

## KENT COUNTY COUNCIL

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### CABINET

MINUTES of a meeting of the Cabinet held in the Council Chamber, Sessions House, County Hall, Maidstone on Monday, 27 January 2020.

PRESENT: Mr R W Gough (Chairman), Mrs C Bell, Miss S J Carey, Mrs S Chandler, Mr P M Hill, OBE, Mr R L H Long, TD, Mr P J Oakford, Mr M D Payne, Mrs S Prendergast and Mr M Whiting

ALSO PRESENT: Mr E E C Hotson

IN ATTENDANCE: Mr D Adams (Area Education Officer - South Kent), Mrs A Beer (Corporate Director of People and Communications), Mr R Clark (Contract and Commissioning Support Manager), Mr D Cockburn (Corporate Director Strategic & Corporate Services), Ms Z Cooke (Corporate Director of Finance), Mrs B Cooper (Corporate Director of Growth, Environment and Transport), Mr M Dunkley CBE (Corporate Director for Children Young People and Education), Miss E Feakins (Chief Accountant), Mrs C Head (Head of Finance Operations), Mr S Jones (Director of highways, Transportation and Waste), Mr A Loosemore (Head of Highway Asset Management), Ms K Pettitt (Principal Transport Planner - Strategy), Mr J Ratcliffe (Transport Strategy Manager), Mr A Scott-Clark (Director of Public Health), Mr D Shipton (Head of Finance - Planning, Policy & Strategy), Ms P Southern (Corporate Director, Adult Social Care and Health), Mrs K Stewart (Director of Environment Planning and Enforcement), Mrs A Taylor (Scrutiny Research Officer) and Mr B Watts (General Counsel)

### UNRESTRICTED ITEMS

#### **127. Minutes of the Meeting held on 2 December 2019**

*(Item 4)*

RESOLVED that the minutes of the meeting held on 2 December 2019 were a correct record and that they be signed by the Chairman.

#### **128. Cabinet Member Updates**

*(Item 5)*

Each Cabinet Member was invited to update Cabinet on recent events within their portfolio:

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services – given that a lot of information from this portfolio was already on the Cabinet agenda Mr Oakford did not have any new updates.

Cabinet Member for Economic Development:

- The Cabinet Member passed on his praise to Kent Film Office which had brought in an estimated £2.3million to the Kent Economy;
- The award winning 'No Use Empty' scheme continued its success.

#### Cabinet Member for Community and Regulatory Services:

- As of 31 December it was possible for mixed sex couples to enter into a Civil Partnership which was very positive;
- The Turner Prize at the Turner Contemporary Gallery had been an unmitigated success and had produced the busiest Autumn of all time for the Gallery;
- The new £20 note featuring JMW Turner, Margate Lighthouse and Turner Contemporary was due to be released in February.

#### Cabinet Member for Highways and Transport:

- Pothole enquiries increased over the last month due to the wet weather. This was already being addressed with £1.2 million being allocated to the Pothole Blitz this month;
- Mr Payne referred to Faversham bridge which has serious structural failings. Two temporary bridges had been put in place making it safer for pedestrians as well as cars. Mr Payne thanked the residents of Faversham for their cooperation.

#### Cabinet Member for Environment:

- On 30 January there would be a cross party meeting on the Kent Environment Strategy, in addition there was also a cross party working group on 'Natural Capital'.

#### Cabinet Member for Communications, Engagement and People:

- KCC's Strategic Statement 5 year plan was out for consultation until 17 February. The proposals were built on invaluable feedback on where resources should be placed to make the biggest difference to the people of Kent. Everyone was encouraged to respond to the consultation;
- Apprenticeships - offers had been made to 25 social work degree apprentices. KCC was holding an Apprenticeship Celebration Event on 31 March 2020.

#### Cabinet Member for Integrated Children's Services:

- A joint letter had been sent from Kent and Portsmouth councils to other local authorities in the South East regarding the levels of Under-age Asylum Seeking Children (UASC) arriving in their ports. Both authorities were in a disadvantaged and unsustainable position in relation to this and other authorities had been asked to begin accepting transfers;
- Mrs Chandler referred to a Kent online and Guardian article which had incorrectly claimed that children in Kent were placed in unregulated homes more than anywhere else in the country. This was not correct and the Corporate Director had written to the editor of the Guardian to request that an apology be printed;
- Mental Health week was starting on 3 February, HeadStart Kent had a revised resilience hub and a new young people's website called Mood Spark. 18 Kent Schools had been awarded the Kent Resilience Award for emotional wellbeing.

#### Cabinet Member for Education and Skills:

- Regarding the Kent Commissioning Plan for Education Provision, discussions had taken place with every district leader in Kent. Kent was in a good position with 92% of primary schools good or outstanding (compared to 87%

nationally). 86% of secondary schools were rated as good (compared to 76% nationally). Kent had one of the lowest rates of permanent exclusions in the South East;

- The Community Learning Service had done some excellent work and had been shortlisted for the Times Education supplement award.

Cabinet Member for Adult Social Care and Health:

- There had been a recent briefing to Members on the Kent and Medway Medical School, based in Canterbury. There had been over 1500 applications and offers were due to go out for when the school opened in the Autumn.
- The Cabinet Member had spent time in local hospitals, the issue of patient flow was topical and it was important to see how social care and health operated the discharge process. Mrs Bell had been enormously impressed by the collaboration between services and willingness to work in partnership.

The Leader explained that the MHCLG Secretary had written to local authorities urging the adoption of the International Holocaust Remembrance Alliance's definition of Anti-Semitism. It was the Leader's wish that KCC did this and he would bring an item to the next Cabinet meeting explaining how this would be incorporated.

RESOLVED that Cabinet note the verbal updates from Cabinet Members.

## **129. Revenue and Capital Budget Monitoring - November 2019-20**

*(Item 6)*

*Emma Feakins, (Chief Accountant) and Cath Head (Head of Finance, Operations) were present for this item.*

1. Mr Oakford introduced this report, which contained information up to 30 November 2019. The report showed a substantial pressure of £9million within the CYPE (Children, Young People and Education) directorate, this was in the areas of Special Educational Needs (SEN), Home to School transport, Care Leavers support. The forecast overspend was masked by £7million underspend in financing items, helping to keep a balanced position. There was no wish to drawn down on reserves to balance the budget. The budget included £45million of savings, and the work of the Corporate Directors, Directors and all staff was recognised in contributing to achieving these savings. There was a variance of £110million in the Capital Programme, but the majority of this was due to rephasing.

2. Emma Feakins explained that compared to this point last year the Council was in a far better position. There were concerns around the pressure within CYPE but there was a slight improvement in Home to School transport.

3. Cath Head referred to capital rephasing and explained that £63million of rephasing was in the Growth, Environment and Transport (GET) directorate, £20million in CYPE but this was across a huge number of projects, buildings and assets. Zena Cooke explained that a Capital Officer Group had been established to develop and oversee the 10 year capital programme, with representation from all relevant parts of the Council as well as strategic commissioning. There would be changes in year which would show an ambitious but more realistic delivery programme in terms of phasing.

4. Matt Dunkley referred to SEN and placement costs, there were challenging market conditions which officers were working to overcome. The overall number of LAC in Kent had not risen substantially. This was not the case in neighbouring authorities and this had resulted in children being placed in Kent from other authorities.

5. The Leader commented that it was Cabinet's expectation that the budget would be balanced at the end of the year, and the Council was in a significantly stronger position than at the end of the previous financial year.

RESOLVED that Cabinet:

- i) **Note** the forecast revenue budget monitoring position for 2019-20 and capital budget monitoring position for 2019-20 to 2021-22, and that the forecast pressure on the revenue budget needs to be eliminated as we progress through the year.
- ii) **Agree** the capital budget adjustments set out in section 6.4.
- iii) **Note** the Prudential Indicators Monitoring at Appendix 3

### **130. Capital Programme 2020-23 and Revenue Budget 2020-21**

*(Item 7)*

*Dave Shipton (Head of Finance Policy, Planning and Strategy) was present for this item.*

1. Mr Oakford explained that the draft budget proposals had been through Cabinet Committees and Scrutiny Committee. Cabinet was asked to endorse the budget before it was submitted to County Council for approval. The budget was based on a one-year settlement which was difficult. He explained that the council was looking to make a further £34million of savings next year. Since the report was published the National Living Wage had been increased above the amount accounted for in the budget providing an incremental pressure of around £2.7million. There had been good news in relation to the tax base and collection fund estimate which would reduce the draw down from reserves from £4.5million to £3.7million.

2. The Cabinet Member was content with the revenue budget but had some concerns over the capital programme, the council had £1billion of debt which cost £100million a year to finance.

3. Dave Shipton explained that Friday 31 January was when KCC would get the final tax base notification from the district councils and the business rate growth. The Budget Book would be republished for County Council on 13 February to include any final changes.

4. Mr Shipton clarified paragraph 5.5, £4.5million was the drawn down from reserves after the £700k reduction, a number of announcements in relation to specific grants were awaited.

5. Andrew Scott-Clark confirmed that the Public Health Grant had not been published yet so the Council was currently unaware of the budget for next year.

RESOLVED that Cabinet:

Endorse the draft budget, taking into account the changes outlined in the report, and note that the final decision on council tax precept will be presented at the County Council meeting on 13 February 2020.

**131. 19/00079 - Commissioning Plan for Education Provision in Kent 2020-24**  
(Item 8)

*David Adams (Area Education Officer – South Kent) was present for this item.*

1. Mr Long introduced this item and explained that the Education Commissioning Plan set out how KCC discharged its statutory responsibility to provide sufficient early years, special educational needs, primary and secondary places. It was an all-encompassing and very detailed plan.

2. The cost of delivering the school places was met by the basic need grant from government and prudential borrowing by KCC. This was in addition to, where possible, S106 developer contributions and community infrastructure levy. It was important to note that KCC was attempting to discharge its statutory duties against the background of insufficient timely information from government. However, Mr Long was confident that, since the new government was in place, ministers would respond to the Council's request for timely information and sufficient funding.

3. Mr Dunkley explained that this was the most challenging landscape experienced for some time. The Leader stressed that the methodology still projected significant increases in secondary provision required over the next 4 years or so and continuing into the late 2020s.

4. David Adams explained that the element of forward funding of future basic need and developer contributions would be of critical importance.

RESOLVED that Cabinet approve the Commissioning Plan for Education Provision in Kent 2020-24.

**132. 19/00085 - Thanet Parkway Railway Station - Scheme Delivery**  
(Item 9)

*Katie Stewart (Director Environment, Planning and Enforcement) Joseph Ratcliffe (Transport Strategy Manager) and Katie Pettitt (Principal Transport Planner) were present for this item.*

1. Mr Payne asked for clarification over whether the public opinion survey was sufficiently independent and significantly robust in its conclusions and whether yet another consultation had also been taking place in relation to planning aspects of this proposal.

2. Joe Ratcliffe confirmed that there had been a statutory planning consultation between 10 December and 20 January (although responses could be received up to the date of the Planning Committee) and in addition, a public opinion survey had taken place between 6 and 16 January. The report was received late on 23 January and was published for Cabinet on 24 January. There was a competitive tender to procure the survey and Lake Market Research were successful. The survey was of

the catchment area of the station, which included the fringes of the urban area of Thanet, the Thanet North Coast and North of Dover District including Sandwich. The sample size was 379 people of which 110 were in the core catchment area of the village of Cliffsend, this was designed to be representative of the station catchment of 20,341 people. Based on the sample size there was confidence that the results were accurate to within 5%. This was absolutely independent and robust but there was always a margin of error, as there was with any survey such as an election exit poll.

3. Mr Payne explained that this was a place making opportunity. The project dated back to 2010 and featured in Kent's Local Transport Plan 4, adopted by County Council in 2017. The report from the latest survey gave no over-riding reason why the project should be cancelled at this stage. Mr Payne considered that Thanet had been losing out with the port of Ramsgate being shut, Manston airport being shut and trains taking too long to get to London, but that things had been changing and high-speed services to East Kent led to more job opportunities and more investment in this region of Kent. The concept of parkway stations had been shown to work elsewhere, and Thanet Parkway was an infrastructure first project. The station was planned for buses and pedestrians as much as for cars, and electric vehicle charging points had been built into the design from the outset. Mr Payne supported continuing investment in the project to the maximum shown in the report.

4. Joe Ratcliffe stated that prior to the second statutory planning consultation in 2019/20 which followed one in 2018, there had been two public consultations (2015 – over 500 responses and 2017 – nearly 400 responses). Opinions had been mixed, in 2015 68% of respondents had said they would feel at least one benefit of the station. In 2017 34% said they would use the new station, 26% were unsure. These were very mixed results. Within the current survey, of 110 people in Cliffsend village surveyed, 45% of people said yes, that the station should be built, 38% said no. 12% were neither for nor against. The strongest support was in the South of the catchment area where 57% were for the station and 18% against. In the Northern part of the catchment area, 47% were against the station and 39% for. The overall result, weighted in relation to population distribution across the catchment, was 45% in support of the station and 38% against. Accounting for a 5% sampling error this was very close, opinion was split; however, it was slightly more for than against.

5. Mr Whiting asked about the results of those residents who regularly use the train. Joe Ratcliffe explained that of those people who use trains once a week 68% say yes, the station should be built. This was a small sample size, however, and it was not possible to say that this was within the 5% sampling error.

6. Ben Watts asked for clarification on the figures within the report which stated that 67% of regular train users thought the station should be built, but this had been rounded to 68% in the Lake Market Research Report.

7. The Leader explained that if the project did not progress it would be very likely that the LEP funding would be lost. Joe Ratcliffe referred to paragraph 3.14 which set out the reasons for proceeding with the survey of public opinion for the scheme and why a full public consultation was not appropriate.

8. Katie Stewart explained that this project dated back to 2009-10 and research into how to get the most out of the introduction of HS1 rail services for regeneration in East Kent. The proposal for Thanet Parkway came out of an extensive options

appraisal and was an option that was determined to be the best opportunity. It was considered that this project would widen the job market for local people, and support growth in the current local plan.

9. Mrs Chandler referred to attracting inward investment into East Kent. This was an opportunity for supporting business at Discovery Park, and the station would be a “game changer,” providing a significant opportunity which would not appear otherwise. Opportunities to support the attraction of new jobs were vital in this part of Kent and good transport links were key to this.

10. Mr Oakford confirmed that he would be supporting this decision, as this was an infrastructure project which would help grow businesses in the area. It had support from local businesses, was building infrastructure for the future and was an investment which KCC should support because it supported local businesses.

11. Mr Whiting confirmed that he would also be supporting the decision. From an economic development perspective, it was vital that East Kent had access to other markets for jobs and for people to come and work in Thanet. The High Speed rail link could help do that. If the investment wasn't made now, it would be unlikely that it would ever be made.

12. Mr Hotson explained that there was a consensus for this to go ahead, and that in his dialogue with district and borough councils across the county, there was an indication that one of the main problems they faced was a lack of infrastructure before there was growth. Growth was planned for East Kent in terms of housing and business. This was one of the first instances where there would be infrastructure in place before there was growth. He commented that before the plan was finalised there should be a traffic plan as well. Katie Stewart confirmed that her team would be working with the highways team, to maximise the opportunity for more sustainable connections in the future.

14. Mr Hill confirmed that he supported the project, given that one of the priorities of KCC was to regenerate Thanet and to address the deprivation in this part of the county. A lot of investment had been put into Thanet and this was the time to reinforce the successes and produce even better results.

15. The Leader explained that he and colleagues had come to the project with no preconceptions over it. The difficulties and concerns with the project had been recognised, and it was a significant financial contribution and commitment. The project is about putting in infrastructure to provide support for Thanet's economic development and north Dover's economic development over many years, but that in some ways it's now or never. There was very little likelihood that the SELEP funding (or its equivalent) would be available in five years' time, for example. The wording in the decision was up to a total KCC contribution of £17.81m and there was work to be done on securing other sources of funding and working on the overall cost. There was a genuine mix of opinion from the community, but there was strong support from businesses and if KCC was to step away it might damage credibility with the LEP and the business community. There was also a strong partnership on this project with local councils, including cross party support at Thanet District Council.

RESOLVED that Cabinet:

1) agree to progress and deliver the Thanet Parkway Railway Station project (up to a total KCC contribution of £17.81m, subject to necessary increases to the capital budget allocation in the 2020/21 County Council budget), which will include the following key activities;

- a) undertaking detailed design; and subject to planning approval;
- b) completing the acquisition of the land; and
- c) entering into contracts as necessary for construction.

2) delegate authority to the Corporate Director of Growth, Environment & Transport, in consultation with the Cabinet Member for Highways and Transport, to take appropriate actions necessary to implement this decision, including but not limited to, deciding the preferred procurement route and entering into relevant contracts (of which KCC's contribution is to the maximum value of £17.81m) or other legal agreements.

The Leader wished Katie Stewart well as this would be her last Cabinet meeting before leaving KCC for a senior role at Surrey County Council. Members thanked her and wished her well in her future role.

**133. 20/00015 - Highways Term Services Commissioning Programme**  
(Item 10)

*Simon Jones (Director of Highways, Transportation and Waste), Andrew Loosemore (Head of Highways Asset Management) and Robert Clark (Contract and Commissioning Support Manager) were present for this item.*

1. Mr Payne introduced this item, which was the contract covering certain strategic responsibilities, he referred to paragraph 1.2 which set out the current delivery model. Four options for the future provision of services had been considered in detail.

2. Simon Jones outlined the proposed next steps for the Highway Term Maintenance Contract and explained the four options available for the future delivery.

RESOLVED the Cabinet agree to:

1) provide the Corporate Director for Growth, Environment and Transport delegated authority to procure and enter into appropriate contractual arrangements for the provision of highway term services in accordance with the expectations set out in the report.

2) provide the Corporate Director for Growth, Environment and Transport delegated authority to procure and enter into appropriate contractual arrangements for the provision of capital drainage works including any potential extension periods in accordance with the expectations set out in the report.

3) in consultation with the Cabinet Member for Highways and Transport, delegate authority to the Corporate Director for Growth, Environment and Transport to award contract extensions of the contracts in accordance with appropriate extension clauses within the contract.