KCC departments and identifying how they can provide meaningful opportunities and improved life chances for children in care and care leavers for whom the Local Authority is the Corporate Parent. This could include work experience, mentoring or apprenticeships across all departments.

For KCC services, it means identifying Care Leaver Champions within each service, who can coordinate opportunities and pledges of support, to liaise with the 18+ Care Leavers Service as a central point, to be able to match young adults to those opportunities available. All KCC services would

need to actively promote their role as a Corporate Parent and ensure priority is given to care leavers for any opportunities within their departments. For example, providing additional support to them with interviews for job opportunities. KCC already have in place, priority interviews for our care leavers, where they are appropriately qualified or experienced for the job vacancy. Signing up to the Covenant, would mean all services going the extra mile as a Corporate Parent to secure opportunities for our young adults to support them to reach their full potential. The coordination of the offers as part of the Care Leavers Covenant will be managed and overseen by the Heads of Service and leadership team within the 18+ Care Leavers Service. The service has two specialist Education, Training and Employment (ETE) workers, so there will be no additional staff resource required for the coordination and implementation of this work.

A recommendation for the whole council approach would be for Elected Members, Senior Leaders, and Officers, to form a cross department working group to address the recommendations in the Care Leavers Covenant guide and expand our existing Care leavers Local Offer to include all KCC departments.

There is the option to not sign up to the covenant, the risk of this is the significant impact it would have on being able to get partner agencies and local businesses to engage and commit to making pledges of support to Kent Care Leavers. It is becoming increasingly challenging to get commitment from others when KCC have not signed up as a signatory to the covenant. As our Children's Services are graded Outstanding by Ofsted, our ambition following this would be to join other Local Authorities and organisations who have signed up to the covenant, the most recent to do this being the NHS. This will formalise the work already achieved in the 18+ Care leavers service and publicly recognise our commitment.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet

Date:

Not before April 2023

Reason if Key Decision

This is being completed by the 18+ Care Leavers service.

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

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

<p>Consultees</p> <p>The Corporate Parenting Panel discussed the Care Leavers Covenant on 27th July 2022.</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: There are no financial implications for the delivery of the services that will implement the covenant, it will not require any additional staff resource. One of the aims of the covenant is to improve the financial security for care leavers, by maximising their opportunities to secure employment.</p> <p>Support documents</p>

NOT BEFORE 26 APRIL 2023

<p>Responsible Cabinet Member - Cabinet Member for Economic Development</p> <p>Reference No: The i3 funds have been previously granted to KCC for reinvestment purposes.</p> <p>Approvals after 31 March 2023 will be via the I3 programme. KMBF approved loans which are on-hold pending confirmation of sufficient funding will be approved under existing i3 Guidance and new i3 Guidance is being developed.</p> <p>Details of the proposed new arrangements for the recycled KMBF\RGF investments considering the outcome of negotiations with the Government will be brought before the Growth, Economic Development and Communities Cabinet Committee.</p> <p>Under the auspices of i3, all the existing and agreed eligibility, due diligence, KCC governance, monitoring and independent auditing that takes place under KMBF, will similarly apply.</p> <p>Key Yes</p>
<p>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</p>
<p>Title: 23/00028 - Kent and Medway Business Fund (KMBF) & Innovation Investment Loan Extension via i3</p> <p>The Decision needed: Proposed decision:</p>

To use Innovation Investment Loan (i3) programme funding to fund continuance of the KMBF specifically:

- To continue to offer finance for business investment and the creation of jobs funded by the recycled\uncommitted i3 investments.
- To conclude the negotiations with the Government on the continued use of recycled KMBF\RGF investments allocated to KCC under its existing contracts or ExEK, Tiger and Escalate
- To continue to manage and recover outstanding investments from recipients of KMBF funding.

Reason for the decision:

This Key Decision would allow KCC to continue to offer funding for companies beyond the 31 March 2023 by transferring the pipeline of KMBF applications to the existing i3 programme, which has an existing Key Decision in place.

Background:

The Government allocated £55 million from the Regional Growth Fund (RGF) to KCC between 2011 and 2014. This funded three RGF programmes covering the whole of Kent and Medway and additional local authority areas:

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

These programmes operated from November 2011 to January 2016. For most businesses, loan finance was provided at 0% interest, with a repayment period of between 5 and 7 years. KCC's costs of administering these programmes were fully covered by an administration charge deducted from each loan and a charge to the RGF allocation.

Since January 2017, KCC has used the recycled KMBF\RGF investments (loan repayments and sale of shares in equity stakes) to enable the KMBF to provide new loans and equity investments ranging between £26,000-£500,000 to eligible businesses across Kent and Medway. Most funding recipients receive interest-free loans, with a repayment period of up to 5 years. KCC are seeking to operate the i3 programme in a similar way to the current KMBF programme by offering loans and equity. The total funding available under i3 is £3.8m and no further approvals will be made once this threshold has been reached.

Options:

Place all approvals on hold until a decision regarding the use of the recycled KMBF\RGF investments is confirmed by the Government. This was rejected as it may take several months and could have significant negative financial impacts on local companies, awaiting confirmation of funds.

Seek to appoint a third-party to manage the loans (an on-going management arrangement already exists for the equity). This option has not been pursued due to a) the size of the contract would involve a lengthy

procurement exercise; b) it is unclear if this would offer savings or improved investment performance.

How does the proposed decision meet the priority actions of Kent County Council's Strategic Statement Framing the Future: Framing Kent's Future – Our Council Strategy:

This proposed action is in-line with the Priority 1: Levelling Up Action 3 as KMBF seeks to attract national and international investment to businesses in the county.

Financial Implications:

The Capital costs are the estimated i3 loan payments based on the existing KMBF pipeline; these are: £3,870,382.13 (£3,330,782.38 recycled & £539,599.75 uncommitted).

KCC Budget Book, the capital entry for the KMBF, row ref 18.

The revenue costs of administering (inclusive of staff, legal, appraisal and monitoring costs) of this activity on an annual basis will be £450,000 funded from two sources: a) a management charge of 5% levied from the fund on the value of all investments made to companies; and b) an administrative charge of 5% levied from the companies on the value of all loans. KCC will also be seeking an additional contribution from the recycled KMBF\RGF investments. This makes the administration of the programme self-funding. This approach can be continued with the i3 programme.

If applications to KMBF are not paused and recycled\uncommitted i3 investments are not used, KCC cannot: a) Issue new loan approvals; b) Cover its administrative costs for monitoring and debt recovery in the short term.

Data Protection implications:

An existing privacy notice covers the operation of the KMBF and no new data protection issues will arise from the proposed change to utilising i3 monies.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Economic Development

Date:

Not before April 2023

Reason if Key Decision

An Equality Impact Assessment (EqIA) was undertaken in October 2022 and there are no changes because of the proposed change from KMBF monies to i3 monies.

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: See above.
Support documents

NOT BEFORE 31 MARCH 2023 - SEMI-URGENT

Responsible Cabinet Member - Cabinet Member for Highways and Transport
Reference No: The Council has a legal duty to maintain the highway network for which it is responsible. This work substantially mitigates the cost of that duty.
Key Yes
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
Title: 23/00033 - Acceptance of Additional Government Pothole Funding
The Decision needed: Proposed decision: To accept additional Government Pothole Funding award of £6,054,800 for a pothole and patching programme; To delegate authority to the Corporate Director of Growth, Environment and Transport to award and enter appropriate contractual arrangements, including any necessary extensions, subject to performance and contract terms as necessary to deliver the programme;

To confirm that the funding will be used for pothole and patching in accordance with the authorities proposed approach to Asset Management (key decision 21/00028) and is in addition to the capital programme budget agreed at County Council in February 2023;

To delegate authority to the Corporate Director of Growth, Environment and Transport, after consultation with the S151 officer and the Cabinet Member for Highways and Transport to accept further Pothole Grant Funding, subject to the grant conditions being acceptable.

Reason for the decision/urgency:

Accepting and deploying the funding urgently will enable officers to award contracts to address the increased high demand levels for repairs and patching following severe weather extremes that have in turn increased the backlog of maintenance repairs.

Background:

As part of the March budget, Government announced additional funding for pothole and patching. KCC's allocation is just over £6m. Previous pothole programmes have proven to be successful in terms of delivering local highway repairs in addition to the ongoing maintenance, major resurfacing and surface treatments programmes delivered in line with the authorities published approach to Asset Management.

Options (other options considered but discarded):

Not to accept the funding – discarded as budgets are under pressure and the funding will help meet increased demand.

How the proposed decision supports Framing Kent's Future 2022-2026:

<https://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/our-council-strategy>

The decision supports priority two, Infrastructure for Communities and specifically the commitment "To invest in the condition and safety of Kent's highway assets, maximising funding opportunities from Department for Transport where possible.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Highways and Transport

Date:

Not before March 2023

Reason if Key Decision

It is not expected that this programme will have adverse negative impacts on protected groups. An Equalities Impact Assessment will be undertaken as part of the decision-making process.

A Data Protection Impact Assessment is not required as there is no processing of personal information needed to implement the decision.

Reason if this decision has been delayed/withdrawn from a previous plan
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
<p>Consultees</p> <p>A paper will go to Environment and Transport Cabinet Committee in May 2023.</p>
Section 4 – Responsible Officer – Who to contact for more information.
<p>Your name, Your Service, Your phone number and email address: The allocation is specifically for pothole and patching work. The total allocation is £6,054,800. No match funding is required.</p> <p>Support documents</p>

NOT BEFORE 11 APRIL 2023

<p>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</p> <p>Reference No: As above</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 23/00010 - Commissioning of an NHS Health Check System</p> <p>The Decision needed: Proposed Decision: The Cabinet Member for Adult Social Care and Public Health is proposing to take a decision to:</p> <ol style="list-style-type: none"> 1. Extend the current NHS Health Check System contract by six months to end on 31 March 2024. 2. Commence a formal procurement activity in June 2023 for a new NHS Health Check System contract to start on 1 April 2024, for an initial period of 5 years with the option of two 12-month extensions. 3. Delegate authority to the Director of Public Health to award a new contract and take relevant action, including, but not limited to, finalising the terms, entering into a contract and other legal agreements, as

necessary to implement the decision.

Reason for the decision:

Kent County Council (KCC) has a statutory responsibility to provide the NHS Health Check programme which is delivered by Kent Community Health Foundation Trust (KCHFT), General Practitioners (GPs) and Pharmacy.

Delivery of this programme has been challenging since COVID-19 and there are opportunities to deliver the service differently. A review has commenced which will look at both the clinical and cost effectiveness of the programme and make recommendations on the future service and contracting model.

An IT system is required to facilitate effective delivery of the programme, including data capture, the invitation process and national reporting. KCC has contracted with Health Diagnostics since 2018 and the current contract comes to an end on the 30 of September 2023, following previous extensions.

To allow time for the review to conclude, a further six months extension is needed for the system, meaning the contract will come to an end in March 2024.

The NHS Health Check system supports the councils' legal responsibilities to deliver the NHS Health Check programme. It is recommended for the council to conduct a competitive procurement in June 2023 and award the contract following this compliant process.

Background

Local authorities are mandated to provide the NHS Health Check programme via The Local Authorities Regulations 20131.

The NHS Health Check programme benefits from a suitable system as it supports:

- Provision of a set of standardised tests to provide a Cardiovascular Disease (CVD) risk score for the patient.
- Education around risk factors for common long-term conditions and promotion of a healthier lifestyle via a one-to-one health conversation with a medical professional.
- Prevention and earlier detection of disease which can improve the quality of life and outcomes for the patient as well as saving money for the wider health system and reducing demands on staff resource.
- Referrals to the appropriate service including healthy lifestyle services and the patient's general practice to ensure the patient commences the appropriate pathway to improve their situation.

The system will ensure the eligible population is invited, assist with the operational processes, including user experience, secure data capture of confidential information, and monitoring of the performance. It will ensure that the programme is provided effectively, and it supports KCC to meet its statutory obligations of delivering the NHS Health Check Service and reporting outcomes to Office of Health Improvement and Disparities

(OHID).

Options (other options considered but discarded)

Decommission the service - Decommissioning the service was concluded as a non-viable option as the system supports the mandated NHS Health Check Programme. Not providing a system for providers of the NHS Health Check and requesting that they revert to other methods (such as using paper forms, manual reporting and invoicing) was deemed a not suitable option. It would move away from an automated approach, risking increased errors and losing the structured, logical, and standardised approach to providing consistent NHS Health Checks across the county. This option would likely put KCC at reputational risk, Primary Care may disengage with the programme or request additional funding and furthermore, the outreach team delivered by KCHFT would need to find other solutions in facilitating the NHS Health Check.

Hybrid model – Commissioners looked at whether systems already in place in Primary Care can be used to meet the requirements. This would involve using various Integrated Care Board systems to facilitate the NHS Health Check, such as EMIS. Analysis suggested that this could cause fragmented commissioning, with different systems having to be updated to meet the needs of the requirements. The cost modelling for these upgrades and additional time needed for staff to collate the data showed that it would be more costly to commission in this way and KCC would have less control when changes are needed.

How the proposed decision supports the Council’s Strategy 2022-26:

This system contributes to ‘Priority 1: Levelling up Kent’ of the Framing Kent’s Future Our Council Strategy 2022-2026 as it supports the NHS Health Check programme, which is a preventative approach into improving the population health.

This system will also contribute to ‘Priority 4: New Models of Care and Support’ as the data that is collected through the system can be used to support commissioning and decision making to support those who are in most need of a health check.

Financial Implications:

The yearly value for a system is variable as it depends on the number of licenses made available, volumes and the type of invitations sent (text/letter). Part of the contract costs includes a payment which is passed through to a mail house service to pay for postage and packaging of the invitation letters as well as text messaging invitations.

Current extension and requested extension to current service.

The estimated costs of the requested six-month extension will be £166,369. This consists of £109,750 for the system and the remainder for invitation costs.

New Commissioned Service

The service period has been recommended to span an initial term of five

years followed by two optional 12-month extensions, dependant on satisfactory performance being met and the requirement still being relevant.

The estimated budgetary commitments throughout the contractual lifespan equates to **£2,672,378**.

Efficiencies and cost saving will be made throughout the life of the contract depending on effectiveness of pilots and the outcome of the review.

Legal Implications:

Extension: Additional legal advice has been sought in relation to the contract extension and is set out below:

“KCC is relying upon Regulation 72(1)(b) of the Public Contracts Regulations 2015 (“PCR 2015”) to make this contract extension of 6 months. The conditions of Regulation 72(1)(b) are met in that a contract extension is required for economic and technical reasons, a change of provider any sooner would cause significant inconvenience and/or a substantial duplication of costs for KCC and the value of the contract extension does not exceed 50% of the contract value. A modification notice will be published accordingly in compliance with Regulation 72(3) PCR 2015.”

Procurement: Local authorities are mandated to provide the NHS Health Check programme via The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013. This competitive tendering exercise will enable a system to be in place and facilitate all aspects of the NHS Health Check programme, enabling Kent to remain compliant with these regulations. Public entities, including KCC, are bound by the Public Contract Regulations 2015 (PCR). PCR have been and will be applied throughout the procurement process.

In consideration of the above, should the decision be agreed, officers will inherit delegated authority via the Officer Scheme of Delegation, to proceed with all the necessary steps to procure an NHS Health Check system including the advertisement, management of a competitive tendering exercise, and award of the contract.

Equalities implications:

An Equality Impact Assessment has been created which identified that the system will need to conform with Accessibility Regulations 20182, which will form part of the tender requirements and is a current requirement of the system. Once a provider has been awarded the contract, commissioners will review the EQIA and work with the supplier to ensure that appropriate action is taken to place to reduce any barriers of using the system.

Data Protection implications:

A Data Protection Impact Assessment (DPIA) screening tool has been completed and the recommendation was for a full DPIA to be completed for the service once a successful provider is identified. Overall, there are

no anticipated data implications associated with this activity because there will be no significant change to the existing service, nor to the data collected and shared.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Adult Social Care and Public Health

Date:

Not before April 2023

Reason if Key Decision

As above

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 Health Reform and Public Health Cabinet Committee on 16 March 2023.

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

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

As above

Support documents

PROD

Decision Report

APPENDIX 1

APPENDIX 2

APPENDIX 3

ANNEX 1 - EqlA

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

Reference No: Legal support will be sought in the preparation and execution of the new arrangements.

The procurement will follow the relevant procurement regulations (Spending the Council's Money policy and PCR).

KCC will be required to enter into a number of legal contracts.

External legal advisors have been appointed in consultation with General Council.

Key Yes

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

Title:

23/00030 - Implementation of an independent Construction Consultancy Services Framework to support the implementation and delivery of the Capital Works Programmes

The Decision needed:

Proposed decision:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to the implementation of a new Independent Consultancy Services Framework to support the delivery of the Capital Works Programmes over a 6-year (4-year+1+1) contract period to include the following disciplines:

- Lot 1 – Multi-discipline (client delegated duties)
- Lot 2 – Project Manager (including client delegated Quantity Surveying duties)
- Lot 3 – Supervisor
- Lot 4 – Technical Advisor
- Lot 5 – Construction Design and Management Advisor

Reason for the decision

The Kent County Council had previously appointed consultants on a project-by-project basis via the Property Services Consultancy Framework, to provide professional consultancy services to support construction projects. However, the Framework expired in June 2020 and procurement of such services has since been conducted on a project-by-project basis, tendered or direct award procurements in-line with Spending the Council's Money Policy and Public Contract Regulations.

The current method of procuring consultancy services is time consuming and resource intensive and requires a more efficient approach. In addition, a new professional consultancy services framework that aligns to the new construction partnership framework (already in place) and proposed minor work construction partnership framework (subject to procurement).

Options

There are 3 options to consider for the ongoing procurement of consultancy services:

- Insource of consultancy provision.
- Continuing with current arrangement of tendering/direct award for each requirement
- Establishing a new Construction Consultancy Framework.

Option 3, to establishing a new Construction Consultancy Framework is the preferred option, as this would provide a pre-qualified framework of consultants to efficiently support the projects procured via the new

Construction and proposed Minor Works Partnership Frameworks on behalf of Kent County Council. It is likely that the Frameworks will work on a rotational basis so that all suppliers get equal allocation of works (performance and project dependant). In addition to this the facility to undertake mini tenders will be included.

It is envisaged that the new Independent Construction Consultancy Services Frameworks will commence by October 2023.

How the proposed decision supports the Interim Strategic Plan

The proposed decision will support the objectives of Strategic Delivery Plan 2020 – 2023 by:

- Supporting the delivery of the Council’s Infrastructure Capital Delivery Programme
- Supporting the delivery of the Kent Commissioning Plan for Education Provision 2020-2024, including the Basic Need programme
- Supporting the KCC Corporate Estate maintenance programme.
- Supporting the KCC Education Estate maintenance programme.

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 April 2023

Reason if Key Decision

An Equalities Impact Assessment (EqIA) has been completed and will be updated throughout the procurement process. No issues have been identified at this stage for EqIA, but this will be reviewed as the procurement activities continue.

A data protection implication assessment (DPIA) has been submitted and comments made, which is under on-going review as the procurement activities continue.

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 report was taken to the Policy and Resources Cabinet Committee on 13 July 2022, where the Committee were updated and asked to note the proposal, the preferred option, and the procurement programme.

A further update was taken to the Policy and Resources Cabinet Committee on 9 March 2023.

It is expected that a Key Decision Report will be taken to the Policy and Resources Cabinet Committee in July 2023, ahead of the proposed award of contract(s) in August / September.

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

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

The new Independent Construction Consultancy Services Framework is to be valued at circa £119.5m over the contractual period of 6 years.

Each order raised will be subject to its own financial governance and based on pre-agreed tendered rates.

This will be a nil-let-no-commitment Framework with no workload guaranteed. The staff costs associated with the procurement have been estimated and will be absorbed within existing resources. As a result, business activity will be re-prioritised. Legal and technical advice related to the procurement will be funded from the infrastructure budgets.

Support documents

Responsible Cabinet Member - Cabinet Member for Economic Development

Reference No: The extension is to be carried out in accordance with Regulation 72(1)(c)(i)(ii)(iii) of the Public Contracts Regulations 2015 (PCR2015).

Key No

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

Title:

23/0031 - Extension of Contracts with Locate in Kent and Visit Kent

The Decision needed:

Reason for the decision:

Current contracts end on 30 April 2023 (Locate in Kent) and 31 March 2023 (Visit Kent).

Background:

Locate in Kent provides inward investment services to help support Kent businesses to expand within Kent and to attract business investment into Kent. It has a proven track record of success. Visit Kent promotes the Kent visitor economy which is a major contributor to the Kent economy.

The proposed one-year extension will allow time for Locate in Kent and Visit Kent to make organisational changes to reflect reduced budget allocation following the approval of the KCC budget in February 2023 and for the

Council to agree new and more focused output measures to be delivered by the two organisations.

Options (other options considered but discarded):

For each organisation to plan for budget reductions independently. This was rejected in favour of both working together to make savings in back office and administrative functions to ensure impacts to service provision are less impacted by the budget reductions.

How the proposed decision supports Framing Kent's Future 2022-2026:

(<https://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/our-council-strategy>)

Inward investment and promoting the visitor economy supports Priority 1, Levelling up Kent.

Data Protection implications:

The current agreements with Locate in Kent and Visit Kent require the two organisations to comply with the Data Protection Act and the General Data Protection Regulations (GDPR). These will carry forward with the extension of the agreements.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Economic Development

Date:

Not before March 2023

Reason if Key Decision

The extension to the Locate in Kent and Visit agreements have current Equality Impact Assessments which do not identify any adverse impacts.

The agreements already incorporate provisions which require the two organisations not to treat one individual or group of people less favourably than others because of age, disability, gender reassignment, marriage and civil partnership, race, religion and belief, pregnancy and maternity, sex and sexual orientation, and they are required to seek equality among their personnel, and to promote equality generally.

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 Growth, Economic Development and Communities Cabinet Committee on 14 March 2023.

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

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

Funding for Locate in Kent from the European Development Fund will reduce from £428,571 to zero, and KCC's budget contribution will reduce by 10% to £460,800. Medway Council has agreed there will be no reduction in its contribution of £70,000.

KCC's budget contribution to Visit Kent in 2023-24 will be £230,000 (a reduction of 17.9 per cent from previous years), in accordance with MTFP decisions now incorporated in the 2023-24 Council Budget.

Support documents

NOT BEFORE 5 APRIL 2023

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

Reference No: none

Key Yes

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

Title:

23/00021 - The Kent Drug and Alcohol Strategy 2023-2028

The Decision needed:

Proposed decision –

Adopt the Kent Drug and Alcohol Strategy 2023-2028 and delegate authority to the Director of Public Health to refresh and/or make revisions as appropriate during the lifetime of the strategy.

Reason for the decision – The previous [Kent Drug and Alcohol Strategy](#) ran from 2017 to 2022 and was a joint strategy with Kent Police. During 2021/2022, a number of new issues came to light, firstly, the Dame Carol Black report, and the government's new drug strategy, "From Harm to Hope", which prompted local areas to create a combating drugs plan, secondly, as a result of increasing drug deaths in Kent and increasing alcohol consumption during COVID-19 the risks to the most vulnerable have increased, thirdly, a new partnership structure in Kent is in place. These three issues mean that it is important to have this new and refreshed Drug and Alcohol Strategy for Kent to tackle the substance misuse harms for the next 5 years, which was developed in partnership and has completed public consultation.

The new Kent Drug and Alcohol 5-year Strategy

The new strategy takes a whole system approach, improving the range of partners signed up to the Kent Alliance for Substance Misuse (including social care and safeguarding) and making better links to NHS. It is a partnership strategy which aligns visions and priorities across the Alliance.

The Alliance is now Chaired by the Cabinet Member for Adult Social Care and Public Health. The Alliance's governance is both to the Kent and Medway Health and Wellbeing Board and the Kent Community Safety Partnership, and will also be accountable to the Integrated Care Board via the health inequalities subgroups.

The Substance Misuse Alliance along with the new executive group will drive the new Strategy forward. The new Strategy has been informed by a council-to-council quality improvement peer review in 2020. The new Strategy has 13 key priorities and aims to prioritise the causes and the consequences of drug and alcohol harm. It will also seek to implement a range of harm reduction strategies and ensure there are quality services for the very high-risk families, vulnerable people and communities.

The draft Strategy has been endorsed by partners via the Kent Substance Misuse Alliance. The public consultation supported the 13 priorities and gave good guidance for the specific objectives and suggested actions that will be feature in those plans e.g. strengthening carer and service user engagement.

Risks: The risk of not having a partnership wide strategic plan will leave Kent vulnerable to poor co-ordination, duplication of funding, confusion across the system, poorer communication, and poor opportunities to work together; ultimately for people not using our substance misuse services.

Supporting Challenges: The proposed decision supports the Council's Strategic Statement – Framing Kent's Future in relation to economic challenge, demand challenge, partnership challenge, and financial challenge.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Adult Social Care and Public Health

Date:

Not before April 2023

Reason if Key Decision

An Equalities Impact Assessment has been completed and no negative impacts were found.

Data Protection implications None
Reason if this decision has been delayed/withdrawn from a previous plan
Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors
Consultees The proposed decision was considered and endorsed by the Health Reform and Public Health Cabinet Committee on 16 March 2023
Section 4 – Responsible Officer – Who to contact for more information.
Your name, Your Service, Your phone number and email address: Specifically, under this strategy there won't be any financial implications. Needs and work identified from the strategy may lead to financial, implications however these will each be taken as their own individual decision.
Support documents PROD Decision Report Appendix 1 Appendix 2 Appendix 3 EQIA

Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health
Reference No: The change in legislation in 2021, means that the council now has statutory duties to provide support to those residing in 'safe accommodation'. The Kent SAFER Scheme including the property security element will ensure the council meets its new duties under the DA Act. Commissioners will follow the Public Contract Regulations (2015) and Spending the Council's Money guidance in relation to the procurement undertaken.
Key Yes
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.
Title: 23/00022 - Procurement of the Property Security Element of

the Countywide Sanctuary Access for Eligible Residents (SAFER) Scheme

The Decision needed:

Proposed decision:

Approve the procurement of the property security element of the countywide Sanctuary Access for Eligible Residents (SAFER) Scheme and delegate authority to the Corporate Director Adult Social Care and Health to take relevant actions to facilitate the required procurement activity.

Reason for the decision:

Kent County Council (KCC) has a statutory responsibility under the Domestic Abuse (DA) Act 2021 to assess need, publish a strategy and commission Safe Accommodation support services to survivors of domestic abuse. Since 2021, the Department of Levelling Up Housing and Communities (DLUHC) has awarded a total of £12.6m new Grant funding to the council to support implementation of these duties until 2025.

Under the Act the definition of 'safe accommodation' includes refuges, Sanctuary Schemes, move-on, and dispersed accommodation.

A Sanctuary Scheme is a property where security or security measures have been installed, enabling survivors to remain in their own homes safely if they chose to do so. It also incorporates an element of specialist domestic abuse support to the individuals residing there.

The countywide assessment of need for support within 'safe accommodation' identified a gap in provision and found that there is not a geographically equitable Sanctuary offer across the county.

Options Considered & Disregarded:

Option 1 - Do nothing. The Needs Assessment has shown that there is not a consistent offer of sanctuary across the county, resulting in an inequitable offer of support to survivors and their children. Doing nothing will not address this identified gap in services and therefore the council will not be meeting its statutory duties.

Option 2 – Delegate funding and responsibility for delivery of property security measures to district and boroughs across Kent and commission support for adult survivors residing in properties where measures have been applied. It is recognised that this would likely result in multiple procurements and the opportunity for efficiencies through collaborative commissioning would be lost. There would be 12 separate sanctuary offers across the county with separate referral routes, making pathways unclear for survivors and referrers.

Option 3 – Procure a Sanctuary Scheme (property security measures and support for adult survivors) for areas where there is not currently a

provision in place only. (Canterbury, Gravesham, Thanet, Dover, Sevenoaks, Tonbridge and Malling and Tunbridge Wells) It is recognised that this would likely result in 7 separate sanctuary offers across the county with separate referral routes, making pathways unclear for survivors and referrers. All offers would need to ensure a clear pathway for the provision of support for adults and new support service for children (due to be procured in April 2023) It is viewed that option 3 would be challenging to implement and deliver geographic equitability and the opportunity to achieve full efficiencies through collaborative commissioning would be lost.

Option 4 - Procure a countywide Sanctuary Scheme including Single point of access, Property security and Support package for adult survivors. This is the preferred option. It will support the council to address the findings of the needs assessment and meet its statutory duties by maximising the opportunities and offer of support within safe accommodation. In turn removing barriers to underserved groups in accessing existing safe accommodation and improving the councils offer to survivors of domestic abuse. Developing one service offer will create geographic equitability and clear referral pathways. One contract and procurement exercise will create economies of scale and efficiencies. There is also the opportunity to utilise existing contractual arrangements in place which will create further efficiencies. Commissioning and procurement resources are in place within the county council.

Service design:

Kents proposed Sanctuary Access for Eligible Residents (SAFER) Scheme has been co-designed through extensive engagement with survivors, stakeholders, the market, and other Local Authorities with similar successful schemes.

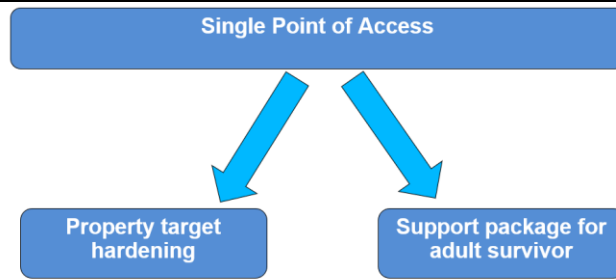
There are 3 main aims/objectives for SAFER including, but not limited to:

1. Enable people to remain in their own homes, within their local support networks.
2. Improve safety, health, and wellbeing.
3. Prevention of harm

Additional outcomes of the scheme will hopefully also see:

- Reduction in risk.
- Victim/s able to remain within their local support networks (family/friends etc)
- Enable families to remain together.
- Improved access to support for underserved groups
- Reduction in repeat offences.

The countywide SAFER Scheme will be split into three service elements.



This proposed decision is in relation the Property security element and it is proposed this service element is procured through a competitive procedure.

Financial Implications:

Since 2021, the Department of Levelling Up Housing and Communities (DLUHC) has awarded the council £12.6m in new Grant funding, to support implementation of these duties until 2025.

The proposed contract start date for the property security service is 1 August 2023 and will be funded in full by the council’s DA Act funding allocation. The proposed contract length is two years with two one-year extension options. Delivery will be by preferred bidders identified following a competitive tendering exercise.

Financial modelling has been undertaken based on extensive market consultation and engagement with other local authorities who have implemented a similar scheme.

The table below outlines the costs to KCC for the initial two years and extension options and can be met within the council’s approved budget.

	KCC Domestic Abuse Act funding
Initial two-year contract term	£800,000
Two, one-year optional extension periods	£800,000
Total (Initial two-year contract term PLUS Two, one-year optional extension periods)	£1,600,000

To ensure a sustainable offer, engagement will commence with all stakeholders to seek ongoing funding for the property security measures and development of an integrated, partnership funded service from year three, if Government grant funding does not continue.

Data Protection Implications:

A full Data Protection Impact Assessment (DPIA) will be developed and

amended as necessary for the new service.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Adult Social Care and Public Health

Date:

Not before April 2023

Reason if Key Decision

An Equality Impact Assessment has been completed and did not identify any potential adverse effects. This is a live document and will be updated as the new service is procured.

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 discussed at the Adult Social Care Cabinet Committee on 15 March 2023 and the recommendations were endorsed.

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

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

Support documents

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

Reference No: The procurement process has been conducted in accordance with Public Contracting Regulations 2015.

Contract extension periods are being recommended under Regulation 72(c) of the Public Contract Regulations 2015, fulfilling the following conditions:

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

Key Yes
Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.
<p>Title: 23/00023 - Community Services Contract awards for Mental Health Assessment & Independent Advocacy Services</p> <p>The Decision needed: Proposed decision:</p> <p>Extension of current Kent Advocacy Hub and Mental Health Assessment contracts for a period of up to four months; Award contracts to successful providers for the provision of Community Services Contracts (Mental Health Assessment and Independent Advocacy Services); Delegate authority to the Corporate Director Adult Social Care and Health to take other 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; and Delegate authority to the Corporate Director Adult Social Care and Health, in consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director Finance, to agree the relevant contract extensions as required.</p> <p>Reason for the decision:</p> <p>The Authority has statutory duties to deliver independent advocacy services under the Mental Capacity Act (amended 2019), the Mental Health Act (2007), the Health and Social Care Act (2012) and the Care Act (2014), across all categories of need, including to young people in transition to adult services. The contract awards ensure the council meets the requirements of Advocacy, Deprivation of Liberty Safeguards and Liberty Protection Safeguards.</p> <p>Decision No. 22/00004 was taken on 9 February 2022 to tender for new Advocacy Services contracts. The council’s current contracts for Independent Advocacy Services and Mental Health Assessment Services both expire on the 31 March 2023.</p> <p>A procurement process is underway to replace these contracts to ensure the continuation of the statutory services that they provide. The extension to the current contracts for Independent Advocacy Services and Mental Health Assessment Services will allow for a period of transition between contracts as may be required to ensure that Kent citizens are not adversely affected by the change.</p> <p>Alternatives considered and rejected:</p> <p>Do nothing: the contracts will end on 31 March 2023 with the Authority still obligated to deliver statutory functions, but these will be at increased cost, spot purchased, and deliver inconsistent and fragmented services.</p>

Extend the current contracts for a longer period: This offers limited scope to develop the service in the future and as it does not comply with the Public Procurement Regulations (2015), increasing the risk of challenge to do so.

Data Protection implications:

A Data Protection Impact Assessment will be completed as part of the contract mobilisation process.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Adult Social Care and Public Health

Date:

Not before April 2023

Reason if Key Decision

An Equality Impact Assessment (EqIA) scoping has been undertaken, with no issues identified. An EqIA will be included the decision paperwork.

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 discussed at the Adult Social Care Cabinet Committee on 15 March 2023 and the recommendations were endorsed.

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

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

Independent Advocacy Services: The contract will be awarded for a period of 36 months with two optional extension periods of 12 months each. The annual value of Independent Advocacy Services is £1,599,400 (£7,797,000 total, including potential contract extension periods)

Mental Health Assessment Services: The contract will be awarded for a period of 12 months with an optional extension period of a further 12 months. Although the contract will not give any guarantees to the value of the services as it is a demand-led service, the estimated annual value to the council is £420,000 (£840,000 including the potential contract extension period).

Support documents

Exempt Appendix A

Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services

Reference No: There are no legal implications arising from the adoption of the Strategy.

Key Yes

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

Title:
23/00024 - Kent Country Parks Strategy 2023-28

The Decision needed:
Proposed decision:

To adopt the Country Parks Strategy 2023-28.

Reason for the decision:

The Kent Country Parks Service manages nine country parks and three smaller countryside sites across the county. The current strategy ran from 2017 – 2021 and as such a new strategy was drafted during 2021/22, informed by an informal Members’ Working Group. The draft 2023 – 2028 Strategy was consulted upon from 4th October 2022 to 12th December 2022, following its endorsement by the Growth, Economic Development and Communities Cabinet Committee in March 2022. The results of the consultation have been received and incorporated into the Strategy as appropriate, and the 2023-28 Strategy is now considered ready to for adoption.

Background:

The Kent Country Parks Service:

- Receives 1.6 million annual visitors;
- Benefits from regular volunteering opportunities at five sites and over 10,000 volunteer hours per year;
- Delivers environmental education, Forest Schools and nature-themed birthday parties to 7,000 children per annum;
- Incorporates over 30km of accessible routes;
- Offers accessible Changing Spaces toilets at three sites;

The proposed strategy put forward three Strategic Aims:

1. **Provide a Country Park network of well-connected high quality and biodiverse greenspace across Kent.**
2. **Sustain and manage visitor numbers to our Country Parks by always providing a quality customer experience alongside a comprehensive environmental education service, facilities, events, and activities that encourage increased or repeat visits especially amongst under-represented groups.**

3. Consolidate the financial sustainability of the Country Parks through maximising self-financing and external funding opportunities.

Options (other options considered but discarded):

Not to revise the Strategy. This was rejected as Country Parks make a significant contribution to wider outcomes important to Kent County Council, including those in the strategic framework, 'Framing Kent's Future 2022-2026'.

How the proposed decision supports Framing Kent's Future 2022-2026:

(<https://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/our-council-strategy>)

The Country Parks make a significant contribution to all outcomes in the strategic framework:

Priority 1: Levelling Up Kent

- Providing apprenticeships and volunteering opportunities.
- **Providing local opportunities for Kent residents to exercise outdoors through our network of trails, trim trails and both formal and informal walks and events.**

Priority 2: Infrastructure for Communities

- **The Country Parks are managed for biodiversity and actively seek opportunities for biodiversity enhancement. The Country Parks contain Sites of Special Scientific Interest, Local Wildlife Sites, and four of the parks are situated within the Kent Downs Area of Outstanding Natural Beauty.**
- **The Country Parks offer regular conservation volunteering opportunities.**
- **Country Parks staff lead on the Kent and Medway Green Social Prescribing Forum and actively seek opportunities to link the Country Parks with Public Health initiatives as well as links with charitable organisations and partners.**
- **The Country Parks engage with Children and Young People through a range of school-based, educational activities, holiday events for families, toddler groups and more.**

Priority 3: Environmental Step Change

- **The Country Parks are linked to the Public Rights of Way network and promote these through signage and interpretation.**
- **The Country Parks management plans are linked to Kent's Plan Bee and actively managed for pollinators.**
- **Country Parks staff take part in the Kent Nature Partnership's Management Working Group and are actively seeking ways to maximise nature-based solutions through delivery of the Kent Environment Strategy.**

Priority 4: New Models of Care and Support

- **Country Parks staff collaborate regularly with other Kent County Council teams such as Community Safety, Active Kent and Medway and Public Health to establish a joined-up approach to prevention.**

Data Protection Implications:

There are no data protection implications arising from the adoption of the Strategy.

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 April 2023

Reason if Key Decision

The EqIA on the proposed Strategy determined that there is no indication that it will have an adverse equality impact on any of the protected characteristics. This will be reviewed as delivery against the Strategy continues.

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

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

Consultees

Growth, Economic Development and Communities Cabinet Committee was asked to consider and make recommendations to the Cabinet Member on the content of the draft Strategy in March 2022.

The Strategy was considered and endorsed at Growth, Economic Development and Communities Cabinet Committee on 14th March 2023.

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

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

This Strategy will be delivered through the County Council's capital and revenue funding of the Kent Country Parks Service, and through the income that the service generates year on year. The Service in 2021/22 was 76% cost neutral to the authority and as per Strategic Aim 3, it will consolidate its financial sustainability over the course of the Strategy. Monitoring and performance will be through the Medium-Term Financial Planning process.

The delivery of the Strategy falls within the following budget lines from the 2023/24 approved budget:

- APPENDIX B - CAPITAL INVESTMENT SUMMARY 2023-24 TO 2032-33, Growth Environment and Transport (GET) Line 1. Country parks Access and Development: improvements and adaptations to country parks
- APPENDIX E – REVENUE BUDGET SUMMARY, Growth, Environment and Transport (GET) Line 83. Growth and Communities/Community (Assets and Services).

Support documents

Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services

Reference No: This procurement has not been subject to an open competitive procurement process. In accordance with regulation 12 of the Public Contract Regulations 2015 (PCR15), Public contracts between entities within the public sector are excluded from the provisions detailed in PCR15. This allows the Council to award a contract directly to each of the four NHS trusts. To meet its Value for Money obligation, the Council will negotiate with the Trusts to ensure consistency across the contracts and that it is within budgets.

Key Yes

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

Title:
23/00025 - New Contracts for the Provision of Post-Mortem Facilities for the Mid Kent & Medway, Northwest Kent, and East Kent Coroner Areas Commencing 1st April 2023

The Decision needed:
Proposed Decision:

To award an annual contract that can be renewed/extended up to two times, for provision of Post-Mortem (PM) facilities to the Dartford and Gravesham NHS Trust, East Kent Hospitals University Foundation Trust, Maidstone and Tunbridge Wells NHS Trust and Medway NHS Foundation Trust.

Background and Reason for the Decision:

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, for example, where a Deprivation of Liberty

Safeguard Order (DoLS) is in place.

In some cases, the Coroner will order a post mortem (PM) to establish the cause of death, and in such cases, the deceased is taken to a pre-designated mortuary for this purpose. On behalf of the Kent Senior Coroners, KCC ensures access to body storage and PM facilities across the four Kent coroner areas.

KCC does not have its own public mortuary facility and so like many other coroner areas across England and Wales it relies on 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.

All four of the contracts for body storage and PM facilities for the four Kent coroner areas expire on 31 March 2023 and it is necessary to put in place new contracts to secure this critical service, at which point new contracts can be awarded. Contract terms have been updated and developed using our findings and in line with KCC's future needs, including the implementation of the Digital Autopsy (DA) service. An annual contract that can be renewed/extended will allow more time for KCC to determine DA's direction of travel and develop a contractual arrangement that complements the DA service once it goes live.

Options (other options considered but discarded):

Option 1: Do nothing

This is a statutory service, and unless contracts are put in place the system of coronial death investigation and certification in the Northwest Kent, Northeast Kent and Central & Southeast Kent coroner areas will fail. The Council will also be at risk of receiving an inconsistent provision and quality of service, a lack of control over costs, and subsequent reputational ramifications.

Option 2: Go out to tender Competitive Tender Process

There are no private sector organisations within this marketplace locally, and previous experience of mortuary use outside of Kent has not delivered a suitable service. A competitive tender process will not yield a competitive process.

Option 3: Use a framework or other viable contract mechanism

There are no known frameworks or other viable mechanisms for the provision of mortuary facilities in England and Wales.

Option 4: One NHS Trust delivers all PMs

No single facility can accommodate the number/level of PMs.

Option 5: Renew contract through single source procurement Direct award new contracts to the NHS Trusts

Direct award new contracts to the NHS trusts through the regulation 12 exclusion permitted within PCR15. This option is recommended given the very specialist nature of the work and the absence of any alternative providers with sufficient capacity in Kent or nearby adjoining areas.

- How the proposed decision supports Framing Kent's Future 2022-2026: (<https://www.kent.gov.uk/about-the-council/strategies-and-policies/corporate-policies/our-council-strategy>)

The proposed Digital Autopsy facility, to which these contracts are directly linked, supports Priority 2: Infrastructure for Communities via a further digitalisation of KCC's service offer, and finding better ways to deliver services for Kent. This short-term flexible contract allows for DA to come in midway through the contract period.

Financial Implications:

Unless contract renewals are put in place, the NHS Trusts can charge as much as they want for the provision of mortuary services. The new contracts will provide service continuity and cost certainty in times of current double digit inflation uplifts if no contract were in place.

The contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in 6 equal instalments, however the discussions for the new contract will include payment based on activity levels. The contracts with the other NHS Trusts are charged on a cost per PM basis.

In 22/23, including capital and revenue across the whole project or the full lifetime of the contracts, the total cost was £1,350,635.75, 23/24 is still pending negotiation.

Coroners service cover Kent and Medway and Medway are charged an element of all costs based on population numbers. Currently they are charged approx. 15% of all Coroner costs.

Arrangements are in place with the NHS Trust Mortuary Services to make provisions for the temporary and longer-term storage of the deceased while under the jurisdiction of the Kent and Medway coroners. This will include the provision of refrigerated and deep freeze storage. The Trusts will make suitable provisions for alternative storage of the deceased should fridge or freezers be dysfunctional, or capacity is exceeded during exceptional circumstances.

During negotiations, the new contracts will also give us the option of terminating after 12 months with a notice period of 6 months.

Data Protection Implications:

A Data Protection Impact Assessment screening form has been completed, which concludes that a DPIA is not required.

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 April 2023

Reason if Key Decision

The Equalities Impact Assessment (EQIA) completed in 2023 for this service has been reviewed this year, there have been no changes or issues identified by the service.

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

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

Consultees

The proposed decision was discussed and endorsed at the Growth, Economic Development and Communities Cabinet Committee on 14 March 2023.

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

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

Support documents

NOT BEFORE 29 MARCH 2023

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: Any legal implications will be explained in the report to the Cabinet Members prior to taking their decision.

Key Yes

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

Title:

23/00018 - Additional funding required to complete the satellite provision of The Beacon, Folkestone at the former Walmer Science College

The Decision needed:

Proposed decision –

- (i). Release a further £15,924,438 of capital funding from the Children's, Young People and Education Capital Budget to enable the delivery of the

- satellite to be completed;
- (ii). Authorise the Director of Infrastructure in consultation with the General Counsel to enter into any necessary contracts / agreements on behalf of the County Council; and
 - (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 –

The Beacon Folkestone is a special school for pupils with Profound Severe and Complex Needs (PSCN). There is no PSCN special school in Dover district, provision has hitherto been made through Specialist Resourced Provision at Whitfield Aspen School (primary) and Dover Christ Church Academy (secondary), together with pupils travelling to special schools in Canterbury, Thanet and Folkestone. In March 2020 this Committee considered a proposal to expand The Beacon School via a satellite site at the former Walmer Science College, Dover, following which the proposal was approved by the Cabinet Member for Education and Skills.

The report of March 2020 stated that the estimated cost of delivering the satellite, at that point 168 places, had been estimated at £4m, with the first phase costing £1.6m. This Committee recommended the proposal be amended to deliver 240 places, rather than 168, to enable the satellite to deliver two forms of entry throughout the age structure. It was recognised this would increase the cost. This recommendation was endorsed in the final decision (20/00001).

The costs of delivering this satellite have increased significantly. The first phase of the satellite opened in April 2021, following the upgrading of a detached block at the College. This provides 64 places for pupils aged 4-8 years at a cost of £3.1m. The full scheme is now expected to cost £19,924,438. Details as to why are set in the report to CYPECC.

How the proposed decision meets the KCC objectives

The commissioning Plan for Education Provision In Kent states that: our (KCC's) vision is that every child and young person should go to a good or outstanding school. The proposal supports that vision.

SEND Strategy 2021-24 has five priorities. The proposal will support the following priorities :

- **Priority Four: Improve education, care and health outcomes for children and young people with SEND.**
- **Priority Five: Ensure children and young people with SEND are included in their local community.**

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 2023

Reason if Key Decision

The original EqIA has been reviewed and no changes are required. This found that the proposal has an overall positive impact as it increases the number of outstanding special school places available for pupils who require the specialist support the school can offer. It will also release capacity in The Beacon Folkestone and other PSCN provisions for other need types.

Analysis continues to show that girls will be less likely to benefit from this proposal than boys. As of May 2022, there were 2,460 boys and 1,115 girls on roll in the ten PSCN special schools across the County. In addition, the most physically disabled may be indirectly discriminated against as the satellite building will support the more ambulant pupils. Therefore, some Dover residents may still need to travel out of the district to attend a suitable provision.

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

The cost of this proposal is now estimated at £19,924,438. The capital cost will be fully covered from the Government's High Needs Provision Capital Allocation (HNPCA). The Council's approved capital programme includes the HNPCA allocations for 2022/23 and 2023/24, which together total just under £41.5m. This means the increased cost for this scheme, will not impact on the main Basic Need Capital Programme.

The proposal has been presented to Education Asset Board and agreed, in KCP 2020-24.

Revenue:

£8,000 per classroom for fixtures and resources will be allocated to the school as the phases are occupied. The total cost being c£240,000.

Split site funding of £42,810 was allocated for the financial year 2022-23.

Split site funding will be allocated in future years as agreed in the schools funding policy.

Support documents

Responsible Cabinet Member - Cabinet Member for Education and Skills

Reference No: The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that “Children and Young People in Kent get the best start in life.

Borden Grammar School has completed and submitted a full Business Case to the ESFA regarding the expansion of the school by 1FE.

Key Yes

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

Title:

23/00019 - Allocation of additional Basic Need funding to permanently expand Borden Grammar School, Avenue of Remembrance, Sittingbourne, ME10 4DB from 120 places to 150 places for September 2024

The Decision needed:

Proposed decision.

- i. Agree to increase the funding allocated to expand Borden Grammar School from £6,975,000 to £8,950,282 through providing £1,975,282 additional funding from the Basic Need capital budget.
- ii. Authorise the Director of Infrastructure 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 to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

- Reason for the decision

Additional funding of £1,975,282 is required for the expansion of Borden Grammar school by 1FE from September 2024. Additional costs have been identified since the decision to allocate £6.975m to this project.

The revised project cost is now £8,950,282. As the revised project cost is more than the ROD of £6,975,000 (22/00011) a new ROD is required to authorise the additional funding for this project.

- Background

The Kent Commissioning Plan (KCP) 2020-2024 identified the need for additional selective places for the Sittingbourne and Sheppey Planning group. The Kent Commissioning Plan 2021 - 2022 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 on a temporary basis with a subsequent permanent expansion.

It was agreed to expand Borden Grammar School by 1FE and allocate funding of £5.460m at the Children's, Young People and Education Cabinet Committee on 14 September 2021. (Decision number 21/00069) and additional funding was subsequently agreed to increase the allocation to £6.975m in at the Children's Young People and Education Cabinet Committee on 1 March 2022 (Decision number 22/00011)

- Options (other options considered but discarded)

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

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

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

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before March 2023

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 eligible 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.

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

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

Consultees

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

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

The total capital allocation of £8,950,282 is required 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 need for additional funding of £1,975,282 has arisen due to the further increases in the cost of materials, the costs associated with further abnormalities uncovered during further investigations and enabling works, including the removal of a soakaway for the kitchen extension, tracking and diversion of 2 water pipes in the sports field, asbestos removal / containment from the existing building, kitchen roof repairs, drainage and ventilation associated with new provisions within the existing school, investigation into the boundary wall due to its poor condition, water hydrant, the cost of the removal of a WWII Air raid shelter, additional archaeological investigation due to planning requirements and the requirement for additional temporary teaching space due to delays in ent

Support documents

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

Reference No: External legal advisors will be appointed as appropriate, in consultation with General Counsel.

Key No

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

Title:

23/00020 - Formal Lease for Sub Station at St Edmunds Church of England Primary School, West Kingsdown.

The Decision needed:

Proposed Decision:

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to:

1. authorise the granting of a new lease, for a term in excess of 20 years, in order for a new electricity substation to be built within the school grounds. This will serve new operational accommodation and development within the school grounds; and
2. authorise the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to take necessary actions, including but not limited to entering into relevant contracts or other legal agreements, as required to implement this decision.

Reason for the Decision

KCC is converting and upgrading the heating system at St Edmunds Church of England Primary School in West Kingsdown. In order for the new air source heat pumps to be commissioned and become operational, a new electricity substation is required to be provided on the school site by UK Power Networks and therefore requires Kent County Council (KCC) to grant them a lease of a term of 99 years.

Background

KCC is currently converting and upgrading the heating system from oil to a much more efficient air source heat pump system following the receipt of external funding. The air source heat pumps cannot be powered by the existing electricity supply to the school. In order that an adequate electricity supply can be provided for the new pumps, it is necessary for a new electricity substation to be provided on site by UK Power Networks.

The proposed new substation will serve the school only and no other properties.

For consistency with other leases granted on operational school sites to UK Power Networks and similar Statutory Undertakers, a lease of 99 years will need to be granted for the provision and operation of the new substation.

Options Considered

No other options were considered as the new air source heat pumps cannot be operated via the school's existing electricity supply, and the substation is necessary to ensure the new plant can be completed and brought into use.

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

<p>Date: Not before April 2023</p> <p>Reason if Key Decision An Equality Impact Assessment (EqIA) has been completed and it is not felt that this decision presents any impact on any of the nine areas specified by KCC.</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p>
<p>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: The rent payable under the proposed formal lease shall be a peppercorn rate per annum, for consistency with other similar leases granted to UK Power Networks and other Statutory Undertakers, for the provision of substations within operational school sites to serve developments for the school.</p> <p>Each party will bear its own surveyors fees and legal costs upon completion of the Formal Lease.</p> <p>Support documents PROD Decision Report EQIA</p>

NOT BEFORE 23 MARCH 2023

<p>Responsible Cabinet Member - Cabinet Member for Integrated Children's Services</p> <p>Reference No: The Council has entered into a Memorandum of Understanding (MOU) with the Department of Education (DfE) which creates obligations to progress transformation scoping and proposal development activity this financial year.</p> <p>Access to the associated funding of up to £10m, depending on the type and level of transformation activity eventually progressed, is conditional on</p>

compliance with the terms of the MOU and demonstration of progress toward an effective Family Hub Model.

Aspects of the Family Hubs Transformation Programme is dependant on the outcomes of the Community Assets consultation.

KCC will seek permission from the DfE if it is acceptable to amend the terms of the MOU and delay further Family Hub Transformation work until conclusion of the Community Assets consultation.

Key Yes

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

Title:

23/00015 - Family Hub Transformation Funding

The Decision needed:

Proposed decision –

- a. to commence development and co-design of the Family Hub model for Kent in line with Government Family Hub framework for delivery and associated plans.
 - b. to allocate and spend funding allocated via the Family Hub Transformation Authority for 2022/23 financial year.
 - c. to delegate authority of expenditure to the Corporate Director of Children, Young People and Education, in consultation with the Cabinet Member for Integrated Children's Services and the Cabinet Member for Adult Social Care and Public Health
- Reason for the decision

Summary: Kent County Council has been successful in receiving Family Hub Transformation Authority status and has therefore received designated Family Hub Transformation Funding.

Further work now needs to commence to begin exploring how the Family Hub model could work in Kent. To align with this, expenditure of funding allocated for Financial year 2022-2023 needs to take place.

Following key decision 22/00094 which relates to the acknowledgement of status and acceptance of funding as part of the Family Hubs Transformation programme, a further key decision is now required in order to allocate expenditure for financial year 2022 – 2023 and commence development activity for Family Hubs.

The Council must take a formal decision to enable this financial year's funding to be allocated and support the development of further proposals

regarding future delivery.

Allocation of this initial expenditure will allow further work to be undertaken to develop more detailed and co-designed proposals for delivery alongside proposed allocation of expenditure for subsequent years, which will be subject to governance through normal Executive Decision making arrangements.

- Options (other options considered but discarded)

Do nothing – additional funding to support the improvement of Family Services in Kent will not be able to be utilised failure to make use of this grant may result in it needing to be repaid unless confirmed otherwise by DfE.

Should funding not be utilised for this financial year it could put any future Family Hubs Transformation Funding for subsequent years at risk of non-receipt.

Progress expenditure - of the limited funding allocated for this financial year and utilise it to further develop and progress further exploration of what Family Hub services could look like, including improving access through community outreach and an enhanced digital offer.

Delay – further delivery of Family Hubs Transformation and request for Kent's delivery timeframes to be pushed back. DfE have outlined that they would not be in agreement, and this may impact future funding and outcomes reporting.

There is also, currently an expectation from DfE that as part of this Transformation Programme, Kent will have opened some Family Hubs by the first half of 2023.

Financial Implications

The Council has been notionally allocated to receive up to £10million over three years as part of the Family Hubs Transformation Funding Programme.

The Department of Education (DfE) have specified this funding should be used to develop and scope how Family Hubs could be transformed, incrementally add to existing services, complement existing services and/or offer new services in order to improve services to whole families in Kent, ensuring open access provides a 0-19 years model and children get the 'Best Start to Life'.

For 2022-23, £2,830,000 Family Hubs funding has been provisionally allocated by the DfE to Kent, with £138,164 of this being capital expenditure. A further £183,000 in revenue funding has also been allocated specifically to begin to undertake preliminary transformation activity during this financial year.

Initial payments of £1.4m from the total year 1 allocation, have been received by the Council in November 2022 and January 2023.

Discussions remain ongoing with the DfE in relation to the remaining funding with further payments anticipated to be received by the Council by March 2023.

Of the initial funding received, £1,3m has been forecasted to be spent by the end of March 2023, and the remainder of year 1 allocation is committed to be spent subject to DfE approval. The majority of this expenditure has been on staffing costs for planning and preparatory work and purchasing of some equipment to support outreach services, where needed.

Due to Family Hub Transformation Programme delays and DfE deadlines extending, spending the allocated funding has been delayed and the Council remain in discussions with DfE around expectations and timelines for monies which are committed but not spent at the end of this financial year.

Work is also underway to extend engagement with key stakeholders including through Parent and Carer Panels to ensure meaningful co-production of Family Hub Transformation activity in line with Family Hub Programme guidance.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Integrated Children's Services

Date:

Not before March 2023

Reason if Key Decision

Initial assessment and attached Equalities Impact Assessment (EQIA) has not identified any negative implications. Further EQIAs will need to be developed as part of future decision making in relation to individual aspects of Family Hub delivery once developed.

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 8 FEBRUARY 2023

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:

23/00004 - Proposal to rebuild and expand Teynham Parochial CEP Primary School from 210 places to 420 places, increasing the published admission number (PAN) from 30 to 60 for September 2025.

The Decision needed:

Proposed decision –

- (i) *Agree to the proposal to rebuild and expand Teynham Parochial CEP Primary School from 210 to 420 places increasing the published admission number (PAN) from 30 to 60 for September 2025 (1FE to 2FE) from September 2025.*

This decision is conditional upon planning permission being granted.

- Reason for the decision
Agreement is required to rebuild and expand Teynham Parochial CEP Primary School from 210 to 420 places increasing the published admission number (PAN) from 30 to 60 for September 2025 (1FE to 2FE). The proposal includes demolition and rebuilding of the current school due to the building condition and complexity attached to expanding the current building. It therefore proves more cost effective and efficient to rebuild and expand. Project costs have been estimated at £10,000,857 The proposal will be brought back to Children’s, Young People and Education Cabinet Committee for a further decision on the allocation of Capital budget and to gain permission to issue a public notice.

- Background – Provide brief additional context

The current primary school building was constructed circa 1970 as a temporary building using a basic SEAC component type construction. The building is now approximately 50 years old and shows many symptoms associated with being beyond economic repair, making it difficult and costly to expand and more cost effective to re-build. We are proposing to permanently increase the size of the school by 1FE to meet the primary school pupil needs in Teynham related to housing developments in the area.

Current plans are to construct the new school first and subsequently demolish the current school building, plus provide a multi- use games area (MUGA) on the location of the old school. The expansion in the number of pupils would be a gradual process from September 2025 onwards. The additional places will enable the school to run a two form of entry school starting in September 2025 when the published admission number would increase from 30 to 60. The school capacity would grow each year, finally reaching a capacity of 420 in 2031.

- Options (other options considered but discarded)

Consideration was given to expanding the current school building by 1 form of entry; however the building is now approximately 50 years old and shows many symptoms associated with being beyond economic repair, making it difficult, risky and costly to expand and more cost effective to re-build the school.

- The option of delaying the school was considered and 2025 represents a delay from the opening date originally planned. One of the housing developments has already built-out, another is in planning and a third has gone to appeal.
 - How the proposed decision meets the objectives of 'Framing Kent's Future – Our Council Strategy (2022-2026)
- This proposal will help to support Framing Kent's Future – Our Council Strategy (2022-2026) Priority 1 - Levelling up. 'To maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.'

The Commissioning Plan for Education Provision in Kent 2021-2025 sets out the need for commissioning additional school places in Kent.

- Financial Implications

Capital

A feasibility study estimated final costs at pre planning stage at £10,000,857.

The project includes a total rebuild of the whole school designed to BB103.

The expansion of Teynham school is also linked to new housing developments in the Teynham area. A total of £3,851,155.89 in developer contributions has been requested with £1,413,243.89 agreed and £2,437,912 still requested. A total of £201,844.17 has been collected.

This would indicate a KCC Capital Contribution of £6,149,701 would be require and is expected to be funded from Basic Need Capital Programme. However, this is subject to a further key decision by the Cabinet Member for Education & Skills once planning permission and final costings have been agreed.

Revenue

Revenue costs of expanding the school under basic need is expected to be fully funded from the ring-fenced Dedicated Schools Grant: School Block. Available revenue funding will be allocated in accordance with the prevailing Kent County Council School's Growth Funding Policy. The current funding offer is:

- a total of £6,000 per new classroom will be provided to the school to support initial set up costs.
- Guaranteed funding for the first three years to support the school financially to ensure it can put in place a staffing structure to provide the school places required (this will be reviewed closer to the time of opening).

There are no revenue Council General Fund implications expected from this proposal.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Education and Skills

Date:

Not before February 2023

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 impact:

- Sufficient local Primary provision for children in Teynham and the local area.

No adverse impacts were identified during the assessment.

The EqIA:

<https://letstalk.kent.gov.uk/20142/widgets/57062/documents/33341>

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 29 NOVEMBER 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:
21/00096 - Contract for Post Mortem Facilities for the North West Kent Coroner area

The Decision needed:

Proposed Decision:

To award a 12 month extension to the contract for the provision of post mortem (PM) facilities to Dartford & Gravesham NHS Trust.

Background

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 Coroners, KCC ensures there is adequate storage capacity for coroner’s bodies and that the coroners have 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 contract with Dartford & Gravesham NHS Trust expired on the 30th September 2021 and it has been necessary to put a contract extension in place to secure this critical service until such time as the proposed Digital Autopsy facility at Aylesford opens for business, currently estimated for August/September 2022. The Trust is agreeable to extend the contract for 12 months as this will guarantee that all their fixed and variable costs are met, which is an understandable approach. It has therefore been agreed that the contract 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.

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet Member for Community and Regulatory Services

Date:

November 2021

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

Consultation has been undertaken with:
Senior Coroner, Mid Kent & Medway
Senior Coroner, North West Kent
Head of Coroner Service

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

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

The contract with the 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.

Support documents

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:

21/00089 - Kent Minerals and Waste Local Plan 2013-30: 2021 Review - Public Consultation

The Decision needed:

Proposed decision

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).

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 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.

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.

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

Reason if Key Decision

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

NOT BEFORE 8 OCTOBER 2021

<p>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</p> <p>Reference No:</p> <p>Key Yes</p>
Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.
<p>Title: 21/00079 - Contracts for Post Mortem Facilities for the Mid Kent & Medway, North East Kent and Central & South East Kent coroner areas</p> <p>The Decision needed: <u>Proposed Decision</u></p> <p>To award 12 month extensions to the contracts for the provision of post mortem (PM)</p>

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 30th 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.

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Section 2 – Who is taking the final decision and when

<p>Who is taking the Decision Cabinet Member for Community and Regulatory Services</p> <p>Date: Not before October 2021</p> <p>Reason if Key Decision</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
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Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors

<p>Consultees</p>

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

<p>Your name, Your Service, Your phone number and email address:</p>
<p>Support documents</p>

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:

Proposed decision –

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.

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.

Further information –

Decision 20/00102 - Community Support Services for Disabled Children & 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.

Following the competitive procurement process a further decision is required to award the contracts to the successful providers.

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 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.

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:

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 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 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:

ISSUE WITHDRAWN: Please note that due to ongoing work around the development of the new framework, a decision was taken to withdraw the current issue (21/00033). A new issue will be generated, containing up-to-date information; and this will align with the decision report which will be considered at a future meeting of the Adult Social Care Cabinet Committee.

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 14 APRIL BY CABINET MEMBER

Responsible Cabinet Member - Cabinet

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

Key Yes

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

Title:
20/00027 - Clean Up Kent and Public Realm Improvements

The Decision needed:

Proposed Decision:

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

Background:

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

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

Options:

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

Section 2 – Who is taking the final decision and when

Who is taking the Decision

Cabinet

Date:

Not before April 2020

Reason if Key Decision

- Equalities implications
Equalities Implications:
There are no equality implications directly arising from the decision. An EqlA will be undertaken for individual projects as they are developed.
- Data Protection implications
No personal data will be collected, therefore there are no data protection implications.

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

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

Consultees

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

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

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

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

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

and Boroughs to match fund.

Support documents

NOT BEFORE 18 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 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:

ISSUE WITHDRAWN: This issue was superseded by decision 22/00062 – People's Voice Activity Contract (including Healthwatch Kent)

<p>Proposed decision: To agree:-</p> <ul style="list-style-type: none"> a) the implementation of an interim contract for the provision of a Local Healthwatch for Kent for the period April 1st 2018 to March 31st 2020, with sufficient break clauses to end earlier where appropriate; and b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract <p>How the decision relates to Corporate Objectives</p> <ul style="list-style-type: none"> • 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 <p>The matter is referred to in the Business Plan/Medium Term Capital Programme.</p>
<p>Section 2 – Who is taking the final decision and when</p>
<p>Who is taking the Decision Deputy Leader and Cabinet Member for Finance and Traded Services</p> <p>Date: Not before January 2018</p> <p>Reason if Key Decision No equalities implications – whole Kent provision.</p> <p>Reason if this decision has been delayed/withdrawn from a previous plan</p>
<p>Section 3 – – Who is to be consulted, how and when, (The Duty to Inform/consult/Involve) including relevant scrutiny councillors</p>
<p>Consultees</p> <p>The proposed 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>Section 4 – Responsible Officer – Who to contact for more information.</p>
<p>Your name, Your Service, Your phone number and email address: The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.</p>

Support documents

NOT BEFORE OCTOBER 2017 BY CABINET MEMBER

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

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

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

Property holding costs will cease upon sale.

Support documents

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