



Direct Dial/Ext: 03000416892  
e-mail: joel.cook@kent.gov.uk  
Ask for: Joel Cook  
Date: 21 September 2023

Dear Member

**COUNTY COUNCIL - THURSDAY, 21 SEPTEMBER 2023**

**Agenda Item No**

6 **Questions (Pages 1 - 14)**

Questions put and answers given

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint, illegible printed name.

Benjamin Watts  
General Counsel

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Question 1**COUNTY COUNCIL****Thursday 21 September 2023****Question by Mr Barry Lewis to Mr Rory Love, OBE, Cabinet Member for  
Education and Skills.****Question**

As a Council we spend around £50m per annum on transporting children, including those with Special Educational Needs and Disabilities (SEND), to school. Can the Cabinet Member please explain how the cost of home to school transport and SEND home to school transport differs, both in terms of the overall spend and the average cost per mile?

**Answer**

In the current year, we are actually budgeting nearly £69m for net expenditure on home to school transport.

Under the Education Act 1996, the primary responsibility for ensuring that a child attends school regularly rests with the parent. Entitlement for council taxpayer-funded school transport is largely defined in national legislation, with all local authorities being required to provide support to pupils who meet the criteria. Pupils are required to attend the nearest suitable and available school to their home to be considered for transport support.

Mainstream pupils are assessed on distance, with some variations for pupils from low income families. KCC's home to school transport is a mix of hired vehicles and season tickets on the Kent bus and rail network. Users often will walk or travel to a collection point and share a vehicle with a significant number of other users. Season tickets are particularly cost effective.

For Special Educational Needs pupils, Officers are required to assess whether the pupil's need impedes their ability to walk to school. This means a significantly higher proportion of SEN pupils are entitled to council taxpayer-funded school transport. Most SEN transport is undertaken from a child's home, which reduces the potential for sharing. SEN pupils may also require passenger assistants, specialist vehicles, or specialist on-board equipment, and SEN vehicles often travel greater distances as the nearest suitable school is further from a child's home. SEN transport is therefore more resource-intensive than mainstream home to school transport.

There are 266 hired mainstream vehicles and 3,814 season tickets on the bus and rail networks. In the 2022/23 financial year, KCC spent £8.8m on mainstream home to school transport. For SEN pupils, there are 1,792 vehicles providing bespoke transport. In the same 2022/23 financial year, KCC spent £48.5m on SEN home to school transport (excluding transport to college).

It is not possible to calculate average costs per mile. Provider charges include the additional elements of a journey to and from a child's home, which are not recorded in a reportable format on KCC's transport systems.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question by Ms Kelly Grehan to Mr Rory Love, OBE, Cabinet Member for Education and Skills.**

**Question**

A resident of mine has recently been told that her son who has selective mutism is not suitable for speech therapy, and that he should be rereferred to the NHS when he begins to speak. Without this specialist and targeted support, the family and the school are effectively in a period of limbo and the young child's education is suffering as a result.

Can the Cabinet Member please explain how children and young people with speech, language and communication needs (SLCN) are assessed and what the threshold is for receiving support, and in answering can they also please explain how KCC works in partnership with Health Partners and Education Providers to support children and young people with SLCN?

**Answer**

Selective mutism is an anxiety disorder where a person is unable to speak in certain social situations, such as with classmates at school or with people who are less well known to their family. Most children are able to overcome selective mutism. The treatment or intervention does not focus on the speaking itself, but rather on the anxiety associated with speaking. In general, it would be expected that the individual treatment can be avoided if parents and school or education setting staff work together to reduce a child's anxiety by creating a positive environment for the child.

Kent has set out the expectations for mainstream schools in the mainstream core standards that schools are expected to adopt to support children with additional learning needs. This includes children with selective mutism

KCC works in partnership with Health Partners and Education Providers to support children and young people with SLCN. The adopted approach includes universal provision, which supports all children's speech, language and communication skills to develop; targeted provision to support commonly occurring speech, language and communication needs; and specialist provision for children with more complicated speech, language and communication needs.

Schools have access to trained speech and language therapists to inform intervention and to help make decisions about the appropriate scope of support.

If Ms Grehan would like to contact my Office with details of her resident's enquiry, then we can provide the appropriate contact for further help.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Ms Mel Dawkins to Mr Neil Baker,**  
**Cabinet Member for Highways and Transport.**

**Question**

I have recently discovered a new type of kerbside weed, known as barnyard grass, growing in my division. Barnyard grass is a coarse, sprawling, purple-tinged annual grassy weed. It is also a highly invasive species which removes important nutrients, such as phosphorus, potassium and nitrogen from the soil. Herbicide / pesticide treatment is thought to be ineffective, and so if the weed is not properly removed at the root, it can quickly spread. Indeed, I can recall one such example in my division where the weed had grown across the entire pavement and blocked the pathway.

Is the Cabinet Member aware of the existence of barnyard grass in Kent, and if so, can they please explain what action we are taking to eradicate this type of weed as part of our statutory responsibility to maintain pavements?

**Answer**

Most plants that grow within the highway by definition are tough and able to withstand quite a harsh environment and Barnyard grass is no exception. However, most grasses can be effectively controlled with glyphosate provided that they are treated when small.

As part of our weed programme, we treat hard surfaces twice a year with glyphosate. The weed team will treat all weed growth on the footway, rear of footway and kerb edge. This is to remove trip hazards, limit damage to infrastructure and help our District colleagues to accomplish street cleansing. The first treatment takes place between May and June with the second applied between August and September.

The first of these treatments coincides with the germination of many plants including Barnyard grass and is designed to treat those young weeds. If this is combined with effective street cleansing to remove the available seed bed, then there are far fewer opportunities for weeds to grow.

This year has also seen good growing conditions for weeds through the continuing hot weather and occasional rain which has meant that there has been more growth than normal.

We are not aware of a widespread problem with Barnyard grass but if there are any specific locations that are a particular problem within Canterbury the Highway Soft landscape team would be happy to investigate them.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Questions from Mr Richard Streatfeild to Mr Rory Love, OBE,  
Cabinet Member for Education and Skills**

**Question**

It is a year and two days since OFSTED and CQC found that KCC SEND provision still required improvement. How has the experience of children with severe and complex SEND who need statutory levels of support improved in Sevenoaks Town and across the county in the last year?

**Answer**

The entire SEN service was restructured between January and April 2023 following much background work since the revisit report. This created distinct workstreams, underpinned by improved systems, which were designed to streamline decision-making and improve consistency. The new SEN Leadership Team, implemented in April, has been driving forward changes.

The approved staff complement has been augmented with additional temporary teams to help remove backlogs in annual reviews, placement of children with more complex needs, and complaints. A review of departmental culture has been initiated, setting clear expectations of all staff to prioritise early communication with parents and partners, to address historic concerns that families felt excluded from the process. This has been supplemented with a full review of the service's complaints function, so that more significant concerns are managed more quickly. A centralised Enquiry Hub has been created, giving parents a single point of contact to receive support. Currently, around half of all enquiries are now able to be handled at the first point of contact.

A significant recruitment drive has led to a reduction in vacant permanent posts from around 100 at the time of the revisit to fewer than 20 today. As these new staff gain experience, parents will receive further improvements in service, and fewer changes of the caseworker with whom they will work. All staff have been enrolled in a mandatory training programme to improve consistency of decision making, and provided additional opportunity for work-based learning. A full Quality Assurance framework and regular auditing of work has been initiated, which will lead to parents and children receiving higher quality plans.

Phase Transfer has been completely redesigned with a focus on completing statutory tasks as early as possible, giving additional time for parents to consider their child's options, and for schools to complete vital assessments. Annual Review processes have been redesigned, halving the associated tasks, which will help both

schools and KCC make necessary changes more quickly. A full review of the Tribunal function has been undertaken with the intention of reducing the number of cases where parents feel compelled to challenge KCC's placement decisions. Ongoing improvements in school transport led not only to KCC completing 100% of all on-time SEN applications for the start of the academic year (for the first time), but also ensuring that over three quarters of pupils applying as little as four weeks before the start of term also received transport from day one. This meant that 1915 families were supported with new transport arrangements for the start of term.

These changes will already have had a meaningful positive impact for many families across Kent. Work will continue to ensure more parents and children experience the competence, consistency, and communications that underpin our new SEN offer.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mr Mike Sole to Mr Neil Baker, Cabinet Member for  
Highways and Transport.**

**Question**

In September last year I contacted the East Kent Highways team about improving disabled access at bus stops in the village of Kingston, as a resident had informed me that he was unable to use the bus stop in his wheelchair. This is an issue affecting multiple residents and wheelchair using visitors to the village. I have been chasing this up since November last year, including raising it with the Corporate Director, but no progress has been made. Unfortunately, I received the sad news that the resident who originally raised this with me passed away a few weeks ago, a year after the issue was first raised.

Can the Cabinet Member please confirm the timelines expected for delivering this work as part of any KCC policies and can he comment on whether he thinks this is acceptable?

**Answer**

I do not know the particulars of this case, however now that Mr Sole has raised this issue, I will respond to him in writing outlining the particulars of this case and with program for the delivery of the works.

In respect to works at bus stops, it is not always possible to deliver solutions that residents want quickly, as it may require a site assessment, scheme design, use of additional land, may involve land ownership and of course needs to be funded. Therefore upgrades to bus stops can take time and there is no service standard in terms of timeliness of delivery.



**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mr Alistair Brady to Mr Peter Oakford, Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**

**Question**

As we know, several schools across Kent have recently been affected by the Reinforced Autoclave Aerated Concrete (RAAC) issue. Is the Cabinet Member aware of any other buildings across the KCC estate where RAAC is present, and if so, are they going to instruct that urgent safety inspections are carried out and remedial works are undertaken?

**Answer**

The KCC estate includes both schools for which we are responsible and the non schools estate. KCC are aware of 8 schools in Kent across a range of responsible bodies including KCC where Reinforced Autoclaved Aerated Concrete (RAAC) has to date been positively identified – all are open and delivering face to face teaching with measures in place in accordance with the guidance from the Institute of Structural Engineers.

With regards to the non-school estate, since 2018 we have undertaken a comprehensive survey programme on KCC buildings that were built or had extensions in the decades when this building material was used. The survey programme did not identify any RAAC in KCC owned corporate buildings where KCC services are delivered from. We are however commencing a further inspection of the buildings in our portfolio in line with the new guidance to provide reassurance to all our staff and residents. Where KCC do not own the buildings where services are delivered from, we will be seeking the necessary assurance from landlords. If there are any further positive confirmations of RAAC, I will of course let you know.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mr Antony Hook to Mr Neil Baker,**  
**Cabinet Member for Highways and Transport.**

**Question**

Will the new Cabinet Member please provide what residents want to help keep traffic flowing smoothly at the entry to one of Faversham's most beautiful and historic streets?

**Answer**

Thank you, Mr Hook for your question.

I am aware that this issue has been raised several times by Faversham Town Council and local residents, however current regulations only permit yellow boxes to be placed in the vicinity of traffic signals and this location does not have any.

Officers have also advised that it is not possible to place yellow boxes on 90-degree bends as the principle of a yellow box is to enable drivers to see if it is clear the other side of the box in order to be able to move safely through it. It is unlikely a driver could see around the corner without entering a yellow box.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mrs Trudy Dean to Mr Rory Love, OBE, Cabinet Member for Education and Skills.**

**Question**

The current emergency regarding RAAC has highlighted a long-term decline nationally in capital investment in school buildings. The Institute for Fiscal Studies has noted a steady decline in spending on school buildings of around 30% since 2010. Members receive regular reports on the state of repairs of KCC roads in the county, but not of school buildings.

Will the Cabinet Member please say what the position is regarding the state of repairs in the most urgent categories of need, where work is required during the next five years, and will they consider publishing detailed annual reports on school building repairs in future?

**Answer**

Kent County Council's Asset Management Plan includes all strategic asset management matters across KCC. Our Infrastructure Team commissions stock condition surveys of schools where KCC is the Responsible Body (such as Community, Voluntary Controlled, and Foundation Schools) to support a programme of works required for the next ten years. The condition surveys provide information on the internal and external condition as well as identifying works required to maintain the buildings in full functioning order.

Funding is received predominately in the form of a Department for Education grant. Unfortunately this is not currently sufficient to complete all the work identified across our school estate in line with good practice estates management (above the warm, safe, and dry approach currently adopted) and we have an estimated overall maintenance requirement of approximately £218m over the next 10 years across the schools estate. This is against a budget of £124m, based on funding remaining at the same level for annual planned enhancement and modernisation over the same period.

Mrs Dean raises an important point about reporting to Members on this issue, and I am happy to produce an annual report on the condition of schools for which KCC is the responsible body.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mr Peter Harman to Mr Neil Baker, Cabinet Member for  
Highways and Transport.**

**Question**

Galley Hill Road in Swanscombe has been closed for over 5 months following the subsidence that occurred on Easter Monday this year. The loss of the A226 road as a major route is having a very serious effect on the residents of Swanscombe & Greenhithe and causing difficulty for residents and businesses as far away as Dartford and Gravesend.

Can the Cabinet Member please clarify what progress has been made to date with regards to getting the road reopened, and most importantly say when repair of this major road is likely to actually start?

**Answer**

Since the subsidence that closed Galley Hill Road occurred, much work has been done behind the scenes.

Non-intrusive surveys have been carried out to assess the structure below the road surface and from the information gathered, further investigation works are being planned.

However, owners of the cliff will need to make the cliff safe prior to any intrusive works being undertaken to the highway. We are liaising with the cliff owner's insurance company to find a suitable and timely resolution. Once safe, plans can be suitably developed in order to carry out the appropriate and necessary work but no repairs to the road can be carried out until the structural integrity of the cliff is restored.

In the meantime, the road will remain closed, and the diversion route will continue to be monitored and maintained. We will also ensure that the website is updated as and when appropriate. By way of this answer, I would like to reinforce previous commitments to keep Mr Harman updated as things progress.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Mr Chris Passmore to Mr Neil Baker, Cabinet Member for Highways and Transport.**

**Question**

Residents in my division of Maidstone Central have faced significant disruption this summer because of ultra highspeed fibre installation. The project which has now been paused, is not due to be restarted until 2024. Residents have written to me explaining they have received no communication from either KCC or the company installing the fibre network about local road and pavement closures.

Can the Cabinet Member explain how KCC works with relevant private companies and communicates with residents regarding major infrastructure projects and associated road / pavement closures? In answering the question, can the Cabinet Member comment on what steps he will take to improve communication and avoid problems experienced in Maidstone when the fibre installation programme potentially re-starts in 2024?

**Answer**

Thank you for your concerns and points raised. I am all too aware of the disruption caused by the broadband rollout across the county.

When we met on 7th September 2023 with other local members and officers to discuss concerns with regard to these fibre installation works and as part of that meeting several issues were discussed, along with what steps the authority can take to ensure residents and members are kept informed.

CityFibre, as the promotor of the scheme, retain full responsibility for any required road closure, its management and also to fully communicate with all residents and businesses affected by their work.

KCC officers apply conditions to permits to assist in mitigating the impact of the work and to ensure that appropriate communication is undertaken. This can include advanced warning signs which would be placed out 2-weeks prior works commencing and a formal letter drop to residents to warn and inform of the impending work.

These letters would also provide contact details for residents and businesses to engage with the scheme. Failure to comply with permit conditions may result in fix penalty notices being issued against the work promotor.

In this particular case and as part of any future communication plan, I can confirm that we will require CityFibre to hold an open day at a local community centre/village hall to allow residents and elected members the opportunity to raise questions and queries.

I can also confirm that KCC Streetworks team have strengthened their team with designated fibre coordinators being included in addition to the fibre inspectors. These teams will be focussing on fibre schemes across Kent to ensure highway permit compliance.

**COUNTY COUNCIL**

**Thursday 21 September 2023**

**Question from Ms Lesley Game to Mr Neil Baker, Cabinet Member for Highways and Transport.**

**Question**

Can the Cabinet Member clarify KCC's approach to using herbicides, confirming if possible that it will only be used on the highway, and also advise of any progress on the trial of alternative weed control options?

**Answer**

As a highway authority we have a statutory duty to keep the highway safe and clear from obstructions, this includes treating weeds that may cause trip hazards, visibility issues, damage infrastructure or hamper our district colleague's street cleansing operations.

The team treats weed growth twice a year in May to June and again from August to September. This includes the kerb-line, paved footpaths, rear of footpath, detached alleyways and around traffic islands and roundabouts. We only treat where weeds are growing on the highway hard surfaces and do not treat soft verges or open spaces.

The herbicide that we use is Glyphosate. It is authorised for use by the Chemicals Regulation Division of the UK Government Health and Safety Executive for use on highway hard surfaces. The authorisation process specifically examines the safety of the herbicide for use on hard surfaces and its risk to people, the environment and flora and fauna. We do not use neonicotinoids.

We have reviewed the use of alternatives such as hot foam and acetic acid. These methods can cost significantly more than conventional weed treatment and can also come with higher environmental costs in the form of their carbon footprint. This has been established through the Council's own trials dating back to the Thanet weed trial in 2015 up to the present day but has also recently been further verified following the publishing of Cardiff Council's results on their own weed trial which produced similar conclusions.

However, we are continuing to review how we can minimise our herbicide usage whilst also looking at different ways to control weeds. Presently there are no viable or sustainable alternatives to conventional weed control. If new products or techniques do become available, we will review them as part of our weed treatment programme.

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