

**Kent  
County  
Council**  

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## **FORWARD PLAN OF DECISIONS**

**1 September 2023 - 31 December 2023**

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

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

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

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

## **FORWARD PLAN OF DECISIONS**

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

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

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

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

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

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

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

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

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

<b>The Kent County Council Cabinet Members are:</b>	
Mr Roger Gough	Leader of the Council
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
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 30 SEPTEMBER 2023**

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

**Reference No:** The provision of services to support people with health and/or social care needs following discharge from hospital is detailed within the Care Act 2014.

Paragraph 8.14 of the Statutory Care and Support Guidance states that "local authorities may not charge for assessments, community equipment and minor adaptations, intermediate care or reablement for up to six weeks". The option of self-purchase is therefore a choice to enable people, who wish to self-purchase, to choose the right equipment safely.

Independent Legal advice has been sought regarding Terms and Conditions of the Framework to mitigate any procurement risks.

**Key** Yes

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

**Title:**  
**23/00078 - Community Equipment Service**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Adult Social Care and Health is asked to:

- i. APPROVE the revised model for the Community Equipment Service and the arrangements to secure the appropriate contract for a period of five years from 1 April 2024 to 31 March 2029, with the option for a contract extension of a further two years from 1 April 2029 to 31 March 2031;
- ii. DELEGATE authority to the Corporate Director Adult Social Care and Health, to finalise terms of and award contracts to the successful provider and to approve, in consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director Finance, the exercise of any extensions permitted within the agreed contacts; and
- iii. DELEGATE authority to the Corporate Director Adult Social Care and Health to take other relevant actions, including but not limited to entering into contracts and other legal agreements, as required to implement the decision.

**Reason for the Decision:**

The current Integrated Community Equipment Service is jointly funded by Kent County Council (KCC) and the NHS Kent and Medway Integrated Care Board. The contract covers the purchase, delivery and repairs/servicing of equipment into people's homes. The service enables people to live more independently for longer and supports timely discharge from hospital.

All items of equipment are loaned to people and when no longer needed are collected. Where possible items are recycled and reused. A range of credits are received by KCC, on some items of reused equipment.

Following the decision to devise and procure a new service model for the provision of community equipment (Decision 22/0081), the council has led programme of procurement activities to prepare for the commissioning of a new service. Extensive engagement and co-design work has taken place with people who draw on care and support, including those with lived experience; prescribers of such equipment in health and social care professions and the market. This has informed the design of a new model for a Community Equipment Service.

The new service model will align to the priorities of 'Framing Kent's Future – Our Council Strategy 2022 – 2026' and will: -

1. Narrow the gaps in outcomes between different parts of Kent with a particular focus on providing the right type of equipment to improve life in deprived communities.
2. Harness digital connectivity and innovation to ensure people are aware of all their options and have access to all the equipment and services they need and want.
3. Contribute to the Net Zero targets, by exploring options to reduce the carbon footprint of the service.
4. Manage future demand and resource challenges facing the service to ensure it continues to support people to lead the lives they want to live in the future.

The preferred model remains a loan and recycle model but has the following additional benefits:

- An enhanced (85%) credit model with increased recycling linked with Waste Management Services.
- Digital signposting to support people who wish to self-purchase.
- A partnership approach to support adaptability, innovation and collaboration.
- A greater choice in delivery and collection times.
- Improved equity of service access.
- Improved financial and environmental sustainability through greater recycling/reuse of equipment, increased credit model and options to self-purchase.

The specification for the new model has no reduction in service or eligibility.

Other options considered but rejected are as follows:-

Option	Reason for Rejection
A Purchase model with no recycling	Environmental impact, instability of costs and missed opportunity to achieve deliver savings.
A Hub and Spoke model	Increased clinical risk to people, poor access for people who draw on care and support. Additional costs.
A reduced catalogue of equipment	Increased clinical risk to people, poor alignment with statutory duties and risk of delayed discharge from hospital.
A block contract model within reduced financial envelope	Poor value for money and risk to service quality. Reduced innovation and adaptability.

The council is using the nationally available and PCR (2015) compliant Kent Commercial Services Framework. Four of the largest providers of community equipment are on the Framework. The opportunity to bid for the new service will be published in August 2023. The contract will be awarded in October 2023, allowing for a five-month mobilisation period in order that the new service is operational by 1 April 2024.

## 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 September 2023

### Reason if Key Decision

An Equalities Impact Assessment (EQIA) was completed in January 2023 and revised in July 2023 following the initial co-design engagement events which highlighted a gap in representation from people who are not White or English speaking. Additional targeted engagement events were held and learning was used to revise the EQIA and inform the specification and all other tender documents.

### Data Protection Implications:

A Data Protection Impact Assessment has been completed. Prospective providers have all been subjected to robust testing of their information security management policies and processes and the technical security and design of their systems in order to be added to the Framework and were found to be compliant.

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

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

**Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 13 September 2023.

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

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

This is a demand-led service and activity can fluctuate. The total value for the length of the five-year contract term will be up to £82.5m, increasing to £115.5m if the two-year extension option is implemented.

Financial modelling shows that should all targets on recycling and self-purchase be achieved, the contract could make savings of circa £7m over its initial five-year term, when compared to forecast costs of the current model over the same timeframe. Savings could continue to be made over any extension period applied.

**Support documents**

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

**Reference No:** The funding allocation to Fulston Manor Secondary School is subject to a contractual agreement between KCC and the Academy Trust to build the satellite provision for Meadowfield Special School

Service level agreements specifying the responsibilities of each party and setting out any revenue costs to be covered will be put into place between Meadowfield Special School and Fulston Manor Secondary School.

Any further legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision to issue a statutory public notice.

**Key** Yes

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

**Title:**

**23/00077 - Prescribed changes to Meadowfield Special School from September 2024**

**The Decision needed:**

**Proposed decision**

a) Authorise the allocation of £1,500,000 from the High Needs Capital



Funding Budget to fund the satellite provision of Meadowfield Special School at Fulston Manor Secondary School

- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Fulston Academy Trust.
- c) Issue a public notice to:
- (i) Establish a satellite provision for 20 Secondary aged pupils at Fulston Manor Secondary School from September 2024.
  - (ii) Increase the designated number from 366 to 386

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

- (i) Establish a satellite provision for 20 Secondary aged pupils at Fulston Manor Secondary School from September 2024.
- (ii) Increase the designated number from 366 to 386

### **Reason for the decision**

Meadowfield Special School is unable to expand any further on its main school site and demand for PSCN Special school places in Swale district is increasing. The establishment of satellite provisions on mainstream education sites provides additional capacity whilst also enabling the school's expertise to be shared with the host school and provide Meadowfield students the opportunity to integrate, (where appropriate) with their mainstream peers.

### **Background**

Meadowfield (Foundation) Special School is a day provision for boys and girls aged 3 to 19 with Profound, Severe and Complex Needs (PSCN) including Autism. In addition to the main building at Swanstree Avenue Sittingbourne, the school also operates a 6th form provision at Ufton Lane Sittingbourne and a Primary School satellite at Sunny Bank Primary School which was established September 2022 (Decision 22/00043). The satellite at Fulston Manor Secondary School will provide students with opportunities for integration at a mainstream provision and will provide an onward pathway from the established satellite at Sunny Bank Primary School and additional opportunities and choice for Meadowfield pupils.

Meadowfield Special School has considerable and sustained pressure placed on them to admit additional pupils requiring a specialist school place. Their current designated number is 366, however they have been allocated additional pupils above their designated number and capacity and therefore solutions to find additional accommodation are required. Currently they have 391 funded pupils as of January 2023 and the School census reported 410 (to include nursery and 6<sup>th</sup> form) on roll. The Sunny Bank satellite was opened to create additional capacity for Meadowfield and enabled the school to admit additional more complex pupils on its main site. The Fulston Manor satellite will ensure that there is a pathway for those pupils currently attending the primary satellite at Sunny Bank

and will help the school to manage the current and future demand for places. If the Fulston Manor satellite does not go ahead, the current pupils at Sunny Bank will need to be accommodated back on the main Meadowfield site for their secondary education and this will severely limit the number of additional places the school would have available for future pupils. This would result in more pupils requiring a place at an independent special school at secondary transfer.

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

Meadowfield is unable to expand further on its current main site. Fulston Manor Secondary School was identified as a possible site for a satellite due to its proximity to Meadowfield, the support of the academy trust for the proposal and having a site at the school which was available for a new provision to be built together with additional facilities for the Secondary School.

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 proposal also supports KCC's SEND Strategy 2021-2024. The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.

The Commissioning Plan for Education Provision in Kent 2022-2026 identified the need to commission satellite provision of Meadowfield for secondary pupils.

**Financial Implications**

**Capital**

The project will ensure the satellite has its own dedicated accommodation of 2 classrooms and additional intervention spaces at Fulston Manor Secondary school. The capital costs and total budget for the new accommodation at Fulston Manor Secondary School will be £1.5m. The £1.5.m is already included in the forecasts for the High Needs Capital budget and would be subject to a Funding Agreement being put in place with the Academy Trust.

**Revenue**

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

The anticipated revenue budget for the 20 places at the satellite at Fulston Manor will be based on the need type rates below. It is likely that the primary need of pupils placed at the Fulston Manor satellite will be ASD.

**Need Type**  
**SLD**

**Rate**  
**£17,336**

**PD & PMLD**

**£24,582**

**ASD**

**£20,065**

The cost of 20 places on the ASD rate per year would be £401,300.

The average cost of an independent special school place in the county is £41,448. 20 places at an independent would cost £828,960 per year.

KCC will work closely with the senior leadership teams of both schools to ensure that all appropriate accommodation and facilities are provided to enable them to deliver an effective curriculum with an opening date of September 2024.

**Data Protection implications**

A DPIA has not been completed as there is no risk to the rights and freedoms of individuals.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before September 2023

**Reason if Key Decision**

An Equality Impact Assessment has been produced as part of the consultation process.

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

Has any public consultation been undertaken or is any planned?

A public consultation was held from 21 June to 19 July 2023

<https://letstalk.kent.gov.uk/hub-page/schools>

Cabinet Committee consultation planned:

The report is planned to be taken to the CYPE Cabinet Committee on 12 September 2023.

Which Divisions / Local Members are particularly affected:

Sittingbourne South – John Wright

Sittingbourne North – Mike Dendor.

Have views been sought from local Members?

The views of the Local Members are being sought during the consultation period and will be included in the report to Cabinet Committee on 12 September 2023.

**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:**  
Financial implication are included as part of the background information.

**Support documents**

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

**Reference No:** Works will be completed in accordance with the planning permission to support KCC with maintaining its statutory duty to provide pupil places.

**Key** Yes

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

**Title:**  
**23/00079 - Kings Hill School Roof Replacement Project - Additional Expenditure**

**The Decision needed:**

**Proposed decision**

- I. Approve the allocation of £1,100,000 from the Children’s, Young People and Education Modernisation and Planned Maintenance Budgets to permit the required repair works;
- II. Delegate authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
- III. Agree for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter into variations as envisaged under the contracts.

**Background**

Kings Hill Primary School is a 2FE school within the village of Kings Hill, West Malling. The school it was opened in 1997. The school consists of one large ‘S’ shaped building with the main hall and kitchen facilities attached to the front of the school. The building is single storey with a pitched roof and has a front section and a back section both of extensive area. The roof is made of Cedar Shingle tiles across the entirety of the roof.

The school first experienced leaks in the mid-2000s and this resulted in a section of the front of the schools’ roof being replaced. The problem has since worsened due to the age and condition of the wooden tiles. The roof

is set at a very low pitch and the school is surrounded by woodland and built into a dip in the land, meaning that leaves and moss from the surrounding trees sit on the roof. The build-up of detritus from the trees has rotted the wooden tiles and led to water ingress across the majority of the classrooms below.

The roof has had issues for a number of years and multiple reports and referrals from the school have been received to which extensive patching and repair works have been carried out. The Infrastructure Division's Minor Works Team has been carrying out remedial works caused by the leaks since 2018 and the full replacement was programmed for completion by 2021, however, there were a number of issues that prevented the project progressing including COVID related and planning issues due to the original makeup of the roof.

The planners were consulted and confirmed that due to the school's location and local planning requirements the replacement of the roof had to be with like-for-like material, cedar shingle tiles. The project was therefore pushed back as the tiles can only be sourced from Canada and have a 12 month lead in time; concern was also raised that a like for like replacement would lead to the same issue within 10-15 years. Following further consultation with the planners, it was agreed that a planning application would need to be submitted for the new roof. in order to replace the tiles with a more durable alternative material. This was submitted, and planning was granted on 29/12/2022.

The new roof will be a metal standing seam system that will last for 50 to 100 years. The original budget for the project was set in 2018 at £600k. Tenders have been returned at a cost of £890k for the works plus £100k in professional fees. This has been independently verified as an appropriate cost in today's market.

It is not possible to carry out any further remedial or patching works due to the deterioration of the original roofing materials and a replacement has been deemed essential. Therefore, the project needs to progress within short timescales to decrease the risk of the wet winter weather impacting the roof further and avoid water ingress from making parts of the school building unusable.

The works are to be instructed in two phases; the rear section of the roof and associated works as Phase 1 for the value of £628,011.83 has been instructed. A second phase for the front of the school will be instructed so that Phase 2 commences immediately following Phase 1 at a value of £262,692.26. This strategy minimises costs.

The combined cost is estimated at £890,704.09 and is below the threshold required for a Cabinet Member Decision of £1m; however, KCC has been advised by its professional cost consultant to make an allowance of £1,100,000 for both phases due to the risk that additional costs will be incurred during construction. With a roofing project the potential for additional costs to be identified are higher than in other projects as not all the roof's substructure is visible until the tiles are removed. It is therefore

appropriate and prudent for an allowance of an additional 23.4% above tender costs to be made.

Phase 1 of the works will commence in September 2023 and the subsequent completion of Phase 2 is expected in January 2023 based on the current programme.

**Options:**

**Option 1 – Do Nothing**

No further temporary repairs are deemed to be effective and water ingress is probable without replacement. Do Nothing would result in significant parts of the school not being usable and permanent damage being created to the building, as water would be within the building it is likely the school would have to fully or partly close to pupils in response, as the school would not be deemed as safe, warm and dry. Temporary accommodation would be required for displaced pupils and a more significant repair of the building would need to take place due to additional damage further ingress would create.

**Option 2 – Localised Repairs**

Localised repairs have been undertaken over the last 10 years, there are no further localised repairs that can be carried out. This option would risk further water ingress and the associated risk of school closure and further remedial works.

**Option 3 – Proceed with Roof Replacement**

This would mitigate the risk of any future works being required in response to further water ingress and remove potential school closure risks and provide safe teaching environments and improvement to the fabric of the school. This a long-term measure.

After reviewing the estimated costs, potential risk elements and the key advantages/disadvantages of each option it is recommended that replacement is the only appropriate solution.

**Data Protection implications**

None – the schools will continue to adhere to Data Protections legislation during the planned works.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before September 2023

**Reason if Key Decision**

None

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

**plan**

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

A planning application was submitted in November 2022 and planning permission was granted in December 2022.

The governing body of the school have been kept informed of the project progress throughout.

Public consultation is not required.

**Cabinet Committee consultation planned:**

The proposal to allocate £1.1million to fund for the roof replacement scheme will be considered on the 12<sup>th</sup> September 2023 by Children's, Young People and Education Services Cabinet Committee.

**Which Divisions / Local Members are particularly affected:**

Sarah Hudson – Maidstone Rural East

**Have views been sought from local Members?**

The Local Members' views will be sought and recorded in the Children's, Young People and Education Services Cabinet Committee Report.

**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 for instructing the winning tender is as follows;

£890,704.09 (Phase 1 = £628,011.83 and Phase 2 = £262,692.26)

Professional Fees: £45,069.63

Contingency: £89,070.41 (=10% total construction cost)

The funds will be allocated from the CYPE Annual Planned Enhancement Programme for April 23 -24, the allocation has been made by officers and the work is affordable within the budget.

In order to facilitate this increase in budget, a number of nonessential schemes have been moved from this year's programme and place onto the Forward Management Plan for 2024-2025.

**Support documents**

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

**Reference No:** Any further legal implications will be identified in the report to

the Cabinet Member for Education and Skills  
As part of the approval from the Secretary of State, these two proposals are subject to specific conditions that KCC has had to agree to.

**Key** Yes

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

**Title:**  
**23/00080 - Arrangements to establish 2 new Special Free Schools in Swanley and Whitstable**

**The Decision needed:**

**Proposed decision**

The Cabinet Member for Education and Skills to:

To approve arrangements to establish 2 new special free schools in Whitstable and Swanley in accordance with free school presumption process and relevant Safety Valve agreements.

**Reason for the decision**

As part of KCC’s Safety Valve submission to the DfE, KCC was encouraged to submit Free School bids for additional Special Schools based on data and forecasts evidencing need. The bids were considered as part of the DfE Special School and Alternative provision Wave programme. KCC submitted bids for 3 new special Schools (Swanley, Sheppey and Whitstable). Bids for Whitstable and Swnaley received approval subject to certain conditions.

**Background (Swanley)**

Dartford is an area of high housing and population growth, with the [Ebbsfleet Garden City](#) forecast to provide 12,000 more new homes, in addition to the 3000 already built and occupied. Redevelopment in other parts of Dartford, under the auspices of Dartford Borough Council, will add more housing. A new Local Plan is in the [early stages of consultation](#), and it indicates a target of 790 new dwellings, per annum, for the duration of the plan period. This is a continuation of the existing [Local Plan](#), which indicated a housing target of 17,900 new homes.

Sevenoaks is also looking to publish a new local plan, and early indication is that the numbers of new dwellings could be as high as 14,900.

The new housing across the Sevenoaks, Dartford and Gravesham area will create a need for more Special School places. The existing pressures on Special School places in the area indicates very clearly that any new demand, cannot be absorbed into existing capacity.

A new PSCN Special School in Sevenoaks (250 places) would address a geographical gap and reduce pressure on PSCN schools that are over capacity, relieving pressure on Dartford, Gravesham and Sevenoaks schools, and special schools further afield in Tonbridge, Tunbridge Wells and Maidstone. These schools can then serve their local communities and reduce displacement of children who currently must travel further.

The need to commission a new 250 place special school for Profound Severe



and Complex Needs to serve the Dartford and surrounding areas is identified in the current Commissioning Plan for Education provision in Kent 2023-2027:

[https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0009/148086/Commissioning-Plan-for-Education-Provision-in-Kent.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0009/148086/Commissioning-Plan-for-Education-Provision-in-Kent.pdf)

### **Background (Whitstable)**

A new PSCN/ASD Special School in Whitstable (120 places) would address an identified geographical gap and reduce pressure on PSCN schools in neighbouring districts that are over capacity, relieving pressure on Sittingbourne, Maidstone and West Kent schools, and schools in Canterbury and Thanet. These schools can then serve their own local communities and reduce displacement of children who currently must travel further. Currently 20 children from Maidstone travel to schools in West Kent (Five Acre Wood is considerably over capacity), and 40 children travel to Five Acre Wood from Sittingbourne, the Isle of Sheppey and Canterbury. Children from Canterbury and Canterbury Coastal are travelling to Thanet (Foreland Fields), Meadowfield which is also over capacity is taking 37 children from Faversham who could access a new school in Whitstable, enabling a readjustment of pupils from Maidstone back to Sittingbourne.

The need to commission a new 120 place special school for Profound Severe and Complex Needs/Autistic Spectrum Disorder to serve the Canterbury coast and surrounding areas is identified in the current Commissioning Plan for Education provision in Kent 2023-2027.

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

Three bids were originally submitted for new Special Schools. Two with potential sites in KCC ownership and one (on the Isle of Sheppey) without a site named. The bids formed part of KCC's Safety Valve submission and were part of the steps to ensure sufficient Local Authority maintained provision would be available for future years, reducing reliance on more costly independent provision. As part of the Safety Valve agreement, KCC had to submit bids for 3 new special schools.

### **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 proposal also supports KCC's SEND Strategy 2021-2024. The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.

### **Financial Implications**

#### *Capital*

The cost of capital build for both schools will be met by the DfE.

Both schools will be situated on KCC owned sites and both sites will be provided with vacant possession, on a 125-year peppercorn without premium lease using the DfE model lease.

KCC is required to accept that it would meet abnormal site development costs or any section 278 costs which may be imposed should they be identified as the projects progress. These costs are not available at this stage of the project.

#### *Revenue*

KCC expects to commission the majority of places at both schools and based on the current agreed rates set out below:

<b>Need Type</b>	<b>Rate</b>
<b>SLD</b>	<b>£17,336</b>
<b>PD &amp; PMLD</b>	<b>£24,582</b>
<b>ASD</b>	<b>£20,065</b>

The average cost of an independent special school place in the county is £41,448.

KCC will work closely with the DfE to ensure that all appropriate accommodation and facilities are provided to enable them to deliver an effective curriculum with an opening date of September 2026

#### **Data Protection implications**

A DPIA has not been completed as there is no risk to the rights and freedoms of individuals.

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

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

Cabinet Member for Education and Skills

#### **Date:**

Not before September 2023

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

An Equality Impact Assessment has been produced and will be updated as part of any consultation process.

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

Public consultation will be undertaken once Academy Sponsors have been appointed.

Both schools were identified in the current Commissioning Plan for Education provision in Kent which was consulted on from September 2023-

December 2023.

Cabinet Committee consultation planned:

The report is planned to be taken to the CYPE Cabinet Committee on 12 September 2023.

Which Divisions / Local Members are particularly affected:

Swanley (Sevenoaks): Perry Cole

Canterbury North: Robert Thomas

Have views been sought from local Members?

Local Members have been advised prior to the DfE announcement of the successful bids and their comments will be sought as part of any wider consultation on the establishment of both schools.

**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:**

Included under the background information.

**Support documents**

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

**Reference No:** Section 25 of the children and young person's Act 2008 requires local authorities to provide short breaks for families with disabled children - To impose a duty on local authorities to provide, as part of the range of services they provide for families, breaks from caring to assist parents and others who provide care for disabled children and young people.

The Breaks for Carers of Disabled Children Regulations 2011 - Each local authority must produce a Short Breaks Service Statement so that families know what services are available.

The Children Act 1989 and 2004 - All local authorities must provide a range of social care services to support children in need.

**Key** Yes

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

**Title:****23/00084 - Targeted Short Breaks for Disabled Children, Young People, and Families****The Decision needed:****Proposed decision**

The Cabinet Member for Integrated Children's Services is asked to:

- a) Approve the provision of grants to external providers to deliver Short Breaks for Disabled Children and Young People Service by commencing an Open Grants Process for the period 1 April 2024 – 31 March 2026.
- b) Delegate authority to award grants to providers to the Corporate Director for Children, Young People and Education in consultation with the Cabinet Member for Integrated Children's Services.
- c) DELGATE authority to the Corporate Director for Children, Young People and Education to take other relevant actions, including but not limited to finalising the terms of and entering into required legal agreements, as necessary to implement the decision.

**Reason for the decision**

In accordance with Section 25 of the Children and Young Person's Act 2008, The Breaks for Carers of Disabled Children Regulations 2011 and the Children Act 1989 and 2004, there is a requirement to offer short breaks to children, young people and their families. The existing grant funding arrangement for Targeted Short Breaks for Disabled Children and Young People ends on the 31 March 2024. It is proposed that a competitive open application grant process for two-years is undertaken, covering 1 April 2024 to 31 March 2026. This will ensure sufficiency of Short Break activities are in place, whilst also continuing to test alternate Short Break models and implement the Short Break Strategy. The proposed Decision falls within the Key Decision Criteria of affecting two or more electoral divisions and expenditure over £1million for the lifetime of the project.

**Background**

Short Breaks are a preventative family support services aimed at families with a disabled child or young person to allow them to have a break from caring. They also provide disabled children and young people the opportunity to have fun and learn while doing activities in a new environment outside of the home. They provide a chance to spend quality time within their community with other children and young people who may have similar life experiences, helping to build friendships and connections beyond the family. For parents and carers, Short Breaks provide regularly planned breaks from their caring responsibilities allowing time to pursue other activities, education, chores and spend time with other members of the family.

To access Targeted Short Breaks families do not require a Social Care assessment. Families may be referred to a Short Break service via a Social Worker, Teacher, Early Help Worker, and can also self-refer. When accessing Short Breaks children and young people have their

needs assessed by the Short Break provider to ensure they can be offered the correct level of support. Short Breaks services can respond to a spectrum of need from mild to complex depending on staff training, access to the right resources and level of experience. Targeted Short Breaks mainly take place over school holidays, after school and at weekends.

The current Targeted Short Break grant agreements went live on 1 April 2022 (Decision 21/00095) and are due to end on 31 March 2024. There are currently 19 Short Break providers across Kent delivering 2,258 Short Break sessions per year with 21,523 places available across a range of locations.

### **Options**

1. Do Nothing. The current grants for Short Breaks for Disabled Children and Young People will end on the 31 March 2024. Kent County Council will fail in its duty to ensure sufficiency of Short Breaks activities are available to families of disabled children and young people.
2. Extend the current service provision beyond the length of the grant agreement for a further 2 years. Such an approach does not account for the intelligence collected through engagement and family views within the Short Break Strategy, such as current lack of provision for children and young people with neurodiversity and those with complex needs.
3. Competitive Open Grants Process for new grants to go live 1 April 2024 (Preferred Option) – This will allow the opportunity to develop and test alternate models of Short Breaks and allow the opportunity to incorporate improvements identified through the development of the Short Break Strategy. The grants based model ensures continued strong relationships with Short Break providers, essential for the implementation of the Short Breaks strategy. Contribute to financial stability to Voluntary Community Social Enterprise sector.

### **The proposed Decision is in line with:**

- Framing Kent's Future: Our Council Strategy 2022-2026
- Priority 4: New Models of Care and Support
- We are committed to making rapid and sustained improvements in the support we provide to children and young people with Special Educational Needs and Disabilities (SEND) and their families, where we know that support has too often been lacking or delayed.
  - Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities 2021-2024. Working together to improve outcomes for children and young people with SEND:
  - Kent Civil Society Strategy for Kent 2021-2024: Supporting Connected Communities and a Sustainable Social Sector in Kent

- Kent County Council SEND co-production charter:

**Data Protection implications**

The Local Authority will not be processing any personal data as part of the Grants Framework and therefore a DPIA is not required for this project.

**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 September 2023

**Reason if Key Decision**

An Equality Impact Assessment has been undertaken and no issues have been identified at this stage. The equality impact assessment shall be kept under constant review as this project continues.

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

Has any public consultation been undertaken or is any planned?

In the development of the Short Breaks Strategy, we have engaged families, children, and young people to ensure their views are considered in continuous improvement of Short Break services. We have engaged with parents and carers, disabled children, and young people in a variety of ways such as surveys, interviews, group work and workshops.

Cabinet Committee consultation planned: 12 September 2023

Which Divisions / Local Members are particularly affected: All

**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 available funding for Short Breaks Grants is expected to be £1,060,000 per annum and will be funded from the Strengthening Independence 0-18 Commissioning Revenue Budget. Additional funding from Kent and Medway Integrated Care System may be available to support children and young people who are Neurodiverse and discussions are currently ongoing. The total cost for the two years is £2,120,000.

It is not expected that this programme will deliver savings, although the bids

received will be tested for value for money prior to award.

**Support documents**

**NOT BEFORE 28 SEPTEMBER 2023**

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

**Reference No:** The Council will enter into a number of contractual agreements to support delivery in line with Spending the Council's Money and Public Contract Regulations 2015.

**Key** Yes

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

**Title:**

**23/00076 - Family Hubs - Start for Life, Infant Feeding**

**The Decision needed:**

**Background:**

The proposal to use the Family Hub Grant to increase current infant feeding activity provides the opportunity to deliver an increased offer of infant feeding contacts as well as providing an opportunity to build confidence in women as they are assured, supported and encouraged in the first six to eight weeks whilst breastfeeding is established. There will be an antenatal infant feeding contact, an early contact postnatally and regular contacts for the first twelve weeks. Breastfeeding takes time to learn and can be challenging to persevere without support around a family. Research has shown that various forms of support may be required and offering additional contacts is an appropriate approach which the opportunity provided through the Family Hub Grant funding presents as this aligns with the Department for Education (DfE) expectations.

**Options Considered and Discarded:**

A targeted approach in a small geography was initially considered but discarded as this could create inequities in the provision of support.

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

This service contributes to 'Priority 1: *Levelling up Kent*' of the *Framing Kent's Future Our Council Strategy 2022-2026*' as providing parents/mums the support in giving their babies the best start in life to improve the population's health and narrowing health inequalities.

**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 September 2023

**Reason if Key Decision****Equality Implications**

A draft Infant feeding Family hubs Equality Impact Assessment has been developed and identified a potential impact on communication with neurodivergent individuals and those with hearing loss which could be mitigated through ascertaining whether the individual has additional needs at the outset of the first communication with this service and recording this information with the client's permission. Recognition that English may not be a spoken language which could be mitigated through provision of a translation service or offer of contact in a written digital format.

**Data Protection implications:**

Data Protection and General Data Protection Regulations are part of KCC contract documentation. This includes a Schedule of Processing, Personal Data and Data Subjects and confirms the data relationship(s) between the Parties. Data Protection Impact Assessments are undertaken with providers as appropriate.

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

The proposed decision will be discussed at the Health Reform and Public Health Cabinet Committee on 5 September 2023.

It will also be presented at the Children's, Young People and Education Cabinet Committee on 12 September 2023 for information.

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

To support the delivery of the Family Hub Transformation Programme, KCC is receiving a grant of £1,256,332 from the DfE to March 2025 which is to support system transformation including work-force development and supporting development of new services. This funding relates to the financial year 2023-2024, including rollover from year 1 and the allocation for financial year 2024/2025.

**Support documents**



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

**Reference No:** The Council will enter into a number of contractual agreements to support delivery in line with Spending the Council's Money and Public Contract Regulations 2015.

**Key** Yes

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

**Title:**  
**23-00075 - Family Hubs - Start For Life - Perinatal Mental Health and Parent Infant Relationship Interventions**

**The Decision needed:**

**Proposed Decision:**

Approve the development and improvement activity to deliver Perinatal Mental Health and Parent Infant Relationship Interventions; approve the required expenditure, via the Family Hub Grant Funding, to deliver this activity; and delegate authority to the Director of Public Health, to take necessary actions, including but not limited to allocating resources, expenditure, and entering into contracts and other legal agreements, as required to implement the decision.

**Reason for the decision:**

Research has shown the importance and need to improve awareness and understanding of low to moderate perinatal mental health and extending the reach of this across the family hub workforce is invaluable. This links with parent infant relationships so improving knowledge and understanding of this with the family hub workforce is of equal importance.

Currently there is no service in Kent which provides a parent infant relationship specialist intervention however it is highly probable that this is required as 'Around 15% of children in the general population have a disorganised attachment with their primary caregiver.'

The proposal to use the Family Hub Grant Funding to develop and improve activity to deliver Perinatal Mental Health and Parent Infant Relationship Interventions provides an opportunity to increase workforce capability and capacity to extend the reach of low to moderated perinatal mental health and parent infant relationship support, raise awareness of support available for these individuals with low to moderate perinatal mental health and delivery of parent infant relationship interventions.

**Options Considered and Discarded:**

A targeted approach in a small geography was initially considered but discarded as this could create inequities in the provision of support.

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

This service contributes to ‘*Priority 1: Levelling up Kent*’ of the *Framing Kent’s Future Our Council Strategy 2022-2026*’ as providing additional support for families at the start of life of their infant’s life is a preventative approach of improving the populations health and narrowing health inequalities.

**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 September 2023

**Reason if Key Decision**

A draft Perinatal Mental Health and Parent Infant Relationships family hub Equality Impact Assessment (EqIA) identified potential emotional and regulation needs may impact upon access and communication in regards to Perinatal Mental health and Parent Infant Relationships, which could be mitigated through assurance of up-to-date awareness and understanding of autism and Attention Deficit Hyperactivity Disorder (ADHD) in any service provider organisation. The EqIA identified that different races have other ways of ‘feeling’ and expressing emotional mental health needs which is being mitigated by including this difference in training on Perinatal Mental Health and can be further developed by encouraging the workforce to listen to the cues and enable individuals to articulate their needs, which may be presented as physical symptoms.

**Data Protection Implications**

The scoping of a business case for a service offering parent infant relationship interventions to be delivered is in progress

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

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

**Consultees**

The proposed decision will be considered at the Health Reform and Public Health Cabinet Committee on 5 September 2023.

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

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

To support the delivery of the Family Hub Transformation Programme, KCC is receiving a grant of £3,051,809 from the Department for Education (DfE) to March 2025 which is to support system transformation through work-force

development and supporting development of new services. This funding relates to the financial year 2023-2024, including rollover from year 1 and the allocation for financial year 2024/2025.

**Support documents**

**NOT BEFORE 22 SEPTEMBER 2023**

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

**Reference No:** Regulations require the Authority to consult all maintained schools on changes to the Scheme, and to make proposals to the Forum, which is the decision maker. These requirements are being complied with.

**Key** Yes

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

**Title:**

**23/00073 - School Maintenance - Landlord: Tenant Financial Thresholds**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Education and Skills is asked to take the decision to: Propose to the Schools’ Funding Forum that the financial limits for the costs of repairs and maintenance of schools are increased.

**Background**

Legislation provides for maintained schools to receive a delegated budget from the Local Authority. The Scheme for Financing Schools sets out the financial relationship between the Authority and the maintained schools that it funds. It contains requirements relating to financial management and associated issues, which are binding on both the Authority and on the schools. Section 13 of the Scheme sets out the responsibilities for repairs and maintenance of school building and grounds. Please note Section 13 does not apply to voluntary aided schools, as their aiding bodies are responsible for their upkeep.

The Authority delegates all funding for repairs and maintenance to schools through the schools’ budget. The Authority has a duty to ensure that schools are maintaining buildings and fixtures in line with best practice and ensuring health and safety requirements are met. The Authority undertakes condition surveys to support these efforts.

The Authority, with agreement from the Schools' Funding Forum, set the following limits to assigning initial responsibility for meeting the costs of repairs and maintenance.

Phase	£
Primary	7,500
Secondary	20,000
Special schools and PRU's	7,500

### Proposed changes

It was proposed that the financial limits be adjusted to reflect inflation, but moderated to round figures as follows:

Phase / Size of School		Current Threshold (£)	Proposed New Threshold (£)	Increase (£)
Primary	Under 2FE	7,500	10,000	2,500
	2FE and above	7,500	12,500	5,000
Secondary	Under 6 FE	20,000	25,000	5,000
	6FE and above	20,000	30,000	10,000
Junior	Under 420 pupils	7,500	10,000	2,500
	420 pupils and above	7,500	12,500	5,000
Infant		7,500	10,000	2,500
All Through		27,500	30,000	2,500
Special		7,500	10,000	2,500
PRU		7,500	10,000	2,500

### Risk and Other Factors

The risk currently exists that some works are not undertaken in a timely and diligent manner by some schools because of financial pressures, leading to the condition deteriorating further such that the costs exceed the threshold and become the responsibility of the Authority. Increasing the financial threshold, to return it to the equivalence of 2012, does not introduce a new risk, but could exacerbate the current one.

This proposal, alongside financial pressures may result in a greater number of schools falling into a deficit. The Authority works hard with maintained schools to prevent deficit budgets, with 1.65% in deficit, compared to the national 8.8%. This work will continue.

### Governance

The Cabinet Member for Education and Skills is asked to make the Executive decision to propose the changes to the Schools' Funding Forum. If the forum agree, the Corporate Director Finance will implement the changes in accordance with the general scheme of delegation. If the Forum reject the proposal, the Corporate Director Finance, in consultation with the Corporate Director Children, Young People and Education, and the Cabinet Member for Education and Skills, will determine whether to appeal to the Secretary of State for Education.

### **Alternatives considered**

The alternative to retain the current thresholds has been considered. It has been rejected as its relative devaluation is placing pressure on the Authority's budgets, when these costs should rightly sit with schools in accordance with the approved Scheme. This simply reduces the funds the Authority has to undertake its responsibilities to maintain school buildings and grounds, while the delegated funding may be used to fund other school activity.

Different scenarios were considered, for example all primary schools being required to pay the same rate increased by inflation. The proposal balanced the desire to rebase the thresholds to return the financial responsibilities to equal those when the thresholds were last set, against the overarching financial climate faced by the Authority and its schools.

### **Financial Implications**

Schools are responsible for the funding all of their repairs and maintenance where the costs are below the relevant limits (excluding VAT). Where the costs of repairs and maintenance exceed the limits, the LA prioritises available funding based on the condition grading of the works. The limits apply to each individual maintenance task or scheme, not the cumulative cost of all repairs and maintenance in a particular year.

The financial limits set out in 1.3 above were set in excess of 10 years ago. These have not been increased in line with inflation, and do not align with the capital threshold for local authorities, which is £10k. This means there is a disconnect between the Authority having delegated all revenue maintenance funding to schools, but retaining responsibility for some elements which fall below the threshold for capital funding. In 2022/23 just over £485k was charged to the Authority's revenue budget.

The Authority's Medium Term Financial Plan requires the Education Service to make savings of £900k in 2024-25 and £300k in 2025-26. Therefore, it is recognised that as the Authority moves to greater parity of funding between maintained and non-maintained schools, some maintained schools will find the need to not only cover more of the costs of maintenance but also other services for which they are funded through the dedicated schools grant, than they have had to cover to date.

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before September 2023

### **Reason if Key Decision**

An Equalities Impact Assessment was undertaken and available for comment during the consultation period. This did not identify any equalities implications with no negative and no positive impacts noted. No comments on the Assessment were received.

**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**

Children's, Young People and Education Cabinet Committee will consider this decision on 12 September 2023.

**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 7 SEPTEMBER 2023**

**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. A procurement exercise was undertaken to identify suitable suppliers in accordance with PCR 2015 Regulations. The Strategic Commissioning Division used the standard Terms and Conditions of contract. There will need to be resource allocated at the end point contract award for contracts to be signed and sealed.

**Key** Yes

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

**Title:**

**23/00074 - Contract Award of the Property Security element of the countywide Sanctuary Access for Eligible Residents (SAFER) Scheme**

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

- a) **AWARD** the contract, to the successful bidder identified as part of the procurement process for the provision of the Property Security element of the countywide SAFER Scheme for a maximum of four years (initial two-year contract, 1 December 2023 to 30 November 2025, with two, one-year optional extension periods, subject to robust contract monitoring, from 1 December 2025 – 30 November 2026 and 1 December 2026 – 30 November 2027)
- b) **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 for Finance, to agree the relevant contract extensions as required; and
- c) **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.

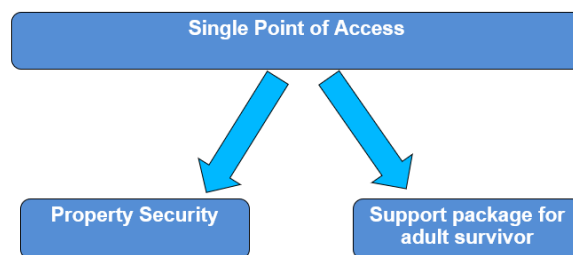
**Background**

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

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 Scheme offer across the county. A Sanctuary Scheme is a property where security or target hardening 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. It supports Priority 4 of KCC's Strategic Statement 2022-2026 – New Models of Care and Support - in protecting the most vulnerable children and families from harm.

Kent's proposed Sanctuary Access for Eligible Residents (SAFER) Scheme has been co-designed through extensive engagement with a range of stakeholders from Adult Social Care and Health, Children and Young People, Kent Community Safety Partnership, District, Borough and City councils, the Office of the Police and Crime Commissioner, Kent Fire and Rescue, Integrated Care Board, other Local Authorities with similar successful schemes, the market and those who have experienced domestic abuse, ensuring that the service is shaped by people with the right expertise and experience.

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



Following completion of the procurement process it is proposed to award the contract to the successful bidder, for the provision of the Property Security element of the countywide SAFER Scheme for a maximum of four years (initial two-year contract, with two, one-year optional extension periods, subject to robust contract monitoring).

**Options Considered & Disregarded:** As part of the procurement process the following options were considered and 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 equity and the opportunity to achieve full efficiencies through collaborative commissioning would be lost.

## 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 September 2023

**Reason if Key Decision**

An Equality Impact Assessment (EQIA) has been completed, given that the SAFER Scheme is proposed to be a countywide service available to all survivors of domestic abuse, the EQIA did not identify any potential adverse effects of the proposal. This is a live document and will be developed further as the once the new service has been 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****Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:**

The contract will start on 1 December 2023 and end on 30 November 2025 (initial two-year contract) with two, one-year optional extension periods, subject to robust contract monitoring (from 1 December 2025 – 30 November 2026 and 1 December 2026 – 30 November 2027) and will be funded in full by the councils Domestic Abuse Act Grant allocation.

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 councils 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 Propert

**Support documents**

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

**Reference No:** Investment is required in Sessions House to achieve minimum statutory compliance if it were to reopen. The proposed option will best meet the Council's obligations to its staff in terms of accessibility, inclusion and its environmental objectives within budget constraints.

Any decision will be progressed in line with the governance processes of the Council.

External legal advice has been sought by the Office of General Council both from external legal advisors and Kings Counsel.

**Key** Yes

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

**Title:**

**23/00072 - Property Accommodation Strategy - Strategic Headquarters (SHQ)**

**The Decision needed:**

**Proposed decision:**

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

- 1) AGREE to discontinue with the Preferred Option as set out decision 21-00064;
- 2) NOTE AND AGREE the current business case and Value for Money assessment recommendations and that a further market test of Sessions House will be progressed to enable the next steps and approach to be agreed;
- 3) ALLOCATE £3.4m from the 2023-33 approved capital budget to enable the essential and urgent backlog maintenance works at Invicta House to be completed; and
- 4) AGREE to delegate authority to the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, Corporate Director, Finance and General Counsel to authorise the execution of necessary contractual and land agreements required to implement the above.

**Reason for the decision:**

Kent County Council's (KCC's) Strategic Headquarters requires significant investment to address building condition issues and deliver accommodation which is fit for purpose. This decision supports the Council's considerations in making best use of its resources and estate

whilst remaining options are assessed.

**Background:**

An options appraisal was previously undertaken based on the pre-pandemic working styles during early 2020. This appraisal was then revisited, taking into account the changes in the way that KCC need to work post the COVID-19 pandemic and a new accommodation model was developed which allowed a number of new options to be considered.

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services then took decision 21-00064 on 13 August 2021 to progress with the marketing of Blocks A, B and E of Sessions House for disposal and to develop an option for the refurbishment and modernisation of Blocks C and D predominately for civic uses and Invicta House as a staff hub.

In October 2022, given the Council's significant financial challenges, the Deputy Leader and Cabinet Member instructed officers to pause design work for the 2021 option and revisit the scope and present lower capital cost options. The £35m capital budget allocated to the project was reduced to £20m and endorsed by full Council in February 2023.

Four lower cost options were considered and developed in further detail with both the qualitative and financial assessment. Two options failed the assessment with two options progressing passing the evaluation process.

Given the significantly lower overall Net Present Value (NPV) associated with one option in comparison to the other, further market testing is required to establish the market viability of a disposal of the whole or part of Sessions House that would satisfy the Ministry of Justice (MOJ) covenants requirements. This remains a key project risk and is a determining factor which informs the next steps and the deliverability of either option.

Given that both options include the continued occupation by KCC of Invicta House, it is proposed to progress with the urgent maintenance works at Invicta House, including the required roof works. £3.4m will be allocated from the £20m approved capital budget in order to progress the design and completion of these works.

**How the proposed decision supports the Interim Strategic Plan:**

SHQ and its future direction is a key strand of the office strategy as part of the Future Assets programme of the Strategic Reset Programme and the delivery of the Medium-Term Financial Plan (MTFP) savings.

**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 August 2023

**Reason if Key Decision**

An Equalities Impact assessment (EQIA) has been undertaken which indicates that the proposals have no adverse impact. It should be noted that Sessions House is one of the most challenging buildings in the estate when it comes to accessibility of users and this decision will enable a greater level of compliance.

Data Protection Implications: A Data Protection impact assessment (DPIA) has also been completed.

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

A report was presented to the 26 July 2023 Policy and Resources Cabinet Committee.

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

The detailed financial analysis and assessment of the options is set out in the Final Business Case and has been undertaken by the Council's Finance Team. Both options can be delivered within the capital allocation in the MTFP and deliver the MTFP savings. The NPV of one option is significantly better than the other over the 40-year NPV period and therefore required further exploration given the deliverability challenges associated with this option.

The capital programme includes an allocation of a maximum capped budget of £20m, funded by prudential borrowing for the Strategic Office Estate. If the significantly lower cost option proves to be deliverable, the capital budget will be reduced accordingly.

External advisors have provided assurance in the business case and have produced a Value for Money Assessment on the options which are being considered.

**Support documents**

23-00072 - Proposed Record of Decision

23-00072 - Decision Report

23-00072 - EqIA

23-00072 - EXEMPT Appendix A - Business Case

23-00072 - Exempt Appendix B - Report

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

**Reference No:** Partnership Agreements will be required in establishing this relationship with 16 Other Local Authorities. It is expected that the lead Local Authority (Portsmouth) will be required to manage the funding and employ staff to deliver the programme. Legal advice will be sought if selected and the MOU shared.

**Key** Yes

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

**Title:**  
**23/00071 - Fostering Recruitment and Retention Programme**

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

The Cabinet Member for Integrated Children’s Services is asked (subject to selection by the DfE as an appropriate Pathfinder region) to:

- A) Agree to become a member of the Fostering Recruitment and Retention programme.
- B) Agree to enter into relevant agreements with the DfE to join/ a Pathfinder Region for the delivery of the creation of end to end improvements in the Fostering Recruitment and Retention Programme (Agreements to include the acceptances of relevant Memorandums of Understandings and associated funding, and partnership agreements with other local authorities in the assigned regional cluster)
- C) Delegate authority to the Corporate Director of Children, Young People and Education, in consultation with the Cabinet Member for Integrated Children’s Services, 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.

• **Reason for the decision**

The DfE has confirmed that, following an Expression of Interest in joining the Fostering Recruitment and Retention programme, KCC has been accepted at Stage 1 of the process. The service is required to develop a full proposal for submission in the second week of September 2023. KCC will need to work with their assigned improvement partners, and in line with the funding allocation (to be advised) to develop a fully costed proposal which is to be implemented by April 2024. At this stage no LA is bound to be part of the bid, however from when the fully costed proposal is submitted in September, final membership will need to be confirmed.

Currently, it is proposed that the cluster will be include Portsmouth, (Lead LA), Brighton and Hove, Kent, Oxfordshire, West Berkshire, Achieving for Children, Brighter futures, Medway, Wokingham, Slough, Bracknell Forest, Surrey, Hampshire, Southampton, Isle of Wight, West Sussex and East Sussex which equates to 16 LA Partners.

There will be funding for successful Local Authorities that become part of the programme; no allocations have yet been announced.

- **Background**

The Stable Homes, Built on Love strategy published by the Department for Education set out a vision to re-balance children's social care away from costly crisis intervention to more meaningful and effective early support.

As part of the Strategy, the government has pledged to deliver a fostering recruitment and retention programme so foster care is available for more children who need it, investing over £27 million over the next two years. After two years the strategy will be refreshed, scaling up the new approaches that have been tested and bring forward legislation (subject to parliamentary time).

DfE are looking to run two regional pathfinders to test creation of end-to-end improvements in the Fostering Recruitment and Retention Programme. The regions taking part will play a key role in shaping future delivery.

Pathfinders are voluntary and confirmation of interest is required. Financial support will be provided to support Pathfinder regions to get started.

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

To not put KCC forward to contribute as a Pathfinder for Fostering – this was decided against because of the significant pressures and challenges in recruiting and retaining in-house Foster Carers requiring action..

**How the proposed decision supports the Strategic Statement:**

The proposed decision supports Framing Kent's Future Our Council Strategy 2022-2026, Specifically Priority 4 New Models of Care and Support  
1. Explore all opportunities to integrate our commissioning of services to improve health and care outcomes.

It also supports delivery of the Kent Sufficiency Strategy 2022-2027

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

**Who is taking the Decision**

Cabinet Member for Integrated Children's Services

**Date:**

Not before August 2023

**Reason if Key Decision**

An initial Equality Impact Assessment is underway

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

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b>  Funding allocation (to be advised) – there is a need to develop a fully costed proposal which is to be implemented by April 2024. At this stage no LA is bound to be part of the bid, however from when the fully costed proposal is submitted in September, final membership will need to be confirmed. Funding will be issued to the Lead LA (Portsmouth) on behalf of the cluster under section 31 of the Local Government Act 2003</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Integrated Children's Services</b></p> <p><b>Reference No:</b> Partnership Agreements will be required in establishing an RCC. It is assumed a lead Local Authority will be required to manage the funding and employ staff to deliver the programme. Legal advice will be sought if selected and the MOU shared.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>23/00065 - Regional Care Co-operatives - Pathfinder</b></p> <p><b>The Decision needed:</b>  <b>Proposed decision –</b></p> <p>The Cabinet Member for Integrated Children's Services is asked (subject to selection by the DfE as an appropriate Pathfinder region) to:</p> <ul style="list-style-type: none"> <li>A) Agree to become a Regional Care Co-operatives Pathfinder authority (if selected)</li> <li>B) enter into relevant agreements with the DfE to join/lead a Pathfinder Region for the delivery of a Regional Care Co-operative (Agreement to include the acceptances of relevant Memorandums of Understandings and associated funding and partnership agreements)</li> </ul>

C) Delegate authority to the Corporate Director of Children, Young People and Education, in consultation with the Cabinet Member for Integrated Children's Services, 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.

### **Reason for the decision**

The Department for Education (DfE) is seeking Local Authorities (LAs) to engage in designing and piloting the Regional Care Co-operatives (RCCs), as set out in their strategy Stable Homes, Built on Love.

There is funding for successful Local Authorities that wish to be Pathfinders; no LA's have been identified yet so no potential financial amounts have been allocated. However, we are seeking approval to engage in progressing these projects, identifying the funding that would be allocated and implementing the requirements, including spending the money in line with the conditions.

### **Background**

The Stable Homes, Built on Love strategy sets out a vision to re-balance children's social care away from costly crisis intervention to more meaningful and effective early support.

The DfE states it will reform in phases, investing £200m over the next two years. After two years they will refresh this strategy, scaling up new approaches that have been tested and bring forward legislation (subject to parliamentary time).

DfE are looking to run two regional pathfinders to test Regional Care Cooperatives. The regions taking part will play a key role in shaping future delivery. DfE want the region to be big enough to start seeing savings through economies of scale and anticipate an appropriate size would be eight to 12 LAs, although LAs with large Children in Care populations, the number of LAs might be smaller.

Pathfinders are voluntary and confirmation of interest is required. Financial support will be provided to support Pathfinder regions to get started.

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

To not put KCC forward to contribute as a Pathfinder for RCC – this was decided against because of the significant pressures and challenges finding affordable placements for Children in Care.

### **How the proposed decision supports the Strategic Statement:**

The proposed decision supports Framing Kent's Future Our Council Strategy 2022-2026, Specifically Priority 4 New Models of Care and Support  
1. Explore all opportunities to integrate our commissioning of services to



improve health and care outcomes.

It also supports delivery of the Kent Sufficiency Strategy 2022-2027

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

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

Cabinet Member for Integrated Children's Services

### **Date:**

Not before August 2023

### **Reason if Key Decision**

An initial Equality Impact Assessment is underway

### **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:**

DfE will support Pathfinder regions to get started as follows:

Up to £5m per RCC to set up the new arrangements

- Funding is to cover legal due diligence, HR, finance and project management costs plus evaluation of the pathfinders.
- Funding will depend on the size of the RCC (number of LAs / size of staff teams involved); DfE will discuss this with selected regions accordingly.
- DfE will procure a delivery partner to work with RCC regions (similar to children's services trusts and Regional Adoption Agencies) and procure evaluation.

Up to £5m capital funding per RCC to develop new provision

- Will be for the region to decide what their priorities are, DfE want to discuss with the region what they intend / how they plan to deliver.
- Tight deadline to spend the money: funding only available until March 2025 (SR period).
- DfE are not asking regions to match-fund the money although if any region is able to, the money will be able to go further.

### **Support documents**

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**NOT BEFORE 10 AUGUST 2023**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b></p> <p><b>Key Yes</b></p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>23/00069 - Post 16 Transport Policy Statement including Post 19 for 2024/25</b></p> <p><b>The Decision needed:</b> <b>Proposed decision</b> The Cabinet Member for Education and Skills to:</p> <p>Agree the Post 16 Transport Policy Statement including Post 19 for the 2024/25 academic year.</p> <p><b>Background</b> Local authorities have a legal duty to annually publish a Post 16 Transport Policy Statement. This decision will put in place the policy for the academic year 2024/25.</p> <p>KCC currently provides a Kent 16+ Travel Saver card to 4,765 pupils. KCC expects this card to be suitable for most learners, but where it is not KCC will consider applications for support – the policy statement sets out the assessment process and options available.</p> <p><b>Financial Implications</b> KCC’s total estimated revenue costs for transporting Post 16 young people using either the KTS 16+ travel pass or KCC arranged transport/ Personal Transport Budget is approximately £14.6m per year, though this can vary depending on demand. Approximately £2.5m is recouped through the charging of the KTS16+ (currently £500 per year per child), with the balance of £12.1m met from the Home to School Transport revenue budget.</p> <p>The financial impact of the proposals set out in this paper are estimated to achieve an annual saving of around £1.4m to £2.0m as set out below.</p> <ul style="list-style-type: none"><li>• The removal of wholly free Post 16 transport for learners with SEND and/or mobility problems, by charging the equivalent amount of a KTS16+ pass (currently £500 per year, with a discounted rate for those eligible for Free School Meals) is estimated to reduce the £14.6m</li></ul>

transport costs by approximately £0.5m per year.

- The removal of additional drop off and collection times for Post 16 learners to accommodate partial attendance reduces costs by approximately £0.2m per year,
- Introduction of qualifying criteria for learners seeking transport support for new education courses started after their 19th birthday could reduce the annual cost by around £0.6m to £1.3m (this is dependent on the course undertaken and journey times).

The costs of implementation are estimated to be around £30k, which includes system changes and website development. The increase in capacity of the CYPE transport eligibility team is estimated to be £50k.

### **Legal Implications**

The requirements placed on a local authority are defined in the Education Act 1996 (as amended), Education and Skills Act 2008, Education and Inspections Act 2006, Apprenticeships, Skills, Children and Learning Act 2009 and the Equality Act 2010.

Local authorities do not have a general obligation to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

Local authorities have a duty to encourage, enable and assist young people with Special Educational Needs and/or Disabilities (SEND) to participate in education and training, up to the age of 25.

The policy statement sets out the duties on the LA to consider requests for transport support. Where additional support is refused, learners can appeal to the Transport Regulation Committee Appeal Panel.

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before August 2023

### **Reason if Key Decision**

An EqlA has been completed and will be included in the report to the Children, Young People's and Education Cabinet Committee as well as the report presented to the Cabinet Member before this decision is taken.

Data Protection Impact Assessment

The Kent 16+ Transport privacy statement can be found here (Kent Travel

Saver and Kent 16+ Travel Saver privacy notice - Kent County Council) and advises parents that they are consenting to the usage of their submitted data, how the data will be used, who it will be shared with and how long it will be held, in line with KCC's duties. Changes associated with this decision do not affect the data that is collected or how it is used, so previous DPIAs remain valid and do not require revision.

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

KCC consulted with current and future service users between 25 January and 21 March 2023 on a Post 16 Transport Policy Statement including Post 19 for 2024/25. As changes were being proposed for the 2024/25 academic year, the consultation was held a year earlier than usual to ensure that pupils that would be affected by the potential changes had sufficient opportunity to consider the implications before future educational decisions are made. The consultation also included a new 4 - 16 Transport Policy (effective from 2024-25 Academic Year) which is subject to a separate decision.

The proposed decision was considered and endorsed by the Children's, Young People and Education Cabinet Committee on 18 July 2023.

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

**Consultees**

KCC consulted with current and future service users between 25 January and 21 March 2023 on a Post 16 Transport Policy Statement including Post 19 for 2024/25. As changes were being proposed for the 2024/25 academic year, the consultation was held a year earlier than usual to ensure that pupils that would be affected by the potential changes had sufficient opportunity to consider the implications before future educational decisions are made. The consultation also included a new 4 - 16 Transport Policy (effective from 2024-25 Academic Year) which is subject to a separate decision.

**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 JUNE 2023**

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

**Reference No:** Commissioners will ensure compliance with 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:**

**23/00045 - Community Support Services for Children, Young People and Adults with Sensory Needs**

**The Decision needed:**

**Proposed decision:** To:

a) commence formal procurement activity to establish a Framework of providers to deliver Community Support Services for Children, Young People and Adults with Sensory Needs, for a maximum period of four years; and

b) delegate authority to the Corporate Director of Adult Social Care and Health to award contracts and take relevant action, including, but not limited to, finalising the contractual terms, entering into a contract and other legal agreements, as necessary to implement the decision.

**Reason for the decision:**

Currently, one-to-one ongoing assistance for children, young people and adults with sensory needs who we support are spot purchased via Individual ('Indi') contracts when this is arranged on someone's behalf by the council. This means that there are no clearly defined contract terms or specifications used to ensure consistent outcomes for people.

The aim of this commissioning is to support people across the lifespan pathway with sensory needs to live as safely and independently as possible by providing them with the assistance required as identified within their Care and Support Plan. All support is person-centred based on identified needs, but typically the type of support provided assists adults with maintaining and improving their independence by supporting people with activities such as managing finances, shopping, using public transport to attend appointments and social activities. The need for 'specialist' support to be commissioned is to ensure that a person's individual communication needs are met by the support worker assisting them (e.g., British sign language).

The number of adults in Kent predicted to have serious impairments is predicted to rise in the future for all three types of sensory needs. This commissioning activity supports:

• **Framing Kent's Future**, the council strategy (2022-2026), in particular

by 'supporting vulnerable children and families and helping adults who draw on social care to lead the lives they want to live and improving the way we design and deliver our care and support services'.

• **Making a Difference Every Day**, the strategy for Adult Social Care (2022-2027) which aims to ensure that 'People experience flexible and creative ways of arranging support which enable a balance between choice for the person we support, quality and value'.

• **Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities** (2021-2024), particularly the principle that Kent is a place where all children, young people with SEND and their families 'benefit from working with skilled practitioners who understand their needs and how these can be best met'.

It is recommended that contracted purchasing arrangements are put in place via a Framework of providers for a maximum period of four years. Commissioning the service externally will establish innovation, choice and control for the people we support.

### **Other Options Considered and Rejected**

*Do nothing (continue to arrange individual packages of support on a spot purchase basis)* – This option is likely to lead to a lack of consistency in service, with no minimum standards enforceable and is not compliant with the Public Sector Contract Regulations (2015).

*Provide the service in-house* – This would restrict the choice of people eligible for support, restrict flexibility in service delivery and not take advantage of existing specialist knowledge and skills available within the VCSE sector.

*Vary an existing contract* – This would only allow for a short-term solution as the contract that this service could potentially be added to is over half way through its contracted term (excluding potential extensions), and the lack of a competitive process would reduce the ability to demonstrate value for money.

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

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

Cabinet Member for Adult Social Care and Public Health

### **Date:**

Not before June 2023

### **Reason if Key Decision**

An initial Equality Impact Assessment has been conducted and has concluded that there should be no negative impact on people with protected characteristics. This will be reviewed and updated as necessary throughout the commissioning and contracting process.

Data Protection implications: A Data Protection Impact Assessment will

be required for this activity and is in development.

**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 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:**

The estimated budget requirements for spend split by council Directorate are:

Adult Social Care and Health: services: £229,000.00 per annum/ £916,000.00 over 4 years

Children, Young People and Education: £30,000.00 per annum/ £120,000.00 over 4 years.

TOTAL: £259,000.00 per annum/ £1,036,000.00 over 4 years.

**Support documents**

**NOT BEFORE 2 JUNE 2023**

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

**Reference No:** This policy has been revised taking full consideration of:

- Caravan Sites and Control of Development Act 1960
- Caravan Sites Act 1968
- Mobile Homes Act 1983
- Data Protection Act 2018
- Housing Act 2004
- Human Rights Act 1998
- Housing and Regeneration Act 2008
- Equality Act 2010

It is highlighted in the revised policy that KCC is not a registered housing authority under the Housing Act 1985 and that KCC has no statutory obligation to house applicants.

The revised Policy and Application Form has been reviewed alongside the Consultation Report by a Barrister and opinion provided to ensure the Policy is fair, inclusive, legally compliant, and suitably robust to achieve its purpose.

**Key** Yes

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

**Title:**  
**23/00040 - Adoption of Gypsy and Traveller Site Pitch Allocation Policy**

**The Decision needed:**

**Proposed decision:**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations in relation to the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services, to adopt the Gypsy and Traveller Site Pitch Allocation Policy and Application Form.

**Reason for the decision:**

The Pitch Allocations Policy was last updated in 2012 and is pivotal to the good management of Gypsy and Travellers sites owned by KCC. The review is to ensure pitches are allocated in a fair, transparent, and consistent way across all sites.

**Background:**

The Gypsy and Traveller Site Pitch Allocation Policy was last updated in 2012 and it sets out how the County Council will establish an applicant’s need for a pitch on a site it owns, and how vacant plots will be allocated.

The draft revised Policy was consulted upon from 30<sup>th</sup> November 2022 to 7<sup>th</sup> February 2023, following its endorsement by the Growth, Economic Development and Communities Cabinet Committee in November 2022. The results of the consultation have been received and incorporated into the revised Policy as appropriate, and the Gypsy and Traveller Site Pitch Allocation Policy is now considered ready for adoption.

This policy is pivotal to the good management of sites and ensuring that our sites provide a safe environment for Gypsy Roma Traveller communities and needs a review and refresh to ensure that it includes learnings from recent enforcement and compliance actions, as well as good practice adopted by other Local Authority Gypsy and Traveller teams.

**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>)

Priority 2: Infrastructure for Communities. Good management of sites offers a safe and quality environment for the Gypsy and Roma Community.

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

The option of not revising the policy was considered but rejected due to the



significance of this Policy in effective site management and the need to ensure that Council owned sites provide a safe environment for Gypsy Roma Traveller communities.

**Data Protection implications:**

*The DPIA has been updated following the revisions made to the Policy from the Consultation feedback and is pending approval from the DPO at the time of writing.*

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

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before June 2023

**Reason if Key Decision**

Screening of the proposed policy and consultation process did not highlight any significant direct negative impact on any of the protected groups, however, it did provide some specific areas for consideration and inclusion to ensure that the consultation and application process are accessible to all.

The Equality Impact Assessment for the Policy has been revisited and updated to consider the feedback received during consultation. This screening did not highlight any significant direct negative impact on any of the protected groups.

**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 draft version of the policy was reported to the Growth, Economic Development and Communities Cabinet Committee and endorsed for public consultation in November 2022. The updated revised policy was considered and endorsed by Members at their meeting on 16<sup>th</sup> May 2023.

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

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

There are no negative financial implications to the revised Gypsy and Traveller Site Pitch Allocation Policy; however, the introduction of a deposit scheme will provide some limited reimbursement to Kent County Council when a resident absconds from site, either leaving behind waste, owing rent arrears to the Authority, or causing damage when leaving.

**Support documents**

**NOT BEFORE 3 MAY 2023**

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

**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.

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.

**Key** Yes

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

**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 was 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 11 APRIL 2023**

**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**

**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**

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<b>Your name, Your Service, Your phone number and email address:</b>
<b>Support documents</b>

**NOT BEFORE 29 NOVEMBER 2021**

<b>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</b>
<b>Reference No:</b>
<b>Key Yes</b>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>21/00096 - Contract for Post Mortem Facilities for the North West Kent Coroner area</b></p> <p><b>The Decision needed:</b>  <b><u>Proposed Decision:</u></b>          To award a 12 month extension to the contract for the provision of post mortem (PM) facilities to Dartford &amp; Gravesham NHS Trust.</p> <p><b><u>Background</u></b>          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:</p> <ul style="list-style-type: none"> <li>• The death was violent or unnatural;</li> <li>• The cause of death is unknown; or</li> <li>• 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</li> </ul>

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 30<sup>th</sup> 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**

**NOT BEFORE 12 NOVEMBER 2021**

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

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

**Key** Yes

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

**Title:**

**21/00089 - 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.

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Environment</p> <p><b>Date:</b> Not before November 2021</p> <p><b>Reason if Key Decision</b> An Equalities Impact Assessment (EqIA) will be undertaken as part of the proposed changes to the adopted Local Plan. No equalities implications are anticipated to arise from the review work</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> The costs of preparing a review of the 2016 Kent Minerals and Waste Local Plan will need to be met from existing KCC budgets.</p> <p>There is a risk and likelihood that any changes proposed to the Local Plan will attract objection in response to the public consultation. These will be considered as part of the plan making process and where appropriate defended via the planning examination.</p> <p><b>Support documents</b></p>

**NOT BEFORE 8 OCTOBER 2021**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Community and Regulatory Services</p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's</b>

## Corporate Outcomes and the Costs and risks involved.

### Title:

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

### The Decision needed:

#### Proposed Decision

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

#### Further Information

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

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

In some cases the Coroner will order a PM to establish the cause of death and in such cases the deceased is taken to one of 5 NHS mortuaries across Kent and Medway located at Margate, Ashford, Dartford, Tunbridge Wells and Gillingham.

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

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

#### Financial Implications

The contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in 12 equal installments. At the point where the DA facility opens, all deceased that would normally have undergone an invasive PM will be scanned, so dependent on if and when notice is served to end the contract extension, KCC could potentially be liable for both DA scanning charges and the monthly charge for PM's even though no PM's will be taking place in the East Kent area.



To mitigate this scenario, the move over to DA will be phased with deaths in the East Kent area not being scanned until the contract extension comes to an end. Based on 2020 activity levels the estimated cost of the East Kent contract extension is within the budgeted revenue cost for 2021-22.

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

## **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 October 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**

**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 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 14 APRIL BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet</b></p> <p><b>Reference No:</b> There are no legal implications arising from the decision.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>20/00027 - Clean Up Kent and Public Realm Improvements</b></p> <p><b>The Decision needed:</b> <b><u>Proposed Decision:</u></b></p> <ul style="list-style-type: none"><li>a) Approve a programme of works to deliver a range of projects to ‘clean up’ Kent and to improve the public realm across Kent</li><li>b) Approve the proposed funding allocations and project development arrangements required to support and deliver the programme; and</li><li>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.</li></ul> <p><b><u>Background:</u></b></p> <p><i>Kent’s Future, Our Priority</i>’ will become Kent County Council’s new 5 Year Plan, to replace the previous strategic statement ‘<i>Increasing Opportunities, Improving Outcomes (2015-2020)</i>’. 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.’</p> <p>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.</p> <p><b><u>Options:</u></b></p> <p>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</p>

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**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed Key Decision will be discussed at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The loan of £5.3m will be capital funding allocated from non KCC funding sources (that is, the SELEP Growing Places Fund). KCC estimates that there will be revenue costs associated with application processing, appraisal, valuation and legal costs: these can be confirmed at the application stage. There will also be an ongoing administrative cost to KCC related to monitoring over the period of the loan, which would be covered by an administration charge levied on the borrower.</p> <p><b>Support documents</b></p>

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> None</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b></p> <p><b>17/00094 - Disposal of Land East of Great Chart Primary School, Singleton</b></p> <p><b>The Decision needed:</b></p> <p>Approval to the Director of Infrastructure to progress with and enter into the necessary documentation to complete the disposal of the aforementioned property in consultation with the Cabinet Member for Corporate and Democratic Services. The Decision will seek legal agreements to be actioned to complete the sale of the relevant properties.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b></p> <p>Cabinet Member for Corporate and Democratic Services</p>



**Date:**

Not before October 2017

**Reason if Key Decision**

None

**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

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

Property decisions to be discussed at the Property Sub Committee.

**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**