

KENT COUNTY COUNCIL

CABINET

MINUTES of a meeting of the Cabinet held in the Council Chamber on Thursday, 30 November 2023.

PRESENT: Mr R W Gough (Chairman), Mr N Baker, Mrs C Bell, Mrs S Chandler, Mr D Jeffrey, Mr R C Love, OBE, Mr D Murphy and Mr P J Oakford

UNRESTRICTED ITEMS

13. Apologies

(Item 1)

Apologies were received from Mr Watkins. Mr Kennedy was present and Mr Hills was in attendance virtually.

14. Declarations of interest

(Item 2)

There were no declarations of interest.

15. Minutes of the Meeting held on 5 October 2023

(Item 3)

RESOLVED that the minutes of the meeting on 5 October 2023 were a correct record and that they be signed by the Chair.

16. Cabinet Member Updates

(Item 4)

1. Mr Kennedy (Deputy Cabinet Member for Adult Social Care and Public Health) provided an update on the work that continued to be undertaken across Adult Social Care to identify areas of savings, including but not limited to the renegotiation and renewing of contracts, along with cost sharing measures with the NHS.

Kent County Council had also celebrated Carers Rights Day on Thursday 23 November which acknowledged the incredible and selfless contribution that the county's unpaid carers make to the health and wellbeing of others. The event also highlighted the support services available.

Kent County Council's Public Health Team continued to promote the nationwide winter vaccine campaign which launched in September, encouraging all those who were eligible to come forward for their seasonal flu and COVID-19 vaccines. The 2023 rollout had already delivered 11.7 million

flu jabs and over 8.6 million Covid vaccinations, making it the fastest NHS flu vaccine roll out on record.

Mr Watkins had recently recorded a BBC podcast on the pressures facing Adult Social Care and was joined by the BBC on a visit to a hospital-based technology facilitator service, which enabled independent living of those who were discharged from hospital. Mr Watkins had also recently presented at the All-Party Group on empowering UK health care through digital innovation.

On 10th October, the Kent and Medway Suicide Prevention Team marked World Mental Health Day by announcing 11 projects dedicated to preventing suicide, saving lives and reducing self-harm that have secured funding to support their communities. Mr Kennedy recently had the privilege of attending the Mental Health and Wellbeing ceremony and presented a number of awards, several of which went to staff from Kent County Council.

To conclude, Kent County Council had welcomed the NHS Healthy Starts scheme, which assisted low-income parents in purchasing healthy essentials. Eligible parents would receive a healthy start card containing money which could be used to purchase healthy goods and vitamins, worth £1230 per child. The Healthy Start scheme was available to all those in receipt of benefits and at 10 weeks of pregnancy or had a child under the age of 4.

2. Mrs Chandler (Cabinet Member for Integrated Children's Services) provided an update on the litigation brought by Kent County Council against the Home Office in relation to the National Transfer Scheme (NTS). Kent County Council's claim on the reasonableness and rationality of the Home Office's approach to the NTS went to court on 10th October 2023 and the judgement confirmed that the Home Secretary had acted unlawfully and that Kent County Council's criticisms of the pace and urgency of the Home Secretary's decision-making process in relation to the NTS were well founded. The judge found that the NTS and the slow-paced management of the scheme was inadequate and for large periods was unlawful. The Home Office was instructed to resolve the issues and ensure the NTS worked in a fair and sustainable manner in the future. The primary purpose of the claim brought against the Home Office was to prevent Kent's children's services from being overwhelmed and ensure that the care of those children coming to the UK was equitable across the entire country. In his judgement, Mr Justice Chamberlain acknowledged that the Home Office failed to develop a sound plan for a sustainable NTS model, having only made a number of minor modifications over the years, thus formulating an approach that was unlawful in the period from December 2021 to 7th July 2023. In conclusion, the Home Office had received explicit instruction to recognise and remedy their failings and create a sustainable NTS. Mrs Chandler advised that this would need to be done as a matter of urgency for the benefit of all children and Unaccompanied Asylum Seeking Children (UASC) arriving, to ensure that Kent County Council could continue to meet its statutory duties. The Council had been in discussion with the Home Office regarding the funding required to ensure sufficient temporary accommodation for all new UASC arrivals and ensure reception centres were

in place prior to the anticipated escalation of arrivals in the New Year. The total number of UASC arrivals for 2023 stood at 2067.

Furthermore, new legislation came into force in October requiring all providers of accommodation for children in care or care leavers up to the age 18 to be regulated by Ofsted. Mrs Chandler welcomed the change and hoped it would lead to improved standards and outcomes for children and young people.

3. Mr Love (Cabinet Member for Education and Skills) confirmed that families had received their Kent Test results on Wednesday 18th October. This year a total of 17,037 children sat the Kent Test, 11,170 who lived in the county and the remainder from other local authority areas. Of the Kent children who sat the Test, 5,050 were assessed as being suitable for a grammar school place. Mr Love advised that passing the Kent Test was not a guarantee of a grammar school place. However, Kent County Council anticipated that the Kent children who had been assessed as suitable for grammar would, in most cases, enjoy priority of the 5,801 places available in the county over pupils from other authorities. Secondary school place applications closed on Tuesday 31 October and the results were being processed. Offer day for September 2024 school places will be on Friday 1 March 2024.

Furthermore, the SEND Information Hub Advice and Guidance roadshows were continuing to take place across the county as part of Kent County Council's commitment to improving SEND services for Kent families. The next session was scheduled to take place on Friday 8th December at Poppy Children's Centre in Herne Bay.

Mr Love congratulated the Elective Home Education Team who had received the Silver Kit Award by the home education charity, Education Otherwise. This was awarded in recognition of the excellent practice across the department for the way in which it continued to support families who had opted to home educate. The award was based on nominations made by families and was a fantastic accolade to receive.

On 10th November Mr Love, along with the local MP, Helen Whately, attended an exhibition organised by Roseacre Junior School in Bearsted which focused on climate action. The school's Eco Council exhibited a range of impressive eco themed art work and students asked a range of probing questions in relation to the environment.

In conclusion, the Department for Education (DfE) and NHS has carried out the first 6 monthly review of the SEND accelerated progress plan and the outcome of the findings was anticipated in due course.

4. Mr Baker (Cabinet Member for Highways and Transport) confirmed that the winter service was underway and that gritters had been deployed.

Furthermore, The Department for Transport (DfT) had allocated £134.5m funding over the next 10 years for road maintenance work. Kent County

Council was waiting on official confirmation from the DfT and an update would be presented to Members in due course on how that funding would be deployed.

Mr Baker provided an update in relation to road closures as a result of works being carried out by utility companies and confirmed that a deep dive had been initiated. Mr Baker advised that utility companies had a significant degree of control over the work carried out on the highways network under emergency provision which can cause major disruption. Investigations were underway to look at Kent County Council's existing powers and how best to secure additional powers to regain control over Kent's highways and ensure the steady flow of traffic.

5. Mr Hills (Deputy Cabinet member for Environment) provided an update on the following:

- A consultation on windmills began on 21st November and was scheduled to run over a period of 9 weeks.
- A change in government legislation on stopping charging for DIY waste from residents was due to come into force on 31st December 2023
- The Environment Improvement Plan was due to be presented to Members in the New Year
- The Local Flood Risk Management Plan was out for consultation until 30th January and an updated plan was due to be presented to Members in the New Year.
- The Net Zero Plan was due to be presented to Members in the New Year.
- The Climate Change Adaption Plan would also be presented to Members in the new year.

6. Mr Murphy (Cabinet Member for Economic Development) provided an update in relation to the future of Discovery Park after pharmaceutical company, Pfizer, announced proposals to consolidate parts of the business. Kent County Council continued to seek support from Government over the future of the site and were awaiting a consultation from Pfizer in the coming months which would be critical to the economy of East Kent.

On 10th November Mr Murphy visited the new £8m route linking Station Road and Bellingham Way. The new road was delivered by Panattoni as part of its £180m redevelopment of the 90-acre former Aylesford Newsprint site.

Furthermore, on the No Use Empty (NUE) initiative, Mr Murphy confirmed that 6 contained flats were being built on the former derelict site of the dance studio in Folkestone through the NUE loan of £820k. The construction of 24

business sites had also been completed at Hollywood Place in Dover through the NUE allocation of £1.7m, which Kent County Council was due to repay in full by December 2023.

On 21st November the Kent and Medway Business Fund re-opened and since its launch, had received 47 applications to the total of £5m.

To conclude, Mr Murphy confirmed that fourteen S106 legal agreements had been completed securing a total of £47.9m in s106 contributions with a 99.6% success rate against the amounts that have been requested, the single largest amount for any quarter previously reported.

7. Mrs Bell (Cabinet Member for Community and Regulatory Services) provided an update on the National Safeguarding Adults Board Excellence Awards which were held as part of Adult Safeguarding Week. The Maidstone and Tonbridge and Malling Community Warden Team won both the Empowerment Team Award and the Protection Team Award for their work with adults at risk within their communities and through their work identifying, supporting and empowering those vulnerable individuals. There were a number of other nominees in the categories for many of the Wardens and the Dartford & Gravesham team were also nominated. Mrs Bell congratulated all those involved.

The Customer Service Excellence (CSE) Award had been held by the Libraries, Registration and Archives (LRA) service continuously since 2010 and having completed the annual assessment for 2023, the LRA service once again received successfully achieved the award in recognition of their best practice. Mrs Bell congratulated the service for their accomplishments.

The library at Herne Bay reopened on 4th October following essential works including a new library layout and furniture. Customer feedback to date has been very positive.

The Winter Mini Challenge was due to run from 1st December until 19th February and continued under the Ready, Set, Read! theme. Kent libraries continued to promote the challenge and encourage children to keep up their reading habits over the winter break.

To conclude, the John Downton Awards art exhibition was scheduled to take place at Sessions House on 7th December in the Stone Hall. The John Downton exhibition was inspired by Miss Hilda Downton who approached Kent County Council in 2000 with a request to help host an annual award in memory of her brother John Downton. The exhibition commemorates the life and work of the Kent artist, celebrating the creativity and diversity of the county's young artists.

8. Mr Jeffrey (Cabinet Member for Communications and Democratic Services) advised that the service continued to respond to the needs of delivering informed choices about reviewing, improving, adapting and modernising the

services that the Council offers, including policy direction, through the use of consultations and raising awareness through campaigns.

Local Governance week ran from 27th November to 1st December which was established as part of the Annual Governance Statement. Mr Jeffrey expressed thanks to Democratic Services and the Member Hub for delivering the workshops, with attendance between 80 to 100 people at each of the events. There was ongoing work around member development and reviewing internal processes to identify ways in which the Council could utilise technology to deliver transformational and positive change in governance. These proposed changes would be presented to the Selection and Member Services Committee and would continue to be reported to Governance and Audit as work progresses.

17. Securing Kent's Future - Scrutiny Arrangements (Verbal Update)
(Item 5)

Ben Watts (General Counsel) was in attendance for this item.

1. Mr Watts provided an update to Members in relation to the role of the Scrutiny Committee and Securing Kent's Future. An initial scoping meeting was held with Members of the Committee to highlight the importance of Members' roles in mitigating the risk of duplication or effort or resource, and as a result Members of Scrutiny would be receiving a range of information that the Cabinet were also in receipt of. A number of informal briefings had taken place, supporting Scrutiny members in understanding the challenges faced. To minimise duplication and the impact on officer time, the intention would be to deep dive into areas of focus which coincided with agenda items. On 6th December, a deep dive into Home to School Transport (HTS) was scheduled to take place. Mr Watts noted that whilst Cabinet was required to attend for budget items, for any items specifically in relation to focus areas around Securing Kent's Future (SFK), it would only be the Cabinet member and officer required to attend for that specific item. Scrutiny was to be managed in an efficient and proportionate way.

18. 23/00109 - Revenue and Capital Monitoring Report, Q2, 2023-2024
(Item 6)

Zena Cooke (Corporate Director of Finance) was in attendance for this item.

1. Mr Oakford (Deputy Leader and Cabinet member for Finance, Corporate and Traded Services) introduced the report that set out the revenue and capital budget monitoring position as at September 2023-24. The latest revenue forecast outturn position for 2023-24 before further management action was an overspend of £36.0m (excluding schools). The forecast overspend represented 2.7% of the revenue budget and presented a serious and significant risk to the Council's financial sustainability if not addressed as a matter of urgency. Within the overall outturn position there

continued to be a significant forecast overspend in Adult Social Care & Health, totalling £30.4m and in Children's, Young People and Education totalling £28.1m, before management action. Work continued to identify and implement further management action that could be taken immediately in the current year, and over the medium term and was included in the report and in the "Securing Kent's Future" budget recovery plan.

Mr Oakford said that it was essential that the remaining management action was delivered to reduce the 2023-24 outturn to a balanced position and prevent the need for a drawdown of reserves which would further weaken the council's financial resilience and increase the requirement to replenish reserves in succeeding years. The majority of the management actions were related to one off measures, meaning those spending reductions would not flow through to the 2024-25 budget. Furthermore, the full year recurring impact variance against the budget of 2023-24 would need to be reflected as spending requirements in the 2023-24 budget.

The initial draft revenue budget for 2024-25 and the Medium Term Financial Plan for 2024-2027 had been published and showed gaps in each one of the financial years. The gap for 2024-25 was the most significant and needed to be closed through further savings, increased outcome and future cost increase avoidance. A detailed analysis of the overspend continued to be undertaken to identify underlying causes. The council implemented spending controls across all budget managers to avoid spending for the remainder of the year wherever possible, based on specific criteria to focus on the most essential activities and priorities until the financial position was brought under control and stabilised. The outcome of the analysis, the actions and progress to date in reducing the forecast overspend was presented further within the report.

The Recovery Plan to reduce the forecast for 2023-24 and the budget gap for 2024-25 continued to be monitored weekly. If significant spending reductions were not achieved within the next reporting period and the direction of travel was not positive, then more stringent spending controls would be implemented.

2. Mrs Cooke confirmed that weekly monitoring took place at the Corporate Management Team Meeting (CMT) where officers would discuss in detail elements of spending for review that concurred with the seriousness and action that needed to be taken.
3. Mr Oakford advised that the report contained underspends in Member Grants, however, a majority of this money had already been committed for a number of member projects. Mr Oakford acknowledged Members' comments regarding the change in reporting methods which would represent a clearer reflection of the money allocated but not spent.
4. RESOLVED to agree the recommendations as outlined in the report.

19. 23/00092 - Kent Family Hub Model

(Item 7)

Sarah Hammond (Corporate Director of Children, Young People and Education), Carolann James (Director of Operational Integrated Children's Services) Hema Birdi (Assistant Director Open Access and Adolescent Services) and Wendy Jeffreys (Consultant in Public Health) were in attendance for this item.

1. Mrs Chandler (Cabinet Member for Integrated Children's Services) introduced the report that set out the implementation of the Family Hub model in Kent. The Family Hub model provided £11m of transformational funding over 3 years to bring additionality and greater integration of services, including outreach and digital offer. Through the integration of Public Health, health services and family support services, the Family Hub sites would provide a one-stop-shop for children, young people and families, with the additionality of community outreach helping to deliver this. Mrs Chandler confirmed that the digital and online offer was a complementary and additional offer and did not constitute a replacement. Mrs Chandler advised that whilst a great proportion of services delivered were prescribed within the criteria, there was the potential for a significant element of discretionary delivery. Option 4 (as outlined in the report) set out the integrated and innovative ways in which the Family Hub model could deliver that range of support. Mrs Chandler paid tribute to all staff who had contributed to the delivery of the Family Hub programme.
2. Mr Kennedy (Deputy Cabinet member for Adult Social Care and Public Health) confirmed that a critical aspect of the Family Hub programme, which was mandated, was the Public Health component, Start for Life. This programme was led by the Council's Public Health team and had the potential to transform services and how they were delivered across Kent. It encompassed the first 1,001 days from conception to the age of 2 and included parent/carer support with Infant Feeding, Perinatal Mental Health (parents' mental health during pregnancy and the first 12 months after birth) and parent/carer– infant relationships. For children aged 5 to 19 (or 25 with Special Educational Needs and Disabilities), there was scope for innovation through integration of services across public health, children, young people and education and the NHS. An example of this was the Umbrella model which provided an opportunity to co-locate services and integrate them thus ensuring a seamless offer covering youth provision, public health, sexual health, drug and alcohol abuse, mental health, weight management, smoking management, healthy diet and other such promotions. Further support services included help on issues such as sexual bullying, social media bullying, cyber bullying and much more. The Integrated hubs would also offer help and advice on crime and community safety, advice on gangs and serious violence or police related matters and other associated services such as information on education apprenticeship, training and volunteering. Mr Kennedy acknowledged that this may not be a possibility from early on in its launch but hoped it would provide

Members and residents with a sense of the scope and aspiration which the Council were aiming for as part of Family Hub model.

3. RESOLVED to agree the recommendations as outlined in the report.

20. 23/00100 - Commissioned Youth Service Contracts
(Item 8)

Sarah Hammond (Corporate Director of Children, Young People and Education), Carolann James (Director of Operational Integrated Children's Services) Hema Birdi (Assistant Director Open Access and Adolescent Services) and Wendy Jeffreys (Consultant in Public Health) were in attendance for this item.

1. Mrs Chandler (Cabinet Member for Integrated Children's Services) introduced the report which set out the proposal to cease the discretionary commissioned Youth Services contracts due to expire in March 2024 and instead deliver these within the Family Hub model, which would provide youth provision for children and support for their families where it is most needed. Mrs Chandler advised that cessation of commissioned Youth Services delivering discretionary services would bring Kent in line with the national picture and was the recommended option as it addressed the current requirements of the Council's financial recovery strategy.
2. Further to questions and comments from Members, it was noted that:
 - There was a wide range of youth activities available and flourishing in our communities e.g., local sports clubs, faith groups, uniformed services and community-based youth work.
 - A number of proposals were put forward as part of the consultation. Those proposals were now due to be reviewed and further engagement would be had with those services across the county in view of better integrated delivery of provision.
 - In response to whether further options had been considered and the reasoning as to why these were not recommended, it was advised that the Youth Service contracts had been in place for variations of time over a number of demographics, however the needs of those receiving the service had changed since originally developed. This recommended change was not about delivering the same service, but ensuring an equality of service according to need and it was proposed to deliver this through the implementation of the Family Hub model.

3. RESOLVED to agree the recommendations as outlined in the report.

21. 23/00101 - Kent Communities Programme
(Item 9)

Rebecca Spore (Director of Infrastructure) and Ben Sherreard (Programme Manager Kent Communities Programme) were in attendance for this item.

1. Mr Oakford (Deputy Leader and Cabinet member for Finance, Corporate and Traded Services) introduced the report setting out the Kent Communities Programme which sought to rationalise Kent County Council's physical estate and proposed a greater mix of alternative methods of service delivery across the county, informed by a clear and data-driven understanding of service need. Mr Oakford informed members that delivery of this programme had become more important in the light of the increased financial pressures faced by the Council.
2. Mr Sherreard outlined the rationale for the programme and presented the 5 options to Members (as detailed in the report), seeking agreement on the confirmed option.
3. Mr Oakford responded to comments concerning the financial risks related to option 4 and confirmed that this would have a significant impact on the Council's financial savings as the maintenance cost was over £1m. The table as set out in the report identified the savings across all proposed options with option 3 being the recommended choice. Option 3 took into consideration the feedback from the consultation on transport accessibility and ruled out the closure of two buildings, without substantial financial implications.
4. Mr Love commented on the financial impact of the recommended option 3 in response to the Council's revenue overspend of £36m and the recently issued S114 of Birmingham City Council as a result of the poor financial decisions made by local authority officials. It was not viable to continue to seek additional income from the Tax payer who in current times, faced financial pressures and difficulties of their own. Mr Love recognised the minor amendment that would need to be made within the Medium Term Financial Plan and the requirement to meet the savings elsewhere; however, he reiterated to Members that whilst option 3 was the most feasible option, activity in other areas of the Council would need to be deprioritised to ensure the Council could meet its savings.
5. Mr Oakford moved and Mrs Chandler seconded that option 3 be progressed as the preferred model for implementation.
6. RESOLVED to agree the recommendations as outlined in the report and progress with option 3.