

**GROWTH, ECONOMIC DEVELOPMENT AND
COMMUNITIES CABINET COMMITTEE**

Tuesday, 22nd November, 2022

2.00 pm

Council Chamber, Sessions House





AGENDA

GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

Tuesday, 22 November 2022 at 2.00 pm
Council Chamber, Sessions House

Ask for: Hayley Savage
Telephone: 03000 414286

Membership (16)

Conservative (12): Mr N Baker (Vice-Chairman), Mrs R Binks, Mr C Broadley,
Mr T Cannon, Mr S Holden, Mr S C Manion, Mr J Meade,
Mr A M Ridgers, Mr D Robey, Mr H Rayner, Mr R J Thomas and
Mr D Watkins

Labour (2): Ms M Dawkins and Ms J Meade

Liberal Democrat (1): Mr M J Sole

Green and Independent (1): Mr M A J Hood

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

- 1 Introduction/Webcast announcements
- 2 Membership
- 3 Apologies and Substitutes
- 4 Election of Chair
- 5 Declarations of Interest by Members in items on the Agenda
- 6 Minutes of the meeting held on 22 September 2022 (Pages 1 - 10)
- 7 Verbal updates by the Cabinet Members and Corporate Director
- 8 Members' Recent Visit to Canterbury District (Pages 11 - 18)
- 9 22/00098 - Further investment of Getting Building Funding (Pages 19 - 32)
- 10 Kent Invicta Chamber of Commerce Local Skills Improvement Plan (LSIP) - Presentation

- 11 Draft Kent and Medway Strategic Framework for Sport and Physical Activity 2023 - 27 (Pages 33 - 50)
- 12 Developer Contributions Guide (Pages 51 - 168)
- 13 Gypsy and Traveller Site Pitch Allocation Policy Update (Pages 169 - 196)
- 14 Playground Early Years Programme (Pages 197 - 202)
- 15 22/00102 - Contract Extensions for the Provision of Post-Mortem Facilities for Mid Kent & Medway, North West Kent, and East Kent (Pages 203 - 214)
- 16 Work Programme 2022/23 (Pages 215 - 220)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Benjamin Watts
General Counsel
03000 416814

Monday, 14 November 2022

KENT COUNTY COUNCIL**GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES
CABINET COMMITTEE**

MINUTES of a meeting of the Growth, Economic Development and Communities Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 22 September 2022.

PRESENT: Mr N Baker (Vice-Chairman in the Chair), Mrs R Binks, Mr C Broadley, Mr T Cannon, Ms M Dawkins, Mr S Holden, Mr M A J Hood, Mr J A Kite, MBE, Ms J Meade, Mr J Meade, Mr D Robey, Mr M J Sole and Mrs S Hudson

ALSO PRESENT: Mr D Murphy and Mr P M Hill, OBE

IN ATTENDANCE: Mrs S Holt-Castle (Director of Growth and Communities) and Mr S Jones (Corporate Director of Growth, Environment and Transport)

UNRESTRICTED ITEMS**84. Apologies and Substitutes**

(Item 2)

Apologies for absence had been received from Mr Love, Mr Webb, and Mr Ridgers. Mrs Hudson was present as substitute for Mr Webb.

85. Declarations of Interest by Members in items on the Agenda

(Item 3)

There were no declarations of interest.

86. Minutes of the meeting held on 19 July 2022

(Item 4)

RESOLVED that the minutes of the meeting held on 19 July 2022 were a correct record.

87. Verbal updates by the Cabinet Members and Corporate Director

(Item 5)

1. Mr Hill, Cabinet Member for Community and Regulatory Services, gave a verbal update on the following:
 - (a) The Council's country parks had retained all eight of their Green Flag Awards which demonstrated the quality of the parks and the hard work of staff involved. £1.1million of government covid recovery money had been spent on several improvements including play areas with inclusive elements for those with disabilities.
 - (b) The Summer Reading Challenge 2022 named 'Gadgeteers' ran between 9 July and 10 September 2022 and 18,419 children took part.

- (c) The Javelin Way development in Ashford was completed on 8 September 2022 and included a new centre for the Jasmine Vardimon Dance Company as well as 26 neighbouring business units. The development would be formally opened in December 2022.
 - (d) Twelve new Community Wardens had been recruited and were currently undergoing training.
2. Mr Hill responded to the following questions and comments from Members:
- (a) A Member referred to the success of the Summer Reading Challenge and asked whether there were any opportunities for partner organisations to continue the work and encourage young people to attend libraries. Mr Pearson, Head of Libraries, Registrations and Archives, said the Reconnect Programme and the Kent Show had promoted awareness of the challenge and links had been made with schools. Mr Pearson said the team was keen to explore working with partners and emphasised the importance of the Summer Reading Challenge in encouraging children to continue reading.
 - (b) Asked whether Members would be notified when new Community Wardens had been recruited to their division, Mr Hill confirmed this would take place.
3. Mr Murphy, Cabinet Member for Economic Development, gave a verbal update on the following:
- (a) As a result of the No Use Empty initiative a local building company in Dover was hoping to open the first of a series of new industrial workshops on the Whitfield site and a company in Belgium had bought premises off plan. In addition, a listed building in Margate was being renovated and Mr Murphy confirmed, further to comments from Members at previous meetings of the committee, that banners would be displayed on No Use Empty buildings indicating the Council was investing in development.
 - (b) The Council was working with Lord Waverly on a parliamentary committee to look at the logistics for goods and services across the country. Mr Murphy emphasised the importance of distribution and referred to Pannattoni, one of the biggest warehousing companies in the world, who had a site at Aylesford which included Amazon, Evri and DHL. A company called Mesaroli, which specialised in cool and refrigerated transportation, was now located at Discovery Park in Sandwich.
 - (c) The Council, in conjunction with Folkestone and Hythe District Council, were setting up a joint working group to look at the feasibility of using Dungeness Power Station for the Rolls Royce reactors. Work was progressing in terms of industrial capabilities, in particular the life sciences, and the Council was working with UK power networks to ensure the continuation of power in Kent.

- (d) The Council had supported Dover District Council's Levelling Up bid for the Beacon project and, if granted, this funding would boost living standards and increase higher education needs in the area.
 - (e) An All Member Briefing on Section 106 Contributions was scheduled for 31 October 2022.
4. Mr Murphy responded to the following questions and comments from Members:
- (a) Asked about the Council's position on fracking, Mr Murphy said fracking was an issue for concern and the fracking policy was under review. Mr Murphy said he would be happy to update Members outside of the meeting.
 - (b) Asked whether representations would be made to government regarding important infrastructure projects and issues in relation to economic development, Mr Murphy agreed this was essential, given Kent's geographical position, for both the county and the rest of the country.
5. Mr Jones, Corporate Director for Growth Environment and Transport, gave a verbal update on the following:
- (a) The year continued to be busy for the ceremonies team with over 6,500 ceremonies taking place so far, the largest number since 2016, and the team had worked extensively with local businesses to enable ceremonies at private locations in addition to registered offices.
 - (b) The Trading Standards Team were working with communities to raise awareness of cost-of-living scams and doorstep crime activity. The team had run an event in Romney Marsh and had so far visited over a thousand homes to ensure local communities got the best support. There had been targeted awareness of illicit goods including illegal dangerous vapes and a consignment of almost 8,000 vapes had been confiscated.
 - (c) Community Wardens had been busy engaging with residents and partners and continued to carry out welfare checks for the Homes for Ukraine Scheme and delivering positive wellbeing activities within communities.
 - (d) The Kent Community Safety Team had hosted several events recently to share best practice. The domestic Abuse Commissioner and their team had spent time with Council staff to explore the learning from Domestic Homicide Reviews.
 - (e) The Kent Scientific Services had been testing pesticide sampling on goods coming through the ports and analysing the content of Cannabidiol (CBD) products to identify the risks of organised crime within communities.
 - (f) The Kent Country Parks Strategy 2023-2028 consultation opened on 4 October 2022 and would close on 12 December 2022.
 - (g) The Kent and Medway Horticultural Employment Task Force achieved an award for 'HR Initiative of the Year' at the Fresh Product Consortium

(FPC) Fresh Awards 2022 for their work with fruit and salad producers in identifying how young people could become involved in the industry.

6. Mr Jones responded to the following questions and comments from Members:
 - (a) Asked about the extent of the illegal vapes issue, Mr Jones said the intelligence team was mapping out significant networks of distribution locations and worked closely with other authorities and the police.
 - (b) Asked about Ukrainian nationals removing themselves voluntarily from the Homes for Ukraine Scheme and the support the Council could provide in making sure individuals could access services, Mr Jones said by engaging with communities, and working with district and borough colleagues, every endeavour was made to ensure those who needed or sought support received it.
 - (c) Asked about the impact in Kent when support for Ukrainian refugees ceased, Mr Jones said the Council would respond to the national guidelines.
 - (d) Asked how the Council could ensure schools places were offered to Ukrainian families, Mr Jones said he would respond outside of the meeting.

RESOLVED that the verbal updates be noted.

88. 22/00088 - Department for Digital, Culture, Media and Sport (DCMS) - Create Growth Fund
(Item 6)

Ms Sarah Wren, Principal Project Officer, was in attendance for this item.

1. Ms Wren introduced the report and said the result of the bid had been delayed due to the funeral of Queen Elizabeth II and the change in Prime Minister.
2. Ms Wren responded to the following questions and comments from Members:
 - (a) Asked about the percentage of funding the Council would receive and the cost for administering the project, Ms Wren said the programme included two members of project staff. The programme had a target of 100 businesses and would be delivered in 6 cohorts of 15 – 20 businesses in each.
 - (b) Asked whether the businesses providing the support were local and had been approved, Ms Wren said the partnership board included three sector specialist organisations who were experienced in delivering business support programmes. Those organisations would design the programme and be responsible for some of the delivery. Feedback had also been built in throughout the programme.

- (c) Asked how the programme would be advertised to the music community, Ms Wren said sector specialist organisations had been appointed for performance, music, and design and had relevant networks.
- (d) Asked about equality implications and DCMS prioritising bids based on inclusivity, Ms Holt-Castle said the principal purpose was to widen and diversify the number of businesses involved in the creative industry sector.
- (e) Asked about the amount of money each business would receive, Ms Wren said the money allocated to each business was for the cost of support. They were then able to access a £7million loan or grant fund, and additional support through the national provider.

RESOLVED that the proposed decision to be taken by the Cabinet Member for Community and Regulatory Services subject to the bid to DCMS being successful, that KCC enters into a grant agreement with DCMS and takes on the lead role of accountable body for the management and delivery of the regional South-East Create Growth Programme 2022 to 2025 as shown in appendix A, be endorsed.

89. Performance Dashboard

(Item 7)

Ms Rachel Kennard, Chief Analyst, was in attendance for this item.

1. Ms Kennard introduced the Performance Dashboard for Quarter 1 of 2022/23 and highlighted the key areas of performance. Ms Kennard said two Trading Standards Key Performance Indicators (KPIs) were currently under review and had been removed from the report.
2. Ms Holt-Castle and Mr Hill responded to the following questions and comments from Members:
 - (a) Asked about '16 to 17 year olds who are NEET' (not in education, employment or training) and a future report to the committee, Ms Holt-Castle said the Chairmen of the Growth, Economic Development and Communities Cabinet Committee and the Children's, Young People and Education Cabinet Committee agreed to receive reports addressing relevant elements of this issue at their respective committees in November 2022. A Member asked about SEND (special educational needs and disability) and Ms Holt-Castle said she would check in which report this would be included.
 - (b) Asked about the targets for SPA03 - *Percentage of schools with a high proportion of pupils eligible for free school meals engaging with the Kent School Games* - and SPA04 - *Number of people attending and engaging with training and learning opportunities facilitated by Kent Sport* - and for clarity on the number and range of schools who took part in the Kent Schools Games, Ms Holt-Castle said the targets were new for this year and had been set as a best estimate. The team had underestimated the success of some online courses and the targets would be reset for next year. Ms Holt-Castle said all schools, including academies, were invited to take part in the Kent Schools Games.

- (c) A Member commented on the success and importance of the libraries following the pandemic and how this reflected a return to normality. Asked whether there were plans for future expansion of the library service and whether there were enough libraries to meet demand, Mr Hill said there was an extensive network of 99 libraries in Kent and he was confident the coverage provided an effective library service.
- (d) A Member asked whether the Council's work in relation to the Shared Prosperity Fund could be included in the report to the November committee on apprenticeships and skills. Ms Holt-Castle said the Council had been working closely with all the districts regarding the funding and that would be reflected in the report.

RESOLVED that the performance report for Quarter 1 of 2022/23 be noted.

90. Nutrient Neutrality

(Item 8)

Mr Tom Marchant, Head of Strategic Planning and Policy, was in attendance for this item.

1. The Vice-Chairman reminded Members that the report would also be presented to the Environment and Transport Cabinet Committee and discussion should focus on the remit of the Growth, Economic Development and Communities Cabinet Committee.
2. Mr Murphy said a report was first brought to the March 2022 meeting of the committee and this report provided an update on the situation.
3. Mr Marchant introduced the report and gave an overview of the key government announcements, updates, and progress since March 2022. Mr Marchant highlighted progress which had occurred since the report was written in relation to the Dover district. Work over the last 12 -18 months had demonstrated that additional nutrients would not have a significant affect and Dover District Council were therefore able to release some planning consents. Mr Marchant referred to the map attached to these minutes and said the area shaded blue remained affected by the requirement to achieve nutrient neutrality. He said the Council was working positively with local planning authorities, statutory government agencies and Southern Water, and that collaboration would continue.
4. Mr Marchant responded to the following questions and comments from Members:
 - (a) Asked about support for small developers, Mr Marchant said there was an impact on smaller schemes and the role of small to medium sized enterprises (SME's) to housing delivery in the county was appreciated. Mr Marchant said it was hoped the Catchment Wide Strategy would, in time, support SME's to develop smaller sites. Mr Murphy referred, later in the discussion, to the No Use Empty Scheme which provided loans to SME's to develop empty homes and bring them back to the market.

- (b) Asked about Southern Water's involvement in the issue of nutrient neutrality, Mr Marchant said Southern Water was a key partner in reducing the level of nutrients in the short to medium term and their operations were within the consenting regime.
- (c) Asked whether a detailed map could be provided to show how individual divisions would be affected, Mr Marchant said he would be happy to provide further information outside of the meeting.
- (d) Asked about the financial impact on the development industry, Mr Marchant said this would be better quantified once the Catchment Wide Strategy had been developed and further government announcements were made.
- (e) Asked about the government's housing requirement in the context of nutrient neutrality, Mr Marchant said the government had made a commitment to review planning policy and guidance which may affect the 5 year housing land supply and discussions around planning reforms.

RESOLVED that the report be noted.

91. Members' Recent Visit to Thanet District

(Item 9)

Mr Hancock introduced the report and highlighted the visit to Turner Contemporary (which had not been included in the report) and the presentation by the Director who outlined her approach and plans for the future of the gallery. Mr Hancock outlined the future programme and said the Maidstone visit had been postponed and would be rearranged for January or February 2023.

RESOLVED that the report be noted.

92. Work Programme 2022/23

(Item 10)

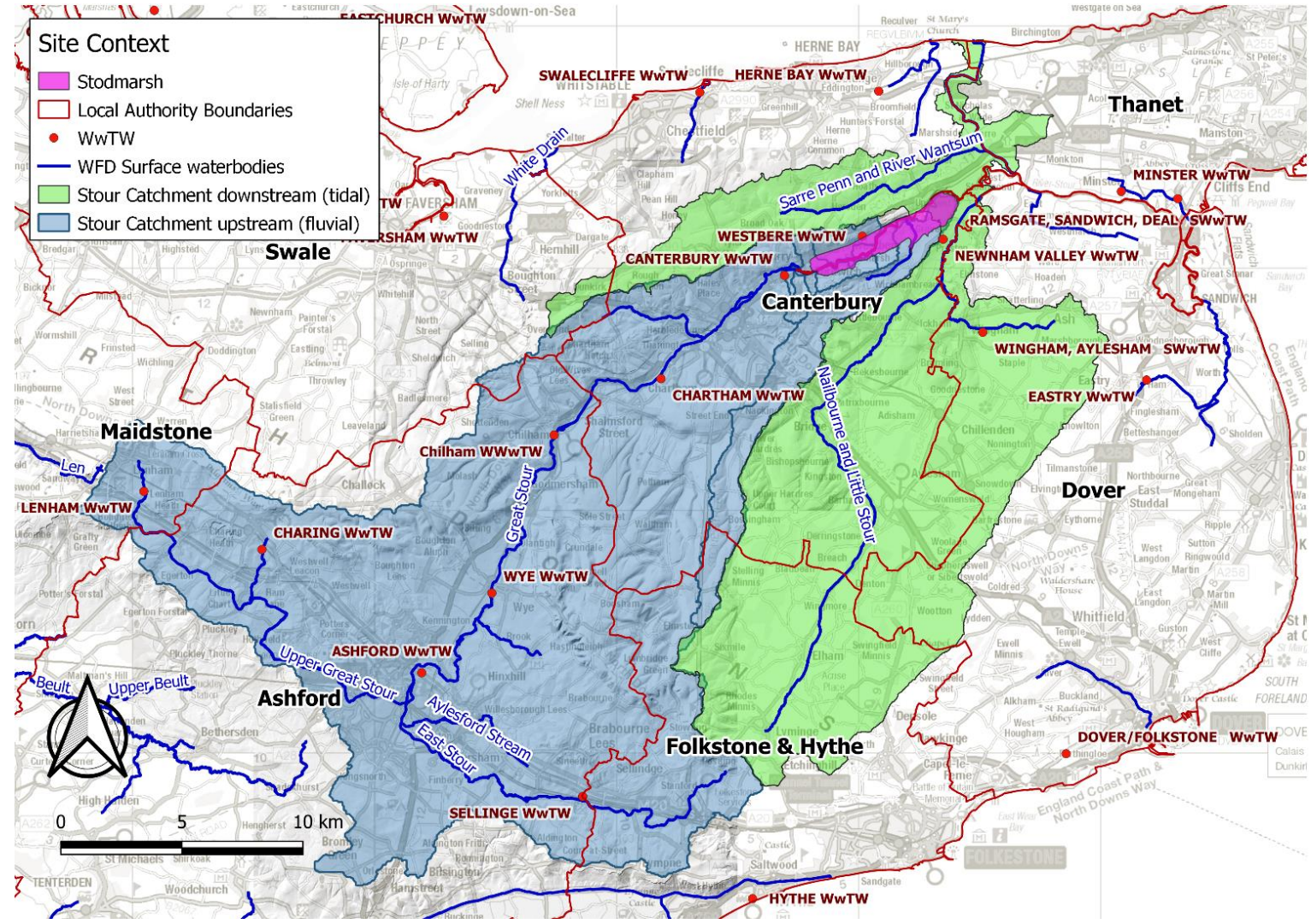
RESOLVED that the Work Programme 2022/23 be noted subject to the following additions to the draft November agenda:

- Strategic Framework for Active Kent and Medway
- Developers Guide Consultation Draft
- KCC Gypsy and Traveller Sites Pitch Allocations Policy
- Playground
- Support for businesses in light of government announcements

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Stodmarsh

- Internationally designated wetland in unfavourable condition
- Additional nutrients will prevent recovery
- Upstream and down stream catchment affected



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From: Derek Murphy, Cabinet Member for Economic Development
Simon Jones, Corporate Director, Growth, Environment and Transport Directorate

To: Growth, Economic Development and Communities Cabinet Committee
22 November 2022

Subject: **Members' Recent Visit to Canterbury District**

Classification: **Unrestricted**

Past Pathway of Paper: None

Future Pathway of Paper: None

Electoral Division: All

Summary: This report is in two parts. It summarises the outcomes of the recent visit by KCC Members to Canterbury District and outlines the programme of future visits to other Kent districts in 2022.

Recommendation: The Cabinet Committee is asked to reflect on the visit, and make any recommendations to the Cabinet Member on the future visits programme.

1. Introduction

- 1.1 At the November 2017 meeting of this Cabinet Committee, Members agreed that officers arrange a programme of informal visits to Kent districts. The objective was to provide an opportunity for Cabinet Committee Members to gain an understanding of the economic development, regeneration, community and infrastructure opportunities and challenges within each of the Kent districts.
- 1.2 This report summarises the main outcomes of Members' visit to Canterbury on 2nd September 2022.

2. Visit to Canterbury District

- 2.1 The visit to Canterbury on 2nd September was arranged with the full support of senior officers of Canterbury City Council. The Council Leader, Ben Fitter-Harding, Barbara Flack, Member for Place and Peter Davies Director of Strategy & Improvement and their colleagues and members of the senior management team gave a comprehensive briefing of economic development, regeneration and community infrastructure opportunities and challenges for the district and which are listed below.

2.3 The key issues identified during the visit were:

- Low wage economy
- Polarised age profile
- Congestion and air quality in the city and parts of our towns
- High future housing needs targets
- Impacts of Operation Brock on road networks
- Rapidly changing high street
- Stodmarsh and waste water discharges
- Increasing need for bus lanes and bus gates in the city

2.4 The key opportunities are:

- Levelling up agenda - two bids submitted
- A new hospital in Canterbury
- An ambitious Local Plan focussed on sustainable growth
- Resurgence in 'staycation' market
- New green investment - hydrogen and solar
- Taking back control - waste and housing services
- Modal shift - cycling, park and ride, walking
- Securing our green spaces for future generations

2.5 The main projects recently completed or in development are shown in Appendix 1.

2.6 In addition Members were asked to note where KCC's support is required:

- Lobby for the new hospital in Canterbury
- Enable the delivery of a visionary Local Plan for the district
- Deliver the infrastructure improvements to our road networks
- Eastern movement corridor and city circulation plan
- Harbledown road improvements
- A2 new slips and Brenley Corner improvements
- Sturry Road bus lane
- Plan and fund (with dev contributions) two new secondary schools on the coast
- Lobby for a speedy resolution to the Stodmarsh issue
- Support the delivery of KCC elements of our LUF bids and ambitions
- Support Network Rail and Southeastern railway and station improvements

2.7 The highlights of the visit are detailed more fully in Appendix 1 to this report. These will be followed up by Officers as appropriate and with the relevant organisations.

2.8 Presentations made on the day are available from the author of this report.

3. Programme of Further Visits

3.1 Further Member visits to Kent districts are being arranged in collaboration with district and borough officers. The format for each visit involves a day-long tour of the principal economic development, regeneration, community and infrastructure within each district.

3.2 The visit programme for 2022 had to be amended recently and is now:

Swale	1 st or 15 th December 2022 TBC
Maidstone	20 January 2023
Further district visits	To be arranged for 2023

- 3.3 The Committee has in the past visited Swale, Ashford, Folkestone and Hythe, Dover, Dartford, Tunbridge Wells, Gravesham and Tonbridge & Malling, Sevenoaks and Thanet as well as the Ebbsfleet Development Corporation albeit these date back to 2017 to 2019.
- 3.4 These visits will be continued for a new cycle, subject to resource and to Committee's recommendation to the Cabinet Member, into 2023.
- 3.5 As agreed by the Committee, should places be available, invitations will be extended to the Chair and Members of the Environment & Transport Cabinet Committee.

4. Financial Implications

4.1 The cost of coach hire is approximately £525 per visit.

5. Recommendation

Recommendation: The Cabinet Committee is asked to reflect on the visit, and make any recommendations to the Cabinet Member on the future visits programme.

6. Contact details

Report Author

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GEDCCC District Visits Programme

Highlights of the visit to Canterbury on 2 September 2022.

These highlights were also outlined in a slide presentation which is available from the author of the report to GEDCCC if requested.

1. Introduction

Overview of Place Services

- Regeneration
- Property
- Culture and Heritage
- Planning and Local Land Charges
- Environmental Health
- Engineering
- Harbour and Foreshore
- Transport and Environment
- Parking

Profile of the district:

- Population of 157,400
- Second largest population in Kent
- The economic powerhouse of east Kent, hosting:
- Kent's only city
- Four universities
- Three World Heritage Sites
- The home of the Church of England
- The county's largest visitor economy
- A working harbour
- 21.6km of coastline
- The Kent Downs AONB, which accounts for 1/3 of the district

2. Local Plan:

Currently being developed to 2045

3. Main challenges:

- Low wage economy
- Polarised age profile
- Congestion and air quality in the city and parts of our towns
- High future housing needs targets
- Impacts of Operation Brock on road networks
- Rapidly changing high street

- Stodmarsh and waste water discharges
- Increasing need for bus lanes and bus gates in the city

4. Main opportunities to harness:

- Levelling up agenda - two bids submitted
- A new hospital in Canterbury
- An ambitious Local Plan focussed on sustainable growth
- Resurgence in 'staycation' market
- New green investment - hydrogen and solar
- Taking back control - waste and housing services
- Modal shift - cycling, park and ride, walking
- Securing our green spaces for future generations

5. Levelling Up Bids:

Two Levelling Up Fund bids submitted to government:

1. Unlocking Canterbury's Tales of England

- Westgate improvements
- High Street improvements including the clock tower
- Canterbury Castle
- Promote green spaces and EV charging points and cycling/walking routes

2. Transformation of Herne Bay's Seafront

- King's Hall Landmark Music Centre – the venue would be transformed into a new multi-purpose music development, production and performance and community space.
- Central Bandstand Landmark Leisure Hub – currently in a poor condition and partially closed, the bandstand would be fully repaired and restored
- Connected Seafront – the project will create a new cycle and walking route, providing a safe and attractive link from Greenhill to the railway station and Memorial Park and through to the town centre and seafront.

6. The main projects in the district and part of the City Centre Tour

Canterbury

Beaney Library & Museum - 10 years on

Riverside development – recent opening of the Curzon cinema and retail units

Kingsmead Leisure Centre – prospective project to expand and refurbish the centre

Herne Bay

Beach Street redevelopment - proposals for the comprehensive and high quality redevelopment of the important town centre site

Whitstable

Harbour and seafront

7. KCC's support is required to:

- Lobby for the new hospital in Canterbury
- Enable the delivery of a visionary Local Plan for the district
- Deliver the infrastructure improvements to our road networks
- Eastern movement corridor and city circulation plan
- Harbledown road improvements
- A2 new slips and Brenley Corner improvements
- Sturry Road bus lane
- Plan and fund (with dev contributions) two new secondary schools on the coast
- Lobby for a speedy resolution to the Stodmarsh issue
- Support the delivery of KCC elements of our LUF bids and ambitions
- Support Network Rail and Southeastern railway and station improvements

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From: Roger Gough, Leader of Kent County Council
Stephanie Holt-Castle, Director, Growth and Communities

To: Growth, Economic Development and Communities Cabinet Committee – 22 November 2022

Subject: **Further investment of Getting Building Funding (GBF) in third-party projects**

Decision No: 22/00098

Past Pathway of Paper: N/A

Future Pathway of Paper: For decision by Leader of Council

Electoral Divisions: Ashford Central, Dover Town, Ramsgate, and Sandwich

Summary: In June 2020, the Government made a call to Local Enterprise Partnerships for shovel-ready schemes that were able to spend during the pandemic, as a way to stimulate economic recovery and help mitigate the impact that COVID-19 has had on employment levels.

The Government subsequently awarded £85m of Getting Building Funding (GBF) to the South East Local Enterprise Partnership (SELEP), with which SELEP has funded thirty-four projects from across East Sussex, Kent, Medway, Thurrock, Southend and Essex.

The SELEP Accountability Board has recently removed one of East Sussex's GBF projects and one of Essex's GBF projects from this programme due to deliverability concerns. This has resulted in a further £3.3175m of GBF becoming available to be reallocated to alternative projects by SELEP. There is also a possibility that other GBF projects outside of Kent and Medway may need to return their GBF allocation in the future.

The SELEP Strategic Board met on 21st October 2022 to agree a GBF reserve project pipeline. This reserve project pipeline includes four Kent-based projects.

A key decision is therefore required to enable grant agreements to be entered into by Kent County Council, should the SELEP Accountability Board award funding to these Kent-based GBF projects.

Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the proposal that the Leader of the Council:

Agrees that the Getting Building Funding (GBF) will be used to support the Kent-based projects that are awarded additional GBF by the South East Local Enterprise Partnership's Accountability Board; and

delegates to the Section 151 Officer the authority to sign on KCC's behalf a deed of variation to the original grant agreement or equivalent, where this is required to draw down funds following business case approval as shown at Appendix A.

1. Introduction

- 1.1 In 2020, the Government made a call to Local Enterprise Partnerships (LEP) for shovel-ready schemes that were able to spend during the pandemic, as a way to stimulate economic recovery and help mitigate the impact that COVID-19 has had on employment levels.
- 1.2 Consequently, the South East Local Enterprise Partnership (SELEP), via the Kent and Medway Economic Partnership (KMEP), wrote to local stakeholders (including Kent County Council) asking for their shovel-ready scheme suggestions. All forthcoming proposals were then submitted to Government, via SELEP, in June 2020. The accumulated total of these SELEP suggestions equalled £573m.
- 1.3 In July 2020, the Government informed SELEP that it would receive £85million of 'Getting Building Fund' (GBF) to deliver 'shovel-ready' schemes. GBF is capital grant funding.
- 1.4 The Government asked SELEP to prioritise its original scheme suggestions for inclusion within the £85m funding envelope.

2. Kent-based schemes already awarded Getting Building Funding

- 2.1 At its meeting in July 2020, the SELEP Strategic Board confirmed seven Kent-based projects would be included within the £85m ask of Government. Of these, three are delivered directly by Kent County Council, and the remaining four are delivered by third-party promoters.
- 2.2 The names of these projects are:
 - Digitally Connecting Rural Kent & Medway
 - Thanet Parkway Railway Station
 - Javelin Way Development
 - First + Second Floors, Building 500, Discovery Park
 - The Meeting Place, Swanley
 - New Performing & Production Digital Arts Facility
 - Romney Marsh Employment Hub
- 2.3 These seven GBF projects were discussed with the Growth, Economic Development, and Communities Cabinet Committee in 2020, before the Leader took the Kent County Council key decisions no. 20/00085 and 20/00086.
- 2.4 In December 2020, a further £323,204 of GBF became available for reallocation by SELEP to a new GBF project. This is because one of the original SELEP GBF projects reduced its GBF ask by that sum.

- 2.5 At its meeting in December 2020, the SELEP Strategic Board decided to provisionally award the £323,204 to the St George's Creative Project in Gravesham. A full business case for the project was subsequently presented to and endorsed by the SELEP Accountability Board in February 2021.
- 2.6 This project was discussed with the Growth, Economic Development, and Communities Cabinet Committee in January 2021, before the Leader took the following Kent County Council key decision 21/00005 to enable the project to progress.
- 2.7 In autumn 2021, a further £3.5m of GBF became available for reallocation by SELEP to new GBF projects. This was because an East Sussex GBF project (Fast Track Business Solutions for the Hastings Manufacturing Sector) was unable to proceed due to deliverability issues and returned its allocation.
- 2.8 At its meetings in December 2021 and February 2022, the SELEP Accountability Board awarded the £1,400,000 to the Amelia Scott Project in Tunbridge Wells, and £1,009,000 to the Techfort Project in Dover, as these projects were on SELEP's original reserve project pipeline.
- 2.9 These projects were discussed with the Growth, Economic Development, and Communities Cabinet Committee in January 2022, before the Leader took the Kent County Council key decision 22/00120 to enable the projects to progress.
- 2.10 An overview of all ten Kent-based GBF projects can be found in appendix A.

3. New funding opportunity

- 3.1 More GBF funding has now become available to allocate to projects by SELEP. This is because the SELEP Accountability Board has removed the Riding Sunbeams project (in East Sussex), and the Laindon Place project (in Essex) from the GBF programme due to deliverability concerns.
- 3.2 As a result of these two projects being removed from the GBF programme, £3.3175m has become available for SELEP to reallocate to other projects.
- 3.3 SELEP exhausted its original pipeline of reserve GBF projects in 21/22, consequently it must create a new pipeline of projects in order to allocate this £3.3175m, plus any more GBF funding that could potentially become available in the future.

4. SELEP's creation of a new GBF reserve pipeline & reallocation of funding

- 4.1 The SELEP Strategic Board met in June 2022 to decide which projects could apply for this reallocated GBF funding.
- 4.2 The outcome of this meeting was that SELEP chose to allow only existing GBF projects, still in construction, to apply for more GBF and be considered for inclusion on the pipeline.
- 4.3 The existing projects can apply for the GBF because:

- a) The project has experienced a cost increase due to the impacts of the COVID-19 pandemic, Brexit, or high inflation levels, OR
- b) The project wants to support a further phase of delivery (i.e. project extension).

4.4 All Kent-based existing GBF projects were offered the opportunity to apply for this additional funding. Applications were received from project promoters for the following projects:

Existing project seeking additional GBF	KCC Ward where project delivered	Project Promoter	Amount of additional GBF sought	Original GBF allocation
Discovery Park	Sandwich	Discovery Park Ltd	£250,000	£2.5m – All this funding was spent by 30 Sept 22
Javelin Way	Ashford Central	Kent County Council	£235,728	£578,724 – All this funding was spent by 31 March 22
Techfort	Dover Town	Dover Citadel Ltd	£850,000	£1,009,000 – This funding is still being spent, as the project only received authorisation to progress in mid-Feb 22.
Thanet Parkway	Ramsgate	Kent County Council	£875,000	£11,999,000 – All this funding was spent by 31 March 22

4.5 Here is the rationale why these Kent-based projects sought extra GBF funding:

Discovery Park:

The project has experienced a cost increase due to the impacts of the COVID-19 pandemic, Brexit, and/or inflation.

Since the project inception both labour and material costs have increased significantly. The project and design team have worked closely to identify potential savings and to mitigate against cost overruns. A number of savings have already been achieved by utilising existing infrastructure and sourcing alternative materials where there is no impact on the overall quality of the project. The team has managed to keep costs close to the original budget, however, there are areas of the project where compromises are being considered. The team has also had to revise plans given recent energy price increases to ensure the scheme operates at maximum efficiency. If awarded, the additional £250k would allow the project promoter to fit-out a specialist CAT3 facility for hazardous microbiological research.

Javelin Way:

The project has experienced a cost increase due to the impacts of the COVID-19 pandemic, Brexit, and/or inflation.

The contract was entered into just as Covid started to hit and the pandemic resulted in further unforeseen costs of £104,269. These costs resulted from a requirement to have higher levels of cleanliness and cleaning across the site in line with government guidance. Social distancing limited the number of trades that could operate alongside each other reducing efficiencies and staff welfare facilities had to be increased.

Unforeseen inflation costs of £131,459 also hit the project during the period of the construction. The largest increases were in the following items: hot-rolled steel frame and cladding that rose 26.4%; windows rose 36.46%; doors, screens and roller shutters which rose over 36% and pre-cast concrete which rose 56.48% between 21/01/21 (value of original quote) to 29/10/21 (value of revised quotes).

Techfort:

The project wants to support a further phase of delivery (i.e. project extension).

Phase 2 of this project would see the refurbishment of casemates no. 53 and 54 at The Citadel (a unique historical asset) to be used by creative businesses. In total, 4,366 sqft in casemate 53 would become a recording studio and associated amenities, and 3,786 sqft in casemate 54 would become a gallery, market, and workshop. Phase 2 of the project is expected to deliver 19 new jobs and 4 traineeships if funded.

Thanet Parkway:

The project has experienced a cost increase due to the impacts of the COVID-19 pandemic, Brexit, and/or inflation.

Thanet Parkway entered its delivery phase in 2020, with planning consent granted in September 2020 during the COVID-19 pandemic. This allowed the enabling works to progress ahead of the design and construction contracts (station delivery and level crossing/signalling) with Network Rail being negotiated and signed in 2021. So far, the station and car park works are substantially complete; the remaining works relate to the upgrade of two adjacent level crossings. The project has been impacted by inflationary pressures. An example of these inflationary pressures include: an additional £330k required due to increases in the cost of steel by £114k, £117k increase for the acoustic barrier, and £76k increase in the cost of hoarding.

4.6 The SELEP Strategic Board met on 21 October 2022 to determine which projects will receive the funding. The Board agreed this new pipeline of projects will be funded using the £3.3175m:

Position on SELEP's GBF pipeline	Project	Local Authority Area	GBF value
1	Innovation Park Medway	Medway	£400,000
2	Extension of the full-fibre broadband rollout in Essex	Essex	£477,256

3	Tindal Square	Essex	£450,000
4	Thanet Parkway	Kent	£875,000
5	Javelin Way	Kent	£235,728
6	Observer Building	East Sussex	£315,000
7	To be confirmed – The Strategic Board agreed that either the ‘Extension of LFFN project’ in South Essex or the ‘Jaywick Market Place project’ in Essex should receive this last allocation. The Essex businesses and councillors were asked to meet to agree which of these projects proceeds.	South Essex or Essex	Remainder of £3.3175m

4.7 In addition to the projects above that will be funded by SELEP (subject to the Accountability Board granting approval on 25th November 22), the SELEP Strategic Board also agreed a new reserve pipeline of projects that will be used should any further GBF become available due to other GBF projects experiencing deliverability concerns and returning funding. This reserve pipeline, that is currently unfunded, is as follows:

Position on SELEP's GBF pipeline	Project	Local Authority Area	GBF value
1	Seven Sisters Country Park Visitor Infrastructure Uplift	East Sussex	£84,100
2	Discovery Park Incubator	Kent	£250,000
3	Tending Bikes and Cycle Infrastructure	Essex	£300,200
4	Techfort Phase 2	Kent	£850,000
5	Enterprise Centre for Horizon 120 Business and Innovation Park	Essex	£907,124

4.8 Consequently, there should be sufficient funding for Thanet Parkway and Javelin Way projects to receive an enhanced contribution in November 22. Officers are closely monitoring the situation to see if opportunities become available in the future for Discovery Park and Techfort to receive more funds.

5. Legal and Financial Implications

5.1 SELEP required Kent County Council to enter into a grant agreement with Essex County Council (which is SELEP's accountable body) for all schemes awarded GBF by SELEP within KCC's administrative boundary. The grant agreements gave Kent County Council the legal and financial responsibility for ensuring the proper use and administration of the funding in accordance with the terms and conditions. For all third-party projects (such as Discovery Park and Techfort), a back-to-back grant agreement between Kent County Council and the third-party project promoter has been signed.

5.2 A deed of variation will now be required to amend the value of the GBF grant for any project awarded extra funding by the SELEP Accountability Board. A proposed record of decision is appended to this paper which would enable these deeds of variation to be signed.

- 5.3 If Kent County Council chooses to not sign the deed of variation for the GBF projects selected by the SELEP Strategic Board, the GBF funding could be either (i) retained by central government or (ii) reallocated to other projects by the SELEP Strategic Board.
- 5.4 The Government originally specified that the GBF must be spent by 31 March 2022. Subsequently, the Government has granted SELEP an extension so that the remaining GBF must be spent by 31 March 2023.

5. Policy Framework

- 5.1 The GBF investment will help Kent County Council to deliver against its objectives within Framing Kent's Future. Specifically, the capital grant investment will help deliver against its Levelling up Kent, Infrastructure for Communities, and Environmental step change priorities.

6. Equalities Information & Data Protection

- 6.1 Each project must produce an Equalities Impact Assessment as part of the development of these business cases required for SELEP Accountability Board approval. A Data Protection Impact Assessment is not required, as personal data is not included in the grant agreements or project business cases.

7. Conclusions

- 8.1 This key decision is required to enable deeds of variation to be entered into so that additional Government funding may be secured for these projects. Due to the terms and conditions of the Government's Getting Building Fund and SELEP's rules and criteria, this funding can only be spent on these specific projects.

9. Recommendation(s)

- 9.1 The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the proposal that the Leader of the Council:

Agrees that the Getting Building Funding (GBF) will be used to support the Kent-based projects that are awarded additional GBF by the South East Local Enterprise Partnership's Accountability Board; and

delegates to the Section 151 Officer the authority to sign on KCC's behalf a deed of variation to the original grant agreement or equivalent, where this is required to draw down funds following business case approval as shown at Appendix A.

10. Appendices and background documents:

- Appendix A – Proposed Record of Decision
- Appendix B – Overview of the ten Kent-based GBF projects

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KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough, Leader of the Council

DECISION NO:

22/00098

For publication Yes

Key decision: YES

Subject Matter / Title of Decision: Further investment of Getting Building Funding (GBF) in third-party projects

Decision:

As Leader of the Council, I agree that the Getting Building Funding (GBF) will be used to support the Kent-based projects that are awarded additional GBF by the South East Local Enterprise Partnership's Accountability Board and

Delegate to the Section 151 Officer the authority to sign on KCC's behalf a deed of variation to the original grant agreement or equivalent, where this is required to draw down funds following business case approval.

Reason(s) for decision:

More GBF funding has now become available to allocate to existing projects by SELEP where the project has experienced a cost increase due to the impacts of the COVID-19 pandemic, Brexit, or high inflation levels, or to support a further phase of delivery.

Cabinet Committee recommendations and other consultation:

The proposal is being discussed at the Growth, Economic Development and Communities Cabinet Committee on 22 November.

Any alternatives considered and rejected:

Do nothing- Kent County Council projects would not benefit from the additional funding opportunity.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

.....
signed

.....
date

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Appendix B - Overview of Kent-based GBF schemes

Name of scheme	Promoter	Description	Original GBF amount granted	Total project cost	Date SELEP awarded funding	GBF spent in full by 31 Mar 22?	Official opening date
Digitally Connecting Rural Kent and Medway	Kent County Council	Rollout of full fibre broadband to remote and rural parts of Kent and Medway to support businesses needing faster connectivity.	£2,290,152	£4,235,711	Sept 2020	Yes	N/A
First and Second Floors, Building 500 (Discovery Park Incubators)	Discovery Park Ltd	Upgrade of chemistry, biology and write-up space in Building 500 at Discovery Park, supporting many life sciences companies based on the Enterprise Zone	£2,500,000	£5,500,000	Nov 2020	No – SELEP granted an extension until 30 Sept 22 for GBF spend. This milestone was achieved.	Winter 22
Javelin Way	Kent County Council	Provision of new light industrial facilities, supporting growth of SME base in Ashford and creation of a Dance Laboratory for Jasmin Vardimon Company	£578,724 (Also received GPF loan of £1.597m)	£11,083,000	Nov 2020	Yes	7 Dec 22
New Performing & Production Digital Arts Facility	North Kent College	Provision of industry-leading training facilities for Performance and Production Arts at the heart of the Thames Estuary Production Corridor.	£12,301,796	£13,981,000	Nov 2020	Yes	11 Oct 22
Romney Marsh Employment Hub	Folkestone & Hythe Borough Council	Enabling works for new employment hub with business space to help mitigate the effects of job	£3,536,466	£7,081,466	Nov 2020	No – SELEP granted an extension until 31 January 23 for	Winter 22

Name of scheme	Promoter	Description	Original GBF amount granted	Total project cost	Date SELEP awarded funding	GBF spent in full by 31 Mar 22?	Official opening date
		losses from closure of Dungeness nuclear power station.				GBF spend.	
Thanet Parkway Railway Station	Kent County Council	A new railway station in Thanet that will open up investment and growth opportunities in east Kent and reduce HS1 journey times between the area and London.	£11,999,000 (Also received £14m of LGF grant)	£34,512,730	Nov 2020	Yes	May 23
The Meeting Point, Swanley	Sevenoaks Borough Council	Provision of new business space and homes in an economically challenged town centre. The project will restore high street frontage and footfall and encourage investor confidence.	£1,490,000	Confidential	Nov 2020	Yes	Winter 22
St George's Creative Hub	Gravesham Borough Council	Provision of a new arts facility in the heart of Gravesend town centre, offering gallery space, a range of activities linked with an active cultural programme and workspace for creative businesses.	£323,204	£543,673	March 2021 (Proceeded as Essex project reallocated its funding)	Yes	Dec 21
Amelia Scott	Tunbridge Wells Borough Council	Restoration and extension of two dilapidated grade two buildings to provide enhanced library and museum experience and education space. The new fit	£1,400,000	£20,608,390	Nov 2021 (Proceeded as East Sussex project reallocated	Yes	April 22

Name of scheme	Promoter	Description	Original GBF amount granted	Total project cost	Date SELEP awarded funding	GBF spent in full by 31 Mar 22?	Official opening date
		for purpose education spaces will house services from multiple sites. The museum and library space will aim to create an exceptional visitor experience that will host exhibitions and events showcasing local culture and heritage.			its funding)		
Techfort Casemates 51 and 52 (Phase 1)	Dover Citadel Ltd	The refurbishment of Casemates 51 and 52 (buildings at the historic Citadel Fort in Dover). This will be to use as a space for a gallery, market, recording studio and bar. The scheme elements are part of the wider planned transformation of the site for mixed use, including for apprenticeships and education.	£1,009,000	£1,260,417	Feb 2022 (Proceeded as East Sussex project reallocated its funding)	No - This project was only awarded funding in Feb 2022. It was granted an extension until 31 Dec 22 to spend the GBF.	Spring 23
TOTAL – Kent-based scheme			£37,428,342				

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From: Mike Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director, Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee

Subject: Draft Kent and Medway Strategic Framework for Sport and Physical Activity 2023 – 27

Classification: **Unrestricted**

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: County - wide

Electoral Division: All

Summary: Active Kent and Medway (formerly Kent Sport) is the hosted service that provides strategic leadership, direction and support for the delivery of sport and physical activity across the county. The service promotes the physical, mental, and social benefits associated with being active.

This paper sets out the context for our new strategic framework and outlines how stakeholders can contribute to enabling everyone to enjoy the benefits of sport and physical activity.

Recommendation(s):

The Cabinet Committee is asked to consider and make recommendations to the Cabinet Member on the content of the draft 2023 – 2027 Kent and Medway Strategic Framework for Sport and Physical Activity, and how the vision of ‘more people, more active, more often’ can be collectively achieved and the associated benefits realised.

1. Introduction

- 1.1. The development of the Kent and Medway Strategic Framework for Sport and Physical Activity has been led by Active Kent and Medway.
- 1.2. Active Kent and Medway (formerly Kent Sport) is one of 43 Active Partnerships in England. The principal funders are Sport England and Kent County Council (via a Public Health Grant) whose strategies and outcomes set the direction of our work and activity.
- 1.3. Our vision is ‘more people, more active, more often’. Our mission is to ‘change and improve lives through sport and physical activity’.
- 1.4. To achieve this, Active Kent and Medway aims to increase participation in sport and physical activity with a focus on encouraging the least active of Kent and Medway’s 1.9 million residents to become more active. This is enabled by the

promotion of the associated personal and public health benefits and targeting resources where need is greatest, especially at those from under-represented groups including women, older people, people living with a disability or long-term health condition, ethnically diverse communities and people from lower socio-economic groups.

- 1.5. Active Kent and Medway engages with partners and networks across the county. This includes those in health, adult social care, community support services, housing, and transport as well as governing bodies of sport, clubs, school sports networks and local authorities, to provide opportunities for everyone to get involved in sport and physical activity for enjoyment as well as wider health and social outcomes.
- 1.6. The Strategic Framework aims to provide the detail as to where collective resources should be focused to deliver maximum impact. The Framework recognises that traditional sport alone will not encourage more people to enjoy the benefits of being physically active and that to address inactivity we need to engage with new partners and more diverse audiences.
- 1.7. The county has a significantly aging population and there are health inequalities throughout; 38% of adults and 58% of children¹ and young people aren't meeting the recommended physical activity levels
- 1.8. Addressing inactivity matters because;
 - There is strong scientific evidence that being physically active can help people to lead a happier, healthier life and people who exercise regularly have a lower risk of developing many long-term health conditions, therefore decreasing the burden on the health system.
 - By making it easier and more attractive for people to be active in their local neighbourhood, influencing how people live and travel, and through sustainable planning of space and place, we can contribute to tackling inactivity.
 - Sport and physical activity is an effective tool in instigating social change by bringing people together, creating positive futures, improving communities and the lives of those most in need.

2. The development of the Kent and Medway Strategic Framework for Sport and Physical Activity 2023 – 2027

- 2.1. The development of the Kent and Medway Strategic Framework for Sport and Physical Activity 2023 – 2027 has been led by Active Kent and Medway.
- 2.2. The Strategic Framework has been informed by Kent County Council's Framing Kent's Future Strategy which focuses on the social, economic and community issues that the county is facing. In the development of the framework, how Active Kent and Medway and our wider partners can contribute to and align with Framing Kent's Future has been considered, recognising where sport and physical activity has a role to play across its four themes.

¹ Sport England Active Lives Survey 2021

- 2.3. It also reflects Sport England's Uniting the Movement Strategy and the analysis and review of other current data and insight including Active Lives, Sport England Data Briefings and the Kent Joint Health and Wellbeing Strategy.
- 2.4. Every Local Authority in Kent has had the opportunity to feed into the Strategic Framework, as well as leisure operators, sports bodies and colleagues in Public Health, community support services, transport, planning and education.
- 2.5. Insight from Sport England's Tackling Inequalities/ Together Fund, which through Active Kent and Medway has invested over £400,000 in the county into sport and physical activity projects since 2020, has been utilised to inform the framework. As has from the Contain Outbreak Management Fund (COMF) which contributed £120,000 to countywide projects. Both funds enabled targeted work with some of the most disadvantaged and least active communities in the county.
- 2.6. Research from partner organisations including the Activity Alliance, Women in Sport and Sporting Equals has also been considered.

3. The Kent and Medway Strategic Framework for Sport and Physical Activity 2023 – 2027

- 3.1. The Kent and Medway Strategic Framework for Sport and Physical Activity 2023- 2027 will focus on delivering the shared vision of 'more people, more active, more often', through;
- 3.2. Connecting Communities – making it easier for people to be active locally and harnessing sport and physical activity's unique ability to make better places to live and bring people together, particularly targeting where inequalities are greatest.
 - Working locally with disadvantaged communities to better understand local barriers and enablers
 - Connecting and enabling local activators and community networks to inspire people to be active everyday
 - Promoting sport and physical activity with a view to enhancing community cohesion
 - Focusing on connecting underrepresented groups with their local green and blue spaces and opportunities to be active.

Health and Wellbeing - working in partnership to enable everyone to benefit from a physically active lifestyle.

- Upskilling professionals to have more and better conversations about the connection between health and physical activity
- Building on the awareness of physical activity's connectivity with mental and physical wellbeing to encourage people to move more in their everyday lives
- Increasing specific and targeted provision for people with long-term health conditions and disabilities

- Continuing to focus on active ageing and the multiple benefits this has for society
- Working to integrate physical activity into social prescribing and green social prescribing.

Experiences for Children and Young People – we want children and young people to enjoy being active and to create the right foundations for a long, active, and healthy life.

- Working with the least active children and young people to make being active more “normal” and “accessible” to them and their families
- Embedding physical activity across all aspects of school life including travel to school
- Advocating for the benefits of an active lifestyle on children and young people’s wellbeing and self-efficacy
- Promoting and delivering sport and physical activity in environments where the young person’s motivation, competence and confidence are at the centre of the offer.

Regenerate and reinvent - support leisure centres, clubs, and physical activity groups to better understand their community and deliver appropriate activities to increase activity levels that take into consideration people’s changing expectations and lifestyles.

- Working with partners to help them design and deliver enjoyable and inclusive sport and physical experiences
- Sharing knowledge and insight, supporting organisations in using it to help shape their offers
- Ensuring that the people central to the delivery of sport and physical activity have the right skills, knowledge, and behaviours to understand and represent the communities that they work with
- Continuing to support the delivery of pathways that are accessible and inclusive to everyone with talent potential.

Active Environments – we need to create and protect the places and spaces that make it easier for people to be active.

- Considering active environments and active design in our planning and decision making
- Making it easier and enjoyable to be more active and less sedentary in the places we live and work
- Focusing on active travel to encourage and enable a shift from cars being the principal mode of transport for local journeys
- Ensuring sport and physical activity provision is accessible (in its broadest sense) to inactive groups.

3.3. By 2027 we want to see;

- An increase in activity levels across Kent and Medway, especially in our least active communities. Currently 26.7% Adults in Kent (27.2% in England) are deemed inactive according to the Chief Medical Officers

guidance (<30 minutes per week) and 34% of children and young people in Kent (32% in England) (<30 per day) of moderate intensity exercise. ²

- More people working together to encourage people to be more active everyday. To be measured by organisations and individuals signing up to the Kent and Medway Strategic Framework for Sport and Physical Activity, conversations and attendance at partner events.
- Increased satisfaction with the range of opportunities to be active. To be measured through surveys, interviews and learning events.
- Positive benefits of physical activity being reported. To be measured through surveys, interviews and learning events.

4. Financial Implications

- 4.1. There are no new financial implications linked to the Kent and Medway Strategic Framework for Sport and Physical Activity and its delivery will be managed in accordance with existing budgets and spending plans.
- 4.2. Active Kent and Medway is hosted by Kent County Council and in addition to the 'in kind' value of the hosting arrangement, currently receives £300,000 per annum in funding via a Kent County Council Public Health Grant and £700,000 per annum of external funding from Sport England until 2027.

5. Equalities implications

- 5.1. An EQIA has been prepared. The evidence reviewed in undertaking the EQIA suggests that there is no potential for discrimination and all appropriate measures have been taken to advance equality and foster good relations between the protected groups.

6. Data Protection Implications

- 6.1 There is no processing of personal data.

7. Recommendation(s)

Recommendation(s):

The Cabinet Committee is asked to consider and make recommendations to the Cabinet Member on the content of the draft 2023 – 2027 Kent and Medway Strategic Framework for Sport and Physical Activity, and how the vision of 'more people, more active, more often' can be collectively achieved and associated benefits realised.

7. Background Documents

- 7.1 Sport England - Uniting the Movement:
<https://democracy.kent.gov.uk/documents/s115082/71SportEnglandUnitingtheMovementSummary.pdf>
- 7.2. Draft Active Kent and Medway Strategic Framework
- 7.3. Active Kent and Medway Strategic Framework Summary

² UK Chief Medical Officers Guidelines Physical Activity Published 7th September 2019

7.4. An Equality Impact Assessment of the draft Kent and Medway Strategic Framework for Sport and Physical Activity:
<https://democracy.kent.gov.uk/documents/s115083/KentandMedwaySportandPhysicalActivityStrategyEqIA.docx.pdf>

8. **Contact details**

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More People, More Active, More Often

Active Kent & Medway Strategic Framework for Sport and Physical Activity, 2023 – 2027

Kent and Medway are uniquely special places, the Garden of England with a spectacular coastline and an abundance of green spaces for us all to explore.

Through this strategy we want to encourage people and partners to work together and support us all in playing our part in further enriching the lives of the people of Kent and Medway and the communities we live in. Supporting those who are already active as well as tackling the inequalities that currently prevent some of us from enjoying the benefits that moving more in our everyday lives can bring to our physical and mental wellbeing.

With the current challenges we are facing as a result of the pandemic and the cost-of-living crisis we know that to deliver maximum impact we need to be clear on our priorities and work together. By doing this and being more targeted in our work than ever before we believe we can realise our shared vision of getting more people, more active, more often across Kent and Medway.

There is already great partnership work and collaboration taking place across the county to enable people to be active, stay fit and play sport, and through this strategy we want to build on this.

Liz Davidson, Partnership Director

Why More People, More Active, More Often matters

- **40%** reduction of type 2 diabetes
- **35%** reduction of cardiovascular disease
- **68%** reduction in hip fractures
- **30%** reduction of depression

Physical activity: applying All our Health, 2022

- Reduction in carbon emissions
- Reduction in air pollution
- Reduction in ecosystem and biodiversity loss
- Reduced noise pollution

[WHO, 2022](#)

Health Benefits

Environmental Benefits

- Reduction in crime and anti-social behaviour
- Increased sense of pride and belonging
- Strengthens and connects communities

[Active Kent & Medway TIF Report, 2022](#)

Community Benefits

- **£5.2 billion** healthcare savings
- **£450 million** saved through reduction in GP visits
- **£20 billion** saved through stronger and safer communities

[Measuring the Social and Economic Impact of Sport in England, 2020](#)

What we Know

<u>Population</u>	<u>Gender</u>	<u>Age</u>	<u>Disability</u>
56,489,800 people live in England	In England, 49% are male and 51% are female	In England, 23% are 0-19, 59% are 20-24 and 18% are over 65	In England, 18% of people have a LTHC or Disability
1,576,100 people live in Kent	In Kent, 48.8% are male and 51.2% are female	In Kent, 23% are 0-19, 56% are 20-64 and	18% of people in Kent have a LTHC or

<p>279,800 people live in Medway</p> <p>1,855,900 countywide</p> <p>Census, 2021</p>	<p>female</p> <p>In Medway, 49% are male and 51% are female</p> <p>Census, 2021</p>	<p>21% are over 65</p> <p>In Medway, 25% are 0-19, 59% are 20-64 and 16% are over 65</p> <p>Census, 2021</p>	<p>Disability</p> <p>16% of people in Medway have a LTHC or Disability</p> <p>Census, 2011</p>
<p>Ethnicity</p> <p>In England, 87% of people are white, 13% are from CDC</p> <p>94% of people in Kent are white, 6% are from CDC</p> <p>90% of people in Medway are white, 10% are from CDC</p> <p>Census, 2011</p>	<p>Activity Levels</p> <p>In England, 61.4% of adults are active, 150+ mins a week</p> <p>In England, 27.2% of adults are inactive, <30 mins a week</p> <p>61.8% of Kent adults are active, 150+ mins a week</p> <p>26.7% of Kent adults are inactive, <30 mins a week</p> <p>Active Lives Adult, 20-21</p>	<p>Activity Levels</p> <p>In England, 44.6% of CYP are active, 60+ mins a day</p> <p>In England, 32.4% of CYP are less active, <30 mins a day</p> <p>41.7% of Kent CYP are active, 60+ mins a day</p> <p>34% of Kent CYP are less active, <30 mins a day</p> <p>Active Lives CYP, 20-21</p>	<p>Excess Weight Adults</p> <p>In England, 63.5% of adults are overweight or obese</p> <p>63% Adults 18+ are over overweight or obese in Kent</p> <p>69.4% Adults 18+ are over overweight or obese in Kent</p> <p>OHID Fingertips, 20-21</p>
<p>Excess Weight CYP</p> <p>In England, 28% of children aged 4-5 are overweight or obese</p> <p>27% children aged 4-5 are overweight or obese in Kent</p> <p>32% children aged 4-5 are overweight or obese in Medway</p> <p>NHS Digital NCMP 20-21</p>	<p>Free School Meals</p> <p>In England, 22.5% of pupils are eligible for Free School Meals</p> <p>20.3% of pupils in Kent are eligible for Free School Meals</p> <p>22.6% of pupils in Medway are eligible for Free School Meals</p> <p>School Census, Oct 21</p>	<p>Mental Health Adults</p> <p>In England, 17% of adults in Kent have a mental disorder</p> <p>16% of adults in Kent have a mental disorder</p> <p>17% of adults in Medway have a mental disorder</p> <p>OHID Fingertips, 2017</p>	<p>Mental Health CYP</p> <p>In England, 691,935 young people aged 0-18 have been in contact with mental health services</p> <p>17, 925 young people in Kent & Medway aged 0-18 have been in contact with mental health services</p> <p>NHS Digital, June 21-22</p>

What we heard

In developing this strategy, we engaged with and listened to communities and partners to explore how we can collectively get more people, more active, more often. We also reviewed a wide range of policies and strategies across the sector.

“Obstacles are there to be overcome - or navigated around! The person needs to be encouraged to want to be active themselves - this more often involves a very small change to start with, rather than a radical life change. Remember – the first step is always the hardest.”

Partner consultation



By consulting with partners and listening to underrepresented communities about their attitudes to being active and reviewing our own and other insight we know that;

Where we find inactivity – we also see the greatest inequalities.

- The less affluent are least likely to be active compared to the most affluent.
- Mixed and white other adults continue to have the highest activity levels whilst Asian, Black and those with Other Ethnic origins are the least likely to be active.
- Disabled people and people with long-term health conditions are almost twice as likely to be physically inactive compared to those without.
- Women are less active than men, and this gender gap starts with girls being less active from a young age.

How we're working

To get more people, more active, more often across Kent and Medway we need to

- Work in partnership
- Focus where need is greatest
- Listen to local communities

- Connect and empower people to create change

Our focus

Connecting Communities

We want to make it easier for people to be active locally and use sport and physical activity's unique ability to make places better to live and bring people together, particularly where inequalities are greatest.

We will

- Work locally with under-represented communities to better understand, address and support local barriers and enablers
- Connect and enable local activators and community networks to inspire people to be active everyday
- Promote sport and physical activity as a tool for improving community cohesion
- Focus on connecting under-represented communities with their local green and blue spaces and opportunities to be active

"The Badminton sessions have brought together women from different communities and countries of origin, united in their desire to take ownership of their wellbeing and work together to achieve it. All of us joined in a little celebratory dance at the end of one session to mark one of the Hindu festivals despite all of us being of different faiths."

Participant – Medway Diversity Forum

Videos:

[Medway Diversity Forum – Badminton Project video](#)

YO Street Zone – Street Football video – currently being filmed

Case Studies:

[Kent Refugee Action Network – Using multisports to support refugees](#)

[The Grand – Addressing community challenges through sport and physical activity](#)

Health and Wellbeing

We want to work in partnership to enable everyone to benefit from a physically active lifestyle.

We will

- Upskill professionals to have more informed conversations about the connection between health and physical activity
- Build on the awareness of physical activity's connectivity with mental and physical wellbeing to encourage people to move more in their everyday lives
- Increase specific and targeted provision for people with long-term health conditions and disabilities
- Continue to focus on active aging and the multiple benefits this has for society
- Work to integrate physical activity into social prescribing and green social prescribing

Add Public Health/Social Prescribing Quote

Videos:

[Kent Wildlife Trust – Wilder Walking Participant story](#)

[Confidence – Megan's Dance Story](#)

Case Studies:

[Age UK Hythe and Lyminge – Working with GPs to increase physical activity](#)

Positive Experiences for Children and Young People

We want children and young people to enjoy being active and to create the right foundations for a long, active and healthy life.

We will

- Work with the least active young people and their families to make being active the norm and accessible to all
- Embed physical activity across all aspects of school life
- Advocate the benefits of an active lifestyle on children and young people's wellbeing
- Promote and deliver sport and physical activity in environments where the young person's motivation, competence and confidence are at the centre of the offer

"Before taking part in the activity I didn't like talking to people, I got nervous but I'm confident when talking."

Young person

Videos

School Games – social media videos

East Kent College – Cricket video

Case Studies

[School Games Transition Event - Helping young people to feel more confident and improve their social skills](#)

[Olympia Boxing continues to positively engage young people](#)

Regenerate and Reinvent (new name – Supporting Sport)

We want to support local organisations to better understand their community and deliver activities appropriate to people's needs and motivations.

We will

- Work with partners to help them design and deliver enjoyable and inclusive sport and physical experiences
- Share knowledge and insight and support organisations in using it to help shape their offer
- Ensure that the people central to the delivery of sport and physical activity have the right skills, knowledge and behaviours to understand and represent the communities that they work with
- Continue to support the delivery of pathways that are accessible and inclusive to everyone with talent potential

Quote

Videos:

[EDA Conference soundbite – Tackle Inequalities](#) - Tunbridge Wells Flyers – Francis Bridgeman

[Tunbridge Wells Flyerz Kudos 2019 winner](#)

Case Studies:

[Confidance – Creating a person centred and inclusive approach to safeguarding](#)

We need to create and protect the places and spaces that make it easier for people to be active.

We will

- Consider active environments and active design in our planning and decision making
- Make it easier and enjoyable to be more active and less sedentary in the places we live and work
- Focus on active travel and the benefits it has on individuals, communities and the environment
- Ensure sport and physical activity provision is accessible to inactive groups

Quote

Videos

[Kent School Streets – Southborough Primary School](#)

[Whitstable Carer Commutes by bike](#)

[Wheelability](#)

Chill – sea swimming video being produced

Case Studies

The Essentials

• Growth and development of the workforce. Particularly those who have direct access to the least active will be encouraged and supported.

Workforce



• Marketing and communications will be targeted to ensure the right information reaches the right people, in the right way, to help maximise interest and engagement.

Marketing & Communication



• Safeguarding and protecting young people and vulnerable adults will be a key component of planning and implementing sport and physical activity in the county.

Safeguarding



• Robust monitoring and evaluation practices will be incorporated into project and programme delivery, to help us better understand and share what works and what doesn't.

Monitoring, Evaluation & Learning



• Planning for sport and physical activity opportunities will be underpinned by national and local insight and based on community need.

Insight



• Sustainability will be considered within any project, programme or facility planning, both in terms of ongoing funding and financial resource and sustaining participation.

Sustainability



• We are committed to promoting equality, valuing diversity and combating unfair treatment in sport and physical activity.

Equalities



Our five focus areas will all be supported by our essentials to support long-term, sustainable change.

How we're measuring

As well as more people, more active, more often, we want to see a system change. Where partners are working together to tackle the deep-seated inequalities so intrinsically linked with inactivity.

Increase in activity levels across Kent and Medway especially within our least active communities

- Measured through Active Lives Survey data and a reduction in the percentage of inactive people

More people working together to inspire people to be active everyday

- Measured through signing up to the framework, conversations and attendance at partner events

Increased satisfaction with the range of opportunities to be active

- Measured through surveys, interviews and learning events

Positive benefits of physical activity being reported

- Measure through surveys, interviews and learning events

DRAFT

Kent and Medway Strategic Framework for Sport and Physical Activity 2023-2027

Vision: More People, More Active, More Often

Mission: To improve lives through sport and physical activity

Purpose of the Strategic Framework for Sport and Physical Activity 2023 – 2027

As well as more people, more active, more often, we want to see a system change. Where partners are working together to tackle the deep-seated inequalities intrinsically linked with inactivity.

Ensuring that:

- Organisations who work with those who are less active, are embedding sport and physical activity into their services.
- The sport and physical activity sector is inclusive and accessible, and better able to meet the needs of our communities.
- New audiences are reached by prioritising resources to tackle inequalities.

Page 49



Connecting Communities

Bringing people together and harnessing sport and physical activity's unique ability to make places better to live.



Positive Experiences for Children & Young People

Helping children and young people to enjoy being active and creating the right foundations for a long, active and healthy life.



Supporting Sport

Supporting local organisations to better understand their community and to deliver activities appropriate to people's needs and motivations.



Connecting with Health and Wellbeing

Working in partnership and enabling everyone to benefit physically & mentally from an active lifestyle.



Active Environments

Creating and protecting the places and spaces that make it easier for people to be active.

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From: Derek Murphy, Cabinet Member for Economic Development
Simon Jones, Corporate Director Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee, 22 November 2022

Subject: Developer Contributions Guide

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: Cabinet, 1st December 2022

Electoral Division: County Wide

Summary: KCC's Developer Contributions Guide (first published in 2007), set out to promote a consistent and transparent approach across the county, regarding the requirement for, and the calculation of developer contributions for KCC-provided services. Although still relevant in many areas, it is necessary to update the Guide to reflect changes in legislation, policies, priorities, and costs. This report explains how this is to be achieved.

Recommendation(s):

The Committee is asked to consider the draft Guide, provide any comments or observations on its content and to recommend to the Cabinet Member that KCC proceeds with a targeted public consultation on the updated Developer Contributions Guide as attached at Appendix A.

1. Introduction

- 1.1 Since 2014, KCC has secured a total of £325,452,643 in financial contributions from developers towards specified services. This figure represents a cumulative achievement rate of 97% against KCC's requests for total contributions from developers (these figures are exclusive of the value of land transferred and Highways Section 278 agreements). Whilst, this is very positive for infrastructure provision, it is not achieved without significant challenges.
- 1.2 Members of the GEDCCC receive quarterly performance reports demonstrating the finance secured for each of the KCC service areas, from developer contributions.
- 1.3 Taking a transparent approach to demonstrate how and why the County Council seeks developer contributions through publication of the Developer Contribution Guide is essential to securing and evidencing our funding and infrastructure requests. This is of increasing importance as the local government funding landscape becomes more challenging.

2. Developer Contributions Guide

- 2.1 Under the Town and Country Planning Act (1990) and Regulation 122 of the Community Infrastructure Levy, development contributions may be sought to fund the infrastructure required to deliver sustainable growth and make proposal(s) acceptable in planning terms. KCC's Developer Contributions Guide outlines the County Council's approach to developer contributions in this context and, in accordance with the legal and planning policy background, sets out the standard requirements and methodologies employed in the calculation of the contributions, on a service-by-service basis.
- 2.2 First published in 2007, the guide sets out to promote a consistent and transparent approach across the county, regarding the requirement for developer contributions towards KCC provided services and statutory obligations. Although still relevant in many areas, it is necessary to update the guide to reflect changes in legislation, current policies, priorities and costs.
- 2.3 Good infrastructure is vital to creating sustainable communities, and developer contributions play an integral role in this. The contributions help to fund infrastructure to ensure that the demand from new housing growth is not at the expense of the infrastructure and services available for existing communities.
- 2.4 Achieving sustainable development means that the planning system has three overarching objectives: economic, social, and environmental. The proposed guide sets out contributions which may be required by the County Council to support growth and mitigate any adverse impacts, to ensure that development meets the needs of the present, without compromising the ability of future generations to meet their own needs and as such, is sustainable.
- 2.5 Planning obligations and contributions from Section 106 agreements and the Community Infrastructure Levy (CIL) play a key part in the process of delivering sustainable development, ensuring that infrastructure is delivered in a timely manner, is appropriately situated and accessible. Put differently, planning obligations are needed to fund infrastructure to support growth.
- 2.6 The proposed guidance does not specify every type of contribution that may be required to make development acceptable in planning terms. It provides an overview of obligations which may be sought by KCC as part of the planning process, where necessary. Areas of KCC infrastructure covered, in alphabetical (rather than priority) order, are:
 - Adult Social Care (ASC)
 - Community Learning and Skills
 - Education: Early Years Education and Childcare Provision
 - Education: Primary and Secondary Education
 - Education: Special Educational Needs & Disabilities (SEND)
 - Heritage and Archaeology – Archives & Education
 - Flood and SUDs
 - General Transfer Terms – School Sites
 - Highways and Transportation
 - Integrated Children's Services – Youth Services/Early Help Service
 - New School Site Sizes

- Public Rights of Way (PRoW)
- Waste Disposal and Recycling

Historically, KCC has sought for Highways, Education, Libraries, Community Learning, Youth and Adult Social Services, with the majority of contributions split between Highway and Education. This proposed guide sees the inclusion of Special Educational Needs and Disabilities and the formalisation of the request for waste infrastructure.

- 2.7 Other service areas considered for inclusion in the guide are Arts & Culture, Flood & SUDS, Resilience & Emergency and Heritage & Archaeology. Contributions towards the work of the Heritage & Archaeology and Flood & SUDS services are included but will be sought for larger developments such as Garden Communities and/or where developers agree that KCC is the best option as a service provider. It is intended that Arts & Culture and Resilience & Emergency are not included in the guide at this time, largely due to there being an insufficient evidence base to meet the CIL tests set out in Regulation 122 of The Community Infrastructure Levy Regulations (2010).
- 2.8 The document echoes and supports the findings of the Kent and Medway Growth and Infrastructure Framework (GIF), last published in 2018. The GIF is a comprehensive document outlining the scale of growth and highlighting infrastructure priorities and challenges for Kent and Medway. The GIF outlined a projected funding gap of £3.96bn. To assist in bridging the gap, the updated guide demonstrates to how Kent County Council will work with Local Planning Authorities and developers through early engagement in the planning process. The guide will be linked closely to the Infrastructure Mapping Platform as it emerges and is updated. Similarly, the guide will need to have its charging rates checked annually and evidenced rationale revisited at regular intervals by each of the KCC services that seek developer investment, to ensure KCC charges continue to reflect real costs and evolving service delivery costs.
- 2.9 Taking a transparent approach and demonstrating clearly how and why the county council will seek contributions removes significant risks that requests would be subject to challenge from developers and/or Planning Authorities. Challenges to contribution requests create significant resource implications for the county council, both through the increased engagement required in the planning appeal process itself and the ability of KCC services to deliver their statutory obligations and necessary infrastructure resulting from development, should the contributions not be secured.
- 2.10 The launch of the government's White Paper¹- Planning for the Future (August 2020) set out its intention to reform the process for the collection of funding for infrastructure, removing CIL and s106 agreements, with the implementation of an Infrastructure Levy. Updating the guide at this time will provide a helpful reference to demonstrate county's requirements to mitigating the impacts of growth.
- 2.11 A formal, targeted, public consultation with identified stakeholders including district, borough and parish councils, developers and housebuilders is

¹ now a considerably reworked Levelling Up and Regeneration Bill – currently at Committee Stage

proposed. Any individuals expressing an interest in such matters will also be contacted via KCC's public consultation team. The guide has been presented to the Kent Planning Officers Group and will be presented to the Kent Housebuilders and Developers Group and the Kent Planning Policy Forum. This will ensure that all affected stakeholders are fully engaged with the process of updating the guide.

2.12 Subject to the decision of the Committee, the guide will be presented to Cabinet on 1st December before being published for targeted, public consultation on 6th December 2022, for a period of eight weeks.

2.13 Following the targeted public consultation and any necessary subsequent amendments, the intention is that the guide will be brought back to this Committee in advance of a key decision by the Cabinet Member for Economic Development that KCC adopt the Guide. Local Planning Authorities will be encouraged to adopt this document as a relevant supplementary planning document (SPDs) and give this guidance the appropriate weight when determining planning applications.

3. Financial Implications

3.1 KCC seeks developer contributions to secure financial contributions towards increasing infrastructure capacity, to support services for which it has responsibility to provide. The Development Investment Team within Growth & Communities deals primarily with the seeking of contributions for Education, Waste, Communities and Adult Social Care, with Highways & Transportation and PRoW leading their respective areas.

3.2 As stated above, since 2014 KCC has secured a total of £325,452,643 in contributions from developers towards specified services. In this context the Growth and Infrastructure Framework has projected that by 2031 (2011 - 2031) Kent will be home to 178,600 new homes and circa 400,000 new residents. The infrastructure required to support this growth is forecast (2017 – 2031) to be £16bn+ with £2.8bn attributed to infrastructure to be delivered by KCC. With regards to KCC's investment and based on total funding identified, £1.6bn is expected to be delivered by development contributions, although there remains a significant risk that such funding may not materialise to the amount or within the timescales required.

3.3 Whilst development contributions form part of a bigger picture, they significantly reduce the impact of additional demand from development on KCC's service providers.

4. Legal implications

4.1 The Guide has undergone a review by Invicta Law, Legal Counsel and input from a planning consultant, in conjunction with internal and stakeholder engagement to reduce the likelihood of challenge to its contents.

4.2 Proceeding further without an up-to-date guide presents reasons for challenge, both from the local planning authorities and from developers. This Guide sets out the reasons for seeking contributions (within the confines of legislation), the

policy/statutory status of KCC's services, robust methodologies, and costs. It enables KCC to justify its s106/CIL requests, as well as providing a clear basis for setting out the county council's requirements within emerging local plans.

- 4.3 The Committee is advised that contributions should be sought only for the capital cost of infrastructure and that the revenue costs of staffing are rarely acceptable. Requests must also demonstrate clearly whether there is deficit capacity in the service.

5. Equalities implications

- 5.1 There are no identified equality issues arising from the process of securing developer contributions or updating the guide, although KCC services will have appropriate operational provision within their individual service delivery plans/strategies. An Equality Impact Assessment for the draft Guide describes this further and is available for consideration at Appendix B to this report.

6. Other corporate implications

- 6.1 Providing updated guidance of developer contributions at this time will assist in reducing delays to critically needed infrastructure identified within the GIF, reducing the need for protracted negotiations with the local planning authorities and/or developers.

7. Governance

- 7.1 The report and item are to be taken to Corporate Board, the Growth, Economic Development and Communities Committee and Cabinet prior to targeted, Public Consultation. The Guide would then be taken back through the same process for a decision to adopt this Guide as policy. Earlier development of the Guide has been considered at a number of KCC's Infrastructure First Groups, chaired by the Leader and attended by a number of Cabinet Members and Directors from across the authority.

8. Conclusions

- 8.1 Updating of the Guide is appropriate and relevant at this time and should proceed to targeted, public consultation at the earliest opportunity.

9. Recommendation(s)

Recommendation(s):

The Committee is asked to consider the draft Guide, provide any comments or observations on its content and to recommend to the Cabinet Member that KCC proceeds with a targeted public consultation on the updated Developer Contributions Guide as attached at Appendix A.

10. Background Documents

- 10.1 Appendix A : Draft Developer's Guide

- 10.2 The existing (2007) Development Contributions Guide:
<https://democracy.kent.gov.uk/documents/s3003/Appendix%20-%20Guide.pdf>
- 10.3 The Kent & Medway Growth and Infrastructure Framework: [Growth and Infrastructure Framework \(GIF\) - Kent County Council](#)
- 10.4 Developer's Guide Equality Impact Assessment:
<https://democracy.kent.gov.uk/documents/s115084/KentDeveloperContributionsGuideEqIA.docx.pdf>

11. Contact details

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KENT COUNTY COUNCIL

Developer Contributions Guide

Consultation Draft 2022

kent.gov.uk/developercontributionsguide



We are inviting comments on our refresh of Kent County Council's 'Developer Contributions Guide'

We welcome your feedback on the draft Guide and the technical appendices, in particular your views on how easy it is to find the information you require and whether the content is clear and informative.

Tell us about your views by completing the questionnaire available at kent.gov.uk/developercontributionsguide.

Feedback from the consultation will be used to help us finalise the Guide. A report summarising our analysis of the feedback will be published on the consultation webpage and presented Growth, Economic Development and Communities Cabinet Committee.

This consultation will be open from 6 December 2022 to 30 January 2023.

Alternative formats

If you require any of the documents in an alternative format or language, please email alternativeformats@kent.gov.uk or call 03000 42 15 53 (text relay service number: 18001 03000 42 15 53). This number goes to an answering machine, which is monitored during office hours.

Foreword

I am delighted to introduce Kent's Developer Contributions Guide.

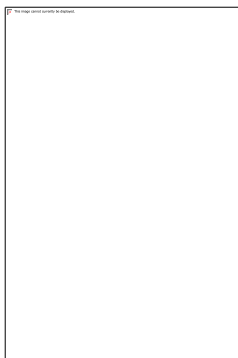
Kent is preparing for continued growth in our population in the years ahead. This could perhaps be as much as 20% growth by 2040, compared to 2020 figures, reflecting the county's position as a place where people wish to live, at all stages of their lives. This growth does require additional housing – of all types - to be developed, with an additional 190,400 homes forecast to be built by that same year 2040.

Infrastructure to support this growth is pivotal to creating sustainable communities. As the provider of most key, large-scale physical and social infrastructure (such as Education, Highways, Transportation, and Waste), Kent County Council (KCC) must ensure that necessary development is not at the expense of the infrastructure and services available for existing residents and businesses.

The National Planning Policy Framework (NPPF) and Kent Planning Authorities' Local Plans include policies requiring developers to mitigate their projects' impact on infrastructure. KCC considers all planning applications under this framework.

As well as securing the appropriate contributions, KCC is clear that essential infrastructure must be provided in the 'right place at the right time'. This principle is clearly outlined in our Strategic Statement '[Framing Kent's Future: Our Council Strategy 2022-26](#)'.

Given the significant levels of projected growth, it is more important than ever that KCC works closely with the 12 District, City and Borough local planning authorities to deliver infrastructure that supports sustainable development, and I am delighted that we have strong relationships to further build upon. Designed for local planning authorities, landowners and developers, this Guide sets out precisely what infrastructure will be required by the County Council to support new housing in the county, how that requirement has been calculated and when it should be delivered.



Derek Murphy,

Cabinet Member for Economic Development

Contents

1.0 Introduction

The Purpose of this Guide

The Status of this Guide

Context - The Legal Framework

The Interaction between S106 and CIL

2.0 Kent

Creating Quality Places

Sustainability and Climate Change

Garden Communities and Large-Scale, Strategic Development

3.0 Kent County Council: Contributions

Type and Level of Contributions

How KCC Assesses the Impact of Each Development

How Infrastructure Projects are Identified – Plan Making

Obsolete or Withdrawn Local Plans

The Scale and Nature of the Planning Obligation

KCC's Approach to Planning Obligations

Thresholds, Qualifying Developments and Contribution Rates

4.0 Land, Buildings and Contributions In-Kind

The Requirement for Land

Location and Suitability

Land Transfers – Legal Agreement

Works and Buildings – Direct Delivery

5.0 Guidance Applicable to all Section 106 Applications

Pre-Application Advice

Planning Performance Agreements

S106 Legal Agreements – Unilateral and Multiparty Agreements

Phased Payment and Triggers for Payments

Indexation

Apportionment and Land Contributions

Bonds and Guarantors

Viability

Viability Reviews

Planning Appeals

Procedure for Discharge of Planning Obligations to KCC

Fees, Charges and Monitoring

6.0 Contact with KCC and District Councils/Local Planning Authorities

Kent County Council Contacts

Local Planning Authorities

Technical Appendices (*set out as separate documents on the website*)

1. Adult Social Care (ASC)
2. Community Learning and Skills (CLS)
3. Development Contributions - Calculator
4. Education – Overview
5. Education - Early Years Education and Childcare Provision
6. Education - Primary and Secondary Education
7. Education - Special Educational Needs & Disabilities (SEND)
8. Education - General Transfer Terms – School Sites
9. Education – New School Site Sizes
10. Education – Example Education Assessment – Primary & Secondary
11. Education – Example Build and Land Contributions
12. Flood Risk Management and Sustainable Drainage
13. Heritage and Archaeology – Community Archaeology Provision
14. Highways and Transportation
15. Integrated Children’s Services – Youth Services/Early Help Service
16. Libraries, Registration & Archives
17. Public Rights of Way (PRoW)
18. Waste Disposal and Recycling

1.0 **Introduction**

1.1 This guide will inform district, borough & city authorities and developers about the impact new development will have on KCC's services and the subsequent developer contributions required to mitigate those impacts. In assessing planning applications, a Local Planning Authority (LPA) will also consider other policy requirements, non-KCC infrastructure requirements, and the cumulative cost of all relevant developer contributions to deliver sustainable development. In the overall planning balance, LPAs will need to assess the public benefits and disbenefits of the development proposals, including their contribution to infrastructure to support growth, in forming their decision.

1.2 **The Purpose of This Guide**

1.2.1 Sustainable development 'meets the needs of the present, without compromising the ability of future generations to meet their own needs'¹. The planning system helps to achieve it by balancing economic, social, and environmental objectives, in the public interest². In seeking to achieve sustainable development in the public interest, the impact of growth on infrastructure is a key consideration. Kent County Council is responsible for delivering and maintaining much of the large-scale infrastructure that its residents and businesses require, such as roads, schools, waste disposal services and libraries. This guide sets out the developer contributions which may be required by the county council to support growth and mitigate any adverse impacts of growth on the Counties infrastructure, to ensure sustainable development. Developer contributions (Planning obligations under s106 of the Town and Country Planning Act 1990 (as amended), works under s 278 of the Highways Act and contributions from the Community Infrastructure Levy (CIL)) play a key part in the delivery of sustainable development, ensuring that infrastructure is delivered in a timely manner, and is appropriately situated and accessible. Put differently, developer contributions are needed to fund infrastructure to support growth.

1.2.2 The use of developer contributions links to the county council's Strategic Statement '[Framing Kent's Future: Our Council Strategy 2022-26](#)'. This includes the key priority 'Infrastructure for Communities' which contains a number of commitments and supporting objectives to improve the county's infrastructure, including the following commitment:

"Our 'Infrastructure First' commitment seeks to ensure that new development provides the appropriate physical and social infrastructure necessary to support new and existing communities' quality of life".

¹ Resolution 42/187 of the United Nations General Assembly.

² As set out in paragraph 8 of the National Planning Policy Framework (NPPF)

- 1.2.3 Following the publication of the Levelling Up White Paper³ and subsequent Levelling Up and Regeneration Bill⁴, significant changes may take place. Until such time as a new mechanism is enacted, the county council intends to refer to this guidance to support requests for developer contributions.
- 1.2.4 This guidance should be read alongside Development Plan Policies (Local Plans and Neighbourhood Plans) and relevant Supplementary Planning documents adopted by Kent Local Planning Authorities (LPAs), in the formation of proposals for development, at pre-application stage, the assessment of planning applications and their determination. The Guide will also be used as the basis of KCC responses to propose growth strategies in developing development plans to provide evidence for the infrastructure delivery planning and viability assessments that underpin the plan. The Guide and/or technical appendices will be reviewed when significant changes are made to service strategies and evidence to support county council requirements. Significant changes will be subject to further consultation.
- 1.2.5 This guide does not specify every type of contribution that may be required to make development acceptable in planning terms. It provides an overview of obligations which may be sought by KCC as part of the planning process, where necessary.
- 1.2.6 Applicants should contact their Local Planning Authority for advice regarding contributions which may be sought by the LPA (e.g., affordable housing, sports provision, public open space, allotments, cemeteries, community buildings and health etc.).

1.3 The Status of This Guidance

- 1.3.1 This Guide is not a statutory planning document: however, KCC has adopted it as policy following public consultation and Cabinet approval. **It states what is required to meet the local plan policy on infrastructure provision in respect of county services.** KCC will use it as a basis for its responses to Local Planning authorities in relation to infrastructure planning for local plans and planning application consultations.

1.4 Context - The Legal Framework

- 1.4.1 Town and Country Planning Act (1990) - Planning Obligations (s106)
- 1.4.1.2 Planning Obligations (s106) can be used to deliver development plan and government policy objectives and mitigate impacts to make development acceptable in planning terms. They may:

³ <https://www.gov.uk/government/publications/levelling-up-the-united-kingdom>

⁴ <https://www.gov.uk/government/publications/levelling-up-and-regeneration-further-information/levelling-up-and-regeneration-further-information#the-levelling-up-and-regeneration-bill>

- restrict development or use of the land in any specified way.
 - require specified operations or activities to be carried out in, on, under or over the land.
 - require the land to be used in any specified way
 - require a sum or sums to be paid to the authority on a specified date or dates or periodically.
- 1.4.1.3 In line with the legal requirement set out in [Regulation 122 of The Community Infrastructure Levy Regulations \(2010\) \(as amended by the 2011 and 2019 regulations\)](#), s106 contributions for infrastructure provision may only constitute a condition for granting planning permission if they meet the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- (The same tests are set out in Paragraph 57 of the [NPPF](#) and the [Planning Practice Guidance \(PPG\) for the use Planning Obligations in all circumstances.](#))
- 1.4.1.4 The planning obligations KCC may consider necessary for a scheme will depend on
- the current infrastructure provision
 - the nature and impact of the development on existing infrastructure
 - whether CIL or alternative funding will be available.
- 1.4.1.5 Where they are required, planning obligations, may need to be delivered in-kind on the site or within the vicinity of the site. Others may be financial contributions to be made to the county council as infrastructure provider.
- 1.4.1.6 Planning obligations will be used to deliver infrastructure that directly relates to the specific site. Contributions collected under s106 must be spent in accordance with the terms of the legal agreement. For infrastructure to support growth but not directly connected to the development, either CIL (where available) or alternative funding will be used.
- 1.4.2 Community Infrastructure Levy (CIL)
- 1.4.2.1 The Community Infrastructure Levy Regulations (2010), introduced by the Planning Act 2008 and in force since 6 April 2010, allow local planning authorities to impose a charge to fund infrastructure to support growth when granting planning permission.
- 1.4.2.2 Setting a CIL is not mandatory and under the current legislation, county councils cannot adopt a CIL. However, where a CIL is introduced, payment is compulsory.
- 1.4.2.3 Currently, five of Kent's 12 local planning authorities have introduced a CIL charging schedule They are:

- Dartford Borough Council
- Canterbury City Council
- Folkstone & Hythe District Council
- Maidstone Borough Council
- Sevenoaks District Council

1.4.3 S278 and s38 Highways Act

- 1.4.3.1 Where works are required to mitigate the impact of growth on the public highway, KCC will normally require this to be fully funded and delivered directly by the developer under a s278 agreement with the Highway Authority. S278 agreements provide an element of security – in the form of a financial bond and a percentage of cash - should the Highway Authority need to complete works to an acceptable standard.
- 1.4.3.2 Details of any proposals must be agreed by the Highway Authority prior to planning consent being granted. Any associated works are subject to technical inspection and acceptance.
- 1.4.3.3 After considering the applicant's Transport Assessment, the Highway Authority will advise where mitigation measures are required, and the appropriate time for the works to be delivered. It will then recommend conditions to be placed on the application and the appropriate occupational trigger.
- 1.4.3.4 A s38 Agreement of the Highways Act 1980 allows KCC to take over and maintain at public expense (adopt), roads, footways, cycleways and other Highway areas and infrastructure constructed by a developer. These will usually relate to internal highways within the red-line application area of a development. As well as providing security of access to new residential areas, KCC will use s38 agreements to secure vehicular or non-vehicular access through a development to connect with any existing adjacent Highways.

1.4.4 National Planning Policy Framework (NPPF)

- 1.4.4.1 The [National Planning Policy Framework](#) (NPPF) sets out the government's planning policies for England and how these should be applied. It must therefore be considered when preparing development plans and planning applications: paragraphs 31, 34, 55, 57 and 58 relate specifically to developer contributions and infrastructure provision.

1.4.5 Planning Practice Guidance (PPG)

1.4.5.1 [Planning Practice Guidance](#) (PPG) provides government guidance on all areas of planning and the NPPF, including developer contributions and viability ([planning obligations](#), the [CIL](#) and [viability](#)). These documents should be read together.

1.5 The Interaction Between s106 and CIL

1.5.1 Local planning authorities (LPAs) must prepare annual Infrastructure Funding Statements (IFS), detailing which infrastructure they intend to fund through s106, s278 Highways Act, CIL (if they are a charging authority) and where they will seek other funding streams (see regulation 121A). As a contribution receiving authority, KCC also produces an Infrastructure Funding Statement.

1.5.2 Many charging authorities have not reviewed their CIL since IFSs were introduced. However, the former regulation 123 infrastructure lists (now abolished) can still be a useful indication of infrastructure that may be funded through CIL. They will help to explain the funding approach taken at the time the CIL was set and therefore, the basis of the viability assessment.

1.5.3 Each charging authority is responsible for collecting, distributing, and prioritising CIL funding. KCC will use this Guidance and the Technical Appendices when seeking funding allocation from a CIL charging authority. To ensure effective mitigation of growth, LPAs should also refer to this guidance, the Technical Appendices and KCCs response to planning applications when planning CIL infrastructure spending.

1.5.4 Whether or not CIL will be available, LPAs can seek s106 contributions for any item that meets the test set out in regulation 122 of the Community Infrastructure Levy Regulations (as amended) 2010. KCC may therefore require s106 to 'top up' CIL to mitigate the direct impact of development on its services and infrastructure.

1.5.5 CIL can be used to fund any infrastructure required to support growth, including strategic infrastructure not directly necessary for, or related to an individual development. By contrast, s106 obligations can be used only to mitigate the needs of the specific development proposal in the planning application.

1.5.6 Kent County Council will report on all s106, and CIL contributions received, showing where these have been spent and how it intends to use future contributions.

1.5.7 Further information on spend and receipt of s106/CIL contributions can be found in KCC's annual [Infrastructure Funding Statement](#).

2.0 Kent

2.1 Creating Quality Places

- 2.1.1 Kent (excluding Medway) is England's largest non-metropolitan county. It has a population of 1,589,100 across 12 district, city, and borough councils, consisting of urban, rural, and coastal communities. With this figure predicted to reach 1,913,100 by 2040, infrastructure delivery has been recognised as one of four priorities in KCC's strategy for 2022-2026: ['Framing Kent's Future'](#). As a key infrastructure provider, KCC maintains an 'infrastructure first' approach⁵, ensuring infrastructure is planned for, funded, and delivered in a timely manner to create sustainable places.
- 2.1.2 Infrastructure helps to shape and deliver quality places. For example, schools provide focus at neighbourhood centres, especially when combined with other community facilities, by enabling parents dropping children off on foot to use local retailers and coffee shops. KCC recognises the importance of engaging early and throughout the planning and decision-making processes, working with other stakeholders to deliver quality places for people living and working in Kent.
- 2.1.3 KCC is aware that delivering sustainable infrastructure at the point of need is sometimes restricted by financial cashflows. KCC and its key stakeholders will seek to address this issue where possible through detailed master-planning of growth and places. In addition, it may be possible to bid for Government funding to 'unlock' development schemes through the early delivery of infrastructure projects. KCC will work with the LPAs and developers to explore these areas.

2.2 Sustainability and Climate Change

- 2.2.1 In ['Framing Kent's Future'](#), KCC has prioritised the environment, sustainability and climate change. One of its four key priorities is 'Environmental Step Change'. This includes four commitments to improve how KCC values and protect Kent's environment, take steps to achieve Kent's target of Net Zero by 2050, back carbon-zero energy production and ensure the county is well placed to adapt to climate change.
- 2.2.2 The planning system and contributions to sustainable development through infrastructure are central to achieving specific objectives, including significantly reducing transport emissions through road space, parking, and other initiatives, and promoting sustainable flood risk management practices in development, regeneration and land management. This reinforces the sustainable development commitment made in Kent Design⁶:

⁵ As set out in [Framing Kent's Future – Our Council Strategy 2022-2026](#) – Priority 2: Infrastructure For Communities

⁶ Currently being revised following public consultation

"To ensure residents have access to viable and attractive travel options that allow them to make safe, efficient and more sustainable journeys throughout Kent."

2.3 Garden Communities and Large-Scale, Strategic Development

2.3.1 Across the county, a proportion of new housing and employment growth is expected to be planned for through the provision of new garden settlements and large-scale, strategic developments. Some will be urban extensions, others distinct, stand-alone new entities. Their success depends on timely and efficient delivery of infrastructure, services, and facilities, including community, employment and environmental infrastructure, to enable residents to 'live, work and play' in resilient, well-connected and inclusive places.

2.3.2 The Town and Country Planning Association (TCPA)⁷ describes a Garden City as 'a holistically planned new settlement which enhances the natural environment and offers high-excellence affordable housing and locally accessible work in beautiful, healthy, and sociable communities'. The Garden City Principles are an indivisible and interlocking framework for their delivery, and include:

- Land value capture for the benefit of the community.
- Strong vision, leadership, and community engagement.
- Community ownership of land and long-term stewardship of assets.
- Mixed-tenure homes and housing types that are genuinely affordable.
- A wide range of local jobs in the Garden City within easy commuting distance of homes.
- Beautifully and imaginatively designed homes with gardens, combining the best of town and country to create healthy communities, and including opportunities to grow food.
- Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience.
- Strong cultural, recreational, and shopping facilities in walkable, vibrant, sociable neighbourhoods.
- Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport.

⁷ <https://www.tcpa.org.uk/garden-city-principles>

- 2.3.3 KCC expects large-scale/Garden communities to be delivered in line with these principles and will work with districts from an early stage. Such projects may require their own demographic modelling if a predicted population change results in a significant increase in young families, for example. This may then result in the requirement for bespoke infrastructure to meet their growth needs (see paragraph 3.3.4).

3.0 Kent County Council: Contributions

- 3.1.1 KCC is responsible for delivering and maintaining much of the large-scale infrastructure that Kent residents and businesses require, including roads, schools, waste disposal services and libraries. Much of this provision is already at capacity and therefore, the impact of growth is a key consideration.

- 3.1.2 KCC may seek contributions and/or facilities from developments to mitigate the impact of growth on infrastructure and services including, but not limited to:

Adult Social Care

Community Learning and Skills

Education- Primary

Education- Secondary

Education -Early years

Education – Special Education Needs

Highways and Transportation

Integrated Children’s Services/ Youth Services

Land for Education, Highways and Waste

Libraries, Archives and Registrations

Public Rights of Way (PRoW)

Waste Disposal and Recycling

- 3.1.3 KCC will engage with the Local Plan processes, led by the Local Planning Authorities to ensure infrastructure is planned for from the outset within Local Plan policies, as required by the NPPF. The detailed approach to setting out KCC contributions is set out in the Technical Appendices to this document.

3.2 Type and Level of Contributions

- 3.2.1 KCC will take a consistent approach to assessing the need for developer contributions, but the specific circumstances of each case will be considered on its own merit. It will provide evidence that the infrastructure

is required (in whole or in part) to serve the proposed development, considering any existing local surplus service capacity. Provision and contributions in respect of large-scale development and Garden Communities will be assessed on a bespoke basis (see paragraph 3.3.4)

- 3.2.2 Requirements for large sites allocated in local plans will have been calculated and identified at the infrastructure planning and plan-making stage. General contribution levels for each infrastructure type are set out in the Technical Appendices and Table 1 of this Guide.

3.3 How KCC Assesses the Impact of Each Development

- 3.3.1 KCC uses service-specific models to calculate the likely client numbers generated by any given development. Most are flexible to allow for additional information that may affect the result. Outputs are provided to applicants, who can support the process by providing details of the total number of dwellings and housing mix proposed.

- 3.3.2 The technical appendices provide information on the approach and justification for seeking planning obligations from new development on a service-by-service basis. They advise on thresholds, base charges, and comment on the potential use of contributions. Information regarding individual projects will be provided at the time of a pre-application enquiry or consultation on a case-by-case basis. A summary is provided in Section 3, Table 1.

- 3.3.3 Where a CIL charge has not been introduced, planning obligations are the only route to delivering infrastructure to mitigate the effects of development. If a development is not large enough to require on-site provision but large enough to affect service provision, KCC will use the methodology set out in the Technical Appendices to determine the scale and nature of the s106 obligations. Where an application has been submitted in outline, allowing the mix and number of dwellings to change at the Reserved Matters stage, KCC will create a formula for inclusion in the relevant s106 obligation, using the methodology set out in the Appendices.

- 3.3.4 Garden Communities and Large-scale Strategic Development- Bespoke Assessment

- 3.3.4.1 Evidence from previous large-scale developments (1,000 units or more) in Kent, such as Park Farm (Ashford) and Kings Hill (Tonbridge & Malling) suggests their population profile can be very different to that of smaller developments. In particular, the number of children, and thus the need for school places, is well above that for smaller in-fill projects.

- 3.3.4.2 KCC may use bespoke evidence, including from these existing large-scale sites, to ensure appropriate infrastructure is planned and provided on future similar developments. Responses to infrastructure planning at the plan-making and planning application stages will be based on demographic

modelling specific to the proposed development – an approach supported by the Department for Education’s [Securing developer contributions for education](#) (November 2019 – para 34).

3.4 How Infrastructure Projects are Identified - Plan Making

- 3.4.1 Local Plans form the basis for service-related infrastructure planning. The NPPF (para 34) recognises that: *‘Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.’*
- 3.4.2 In accordance with the NPPF, KCC expects infrastructure to be planned and tested throughout the development of a Local Plan and policy making. It encourages LPAs to engage early on potential development scenarios and will provide evidence in relation to the impact of proposed growth scenarios based on the approach set out in this Guide. KCC will seek to coordinate with Kent LPAs throughout plan production.
- 3.4.3 In support of a Local Plan, local authorities may publish an Infrastructure Delivery Plan (IDP). KCC seeks to collaborate with districts and boroughs to develop a joint working approach to IDPs and unless otherwise agreed, KCC expects LPAs to use the costings and methodologies set out in this Guide (See Technical Appendices and Section 3, Table 1).
- 3.4.4 Strategic sites will often require new infrastructure provision, such as a new school, to mitigate their impact. Consequently, KCC will be seeking the inclusion of key infrastructure in local plan policies.
- 3.4.5 If there are delays in developments coming forward for consideration, the infrastructure evidence provided for the adopted development plan may no longer be up to date. Service needs can fluctuate due to factors beyond KCC’s control: changes in national policy, a sudden rise in birth rates, or parents’ preference for a particular school, for example. Where new or additional infrastructure requirements arise, KCC will provide robust evidence to support them, showing how the project meets the three tests of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).
- 3.4.6 KCC may also explore pooling S106 contributions, in accordance with regulation 122 of the CIL Regulations 2010 (as amended), to mitigate the combined or cumulative effects of a selection of smaller sites fairly and efficiently. Applicants are strongly advised to contact KCC at the earliest opportunity to discuss the current potential infrastructure impacts of their specific development.

3.5 Obsolete or Withdrawn Local Plans

3.5.1 Where a Local Plan is out of date or has been withdrawn, KCC will assess the impact of each planning application on a site-by-site basis, using the costings and methodologies set out in this Guide and the Technical Appendices.

3.6 The Scale and Nature of the Planning Obligation

3.6.1 KCC will seek proportionate obligations based on the infrastructure needed to mitigate a development's specific impact. Indicative costs are shown in the Technical Appendices: KCC will confirm precise obligations at the point of consultation.

Before requesting a planning obligation, KCC will assess:

- a) If the proposed development will create a need in the local area; and
- b) If the infrastructure project identified to mitigate the impact of development aligns with the estimated costs shown in the Technical Appendix.

3.7 KCC's Approach to Planning Obligations

3.7.1 KCC's approach to calculating and seeking development contributions, including their legal and policy basis, is set out in the individual Technical Appendices.

3.8 Thresholds, Qualifying Developments and Contribution Rates

3.8.1 The thresholds for seeking contributions from each service area are set out within the individual Technical Appendices and Table 1 below.

3.8.2 Unless otherwise stated, no distinction will be made between:

- 'Open Market' and 'Affordable Housing'
- Caravan parks and similar forms of accommodation that are occupied for 12 months of the year as permanent residences.
- Flats and houses

3.8.3 Table 1 (below) summarises the contributions that may be sought to mitigate the impact of growth.

Table 1 - Summary of Contributions Required by KCC Service Area as of 2022/23⁸
(for full details refer to the Technical Appendices)

Service Area	Threshold for Seeking S106 Contributions	Expected Contribution	Index
Adult Social Care	10 dwellings and above	£180.88 per dwelling	BCIS All-In Tender Price
Community	10 dwellings and above	£34.21 per dwelling	BCIS All-In

⁸ Contact KCC for the most up to date information

Learning & Skills			Tender Price
Education – Primary – New Build	10 dwellings and above	£7,081.20per applicable* House and £1,770.30 per applicable* Flat	BCIS All-In Tender Price
Education – Primary – Expansion	10 dwellings and above	£5,412.74 per applicable* House and £1,353.18 per applicable* Flat	BCIS All-In Tender Price
Education – Secondary – New Build	10 dwellings and above	£5,587.19 per applicable* House £1,396.80 per applicable* Flat	BCIS All-In Tender Price
Education – Secondary – Expansion	10 dwellings and above	£5,329.27 per applicable* House and £1,332.32 per applicable* Flat	BCIS All-In Tender Price
Special Educational Needs and Disabilities	10 dwellings and above	£559.83 per applicable* House and £139.96 per applicable* Flat	BCIS All-In Tender Price
Education Land	10 dwellings and above	To Be Advised	BCIS All-In Tender Price
Flood Risk Management and Sustainable Drainage	Strategic Development	To Be Advised	BCIS All-In Tender Price
Heritage and Archaeology – Community Archaeology Provision	Sites which are strategic in size or sited in areas of significant archaeological potential	To Be Advised	BCIS All-In Tender Price
Highways and Transportation	Any development impacting upon the highway	Highway works required to mitigate impacts demonstrated within the applications Transport Statement/Assessment via s278, S38 Agreements. Highway Works and/or Travel Plan interventions via s106 contributions and/or commuted sums for maintenance. What about sustainable transport? – s106?	Road Construction Index (ROADCON) or BCIS General Build

Integrated Children's Services – Youth and Early Help Services	10 dwellings and above	£74.05 per dwelling	BCIS All-In Tender Price
Libraries, Registration & Archives	10 dwellings and above	£62.63 per dwelling	BCIS All-In Tender Price
S106 Monitoring Fee	All S106 agreements	£500 per payment trigger	BCIS All-In Tender Price
Public Rights of Way (PRoW)	Assessed on a case-by-case basis	To Be Advised	Road Construction Index (ROADCON) or BCIS General Build
Waste Disposal and Recycling	10 dwellings and above	£194.13 per dwelling (maximum - dependent on projects required for the locality)	BCIS All-In Tender Price

Please note:

- All costs referred to above and elsewhere within this document are based at Q1 2022 and will be reviewed regularly.
- Indexation Base Date for quoted costs is Q1 2022.
- For the purposes of education contributions, Applicable Dwellings means dwellings with one or more bedrooms, and over 56 sqm GIA.
- The costs to mitigate growth are shown per dwelling and will be used to inform the county council's responses to local plan proposals.
- Where the LPA is not seeking a s106 contribution, KCC may seek CIL contributions for the required infrastructure, as shown above.

3.8.4 This table outlines contributions that may be expected when assessing infrastructure required at the plan-making stage, and for individual planning applications. Planning obligations may be in the form of financial contributions, works, on-site provision, or land.

3.8.5 To establish how contributions are assessed, and the amount likely to be required by KCC, please refer to the Technical Appendices.

3.8.6 To establish an indication of contributions requested by KCC, the dwelling number and housing mix can be entered in Technical Appendix 3 – Development Contributions – Calculator.

4.0 Land, Buildings and Contributions In-Kind

4.1 The Requirement for Land

- 4.1.1 In some circumstances, KCC may require land to be transferred to its ownership. Examples include new or expanded schools and nurseries, buildings for community services or land to be dedicated as highway or other form of travel infrastructure.
- 4.1.2 For some new infrastructure relating to development, land may be required to establish a new facility on the development site itself. In other cases, it may be more appropriate to expand an existing local service.
- 4.1.3 Where infrastructure is needed to serve more than one development⁹, the land element may be provided by one developer on their site, with other developers making a capital contribution towards it. Developers will need to work together to agree a proportionate approach to their contribution. Each development will be considered on a site-by-site basis.
- 4.1.4 Where land has been provided at nil consideration to KCC, other developments coming forward in the site's vicinity may be required to make a proportionate contribution towards the land provided by a developer (see Para 5.6 Apportionment and Land Contributions for further details).

4.2 Location and Suitability

- 4.2.1 Developers should discuss their plans with KCC and the local planning authority at the earliest opportunity to identify the most appropriate potential locations for new infrastructure. For large strategic sites, this should include a masterplan, considering sustainable transport and active travel routes, both within the site and connecting to existing neighbourhoods. The location of a potential KCC service need should be carefully considered in relation to other potential non-compatible uses.
- 4.2.2 Once the location has been agreed, ground conditions must be considered. For school sites, the General Land Transfer Terms are attached at Appendix 8. Please contact developer.contributions@kent.gov.uk for the most up-to-date version.
- 4.2.3 See also Technical Appendix 9 for the current site-size requirements for education purposes.

4.3 Land Transfers – Legal Agreement

- 4.3.1 In most cases land will be provided at a nominal cost of £1 ('nil consideration') with the trigger for transfer set out within the s106 agreement. The agreement's timescales should be flexible, enabling KCC to plan for timely delivery. If KCC has not entered into a build contract to

⁹ For example, where several sites have been grouped together under one strategic allocation within the local plan.

provide the facility within 10 years of the transfer date (or other longer time as may be agreed), the land will be transferred back to the developer.

4.4 Works and Buildings – Direct Delivery

4.4.1 In some cases, developers may wish to carry out works themselves, in lieu of financial contributions. These could include constructing a building that is then transferred to KCC together with land. This can often be the most effective way of timely, on-site delivery; however, it will be subject to strict requirements, detailed specifications, and appropriate surety, and agreed on a case-by-case basis.

4.4.2 Developers should be aware that procurement and competition laws require public works contracts to be openly tendered. Where works-in-lieu are deemed acceptable, KCC will require an indemnity against any claim resulting from a breach in these regulations.

5.0 Guidance applicable to all Section 106 contributors

5.1 Pre-Application Advice

5.1.1 KCC welcomes early involvement in discussions to resolve key issues before planning applications are submitted.

5.1.2 Developers are therefore advised to contact the appropriate LPA (listed in 6.2) at the earliest opportunity. The LPA may wish to conduct discussions with KCC or be happy for the developer to approach KCC directly. KCC offers pre-application s106 infrastructure advice, in respect of education, communities, and waste free of charge: a fee applies for pre-application advice from KCC Highways and Transportation. Further information can be found [here](#).

5.1.3 From the information provided, KCC will use the process/formulas set out in the Technical Appendices to identify the development's impact on local infrastructure and services. It will suggest possible mitigation measures and estimate the cost of any developer contributions it may seek once a planning application is submitted.

5.2 Planning Performance Agreements

5.2.1 Kent County Council encourages Planning Performance Agreements (PPAs). These are voluntary agreements, normally involving the applicant of major or strategic developments that impact the county and the services KCC provides. PPAs enable the applicants and the county council (plus the Local Planning Authority (LPA) as appropriate) to set out a framework for dealing with these applications, including pre-application stage. This framework may include agreeing timescales, setting up working groups, defining the role of each interested party, as well as defining the cost of resourcing KCC's services towards each project.

5.3 S106 Legal Agreements – Unilateral and Multiparty Agreements

5.3.1 Unilateral Undertakings under s106 of the Town and Country Planning Act 1990 do not require the LPA or KCC to perform any duties or be a signatory. These are, however, only appropriate for small developments where a full planning application has been made and the dwelling mix is fixed.

5.3.2 For most developments, full tripartite agreements are encouraged, to aid effective delivery of infrastructure in a timely manner. KCC and the LPA will need to enter into obligations with the developer requiring:

- the use of financial contributions for specific purposes
- sums to be placed in interest bearing accounts
- the safeguarding of land e.g., for education or highways purposes
- the return of unused contributions after ten years (unless a longer period is otherwise agreed)

5.3.3 Where KCC is a receiving authority for planning contributions, it encourages legal agreements to which it is itself a signatory. This avoids any further need to apply to the LPA for the release of funding that has already been determined in the planning application as CIL Regulation-compliant.

5.3.4 KCC should be involved in negotiating and agreeing any planning obligations that are due to be paid to it, to ensure these are fit for purpose and CIL-compliant. Again, early engagement is encouraged.

5.3.5 Once completed, the LPA will record the s106 legal agreement as a local land charge. Both KCC and the Local Planning Authority will then monitor compliance with the agreement. KCC maintains a register of all planning obligations. KCC will provide clear audits to the district and other stakeholders, showing when s106 monies are received and where and when they are spent.

5.4 Phased Payment and Triggers for Payment

5.4.1 In the case of large developer contributions, phased payments may be appropriate. However, KCC will not support contributions being paid in arrears i.e., after the development to which the amounts relate has been occupied. Where later payments are considered essential by the LPA to ensure development viability, KCC may request surety from the developer, through a bond provider, to protect payment in the event of insolvency (see Para 5.7, Bonds and Guarantors).

5.4.2 Payment triggers for contributions will generally be on commencement and first occupation. However, on larger phased developments, there may be additional triggers tied into occupation points: for example, 50% of the total contribution at 25% occupations, with the remaining 50% paid at 50%

occupations. If payments are made at later stages in the development, contributions should not be made beyond the stage where KCC needs to begin work on new provision, since it will not forward-fund projects that would incur interest payments. Triggers for payment must, therefore, be met during the development's early stages to avoid additional costs.

5.5 Indexation

- 5.5.1 Contributions are subject to indexation to account for inflation. This ensures that they continue to cover the actual future cost of delivering the infrastructure.
- 5.5.2 Indexation establishes a base date, at which the index equals 100. If costs rise, the index point rises by an equivalent percentage. For example, if costs have increased by 5% since the base date, the current index point will be 105. Updated indices are published regularly.
- 5.5.3 The index for each contribution type is given in Section 3, Table 1 of this Guide and Technical Appendices. Indexation must run from the date the costing is based, up until the date of payment.
- 5.5.4 To apply the index and work out the contribution that is payable, the following formula must be used:

Contribution Payable

$$= \text{Contribution Requested} \times \frac{\text{Index at date of payment}}{\text{Index on which request was based}}$$

- 5.5.5 For example: KCC requests a contribution of £1,000.00 based on the BCIS General Building Cost Index of April Index, which is 360.3. If the Index increases to 378.4 by the date of payment, the contribution payable is calculated as follows:

$$\text{Contribution Payable} = £1,000.00 \times \frac{378.4}{360.3} = £1,050.24$$

- 5.5.6 This example excludes any late-payment interest which applies from the date a payment is due and is not indexed - see Para 5.12.2
- 5.5.7 KCC cannot provide copies of indices (which are produced by subscription services) to developers owing to copyright restrictions. KCC will, however, provide the calculation and an explanation of the result on request.

5.6 Apportionment and Land Contributions

- 5.6.1 The general principles underpinning apportionment are as follows:
- Infrastructure interventions/projects should be matched to those development(s) which result in that intervention being required.
 - Contributions should be equitable between developments, in proportion to the scale of the development and level of impact or generated demand.
- 5.6.2 Therefore, contributions should be proportional to the level of impact or generated demand resulting from the planned growth based on likely trip generation, housing unit numbers and child yields.
- 5.6.3 Through the local plan process, KCC will work with the local planning authorities and developers to identify and allocate sites to meet the needs of new infrastructure provision, including education, highways, and waste services.
- 5.6.4 In terms of land to deliver the infrastructure, it is expected that this land will be provided to the county council at 'nil consideration'. Where a development is providing land and the site area is in excess of that required solely to meet the needs of their development, the landowner should not be disadvantaged. Therefore, KCC will seek proportionate financial contributions for the land from other contributing sites and where secured and received, will transfer these sums to the land provider. For example, the value of the land will normally be based on its existing or alternative use value where there is no realistic prospect of development, or the site has been allocated in the development plan. If the site could realistically have been given residential permission but for the need to facilitate the provision of the infrastructure to meet the needs of other development sites, it would normally be valued at residential land value. In any event the site will be provided to KCC at 'nil consideration' The county council will work with the LPAs to secure this via the s106 process and CIL contributions.

5.7 Bonds and Guarantors

- 5.7.1 KCC may require surety where s106 funding is enabling the delivery of a large infrastructure project. This may take the form of bonds, parent company guarantees or letters of intent, as agreed with KCC's Corporate Director of Finance.
- 5.7.2 The precise nature of the surety will be determined by a detailed analysis of the organisation's published financial statements and independent credit report, using recognised techniques such as accounting ratios. It will also take into consideration the contract's value and duration, and the nature of the industry in which the project is being delivered. This will be discussed with the organisation.
- 5.7.3 The size of a bond will depend on the contribution/s required and calculated to ensure nil cost and risk to the authority. It will take the form of either a cash deposit, or a surety provided by a third party (a recognised bond

provider such as a major bank or insurance company on the Financial Services Register and approved by the Financial Conduct Authority). In the event of a breach, KCC must be sure that any financial contributions are available immediately.

5.8 Viability

- 5.8.1 Viability should be considered at the plan-making stage, as set out in para 58 of NPPF. As part of the evidence base for their Local Plans (or CIL charging schedules), LPAs should have published a viability assessment, in accordance with the standardised approach in the Viability Planning Practice Guidance (www.gov.uk/guidance/viability). This will include the infrastructure requirements and cost estimates to meet planned growth, as provided by KCC.
- 5.8.2 In areas with an up-to-date Local Plan, viability assessments should not be required for planning applications, since it is assumed that policy-compliant development is viable. Most developments in these areas should therefore meet KCC's s106 requirements as contained in this Guide.
- 5.8.3 Where the plan is out of date, there has been a change in circumstances or requirements in this Guide otherwise can't be met, a viability assessment may be submitted to the LPA when seeking planning permission. This should be based on the standardised approach in the PPG and refer to the viability assessment that informed the Local Plan and what has changed since then. The applicant must explain why the scheme's particular circumstances justify reduced infrastructure delivery. It should also be disclosed to KCC in full and unredacted form.
- 5.8.4 While it is KCC's role to assess a new development's impact on its services, the LPA has to consider the cumulative cost of all relevant developer contributions, assess the development's viability and balance that with the need to deliver sustainable growth. Where the LPA deems the total s106 contributions would not be viable, KCC expects the legal agreement to include a review mechanism enabling additional payments should viability improve.
- 5.8.5 In general, a development should alleviate its own impact. However, KCC accepts that some overwhelming public benefits can only be realised by giving permission to schemes that would be unviable if full planning obligations were met. In these circumstances, the PPG states that a proposed development should not be judged 'not viable' through a developer paying too much for land.
- 5.8.6 Any departure from the normal approach outlined within this Guide will be reported bi-monthly to KCC's Infrastructure First Group.
- 5.8.7 Kent County Council will be transparent regarding all s106 processes, decisions, and procedures.

5.9 Viability Reviews -

- 5.9.1 The PPG ([009 Reference ID: 10-009-20190509](#)) states that Local Plans should set out where a review mechanism may be appropriate. It goes on to say:

“Where contributions are reduced below the requirements set out in policies to provide flexibility in the early stages of a development, there should be a clear agreement of how policy compliance can be achieved over time. As the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities’ ability to seek compliance with relevant policies over the lifetime of the project.”

- 5.9.2 Where KCC and the LPA agree to a review mechanism to aid cashflow and the delivery of the development, KCC will follow the methodology set out in the Local Plan or agree the viability review methodology with the LPA to be included in the s106 agreement.

5.10 Planning Appeals

- 5.10.1 Where an appeal is submitted to the Planning Inspectorate and KCC has previously sought planning obligations, KCC will re-assess the development proposal to ensure its requests remain up to date and necessary. Where contributions are required, KCC will submit an appeal statement and /or statement of common ground to the Planning Inspectorate. Applicants should contact KCC early in the appeals process regarding S106 drafts so agreement can be reached where possible.

5.11 Procedure for the Discharge of Planning Obligations to KCC

- 5.11.1 When submitting an obligation discharge request, applicants should provide sufficient information to identify the original permission. This includes the planning application reference, the date of the S106 legal agreement or subsequent deed of variation (if applicable) and the clause to which the request relates.

- 5.11.2 Where KCC is satisfied the requirements of a particular clause or clauses have been complied with, the Development Investment Team will issue a formal discharge notice to the applicant and relevant LPA.

- 5.11.3 Applicants wishing to discharge s106 planning obligations should email: developer.contributions@kent.gov.uk.

5.12 Fees, Charges and Monitoring

- 5.12.1 S106 Legal Agreement Fees

5.12.1.2 Applicants are responsible for the cost of negotiating, agreeing, and completing any legal agreement, to cover KCC officer time and resources. This will apply also to Planning Appeals.

5.12.2 Late Payment Interest

5.12.2.1 Late-payment interest set at 4% above the Bank of England Base Rate will be charged on the outstanding balance from the payment due date.

5.12.3 Monitoring costs

5.12.3.1 KCC applies s106 monitoring fees under Section 111 of the Local Government Act 1972 and Section 1 of the Localism Act 2011. This is reflected in Planning obligations PPG - Paragraph: 036 Reference ID: 23b-036-20190901 and for CIL in the Community Infrastructure Levy Regulations 2010 (as amended).

5.12.3.2 KCC will manage and monitor each legal agreement/unilateral undertaking from the point at which it is signed. The monitoring fee will be payable on completion of the agreement/undertaking.

5.12.3.3 A monitoring fee of £500 will be payable for each payment trigger: where all contributions are paid on two trigger points, this will incur two payments totalling £1000.

5.12.4 Time Limit for Spend of Contributions

5.12.4.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed. See also the Department for Education (DfE) guidance 'Securing developer contributions for education' published in April 2019¹⁰.

5.12.5 Infrastructure Funding Statement

5.12.5.1 The Community Infrastructure Levy (CIL) regulations require all LPAs that issue CIL liability notices or enter into section 106 planning obligations during a reporting year to publish an infrastructure funding statement (IFS) at least annually. KCC's IFS can be found [here](#).

6.0 Contact with KCC and District Councils/Local Planning Authorities

6.1 **Kent County Council - Contacts**

Who to contact:

¹⁰

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/909908/Developer_Contributions_Guidance_update_Nov2019.pdf

For planning obligations in relation to all non-transport matters, contact the Development Investment Team.

developer.contributions@kent.gov.uk;

For information on planning obligations in relation to transport matters, contact the Highways Development Management Team.

[Highway pre-application advice – Kent County Council](#)

For pre-application advice from a specific service area, contact the relevant team as shown below:

<p>Highways & Transportation - East</p> <p>Ashford, Canterbury, Dover, Folkstone & Hythe, Swale and Thanet</p>	<p>DevelopmentPlanningEast@kent.gov.uk;</p>
<p>Highways & Transportation - West</p> <p>Dartford, Gravesham, Maidstone, Sevenoaks, Tonbridge & Malling and Tunbridge Wells</p>	<p>Developmentplanningwest@kent.gov.uk;</p>
<p>PRoW - East</p> <p>Ashford, Canterbury, Dover, Folkstone & Hythe, Swale and Thanet</p>	<p>eastprow@kent.gov.uk;</p>
<p>PRoW - West</p> <p>Dartford, Gravesham, Maidstone, Sevenoaks, Tonbridge & Malling and Tunbridge Wells</p>	<p>westprow@kent.gov.uk;</p>
<p>Education</p>	<p>North Kent – ian.watts@kent.gov.uk; East Kent – marisa.white@kent.gov.uk; South Kent – lee.round@kent.gov.uk; West Kent – nicholas.abrahams@kent.gov.uk;</p>
<p>Waste</p>	<p>wasteinfrastructure@kent.gov.uk;</p>

6.2 Local Planning Authorities

6.2.1 For advice on local planning authority requirements for developer contributions, please contact the appropriate authority listed below:

Ashford Borough Council	Tel: 01233 331111	www.ashford.gov.uk ; planning.help@ashford.gov.uk ;
Canterbury City Council	Tel: 01227 862000	www.canterbury.gov.uk ; planning@canterbury.gov.uk ;
Dartford Borough Council	Tel: 01322 343434	www.dartford.gov.uk ; planning.admin@dartford.gov.uk ;
Dover District Council	Tel: 01304 821199	www.dover.gov.uk ; developmentmanagement@dover.gov.uk ;
Folkstone & Hythe District Council	Tel: 01303 853000	www.folkstone-hythe.gov.uk ; planning@folkestone-hythe.gov.uk ;
Gravesham Borough Council	Tel: 01474 337000	www.gravesham.gov.uk ; planning.general@gravesham.gov.uk ;
Maidstone Borough Council	Tel: 01622 602000	www.maidstone.gov.uk ; planningsupport@midkent.gov.uk ; (shared service with Swale Borough Council)
Sevenoaks District Council	Tel: 01732 227000	www.sevenoaks.gov.uk ; planning.comments@sevenoaks.gov.uk ;
Swale Borough Council	Tel: 01795 417850	www.swale.gov.uk ; planningsupport@midkent.gov.uk ; (shared service with Maidstone Borough Council)
Thanet District Council	Tel: 01843 577000	www.thanet.gov.uk ; planning.services@thanet.gov.uk ;
Tonbridge & Malling Borough Council	Tel: 01732 844522	www.tmbc.gov.uk ; planning.applications@tmbc.gov.uk ;
Tunbridge	Tel: 01892 526121	www.tunbridgewells.gov.uk ;

Technical Appendix 1: Adult Social Care (ASC)

1. Service Overview

- 1.1 The UK is an aging society: 25% of the population people will be over 65 by 2050, up from 19% in 2019¹¹. Disability among working-age adults has also increased to 19%, up from 15% in 2010/11¹². This means more people with complex needs who require support from the health and social care system. This includes young people with learning and physical disabilities who are moving from Children's to Adult Services, often with significant support requirements. KCC is therefore constantly re-evaluating how its Adult Social Care (ASC) service commissions care and provides suitable accommodation.
- 1.2 ASC services comprise social work, personal care, and practical support for adults (18 years+) with a physical or learning disability, or physical or mental illness. It also includes safeguarding for those at risk of harm and abuse, and support for unpaid carers.
- 1.3 A key priority is enabling residents to live safely and independently in their own communities for as long as possible. [Making a difference every day – Our strategy for Adult Social Care 2022 to 2027](#) (April 2022) sets out KCC's ASC strategy, in conjunction with [Framing Kent's Future – Our Council Strategy 2022-2026](#), Priority 4: New Models of Care and Support.
- 1.4 Services may be delivered in people's own homes (home or domiciliary care), in day centres and specialist accommodation¹³. KCC also provides 'reablement' services to help people regain independence, aids and adaptations for people's homes, information and advice and support for family carers. Services for those unable to stay in their own homes may be provided via care homes and nursing homes ('residential care').
- 1.5 KCC has statutory responsibilities to provide Adult Social Care services under:

¹¹ 'Meeting housing demand' House of Lords, Built Environment Committee 1st Report of Session 2021-2022

¹² Key facts and figures about adult social care, The King's Fund 2 July 2021

¹³ For the purposes of this document, specialist accommodation is an umbrella term which includes supported living, warden assisted housing and extra care accommodation

- Care Act 2014
- Mental Health Act 1983
- Mental Capacity Act 2005
- Equalities Act 2010
- Human Rights Act 1998

1.6 The overarching Care Act 2014 adds new and extends existing responsibilities, including:

- promoting wellbeing
- protecting (safeguarding) adults at risk of abuse or neglect
- preventing the need for care and support
- promoting integration of care and support with health services
- providing information and advice

2. **Assessing Need and Calculating Demand**

2.1 Under its Care Act duties and to support sustainable care market in Kent, KCC produces [Adult Social Care Commissioning Market Position Statements](#). These provide a snapshot current demand, supply, and opportunity across the county; they are reviewed regularly as demand and fluctuations in the wider health and care economy affect affordability and provider confidence.

2.2 Threshold for Seeking Contributions and Qualifying Developments

2.2.1 Any development of 10 or more dwellings will be assessed and will generate a request for an ASC contribution where demand for services exceeds supply.

2.2.2 KCC will not seek contributions from:

- Student accommodation
- C2 Dwellings – these may be exempt depending on the type of social care offered within the setting
- Sites specifically set aside for transient Gypsy and/or Traveller communities

2.3 Assessing ASC Client Numbers and Service Capacity

2.3.1 The tables below set out the need and cost of social care infrastructure to deliver ASC services to KCC clients only. KCC is currently operating at capacity, so any increase in need for ASC infrastructure created by new developments will incur a cost. Note that KCC's high thresholds mean there are much larger numbers of Kent adults with appropriate needs who are nevertheless unable to access these services.

2.3.2 ASC client numbers and costs of infrastructure provision per dwelling are derived from total annual clients for each service/infrastructure area, and the average cost per client per week, taken from KCC Social Care data. Total client numbers are converted to clients per 1,000 adult (18+) population based on the latest population estimates available for Kent (excluding Medway). An average adult occupancy rate of 1.85 is used to estimate the number of new ASC clients generated per new dwelling.

2.3.3 Costs per dwelling (shown in Table 1 below) follow a similar conversion with the average cost per client per week converted to an annual cost, then multiplied by the clients-per-new-dwelling figure.

Table 1: Adult Social Client Numbers (compiled 2021) by Infrastructure Need

Infrastructure Service Area	Number of ASC clients (2019/20)	Clients per 1,000 adult population ¹⁴ (2019/20) ¹⁵	Clients** per Dwelling (2019/20)
*Specialist Housing ¹⁶	3,007	2.40	0.44
Assistive Technology and Home Adaptation Equipment	6,365	5.08	0.94
Equipment including Changing Places and sensory equipment/facilities	51,077	40.73	7.54
Day care (adapting Community Facilities)	2,035	1.62	0.30

*Excludes KEAH¹⁷ **Please note that there is not one client number per dwelling. Within Adult Social Care, individuals may have multiple needs, which means that they may be clients of one or more of the infrastructure areas set out above.

3. Contribution Rates

3.1 Contributions for Adult Social Care are set out in Table 2 below:

Table 2: Adult Social Care Contribution Rates Per Dwelling

Infrastructure Area	Number of Clients (2019/20)	Cost Per Client*** (2019/20)	Cost per Dwelling
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¹⁴ Population data based on KCC Forecasts April 2022

¹⁵ Client rates based on the Kent mid-year population estimate in 2019

¹⁶ Includes supported living and extra care accommodation

¹⁷ Kent Enablement at Home (KEAH - an intense short period of help given to people to stay at home and recover following for example time in hospital, and therefore stay independent at home as long as possible)

Specialist Housing	3,007	£30,989.40	£137.48
Assistive Technology and Home Adaptation Equipment	6,365	£156.52	£1.47
Equipment Including Changing Places and Sensory Equipment	51,077	£201.76	£15.20
Day care (Adapting Community Facilities)	2,035	£8,904.48	£26.73
Total Contribution Rate Per Dwelling			£180.88

***Costs per client are based upon a one-off average annual cost of providing the infrastructure for each client per category.

4. Spending Contributions: Projects

4.1 KCC will direct contributions towards the following infrastructure areas to meet its priority of supporting independent living:

- Specialist housing – including extra care and supported living accommodation¹⁸.
- Digital technology systems and home adaptation equipment
- Adapting community facilities to make them accessible for all, so clients can access support services and facilities safely and comfortably and be active and engaged in their communities
- Sensory facilities – including the innovative technology to reduce stress and anxiety or encourage sensory development and social engagement, or exterior facilities including sensory gardens.
- [Changing Places](#) with additional features beyond standard accessible toilets to meet the needs of people with a range of profound disabilities, and their carers, usually located in or near a popular public area.

5. Accessible Homes

5.1 KCC's focus on independent living means the number of people living in older person care homes in Kent is falling dramatically. At the same time, the demand for supported living schemes and homes that cater for an aging population and complex needs is growing.

5.2 KCC therefore expects large, new developments and settlements to provide supported housing and care home requirements and will seek s106

¹⁸ s106 contributions are being sought from new housing developments, it may therefore, be queried why the county council is then seeking contributions towards Specialist Accommodation. Whilst new residents may move in without any ASC requirements, accidents or illness that result in temporary or permanent disabilities can happen at any point, resulting in specialist accommodation requirements for some.

contributions to purchase nomination rights for its clients. KCC will use the local plan process and encourage changes to LPA housing policy to require new residential developments in Kent to provide for this shifting housing need, including:

- Supported housing for those of working age - smaller housing units that may be delivered by a registered provider, or in conjunction with a private landlord.
- Housing with care ('extra care housing') for older people on a range of tenures including rental, shared ownership and private freehold
- Care homes and nursing homes for those with high-level residential needs, complex nursing needs and dementia, plus short-term provision for respite care.

5.3 In June 2019, guidance from the Ministry of Housing, Communities and Local Government identified a critical need to provide housing for older and disabled people. KCC will therefore request

- **all homes within the planning application to be built (as a minimum) as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M4 (2).**

6. Indexation

6.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

7. Time limit on Spend

7.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 2: Community Learning and Skills (Adult Education)

1. Service Overview

1.1 KCC provides community learning and skills (CLS) facilities and services in line with [Framing Kent's Future – Our Council Strategy 2022/2026](#) (Priority 1 – Levelling UP Kent and Priority 2 – Infrastructure For Communities).

1.2 The CLS vision¹⁹ is 'to help every adult and young person in Kent to achieve their potential in life, whatever their background'. In collaboration with other skills and education services, KCC's CLS supports:

- adults seeking skills for employment
- young people entering the world of work
- organisations seeking to improve the skills and potential of their staff
- adults learning for personal development, pleasure, and wellbeing
- families (especially those in Kent's disadvantaged neighbourhoods)

1.3 Through its district centres and outreach facilities, CLS provides a wide range of learning opportunities including:

- flexible learning in basic employment-related skills such as English, Maths and ICT providing, improving the general skill level of the workforce, and supporting economic growth
- specialist courses such as IT & Business, Arts and Crafts, Health & Wellbeing and Therapies & Beauty, helping adults develop their career and obtain higher-skilled work
- English for Speakers of Other Languages (ESOL) courses to boost employment and education opportunities
- courses in Parenting, Family Learning and Neighbourhood Learning to promote social cohesion, especially in deprived communities.

1.4 As well as increasing people's skills and educational attainment, CLS can help those moving into new developments to overcome social isolation, and encourages community cohesion, both within the new development and wider area.

¹⁹ The Community Learning and Skills: Vision and Priorities is an internal document, setting out the vision and mission statement of the service. This document is reviewed under the five-year Ofsted Inspection Cycle and is mapped against Ofsted's Education Inspection Framework.

2. Assessing Need and Calculating Demand

2.1 Threshold for Seeking Contributions and Qualifying Developments

2.1.1 Any development of 10 or more dwellings will be assessed and could generate a request for CLS contributions.

2.1.2 KCC will not seek contributions from:

- Student accommodation
- C2 Dwellings – depending on the type of C2 Dwelling and whether residents are able to participate in CLS activities
- Sites specifically set aside for transient Gypsy and/or Traveller communities

2.2 Service Capacity

2.2.1 CLS generally operates from one central location per district owned by KCC. Many practical courses require resources (potter's wheels, kilns, stained glassing making equipment) that are not portable.

2.2.2 Provision of general courses (such as modern foreign languages, Maths, English and ESOL) are at capacity within these main centres. To increase capacity, CSL operates an outreach programme to bring services directly to communities: new developments will be required to contribute towards the cost of equipment and resources.

2.2.3 There is currently physical capacity within the hubs for specialist courses. However, increased enrolments will place additional demands on IT, learning technology and other equipment. New developments will also be expected to contribute towards this.

2.3 New Users Per Dwelling

2.3.1 The number of new enrolments per dwelling (Table 1) is derived from the total number of current enrolments. This figure is applied against the latest adult (19+) population estimates to create an enrolment per head of population ratio. The per dwelling figure is based on an average adult occupancy rate of 1.85 per new dwelling.

Table 1 – New Enrolments per Dwelling

Total Enrolments in Service		Enrolments per 1,000 Adult (19+) Population		Enrolments per New Dwelling
33,000	→	26.70*	→	0.05*
Calculations	→	$33,000/1,236,171*1,000$	→	$26.70/1,000*1.85$

*rounded to two decimal places

3. Contributions Per Dwelling

3.1 Similarly, the total cost (Table 2 – below) of providing flexible classroom equipment and in-centre equipment upgrades to CLS students (enrolments), based on average usage ratios, is applied to the enrolments per dwelling figure.

Table 2 - Cost of additional equipment to meet the needs of each new enrolment.

Infrastructure Requirement	Total Cost of additional IT, equipment, and resources per New Enrolment for flexible classroom and in-centre equipment upgrades
Cost Per New Enrolment**	£692.74

**costings based on previous experience of providing this infrastructure over 5 years.

3.2 The cost per dwelling (Table 3 – below) is calculated by multiplying the total cost of infrastructure/equipment per new enrolment by the number of new enrolments per dwelling.

Table 3 - Contribution Per Dwelling

	Contribution for Infrastructure/Equipment Per Dwelling (Cost Per New Enrolment * New Enrolments Per Dwelling)
Community Learning & Skills Contribution	£34.21

3.3 Strategic Development/Garden Communities

3.3.1 While KCC currently has no plans for new additional community learning centres, large strategic developments/garden communities may require new

stand-alone buildings or library facilities within a community hub. The drive for efficiencies is likely to influence overall space requirements and opportunities for co-location will be actively explored.

Requirements for new or extended CLS facilities (plus fixtures and fittings) will be assessed on a case-by-case basis and contributions sought accordingly, based on the costing set out below in Table 4.

Table 4 Example Contribution sought for new build/extension

Build Cost Per Square Metre (including Fixtures and Fittings)	£3500
Classroom facility of 40 sqm + 20 sqm ancillary space/kitchenette/toilets	£210,000
Contribution Per Dwelling (using a development of 3000 dwellings) £210,000 / 3000	£70.00

4. Provision of Infrastructure – Project Types

4.1 Development contributions collected to increase CLS capacity within will be applied towards:

- additional IT, equipment, and resources to create flexible classrooms and extend the outreach service
- in-centre upgrades of specialist equipment, IT and learning technology

5. Indexation

5.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

6. Time limit on spend

6.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 3: Development Contributions - Calculator

Based on the information that you input, the following spreadsheet will provide an **indication** of the s106 contributions that your development may be required to provide to mitigate the needs of the new population. [This will calculate the contributions for Kent County Council services only.](#) To establish the exact requirements, please contact developer.contributions@kent.gov.uk

Council District	Canterbury	Select Dropdown to choose	Indicates where information is required to be inputted.	
Notes:				
Total Number of Dwellings	90			
Number of C3 Houses	50	If you do not know the dwelling mix, set all dwellings as houses. This will calculate the maximum contributions that KCC will request for the services set out below.		
Number of C3 Flats	20			
Number of 'non-applicable' C3 dwellings	10	Non-applicable' C3 dwellings are under 56 square metres, Gross Internal Area (GIA)		
Number of C2 Dwellings	10	Education and Youth contributions will not be sought on C2 Dwellings. There may also be exemptions applied for adult social care and youth, depending on the dwelling type and level of care provided.		
	Per Applicable House	Per applicable flat	Total Contribution	Notes
	50	20		
Primary Education	£7,081.20	£1,770.30	£389,466.00	Contribution set at the maximum required - for the provision of a new school.
Primary Education - Land*	£3,377.03	£844.26	£185,736.83	Proportionate contribution based on residential land value for district
Secondary Education	£5,587.19	£1,396.80	£283,549.90	Contribution set at the maximum required - for the provision of a new school.
Secondary Education - Land*	£4,392.89	£1,098.22	£241,608.89	Proportionate contribution based on residential land value for district
SEND Education	£559.83	£139.96	£30,790.70	This is a blended rate based upon the delivery of special schools and Specialist Resource Provision based on mainstream school sites.
SEND Education - Land*	£578.92	£144.73	£31,840.60	Proportionate contribution based on residential land value for district
	Per Dwelling	Total	Notes	
	90			
Community Learning	£34.21	£3,078.90		
Youth Service	£74.05	£5,924.00	C2 dwellings are exempt from Youth Service contributions. Deductions are included in the total.	
Library Service	£62.63	£5,636.70		
Social Care	£180.88	£16,279.20	C2 dwellings may be exempt from social care contribution requests, depending on the type of social care offered within the setting.	
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)			
Waste	194.13	£17,471.70	This is the maximum contribution rate, based on your development area requiring capacity increases in both Waste Transfer Stations and Household Waste Recycling Centres.	
Highways	<i>This will be calculated on a case-by-case basis</i>			
PRoW	<i>This will be calculated on a case-by-case basis</i>			
Flood & SUDS	<i>This will be calculated on a case-by-case basis</i>			
Heritage & Archaeology	<i>This will be calculated on a case-by-case basis</i>			
Total Contribution requested by KCC for Education, Libraries, Community Learning, Youth, Adult Social Care and Waste			£1,193,911.72	

* Working with the Local Plan Authorities, the county council will seek to achieve site allocations within the local plans for infrastructure delivery, particularly for schools and waste. The allocation of land for education/waste use within a development will make it more difficult for land owners to secure planning consent for alternative uses on that land, enabling the land to be valued at use value rather than residential. Until sites are secured by s106 however, KCC will continue to seek land contributions at residential land values. This is to enable KCC to purchase land at residential value, should land not be secured through the local plan/s106 process. Any unused/unrequired land contributions will be returned to the contributing development.

Technical Appendix 4: Overview

1. **Education Service Overview**

- 1.1 KCC is the Statutory Authority for education and the Strategic Commissioner of Education Provision from the private, voluntary, charitable, and maintained sectors. It is the major provider of education, maintaining most Kent schools, and is also 'provider of last resort' when no other acceptable new provision comes forward.
- 2.2 Education in Kent is divided into three, sometimes overlapping phases:
- Early Years: primarily delivered by private, voluntary, and independent pre-schools, accredited child-minders, and schools with maintained nursery classes.
 - 4-16 years: "compulsory school age" during which schools are the main providers.
 - Post-16: schools and colleges, the latter being the sole provider for young people aged 19-25 years.
- 2.3 The Local Authority also has specific duties in relation to provision for pupils with Special Educational Needs (SEND), those excluded from school and those unable to attend school due to ill health.
- 1.4 KCC's Commissioning Plan for Education Provision in Kent (KCP) is a five-year rolling plan updated annually. It sets out how KCC will ensure:
- enough high-quality education places
 - places located in the right areas
 - places for all learners.
- The latest version of the KCP can be found [here](#).

2. **Capital Funding – Meeting the Educational Need of New Developments**

- 2.1 Planned housing growth in Kent is equivalent to building another town the size of Faversham every year until 2031. Providing education infrastructure to meet the needs of this new housing is essential.
- 2.2 There are multiple funding sources including Government Basic Need Grant and borrowing by KCC. However, the Department for Education's (DfE) '[Securing Developer Contributions for Education' November 2019](#) is clear that, where new places are required to meet the need of new housing development, KCC should seek s106 contributions both for build and land requirements. Paragraph 5 of the DfE's guidance states:

“Central government basic need grant, the DfE free schools programme and other capital funding do not negate housing developers’ responsibility to mitigate the impact of their development on education.

When the DfE free schools programme is delivering a new school for a development, we expect the developer to make an appropriate contribution to the cost of the project, allowing DfE to secure the school site on a peppercorn basis and make use of developer contributions towards construction.”

2.3 Specifically, the guidance requires that:

- housing development should mitigate its impact on community infrastructure, including schools.
- developer contributions towards new school places²⁰ should provide both funding for construction and land where applicable subject to viability assessment when strategic plans are prepared and using up-to-date cost information; and
- the early delivery of new schools within strategic developments should be supported where it would not undermine the viability of the school, or of existing schools in the area.

3. Commissioning School Places

3.1 As the Strategic Commissioner, KCC must ensure sufficient school places across Community, Voluntary Aided and Controlled, Foundation, Academies and Free School provision, through the expansion of existing schools and building new ones.

3.2 Paragraph 94 of the NPPF states: ‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- Work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’

3.3 As the statutory authority, KCC has a duty to set out the requirements for any new school needed to serve a new or growing community. The county council

²⁰ Including SEND and Early Years provision

should, therefore, be a signatory to any s106 agreement and receive appropriate contributions.

4. Land Contributions and Allocation of Sites

- 4.1 Where new schools are required, or additional land needed to enable an existing school to expand, KCC will seek the provision of land and/or proportionate financial contributions.
- 4.2 National Planning Practice Guidance advises how local planning authorities (LPAs) should prepare plans and take account of education requirements. KCC will work with the LPAs and developers to identify and allocate sites to ensure additional education places are planned for, including land required for school expansions and new schools.
- 4.3 This land should be provided to KCC at 'nil consideration'. Where the site has been allocated in the development plan for a school or where there is no realistic prospect of development, its value will normally be based on its existing or alternative-use value. If the site could realistically obtain residential permission, if it had not been required to provide education infrastructure for other sites, it will normally be valued at residential land value: it will still be provided to KCC at nil consideration, however. KCC will work with the LPAs to secure this via the s106 process and CIL contributions.
- 4.4 Where a developer is providing land and the site area exceeds the development's needs, the landowner should not be disadvantaged. In these cases, KCC will seek proportionate land contributions from other sites and transfer these sums to the land provider when received.

Technical Appendix 5: Education - Early Years Education and Childcare Provision

1. Service Overview

- 1.1 Early Education and Childcare in Kent is available through a large, diverse and constantly evolving network of maintained, private, voluntary, independent and school-run providers, childminders and academies. All operate as individual businesses, subject to market forces. Early Years Childcare for children aged 0–4 years is provided for at least four hours a day and will almost always include at least one of free entitlements detailed below (almost always the Universal Entitlement).
- 1.2 Early Education and Childcare is governed by the Childcare Acts 2006 and 2016. These place a duty on all local authorities to improve outcomes for young children, reduce inequality and enable parents to work, specifically through:
- Two-Year-Old Entitlement: 15 hours of early education for eligible two-year olds (known in Kent as Free for Two).
 - Universal Entitlement: 15 hours for and all three- and four-year olds.
 - Extended Entitlement: 30 hours of free childcare for eligible three- and four-year-olds.
- 1.3 All free entitlement places can be provided by Ofsted-registered providers, schools not required to register with Ofsted, or schools registered with the Department for Education (DfE) and inspected by the Independent Schools Inspectorate. All must deliver the full Early Years Foundation Stage. Provision can be made over 38 weeks a year or extended over up to 52 weeks, depending on the provider.

2. Future Planning

- 2.1 KCC aims to secure a sufficient long-term supply of sustainable, high- quality early years and childcare provision. It works with existing and potential providers to encourage additional provision where required, whether for Free Entitlements and/or parent/carers funded places.
- 2.2 The supply of Free Entitlement places for two-, three- and four-year-olds will be kept under review as planned new housing developments are built, potentially increasing demand. Where developments are proposed in school planning areas with a forecast deficit of places, or the development's size may make new provision necessary, KCC will engage with developers and Local Planning Authorities (LPAs) to advise on the most appropriate form, size, and location of provision. This will generally be through the private or voluntary sectors, using a community or commercial building within the proposed development.

3. Cost of Provision

- 3.1 Where a new 2 Form Entry Primary School (or larger) is delivered according to the Education and Skills Funding Agency (ESFA) Baseline Design, the design should include a 26-place nursery space. The cost is included in the primary education new-build contribution rates for houses and flats and is therefore not subject to additional contributions.
- 3.2 The cost of other facilities, such as Specialist Resource Provision (SRP) is not part of the baseline design for new primary schools and will be subject to additional contributions. For details see Technical Appendix 7: Education – Special Educational Needs and Disabilities (SEND).

Technical Appendix 6: Education – Primary and Secondary Education

1. Service Overview

- 1.1 KCC has a statutory duty to offer a school place to any child in Kent aged between 4-16 who requires one, under Section 14 of the Education Act 1996.
- 1.2 For young people aged 16 and over, KCC must:
 - Provide sufficient, suitable education and training for those aged 16-19 (and 20-24 with an Education, Health, and Care Plan).
 - Make support available to those aged 13 and upwards to encourage, enable or assist their participation in education or training (tracking this participation successfully is a key element of this duty).
 - Have processes in place to deliver the ‘September Guarantee’ of an education or training place for all 16- and 17-year-olds.
- 1.3 Most Kent secondary schools offer post-16 (sixth form) provision, for which the Local Authority currently receives no Basic Need funding. When additional post-16 provision is required (due to increases in student numbers), this will need to be funded by the Education and Skills Funding Agency (ESFA), which will expect KCC to seek proportionate developer contributions²¹.

2. Planning Groups and Forecasting

- 2.1 KCC uses groupings²² of schools for provision planning to ensure adequate school places for existing and future Kent residents. These planning groups are geographically aligned within groups of wards known as planning areas: a minority comprise just a single ward.
- 2.2 Most children within these planning areas will attend the same school(s). Wards are used as they are a nationally recognised planning feature: generally small enough to be locally representative but large enough to produce national-level datasets (population, births, deaths, migration, indices of multiple deprivation).
- 2.3 Whether additional school places will be required or sufficient places are available will depend upon an assessment conducted for each proposed development site, based on the planning group in which it sits. This assessment will start with the forecast capacity of existing schools, taking in to account existing cohorts, the pre-school aged population, historic migration patterns and the pupil product of developments already granted planning consent in the area.

²¹ Para 10 ‘Securing developer contributions for education’ Department for Education, November 2019

²² In agreement with the Department for Education, planning groups are based predominantly upon travel to school pattern.

- 2.4 Where a development is on the margins of a planning group, the assessment may be conducted over more than one planning group, or an alternative geographical area.
- 2.5 A detailed breakdown of the planning groups can be found within the [Commissioning Plan for Education Provision in Kent \(KCP\)](#) which is updated annually.
- 2.6 KCC forecasts include a minimum surplus capacity of 2% to allow for fluctuations in demand and parental choice, in line with government guidance²³. The DfE also uses this minimum when assessing KCC's forecasts through the statutory school capacity survey (SCAP) process.

3. **Assessing the Need and Calculating Demand**

3.1 **Threshold for Seeking Contributions and Qualifying Developments**

3.1.1 Any development of 10 or more dwellings will be assessed and a request for Primary and/or Secondary education contributions requested where demand for school places exceeds capacity.

3.1.2 KCC will not seek contributions from the following:

- One-bed dwellings of less than 56 sqm GIA
- Homes restricted in perpetuity to persons over 50 years of age
- Student accommodation
- C2 Dwellings
- Sites specifically set aside for transient Gypsy and/or Traveller communities

3.2 **Service Capacity - Forecasting Demand Generated by New Developments**

3.2.1 Pupil yields are an estimate of the number of primary and secondary pupils created per new dwelling. Pending publication of a new national methodology by the DfE, KCC's local approach remains valid, as set out in Table 1 below.

Table 1 Primary and Secondary Education Pupil Yields per House/Flat

	Pupil Yield	Pupil Yield
	Primary (Mainstream)	Secondary (Mainstream – Years 7-11)
Per House	0.28	0.20
Per Flat	0.07	0.05

3.2.1 An example capacity assessment for primary and secondary education, including explanations of the process can be found in the Technical Appendix 10: Example Education Assessment – Primary & Secondary.

²³ [‘Securing developer contributions for education, November 2019’](#), Department for Education

3.3 Provision of Infrastructure – Project Types

3.3.1 Where an assessment demonstrates that the pupil need created by the development (plus cumulative need within the planning areas) exceeds surplus capacity, KCC will review the most appropriate strategy for accommodating this additional demand. The options are:

3.3.2 Permanent Expansion

3.3.2.1 Where this is the appropriate mitigation, KCC will request a financial contribution, based on pupil need multiplied by the cost per pupil, to fund capital works to create additional capacity. Expansion may also require additional land: the applicant will be required to provide this to KCC at nil consideration or make financial contributions to KCC to purchase it. Where land is required to provide places for more than one development, proportionate contributions will be sought from all developments. For further information, see para 4.2 Land Contributions below.

3.3.2.2 Please note: KCC is unable to unilaterally decide to expand a school for which it is not the Admissions Authority, this includes Voluntary Aided, Foundation, Free and Academy schools

3.3.3 Establishment of new Schools

3.3.3.1 Where the pupil need created by the development (plus demand from permitted development and existing applications in the planning group/s) exceeds existing capacity and cannot be appropriately accommodated by permanent expansion of an existing school, KCC may propose establishing a new school. Financial contributions will be sought for new-build places and the provision of land and/or financial contributions towards its cost.

4. The Cost of Additional Places – S106 Contribution Rates

4.1 Build Contributions

4.1.1 KCC regularly reviews the cost of providing additional education places. A 2019 review by Aecom of KCC's education build projects has been benchmarked against project sample data from the National Schools Delivery Cost Benchmark (NSDCB) database. The rates in Table 2 below reflect average build costs, including buildings, site works, professional fees, plus furniture, fixtures and equipment but excluding abnormal costs.

Table 2 Primary and Secondary Education Build Rates

	Per Pupil	Per House (Per Pupil Rate x Pupil Yield Per House)	Per Flat (Per Pupil Rate x Pupil Yield Per Flat)
Primary Education -New Build	£25,290.00	£7,081.20	£1,770.30
Primary Education - Extension	£19,331.20	£5,412.74	£1,353.18
Secondary Education – New Build	£27,935.96	£5,587.19	£1,396.80
Secondary Education - Extension	£26,646.36	£5,329.27	£1,332.32

4.1.2 Contribution rates are based on build data from 2017/18 and adjusted for inflation (rebased to Q1 2022).

4.1.3 An example of build and land costs for primary and secondary education can be found in the Technical Appendix 11: Example Build and Land Contributions.

4.2 Land Contributions

4.2.1 Where new schools are required, or an existing school needs additional land to expand, KCC will seek the provision of land and/or proportionate financial contributions.

4.2.2 National Planning Practice Guidance advises how local planning authorities (LPAs) should prepare plans and take account of education requirements. KCC will work with the LPAs and developers to identify and allocate sites to ensure additional education places are planned for, including land required for school expansions and new schools.

4.2.3 This land should be provided to KCC at ‘nil consideration’. Where the site has been allocated in the development plan for a school or where there is no realistic prospect of development, its value will normally be based on its existing or alternative-use value. If the site could realistically have obtained residential permission, if it had not been required to provide education infrastructure for other sites, it will normally be valued at residential land value: it will still be provided to KCC at nil consideration, however. KCC will work with the LPAs to secure this via the s106 process and CIL contributions.

4.2.4 Where a developer is providing land and the site area exceeds the development’s needs, the landowner should not be disadvantaged. In these

cases, KCC will seek proportionate land contributions from other sites and transfer these sums to the land provider when received.

5. Spending Contributions – Projects

- 5.1 The complex nature of planning education provision according to need and rate of housing growth means KCC requires flexibility, to ensure places are provided at the right time, in the most appropriate locations. KCC will therefore seek to secure contributions on a preferred and ‘contingency’ project within a planning group/s and may need to apply contributions to any existing or new school within an area that serves the development. This enables KCC to respond to new circumstances and information, such as detailed feasibility work which alters the proposed mitigating project, in line with DfE guidance²⁴. For example, an allocated Local Plan school site may not be available at the time of need, so alternative sites are required.
- 5.2 A need may also exist for additional primary and/or secondary education places, but school sites are yet to be allocated within the local plan. In these cases, it may not be possible to identify a proposed or contingency project at the time planning permission is granted; but contributions will still be required. A ‘contingency’ project may be specified in terms of additional education places in relevant education planning group/s

6. Indexation

- 6.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

7. Time limit on spend

- 7.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

²⁴ Para 20 Securing developer contributions for education, 2019 – Department for Education

Technical Appendix 7: Education – Special Educational Needs and Disabilities (SEND)

1. Service Overview

- 1.1 Under the Children and Families Act 2014, KCC has responsibilities to improve services, life chances and choices for vulnerable children and to support families. This underpins wider reforms ensuring all children and young people can succeed, no matter what their background. The Act extends the special educational needs and disabilities (SEND) system from birth to the age of 25 where appropriate, giving children, young people and their parents/carers greater control and choice in decisions and ensuring their needs are properly met.
- 1.2 The Equality Act 2010 and Part 3 of the Children and Families Act 2014 interact in several important ways, including a common focus to remove barriers to learning. Under the latter, duties for planning, commissioning, and reviewing provision, the Local Offer, and requirements for different agencies to work together apply to all children and young people with special educational needs or disabilities.
- 1.3 [Kent's SEND Strategy 2021-2024](#) has been developed jointly by KCC and the NHS, in conjunction with children, young people, parents and carers, Kent Parents and Carers Together (PACT) and other key stakeholders.
- 1.4 Kent is committed to identifying SEND needs early to plan and provide appropriate support. The SEND strategy, together with the Kent's New Approach²⁵ to inclusion in schools, will ensure a graduated approach to meeting additional needs.

2. Types of SEND Provision

- 2.1 A child or young person must have an Education Health Care Plan (EHCP) to access SEND services, which are provided through:
- 2.2 Specialist Resource Provision (SRP) and Designated Units on Mainstream School Sites
 - 2.2.1 SRP and Designated Units provide additional specialist facilities on mainstream school sites for a small number of pupils (typically less than 30). These children have EHCPs and who require higher levels of support than mainstream school can normally provide, but their needs are not so complex that special school placements are appropriate. These needs typically include speech, language, and communication needs (SLCN), hearing or visual impairment (HI/ VI) or autism spectrum disorders (ASD). Less commonly, they may serve pupils with a physical disability (PD) or behavioural difficulty. SRP

²⁵ https://www.kelsi.org.uk/_data/assets/pdf_file/0004/119470/Countywide-Approach-to-Inclusive-Education.pdf - currently as draft KCC policy

and Designated Units vary widely, often reflecting the local approach to inclusion.

2.2.2 SRP provision generally consists of:

- 2 Rooms – smaller than classrooms
- Accessible toilet
- Office Space
- Intervention/sensory room
- Kitchen – depending on distance from main school building
- Separate entrance/exit and external hard play space

2.3 Special Schools

2.3.1 Special schools serve children and young people with a special educational need or disability that cannot be met in a mainstream school. They vary widely in their programmes of study: in some, the curriculum is essentially mainstream, while in others it can focus more on life skills and developing personal independence. Special Schools in Kent currently provide for:

- Autism Spectrum Disorder
- Behaviour and Learning Needs
- Physical Disability
- Profound, Severe and Complex Needs
- Social, Emotional and Mental Health

2.4 Special School Satellites

4.4.1 Several Kent Special schools have satellites: classes run by their own staff but hosted in additional, specific infrastructure at mainstream schools. These give pupils an opportunity to learn alongside their peers, with appropriate support.

3. Assessing the Need and Calculating Demand

3.1 Threshold for Seeking Contributions and Qualifying Developments

Any development of 10 or more dwellings will be assessed and a request for SEND contributions requested.

KCC will not seek contributions from the following:

- One-bed dwellings of less than 56 sqm GIA
- Homes restricted in perpetuity to persons over 50 years of age
- Student accommodation
- C2 Dwellings

- Sites specifically set aside for transient Gypsy and/or Traveller Communities

3.2 Service Capacity

3.2.1 Both nationally and within Kent, the number of children and young people with an EHCP is increasing every year. SEND infrastructure in Kent is currently at capacity, so KCC will seek contributions from all housing proposals that meet the threshold to mitigate this new demand.

3.3 Forecasting Demand Generated by New Developments

3.3.1 The Pupil Yield figures set out below in Table 1 have been calculated by multiplying the Mainstream pupil yield figures for primary and secondary education by 3.7% (the current proportion of pupils with EHCPs) and deducting the percentage of children and young people who have an EHCP, but do not access specialist education provision (based on England percentages only)

Table 1 SEND Pupil Yield

	Per Flat	Per House
Mainstream Primary Pupil Yield	0.07	0.28
Mainstream Secondary Pupil Yield	0.05	0.2
Combined Primary and Secondary Pupil Yield	0.12	0.48
Combined Pupil Yield x % Pupils with an EHCP (England)	0.12 x 3.7%	0.48 x 3.7%
EHCP Pupil Yield minus EHCP Pupil Yield not accessing SEND specialist provision	0.0044 X 61.95%	0.0178 x 61.95%
SEND Pupil Yield	0.0027*	0.0110*

*To four decimal places

4. Cost of Additional SEND Places – S106 Contribution Rates

4.1 Build Contributions

4.1.1 The build rate per pupil (Table 2) is derived from a 2019 Aecom study of Kent SEND build projects commissioned by KCC, benchmarked against national

projects. A blended rate²⁶ is used as the baseline, covering provision of a broad range of SEND school places.

Table 2 SEND Education Contribution Rates – Build Costs

	Per Pupil	Per House (Per Pupil Rate * SEND Pupil Yield Per House)	Per Flat (Per Pupil Rate * SEND Pupil Yield Per Flat)
SEND Contribution Rate (Build Only)	£50,893.35	£559.83	£139.96

4.1.2 Contribution rates are based on build data from 2017/18 and adjusted for inflation (rebased to Q1 2022).

4.2 Land Contributions

4.2.1 Where new schools are required, or additional land needed to enable an existing school to expand, KCC will seek the provision of land and/or proportionate financial contributions.

4.2.3 National Planning Practice Guidance advises how local planning authorities (LPAs) should prepare plans and take account of education requirements. KCC will work with the LPAs and developers to identify and allocate sites to ensure additional education places are planned for, including land required for school expansions and new schools.

4.2.4 This land should be provided to KCC at 'nil consideration'. Where the site has been allocated in the development plan for a school/education or where there is no realistic prospect of development, its value will normally be based on its existing or alternative-use value. If the site could realistically obtain residential permission, if it had not been required to provide education infrastructure for other sites, it will normally be valued at residential land value: it will still be provided to KCC at nil consideration, however. KCC will work with the LPAs to secure this via the s106 process and CIL contributions.

4.2.5 Where a developer is providing land and the site area exceeds the development's needs, the landowner should not be disadvantaged. In these cases, KCC will seek proportionate land contributions from other sites and transfer these sums to the land provider when received.

4.2.6 An example of build and land costs for SEND can be found in the Technical Appendix 11: Example Build and Land Contributions.

²⁶ Incorporating the cost of new build specialist schools, extensions, and SRP provision

5. Spending Contributions – Projects

- 5.1 To meet the need for specialist places across Kent, a mixture of new special schools, expansions of existing schools and the establishment of satellites and SRPs will be commissioned within the districts.

6. Indexation

- 6.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

7. Time limit on spend

- 7.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 8: General Land Transfer Terms – School Sites

1. The following sets out KCC's general transfer terms for land. Specific terms will be provided where abnormal site conditions exist. Prior to transfer, the developer/landowner must provide a site-specific information pack containing formal desktop and, if necessary, intrusive land investigation reports by a competent registered expert(s). This pack should confirm that the land and associated areas are:

i) free from the following, together with details of any mitigation works:

- contamination (including radiation)
- protected species
- ordnance
- rubbish (including broken glass)
- any adverse ground and soil conditions including subsidence, heave and land slip
- occupation
- archaeological remains
- existing and planned noise generation from adjoining land that would require attenuation measures in the new school design
- poor air quality that would require mitigation measures in the new school design.
- the presence of service mains such as drains sewers, electricity cables, water mains, gas lines and other utility media crossing the land that would affect the land's ability to be developed as a school.

NB: Surveys should set out their expiry date and the mitigation measures required to ensure the integrity of the reports right up to the point of transfer. e.g., for ecology, vegetation management when required.

ii) above flood plain level and adequately drained

iii) close to accessible public transport (bus stop or railway station).

iv) to a set of levels (if required), specified by the County Council to allow construction of the new school to local planning authority requirements. This should include any relevant permissions required.

2. Should any of the requirements in paragraph 1 not be satisfied, the developer/owner must implement, at their own cost, an agreed remediation / removal / rectification / diversion strategy prior to transfer to KCC. This should include liaison with all statutory authorities and obtaining all necessary consents from neighbouring landowners and others as required.

3. Any remedial/removal/rectification/diversion works must be designed by competent professional companies and covered by a collateral warranty in a standard industry form for the benefit of KCC or its nominated body.
4. If the site is used for construction or other activities (apart from remedial/removal/rectification/diversion work) after the reports required in paragraph 1 has been provided; the developer/landowner must submit additional reports to ensure the criteria have still been met.
5. The land shall be transferred as a single undivided site, and in shape capable of accommodating sports pitches to the appropriate size and levels for the type of school proposed, as set out in Department for Education [School Output Specification Technical Annex 2B: External Space and Grounds – May 2022](#))
6. KCC shall be granted a Licence for access onto the land prior to transfer to conduct surveys and technical investigations.
7. Before the transfer is completed, the land shall be clearly pegged out to the satisfaction of KCC's Director of Infrastructure's delegated representative. It must be fenced with GIS co-ordinates to a minimum standard of 1.80m high chain-link security fencing on galvanised steel posts with double access gates secured by lock and key, or an alternative specification agreed with KCC
8. The land shall be transferred as freehold, unencumbered, and conveyed to KCC with full title guarantee and vacant possession. There must be no onerous covenants that would limit the land's use as a school or restrict any ordinary school activities.
9. The land must not be within a consultation distance (CD) around any major hazard sites and major accident hazard pipelines, as determined by the Health and Safety Executive.
10. Prior to land transfer, the developer/landowner must provide, at their own cost and subject to KCC approval, suitable free and uninterrupted construction access to a suitable location on the site boundary. Haul roads should be constructed, at no cost to KCC, and maintained to a standard capable of accommodating HGVs and other construction traffic.
11. The developer/landowner is to provide, at their own cost and subject to KCC approval, adopted services and utilities to an agreed location(s) within the site boundary. These are to be of sufficient capacity and depth to accommodate the maximum potential requirement without mechanical aid upon transfer. They should include fresh, foul, and surface water, gas (if applicable), electricity, and telecommunications with High-Speed Fibre Optic Broadband (minimal internal speed of 1000mbps) connections to multi-point destinations and capable of connection to commercial broadband providers. Necessary statutory

undertakers' plant (such as electricity sub-stations or transfer stations) shall be located outside of the site boundary: KCC shall not be liable for any associated commissioning, installation, or legal costs.

12. The owner shall provide KCC with full drainage rights to allow discharge of all surface water from the land. The surface water management requirements for the school site must be approved by the County Council at design stage, in accordance with the flood risk assessment and/or drainage strategy contained in the planning approval.
13. The developer/landowner shall provide temporary electricity, drainage, and water supplies to the site from the start of construction where formal permanent utilities are not present.
14. A highway for vehicular and pedestrian use (adopted or capable of being adopted) suitable for the site's intended use as a school must be provided up to a suitable point on the site boundary. The highway and any alternative access must be approved by KCC, which will not be liable for maintenance charges should the developer chose not to adopt it. The developer/landowner must also provide crossing points, pedestrian and cycling routes on the adjoining highway networks and other measures as required by the Highway and Local Planning Authority to service the land. This will include active travel routes, linking the school site with the new development and existing dwellings.¹
15. The developer/landowner shall provide separate entrance and exit points on to the adoptable highway from the school site, in compliance with the Highway Authority's 'in and out' access requirements and guided by the site layout.
16. No mobile phone masts, overhead cables etc shall be located within 250m of a school site. Where possible the developer/landowner must impose a covenant that none will be erected within this distance of any site boundary.
17. KCC shall be granted rights to enter as much of the Developer's adjoining land as is reasonably necessary to carry out construction works on the site. KCC shall be responsible for making good any disturbance, to adjoining owner's reasonable satisfaction.
18. The landowner shall be responsible for KCC's legal costs, surveyor's fees and administrative costs incurred during the land transfer negotiations and in completing the Section 106 Agreement. These include Land Registry costs, any easements/licences, and any other related documents and Project Management agreements.
19. Site plans to a scale of 1:1250 and marked with GPS coordinates showing site levels, access, boundaries, details of any adjoining development shall be supplied to KCC in a suitable electronic format, together with paper copies, prior to transfer.

20. Subject to the above, adjoining uses should not cause interference, conflict or be inappropriate in any way to school curriculum delivery. This includes, but is not restricted to, adverse conditions, disruption and inconvenience by noise, dust, fumes, traffic circulation, artificial lighting, etc.

PRIMARY SCHOOL Service Requirements – Example for 2 Forms of Entry (FE)

INCOMING SERVICES

ELECTRICITY

250 kVA (280A) for main base building with additional capacity/supplies for:

- Electrical infrastructure to allow for 20% of parking spaces with electric vehicle chargers (EVCs) - a minimum of 10% active and 10% passive - or in accordance with planning requirements if higher.
- External lighting (car parks, MUGAs etc)
- Life safety systems such as fireman's lifts, sprinklers, smoke ventilation.

GAS

60 cu m/hr 430,000 kWh/year

WATER

15 cu m / day, 4 l/s (63mm NB)

FIRE HYDRANT

A 200 diameter 20 l/s fire supply in accordance with fire regulations, to be in the Highway adjacent to the school entrance and within 90m from an entrance to the school building.

BROADBAND

Before development commences, details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations to all buildings. This must provide sufficient capacity, including duct sizing, to cater for all future development phases, and flexibility to existing and future educational delivery needs. The infrastructure shall be laid out in accordance with the approved details, at the same time as other services during construction.

DRAINAGE

Surface water drainage shall be discharged in accordance with the approved strategy agreed at planning and following review by the Lead Local Flood Authority (LLFA).

In general, surface water flow from impermeable areas must discharge to the ground in the first instance, as stated within Building Regulations H3. Where underlying ground conditions are not acceptable, the site discharge rate shall be limited to greenfield runoff rates for appropriate design rainfall events. For initial design purposes, this may be assumed as 4 l/s/ha from the total impermeable area or can be calculated using standard guidance approved by the LLFA.

On some occasions, management of surface water runoff generated from the school site may be included within wider development site provision through a strategic surface water drainage system. This must comply with the allowances and provisions specified in the Drainage Strategy approved as part of the original site-wide planning application: the applicant must contact the LLFA before pursuing this approach.

The surface water drainage system must provide service levels that ensure the drainage network does not surcharge for a 1-in-1 year event or result in flooding within the site for the 1-in-30-year event and manages the 1-in-100-year plus climate change event within the site boundaries. It must also provide adequate access for inspection and maintenance.

Any drainage strategy should comply with the latest version of Kent Drainage and Planning Policy.

NOTE

These are indicative requirements. KCC will need to confirm exact requirements at the detailed design stages.

SECONDARY SCHOOL Service Requirements – Example for 8 Forms of Entry (FE)

INCOMING SERVICES

ELECTRICITY

380 kVA for main base building with additional capacity/supplies for:

- Electrical infrastructure to allow for 20% of parking spaces with electric vehicle chargers (EVCs) - a minimum of 10% active and 10% passive - electrical vehicle chargers as a minimum or in accordance with planning requirements if higher.
- This means electrical infrastructure to allow for 20% of parking spaces with EVCs External lighting (car parks, MUGAs etc)
- Life safety systems such as fireman's lifts, sprinklers, smoke ventilation.

GAS - 134 cu m/hr 1,440 kWh

WATER - 5.5 l/s (63mm NB)

FIRE HYDRANT

A 200 diameter 20 l/s fire supply in accordance with fire regulations, to be in the Highway adjacent to the school entrance and within 90m from an entrance to the school building.

BROADBAND

Before development commences, details shall be submitted (or as part of reserved matters) for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations to all buildings. This must provide sufficient capacity, including duct sizing, to cater for all future development phases, and flexibility to existing and future educational delivery needs. The infrastructure shall be laid out in accordance with the approved details, at the same time as other services during construction.

DRAINAGE

Surface water drainage shall be discharged in accordance with the approved strategy agreed at planning and following review by the Lead Local Flood Authority (LLFA).

In general, surface water flow from impermeable areas must discharge to the ground in the first instance, as stated within Building Regulations H3. Where underlying ground conditions are not acceptable, the site discharge rate shall be limited to greenfield runoff rates for appropriate design rainfall events. For initial design purposes, this may be assumed as 4 l/s/ha from the total impermeable area or can be calculated using standard guidance approved by the LLFA.

On some occasions, management of surface water runoff generated from the school site may be included within wider development site provision through a strategic surface water drainage system. This must comply with the allowances and provisions specified in the Drainage Strategy approved as part of the original site-wide planning application: the applicant must contact the LLFA before pursuing this approach.

The surface water drainage system must provide service levels that ensure the drainage network does not surcharge for a 1-in-1 year event or result in flooding within the site for the 1-in-30-year event and manages the 1-in-100-year plus climate change event within the site boundaries. It must also provide adequate access for inspection and maintenance.

Any drainage strategy should comply with the latest version of Kent Drainage and Planning Policy.

NOTE

These are indicative requirements. KCC will need to confirm exact requirements at the detailed design stages.

Technical Appendix 9: New School Site Sizes

1. Service Overview

- 1.1 In line with its aspiration to increase educational achievement, enhance skills, provide high quality infrastructure and comply with KCC Highways requirements²⁷, the county council will seek site areas above the maximum – as set out in [Department for Education Building Bulletins](#)²⁸ and other relevant publications.
- 1.2 The county also supports the government’s ‘extended schools’ initiatives, which allow community use of facilities outside school hours²⁹. The provision of ‘extended schools’, however, may place additional demands on land, requiring further land to be secured.
- 1.3 To ensure manageable year groups and deliverable curriculums, KCC will require the number of pupils predicted from a development to be rounded up to the nearest viable/deliverable number.
- 1.4 For example, a development predicting 380 primary pupils would require a site for a two-form entry (420-place) on-site primary school: a school accommodating exactly 380 pupils is not deliverable in either curriculum or revenue funding terms.
- 1.5 Kent County Council currently seeks land allocations of the following sizes for new mainstream schools and Special Educational Needs (SEND) Schools:

Table 1: Example KCC School Site Areas for New Mainstream Schools and SEND Schools

School Size	Total School Site Area (Hectares)
Primary School – 2 Form of Entry (420 Places)	2.05
Primary School – 3 Form of Entry 630Places)	3.00
Secondary School – 6 Form of Entry (Years 7-11/900 places)	6.77
Secondary School – 8 Form of Entry (Years 7-11/1200 places)	8.66
Secondary School – 6 Form of Entry (Years 7-11/900 places) and a 250-place sixth form	8.35
Secondary School – 8 Form of Entry (Years 7-11/1200 places) and a 250-place sixth form	10.24
SEND School	Site sizes will be related to the specified need type

²⁷ BB103 provides for parking within the site area calculations. However, it does not include allowances for ‘stop and drop facilities’ staff parking, plus pull-in and turning provision for busses etc. For primary schools, this also includes the provision of separate entrances for early years provision.

²⁸ BB103 for mainstream schools and BB104 for SEND provision

²⁹ Use of school facilities outside of school hours should not be construed as ‘public open space’, which is unacceptable for school sites.

- 1.6 The site sizes for mainstream schools do not allow for any SEND activities such as Specialist Resource Provision (SRP). Where SEND accommodation is required within a mainstream setting, it will be in addition to the site sizes shown above. Applicants are advised to seek advice from KCC on a case-by-case basis.
- 1.7 Under KCC's General Transfer Terms (Technical Appendix 8), school sites must be transferred as undivided sites, free of encumbrances and capable of accommodating required number of appropriately sized sports pitches (see below).

2. Minimum School Site Sizes

2.1 Primary

- 2.1.2 To ensure financial viability, the Education & Skills Funding Agency (ESFA) currently regards two form entry primary schools (420 places) as a minimum for both local authority maintained and Academy schools. KCC supports this approach and will therefore seek sites of at least 2.05ha: this also provides sufficient space for Early Years and Childcare provision where required.

2.2 Secondary

- 2.2.1 As a minimum, KCC will seek new secondary school sites of at least 6.77Ha, to deliver six forms of entry – (Years 7-11). It may also request that additional land be set aside to allow for future expansion, particularly where the school will serve a number of development sites. Please note that 6th Form provision will require additional land-take, in line with DfE Guidance Building Bulletin 103.

3. Pitch Sizes

- 3.1 When considering locations and land for new schools, applicants should consider the requirements for sports pitches – see Sports England³⁰ for further guidance. In general, surfaces require a consistent gradient of approximately 1 in 70 widthways to encourage water run-off without hindering play. Applicants should also consider orientation of potential pitches to reduce solar glare. Pitch sizes are advised according to the Football Association (FA) Guide to Pitch and Goalpost Dimensions³¹, as shown in Table 2 below:

Table 2: Football Pitch Sizes including run-off (safety area around pitch)

Age	Length (metres)	Width (metres)
Youth U11/U12	78.64	51.21
Youth U13/U14	87.78	55.78

³⁰ www.sportengland.org

³¹ www.thefa.com

Please note: The FA advises football dimensions in yards. A conversion to metric has been carried out for ease.

Youth U17/U18	106.07	69.49
Over 18 (senior ages)	106.07	69.49

- 3.2 Where a developer has demonstrated that site constraints mean minimum areas cannot be achieved, artificial pitches may be considered. However, the cost of providing and maintaining these is significantly higher than turf pitches, so will be considered on a case-by-case basis. Any agreement will require additional contributions for build and commuted sums for long-term maintenance.
- 3.3 All the information above is for guidance only. Specific requirements will be agreed on a site-by-site basis in consultation with KCC Education and Property.

Technical Appendix 10: Education - Example Education Assessment - Primary & Secondary

District:		1-bed:	28
Site:	Example Development	Houses:	100
Plan ref:		Flats:	46
Date:		Total unit:	174

Primary Education

Current and forecast pupils on roll for schools within		xx planning group										
DfE no.	School	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Section 1 shows the Primary Schools in the planning group, in which the proposed development is sited. It shows the current and forecast number of pupils within the schools. It also includes 2% of spare capacity, which enables the county council to respond to changes in need, such as increased numbers of looked after children in the planning group, who have priority on places.	Primary School 1	98	99	100	101	100	97	96	94	91	89	88
	Primary School 2	95	104	106	108	109	109	109	107	105	103	102
	Primary School 3	410	422	443	460	469	469	461	454	441	428	418
	Primary School 4	117	132	150	168	186	192	189	184	179	173	169
Current and forecast pupils on roll (excluding the expected pupil product from new developments)		720	756	798	837	863	866	855	839	816	793	777
Required capacity to maintain 2% surplus capacity		735	772	814	854	881	884	873	856	832	809	793

Current and forecast capacity for schools within		xx planning group										
DfE no.	School	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Section 2 shows the Primary Schools in the planning group, in which the proposed development is sited. It shows the current and forecast number of places within the schools.	Primary School 1	98	98	98	98	98	98	98	98	98	98	98
	Primary School 2	105	105	105	105	105	105	105	105	105	105	105
	Primary School 3	420	420	420	420	420	420	420	420	420	420	420
	Primary School 4	135	150	165	180	195	210	210	210	210	210	210
Current and forecast capacity (1)		758	773	788	803	818	833	833	833	833	833	833

(1) including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

Expected pupil product from new developments within the planning group		xx planning group		
Planning reference	Development	Houses	Flats	Primary product
Section 3 - KCC operates a 'first come, first serve' process for allocating any spare capacities within schools. This section lists extant and approved planning applications, along with their predicted number of new pupils.	New developments within the planning area	1,029	115	296
This development		100	46	31

Assessment summary
Section 4 takes the surplus/deficit capacity of the schools shown in Section 2 and applies the number of pupils created from previous applications in Section 3 and then applies the predicted number of pupils created by this planning application. From this it calculates whether the number of pupils can be accommodated within the existing schools in the planning group/s. This is shown on the bottom line of Section 4.

Detail	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Surplus / (deficit) capacity (excluding the expected pupil product from new developments)	23	1	-26	-51	-63	-51	-40	-23	1	24	40
Expected pupil product from new developments	296	296	296	296	296	296	296	296	296	296	296
Surplus / (deficit) capacity including the expected pupil product from new developments	-273	-295	-322	-347	-359	-347	-336	-319	-295	-272	-256
Expected pupil product from this development	31	31	31	31	31	31	31	31	31	31	31
Surplus / (deficit) capacity including the expected pupil product from new developments and this development	-304	-326	-353	-378	-390	-378	-367	-351	-327	-303	-287
Expected pupil product from this development that on current plans for school provision cannot be accommodated		31	31	31	31	31	31	31	31		

Background notes:

Pupil forecasts 2022 employed from September 2022. Incorporating roll data from Schools Census Autumn 2021. Data from the Health Authority includes pre-school children born up to 31st August 2021. Forecasts use trend data over the previous three years.

Technical Appendix 10: Education - Example Education Assessment - Primary & Secondary

District:		1-bed:	28
Site:	Example Development	Houses:	100
Plan ref:		Flats:	46
Date:		Total unit:	174

Secondary Education Years 7-11

Current and forecast pupils on roll for schools within		XX non-selective and YY selective planning group										
DfE no.	School	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Section 1 shows the Secondary Schools in the planning group, in which the proposed development is sited. It shows the current and forecast number of pupils within the schools. It also includes 2% of spare capacity, which enables the county council to respond to changes in need, such as increased numbers of looked after children in the planning group, who have priority on places.	Grammar School 1	726	735	746	751	749	765	768	762	771	773	764
	Secondary Academy 1	1,349	1,359	1,406	1,403	1,408	1,410	1,401	1,355	1,368	1,357	1,315
	Grammar School 2	874	901	906	912	916	940	943	948	964	973	971
	Grammar School 3	755	790	822	831	841	858	864	867	885	895	896
	Secondary Academy 2	682	721	766	783	798	817	835	832	848	861	859
	Secondary Academy 3	956	1,014	1,078	1,083	1,028	1,002	977	928	901	870	824
	Grammar School 4	763	763	762	761	750	736	744	736	730	742	743
Current and forecast pupils on roll (excluding the expected pupil product from new developments)		6,105	6,281	6,486	6,524	6,491	6,528	6,533	6,428	6,467	6,471	6,371
Required capacity to maintain 2% surplus capacity		6,230	6,409	6,618	6,657	6,623	6,661	6,666	6,559	6,599	6,603	6,501

Current and forecast capacity for schools within		XX non-selective and YY selective planning group										
DfE no.	School	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Section 2 shows the Secondary Schools in the planning group, in which the proposed development is sited. It shows the current and forecast number of places within the schools.	Grammar School 1	750	750	750	750	750	750	750	750	750	750	750
	Secondary Academy 1	1,290	1,290	1,290	1,290	1,290	1,290	1,290	1,290	1,290	1,290	1,290
	Grammar School 2	825	825	825	825	825	825	825	825	825	825	825
	Grammar School 3	750	750	750	750	750	750	750	750	750	750	750
	Secondary Academy 2	750	750	750	750	750	750	750	750	750	750	750
	Secondary Academy 3	1,080	1,080	1,080	1,080	1,050	1,050	1,050	1,050	1,050	1,050	1,050
	Grammar School 4	710	720	760	800	840	870	900	900	900	900	900
Current and forecast capacity (1)		6,155	6,165	6,205	6,245	6,255	6,285	6,315	6,315	6,315	6,315	6,315

(1) including expansion projects at existing schools that have successfully passed through statutory processes but may not yet be complete

Expected pupil product from new developments within the planning group		XX non-selective and YY selective planning group		
Planning reference	Details	Houses	Flats	Secondary
Section 3 - KCC operates a 'first come, first serve' process for allocating any spare capacities within schools. This section lists extant and approved planning applications, along with their predicted number of new pupils.	New developments within the planning area	5,200	817	1,081
This development		100	46	22

Assessment summary - Section 4

Section 4 takes the surplus/deficit capacity of the schools shown in Section 2 and applies the number of pupils created from previous applications in Section 3 and then applies the predicted number of pupils created by this planning application. From this it calculates whether the number of pupils can be accommodated within the existing schools in the planning group/s. This is shown on the bottom line of Section 4.

Details	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)
Surplus / (deficit) capacity (excluding the expected pupil product from new developments)	-75	-244	-413	-412	-368	-376	-351	-244	-284	-288	-186
Expected pupil product from new developments	1,081	1,081	1,081	1,081	1,081	1,081	1,081	1,081	1,081	1,081	1,081
Surplus / (deficit) capacity including the expected pupil product from new developments	-1,156	-1,325	-1,494	-1,493	-1,449	-1,457	-1,432	-1,325	-1,365	-1,369	-1,267
Expected pupil product from this development	22	22	22	22	22	22	22	22	22	22	22
Surplus / (deficit) capacity including the expected pupil product from new developments and this development	-1,178	-1,348	-1,516	-1,515	-1,471	-1,479	-1,455	-1,347	-1,387	-1,391	-1,290
Expected pupil product from this development that on current plans for school provision cannot be accommodated	22	22	22	22	22	22	22	22	22	22	22

Background notes:

Pupil forecasts 2022 employed from September 2022. Incorporating roll data from Schools Census Autumn 2021. Data from the Health Authority includes pre-school children born up to 31st August 2021. Forecasts use trend data over the previous three years.

Technical Appendix 11: Education - Example Build and Land Contributions

Site Name	Example Development
Reference No.	
District	Canterbury

	Houses	Flats	Total
Unit Numbers	100	46	146

Primary Education			
		Per house	Per flat
<i>Primary pupil generation rate</i>		<i>0.28</i>	<i>0.07</i>
New Primary Pupils generated from this development			31
New Primary School build contribution			
	per Pupil	per House	per Flat
<i>NewBuild Rate</i>	<i>£25,290.00</i>	<i>£7,081.20</i>	<i>£1,770.30</i>
Contribution requested towards New Primary School Build			£789,553.80
New Primary School site contribution			
Residential Land Price per acre for Canterbury			£1,000,000
	Pupils	Hectares	Acres
<i>2FE Primary School</i>	<i>420</i>	<i>2.05</i>	<i>5.06555</i>
	per Pupil	per House	per Flat
<i>Land Rate</i>	<i>£12,060.83</i>	<i>£3,377.03</i>	<i>£844.26</i>
Total = Primary School Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New Primary School) = 5.06555 x 1000000 x (31.22 / 420)			
Contribution requested towards New Primary School Site			£376,539.22
Total Primary Education Build and Land contribution			£1,166,093.02

Secondary Education			
		Per house	Per flat
<i>Secondary pupil generation rate</i>		0.20	0.05
New Secondary Pupils generated from this development			22
New Secondary School build contribution			
	per Pupil	per House	per Flat
<i>NewBuild Rate</i>	£27,935.96	£5,587.19	£1,396.80
Contribution requested towards New Secondary School Build			£622,971.80
New Secondary School site contribution			
Residential Land Price per acre for Canterbury			£1,000,000
	Pupils	Hectares	Acres
<i>6FE Secondary School</i>	900	8.00	19.768
	per Pupil	per House	per Flat
<i>Land Rate</i>	£21,964.44	£4,392.89	£1,098.22
Total = Secondary School Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New Secondary School) = 19.768 x 1000000 x (22.3 / 900)			
Contribution requested towards New Secondary School Site			£489,807.11
Total Secondary Education Build and Land contribution			£1,112,778.91

Special Education Needs			
		Per house	Per flat
<i>SEN pupil generation rate</i>		0.0110	0.0027
New SEN Pupils generated from this development			1
New Special Educational Needs build contribution			
	per Pupil	per House	per Flat
<i>NewBuild Rate</i>	£50,893.35	£559.83	£139.96
Contribution requested towards New SEN School Build			£62,421.16
New Special Educational Needs site contribution			
Residential Land Price per acre for Canterbury			£1,000,000
	Pupils	Hectares	Acres
<i>Special Educational Needs Sch</i>	140	2.05	5.06555
	per Pupil	per House	per Flat
<i>Land Rate</i>	£36,182.50	£398.01	£97.69
Total = Special Educational Needs Site area x Residential Land Value x (Number of pupils generated by development/Number of pupils in New SEN School) = 5.06555 x 1000000 x (1.2242 / 140)			
Contribution requested towards New SEN School Site			£44,294.62
Total SEN Build and Land contribution			£106,715.78

Notes

Costs above will vary dependant upon land price at the date of transfer of the school site to KCC

Totals above will vary if development mix changes and land prices change

Technical Appendix 12: Flood Risk Management and Sustainable Drainage

1. Service Overview

- 1.1 Around 64,000 properties in Kent are estimated to be at risk of flooding. This risk is particularly significant in coastal areas, notably the Romney Marshes, Dartford, and Gravesend, where flood defences are widely in place; on the floodplains of the Rivers Medway, Beult, Stour and Darent, flood defences are more limited.
- 1.2 A further 24,000 properties, generally concentrated in urban areas, are estimated to be at risk of flooding from surface runoff - one of the highest figures for local authority areas in England.
- 1.3 Under the [Flood and Water Management Act 2010](#), KCC is the Lead Local Flood Authority (LLFA) for Kent, with statutory oversight of local flooding arising from:
- surface runoff
 - ordinary watercourses
 - groundwater
- 1.4 KCC is required to produce a [Local Flood Risk Management Strategy](#) that sets out how these risks will be managed by the relevant authorities.

2. Pre-Application Advice

- 2.1 Housing and other new developments may present an increased flood risk due either to their location, or the amount of water discharged from the site. These matters must be addressed in planning applications, as set out in the National Planning Policy Framework (NPPF) paragraphs 159 to 169. Local planning direction and information is provided through:
- Strategic Flood Risk Assessments, developed by individual Local Planning Authorities (LPAs)
 - [Surface Water Management Plans](#) prepared by KCC for specific locations.
- 2.2 Under the Town & Country Planning (Development Management Procedure) (England) Order 2015, KCC is a statutory consultee with respect to surface

water drainage. KCC's [Drainage and Planning Policy](#) (November 2019) provides guidance on the application of minimum operational standards as required under paragraph 165 and as stated within the Defra-published Non-Statutory Technical Standards for Sustainable Drainage.

- 2.3 Flood risk mitigation, including sustainable drainage systems (SuDS) may be combined and delivered with other requirements or initiatives such as green infrastructure, biodiversity net gain, nutrient neutrality, open space provision, urban and landscape design.
- 2.4 KCC encourages early engagement at the pre-application stage to ensure the most efficient design scheme. Contact KCC Sustainable Urban Drainage (SUDs) for further information: suds@kent.gov.uk

3. Assessing Need and Calculating Demand

- 3.1 Developers will be expected to mitigate any proposed new developments where direct impacts are identified on local drainage and flood risk management.
- 3.2 Contributions from KCC will be sought on strategic sites only, where the complexity of SUDS systems could be more effectively dealt with directly by the LFFA. Planning obligations, secured through the s106 process, may be sought where the developer requests assistance with meeting NPPF paragraph 169 requirements through KCC issuing a Certification of Compliance as LFFA.

Para 169 states: Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;*
 - b) have appropriate proposed minimum operational standards;*
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
 - d) where possible, provide multifunctional benefits.*
- 3.3 In these instances, the LFFA will complete the necessary inspection and assessment of flood attenuation, removing the need for a planning condition to be requested with regards to verification of construction.

- 3.4 Under the s106 Agreement, KCC and the developer will need to agree the nature of the works to secure appropriate contracts before the development can commence.

4. **Indexation**

- 4.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC will apply the BCIS All-In Tender Price index, based on the date at which the contribution has been calculated.

5. **Time limit on spend**

- 5.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 13: Heritage & Archaeology – Community Archaeology Provision

1. Service Overview

- 1.1 Many development proposals submitted in Kent will have an impact on archaeological remains. These tangible survivals of Kent's heritage are irreplaceable and form a key part of each district's historic environment. They are also highly valued by local people, as they contribute to an area's character and distinctiveness.
- 1.2 Community Archaeology helps integrate new communities into Kent's existing social landscape. Engaging with new residents and helping them explore their heritage builds community strength, identity, pride, and sense of place, and helps them understand how their area relates to its surroundings. There is also evidence that engaging with Community Archaeology brings significant physical and mental health benefits, through meeting new people and being outdoors. People can also develop new understanding and skills; for those who may be excluded from other forms of learning, Community Archaeology can give them the opportunity and confidence to become engaged citizens.
- 1.3 The National Planning Policy Framework (NPPF) recognises the importance of archaeological assets under paragraph 189, which states:
- “Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”*
- 1.4 Para 205 adds: *“Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”*
- 1.5 The NPPF requirement should be met by either entering into a s106 agreement with KCC or by a planning condition setting out how paragraph 205 will be met, to be agreed by the LPA in consultation with KCC Archaeology.

2. Assessing the Need and Calculating Demand

- 2.1 S106 contributions will be calculated on a case-by-case basis, following assessment. Requests for contributions will depend on the potential for archaeological finds, based on data available to KCC at the time of application.

- 2.2 Contributions will be sought only on strategic development sites, or those in areas of significant archaeological potential. In these latter cases, KCC's Heritage Conservation service will advise on delivering a service that would meet the NPPF requirements; this service offer will be an option for inclusion in a s106.
- 2.3 The projects required will depend on the development and anticipated level of archaeological significance but may include:
- Interpretation panels and other enduring forms of promotion
 - Community Archaeology activities such as study at workshops and archive centres, and field research using geophysical survey, scanning and photogrammetry, earthwork survey, test-pitting and excavation and other techniques
 - Interpretation and education activities such as training events, exhibitions of artefacts, physical and digital promotional materials, and public events.

3. **S106 Contribution Example**

3.1 The following table provides examples of contributions that may be sought for a large-scale, strategic development. The per dwelling cost set out in Table 1 is calculated by:

- Community Archaeology activities – a part-time Heritage & Archaeology Officer (plus oncosts) employed for three years, divided by 5000 dwellings
- Interpretation and education activities – a total cost of £78,265 for a development site of 5000 dwellings (£78,265 / 5000). This is based on previous experience and costs of delivering these activities.

Table 1 – Example s106 Contribution Example

	Per dwelling
Community Archaeology activities	£12.86
Heritage Interpretation and education	£15.65
Total	£28.51

4. **Indexation**

4.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC will apply the BCIS All-In Tender Price index, based on the date at which the contribution has been calculated.

5. Time limit on spend

- 5.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 14: Highways and Transportation

1. Service Overview

- 1.1 Under the [Highways Act 1980](#), KCC is the Highway Authority for Kent, responsible for managing and maintaining all adopted roads in the county: motorways and trunk roads are the responsibility of National Highways.
- 1.2 KCC is also the Local Transport Authority for Kent³². Policies and measures to actively promote alternatives to car-based travel, and improve the safety, accessibility, sustainability and efficiency of Kent's highway and transport networks are set out in its [Local Transport Plan for Kent](#) (LTP). These will be applied to new developments as appropriate. The LTP is currently under review to align with evolving UK transport policies and to meet KCC's commitment to Carbon Neutral.
- 1.3 New development can put pressure on both the transport system and the environment; the land-use strategy (as set out in the Local Plans) and each individual development must be as sustainable as possible. Each development granted planning permission must make proportionate contributions to mitigate its impact on the transport network. This helps avoid safety and capacity issues that could prejudice the delivery of subsequent developments necessary to meet KCC's housing and employment targets.
- 1.4 With ever-increasing traffic volumes (particularly HGVs), new development can also add to KCC's constant challenge to maintain a growing and ageing highway network. Developers and others designing highways for adoption must consider at an early stage, the lifetime cost of their proposed materials and equipment. Specifications should demonstrate how this compares with alternatives and how the assets will be maintained safely, in line with KCC's new technical approvals process.

2. Strategic Transport Infrastructure

- 2.1 KCC works closely with district councils and National Highways to develop comprehensive transport strategies and policies as part of the Local Plan making process. These are underpinned where appropriate by multi-modal traffic modelling, to identify the strategic transport infrastructure required to facilitate housing and employment growth. Measures are set out in the Infrastructure Delivery Plan (IDP) to the Local Plan.

³² Transport Act 2000

- 2.2 Where potential development sites have been considered in combination, significant infrastructure may be required as the most appropriate form of mitigation. Examples include a bypass, major new junction configuration or a traffic calming and pedestrian/ cycle scheme through a village or town.
- 2.3 Such schemes should be designed and costed to outline stage for inclusion in the IDP to the Local Plan. The LPA, in consultation with the Highway Authority, would be responsible for securing appropriate contributions from development sites, in proportion to the trips generated by the proposed developments, divided by the cost. Funding would be secured via s106 contributions made to the Highway Authority; this enables detailed design, consultation, and implementation, subject to appropriate guarantees.
- 2.4 Large scale development sites will also need to submit their own Transport Assessments through the planning application process, identifying specific mitigation measures that could be delivered irrespective of the other sites on a particular route or at a junction. This should be done on a similar timescale and in a similar area to the Local Plan process. Site promoters will be encouraged to work together to determine a collective solution that could be delivered by the Highway Authority as outlined above, particularly addressing the financial risk should one or more sites not come forward.
- 2.5 KCC may also have opportunities to bid for Government support to jointly fund infrastructure measures or, ideally, facilitate up-front implementation to enable the delivery of housing or employment sites. Some LPAs use CIL as an alternative source of funding. External Government funding however cannot be relied on as this is subject to funding bids to the Government which may or may not be successful so a development proposal should seek to mitigate its impact on the local highway network.

3. Site-Specific Transport Infrastructure

- 3.1 Even where there are no other planning or environmental issues, KCC requires the transport impacts of all development proposals to be assessed at planning application stage.
- 3.2 For smaller sites of up to 100 dwellings, and employment sites of under 2,500 m² gross floor area (GFA) a Transport Statement (TS) will normally be sufficient. For smaller sites in traffic-sensitive areas and for larger sites (over 100 dwellings or employment sites of over 2,500 m² GFA) a Transport Assessment (TA) will be required.
- 3.3 These should be prepared in accordance with the guidance set out in '[Travel Plans, Transport Assessments and Statements](#)' (March 2014, Ministry of Housing, Communities and Local Government).

- 3.4 The required scope and content of the TS/TA will vary on a case-by-case basis. Developers must consider whether safe and suitable access can be created with the public highway, including additional emergency/secondary access points for larger sites in accordance with [Manual for Streets](#) and [Kent Design Guide](#). They should also investigate road safety implications, network capacity impacts (which require traffic modelling) and access to sustainable transport infrastructure/ services.
- 3.5 TAs should consider accessibility by all modes of transport and quantify the development's overall impact on the local transport network. This provides a basis for identifying and agreeing any required mitigation measures, which will be subject to conditions. A planning condition may be imposed on the grant of planning permission for the delivery of transport improvements requiring the developer and/or owner to enter into a s278 Agreement (Highways Act 1980). In some cases, measures may be delivered by KCC through a s106 Agreement (Town and Country Planning Act 1990) or via CIL.
- 3.6 Following the Covid-19 pandemic, people are increasingly using digital connectivity and delivery services, rather than travelling for meetings, work and shopping. In addition, the UK also has a legally binding commitment to decarbonise its economy. As a result, KCC is changing how it assesses traffic impacts of new development, moving from the traditional 'predict and provide' approach to a new 'decide and provide' model. Rather than considering the worst-case traffic growth forecasts and physically adjusting the road network to accommodate them, it focuses on providing infrastructure to accommodate its preferred future vision.

4. Agreements - s278 and s38

- 4.1 Highway works executed by a party other than KCC as a result of a planning permission, are usually carried out under s278 of the Highways Act 1980.
- 4.2 A s38 Agreement of the Highways Act 1980 enables KCC to take over and maintain at public expense (adopt), roads, footways, cycleways, and other areas constructed by a developer by way of agreement.
- 4.3 Highway work versus contributions
- Mitigation must be fully funded and delivered directly by the developer, under an s.278 Agreement with the Highway Authority. All work within or affecting the highway will be subject to technical approval by the

Highway Authority before commencement; details are to be agreed with KCC.

- Contributions for highway works will be agreed only in exceptional circumstances, such as:
- a large-scale strategic transportation scheme
- with more than one funding source
- identified through the Local Plan process and included in the associated IDP

4.4 Where more than one development in an area generates the need for a specific local highway scheme that an individual development cannot deliver, KCC may secure financial contributions and procure the works, using a s106 or s278 Agreement as appropriate.

4.5 Highway work and surety

KCC will require an appropriate surety (either a cash deposit or a bond) it can call upon if the developer does not complete works to the satisfaction of the Highway Authority.

4.6 Inspection fees

KCC charges a fee for preparing and managing s278 & s38 agreements. This covers:

- checking the design of the highway works and any associated structures and drainage
- safety audits
- design checks
- site inspections.

The level of fees charged are:

- s278 - 10% of the cost of the works up to £500,000, then 3% of the balance, plus a consultancy fee for transport advice.
- For s38 - 10% of the cost of the works

Further information:

www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-highways-permit-or-licence/highways-fees#tab-4

4.7 Traffic Regulation Orders

Where a development requires a traffic regulation order (TRO) - for example, to provide waiting restrictions - KCC charges a fee to cover the processing and advertising costs. This varies according to the order(s) and associated works required. The developer will be responsible for informal consultations with those affected (residents, businesses, emergency services, bus operators, elected Councillors for the area) prior to any formal consultations, and procurement and implementation of the associated infrastructure, including signage and lining. This will be secured through a s.278 Agreement unless otherwise agreed with KCC. TROs cannot be a condition of planning since they are governed by separate legal processes; a condition may stipulate that 'best endeavours' are made to secure them. The TRO process can take time and should be undertaken promptly to avoid delays in implementation.

4.8 Commuted Sums for Maintenance

The Highway Authority will require commuted sums from developers to cover the lifetime maintenance costs of assets it takes on, and replacement costs at the end of their useful life. These sums are secured through both s278 and s38 agreements. Assets attracting contributions on transfer to KCC may include:

- Street lighting
- Traffic signals and illuminated signs
- Pedestrian crossings
- Highway structures such as retaining walls, bridges, and gantries
- Landscaping and adopted land
- Fencing and noise bunds
- Bus shelters and other public transport infrastructure
- Street furniture and bollards
- Soakaways
- Drainage infrastructure
- Tree planting in soft and hard landscaping, hedges
- Culverts
- Traffic management features
- Interceptors
- Pavements

4.9 Calculating Commuted Sums

KCC calculates commuted sums for maintenance using principles set out in guidance produced for the Department for Transport by [ADEPT, the Association of Directors of Environment, Economy, Planning and Transport](#). Developers should not assume KCC will accept responsibility for or maintain all highways infrastructure. For example, street lighting that does not perform a useful network function may not be requested on some roads and would not be automatically eligible for adoption.

Any asset a developer is seeking KCC to adopt must be in an appropriate condition, with necessary maintenance work completed prior to transfer. Where proposed materials are not within the current Highway Authority specification, additional sums may be requested, or adoption refused.

Under special circumstances, KCC will require commuted sums for maintenance of an asset it already owns; for example, if construction traffic is likely to damage the carriageway. These sums, usually secured through a s106 agreement, will be returned in whole or in part if no damage occurs.

5. Sustainable Travel Plans

5.1 Background

Travel Plans are long-term management strategies providing a framework for managing transport issues and promoting travel choice. They can help reduce private car use, which in turn helps tackle localised congestion.

Under the NPPF, a Travel Plan is an essential component of workplace, residential and school planning applications. The Plan should include 'modal share' targets and measurable outcomes, with arrangements for monitoring progress and mitigating actions to be agreed where targets are not met.

5.2 Development Travel Plans

When constructing a Travel Plan, developers should consider how to positively contribute to:

- Sustainable travel
- Improving air quality
- Improving health & quality of life
- Reducing motorised traffic on the transport network
- Improving road safety

A Travel Plan will typically incur a monitoring fee covering a five-year period, as required by a Section 106 obligation. Fees generally range from £948 to £1422 but may be increased depending on the site. Travel Plans are suitable for:

- Large commercial and mixed-use sites with potential for significant trip generation affecting the local or strategic road network
- Some medium commercial and mixed-use sites within areas where cumulative traffic increase seriously affects the environment, economic viability, or quality of life e.g., congestion hotspots, AQMA etc.
- Some larger residential developments, depending on local context and likely value of ongoing monitoring in contributing to the Travel Plan objectives
- Any other development where ongoing monitoring and targets can bring about improvements to sustainable travel

All other developments will require a Sustainable Travel Statement and List of Sustainable Travel Measures where necessary to comply with the NPPF.

5.3 School Travel Plans

Under the Education and Inspections Act 2006, and where it aligns with NPPF objectives, local authorities are encouraged to develop travel plans with schools. These set out measures to promote safe, active, and sustainable travel to school, both for pupils and staff. The main emphasis is usually to reduce the number of children being driven to and from school, which will also have a positive impact on local air pollution.

Travel plans for new schools are secured as part of planning conditions. Developers are encouraged to incorporate sustainable and active travel planning from the outset and should consider ways to:

- Reduce the number of car journeys to the school
- Establish active journeys from the outset
- Improve both mental and physical health through physical activity
- Promote independence and improve safety awareness
- Reduce the environmental impact of the journey to school.

Developers are encouraged to investigate the feasibility of or consider designing car-free and clean air zones around school developments, particularly at school entrances.

Developers should seek KCC's advice and, where possible, register with its online Travel Planning tool system for free, interactive guidance.

6. Public Transport

6.1 KCC Public Transport supports Kent's bus network by

1. contracting services which are not financially viable (where budgets allow)
2. providing infrastructure
3. facilitating relationships with operators
4. providing concessionary schemes such as the Kent Travel Saver

6.2 The department also arranges home-to-school transport for eligible pupils and those with Special Educational Needs.

6.3 Public Transport is a key part of sustainable travel, so contributions from new developments may be sought to:

- improve nearby existing local bus services through frequency enhancements, vehicle upgrades and ticketing initiatives.
- provide new and additional local bus services to the development.
- provide new bus stop infrastructure and fund ongoing maintenance.
- fund home-to-school bus capacity required as a result of the new development
- provide new community transport, flexible and/or Demand Responsive Transport services.

6.4 Contributions will be based on the site location and its impact, and the current local bus service network. Contractual arrangements determined on a site-by-site basis. Some cases may see a direct arrangement between the operator/District Council; in others, the funding should come to KCC Public Transport.

6.5 Developers should consider bus access requirements when designing new developments.

7. Indexation

7.1 Indexation will be applied to contributions in accordance with advice issued by the Office of National Statistics (ONS) and should match the type of measure to be delivered. For highways construction works this will generally be the

Road Construction Index (*ROADCON*) or the General Building Costs Index. The base date for indexation will be based upon the date at which the costs have been established.

7.2 **Time limit on spend**

Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

8. **Further Information**

S106 contributions will be based on the development's specific circumstances (location, size, type, amount of off-site sustainable travel works to be delivered by condition and cost of local KCC sustainable transport schemes). Site promoters are encouraged to seek pre-application advice on highway matters via the KCC website at: [Highway pre-application advice - Kent County Council](#). A charge will apply for a formal written response.

Technical Appendix 15: Integrated Children's Services – Youth Service/Early Help Service

1. Service Overview

- 1.1 KCC has a statutory duty to provide Youth Services under [section 507B of the Education Act 1996](#). This requires KCC, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and for those aged 20 to 24 who have additional needs.
- 1.2 Under the statutory guidance '[Working Together to Safeguard Children](#)', KCC is also required to safeguard and promote the welfare of children, assess their needs and provide help through inter-agency working from pre-birth to 19 years (or 24 years for young people with additional needs).
- 1.3 Access to good quality Youth Services is essential to ensure equal opportunities and support for all young people across the county, preventing them from engaging in harmful behaviour and leading them towards a positive future. The service sits within the Early Help Open Access provision that includes children's centres, youth work and Kent's Duke of Edinburgh award. The Youth Service in Kent works predominantly with young people between the ages of 8 to 19 (up to 24 with additional needs), but also interacts with parents and carers. Youth Services give young people access to a range of help and advice including:
- drug and alcohol support
 - family support
 - education welfare
 - sexual health advice
 - career guidance
 - mental health support
 - volunteering and community involvement
- 1.4 In addition, Youth Services provide young people with a place to go and socialise safely, access training and skills development support, and find opportunities to engage with their community.
- 1.5 Youth Services are delivered across Kent's districts via direct delivery and commissioned services, with central youth hubs and community buildings, outreach/mobile units and outdoor spaces, providing a variety of ways for young people to access the support they need. The current and future focus

of the Kent Youth Service is set out below, enabling it to reach as many young people as possible:

- expanding and enhancing Youth Hubs to offer more specialist resources, help and advice and to provide access to more young people – this may involve internal reconfiguration of existing space, additional space provision, new equipment and learning resources
- expanding the Mobile and Outreach Service provision to increase remote access to youth services and targeted help for more complex issues. Outreach youth work takes place on young peoples' own territory, supporting and complementing new and existing centre/project-based youth work. By taking youth work out into the community, barriers to participation are reduced.

1.6 For parents and young children, Children's Centres provide a range of community play and health services to support the early health and educational development of babies and children, offering parenting advice and guidance through a range of activities including parenting programmes. Services are offered in partnership with public health services including health visiting services. Parents in new and developing communities can experience social isolation that can impact their emotional wellbeing. Therefore, ensuring outreach services for support is a critical part of the offer. The Children's Centre services include outreach provision to communities who cannot easily access existing services and where there is a defined community need for parents to be, and children up to the age of 11 years. The service will advise and guide on a range of topics including:

- Parenting support
- Child Development
- Financial and debt advice
- Work, employment and training advice
- Mental health and other health services
- Local services for parents and children

1.7 For the Early Help Service, the focus is on intensifying the use of existing physical infrastructure through reconfiguration and enhancement of space and resources, plus expanding the Outreach service.

2. **Assessing The Need and Calculating Demand**

2.1 **Threshold for Seeking Contributions and Qualifying Developments**

2.1.1 Any development of 10 or more dwellings will be assessed and may generate a request for Youth Service/Early Help contributions.

2.1.2 KCC will not seek contributions from the following:

- Homes restricted in perpetuity to persons over 50 years of age
- Student accommodation
- C2 Dwellings
- Sites specifically set aside for transient Gypsy and/or Traveller Communities

2.2 Service Capacity

2.2.1 Historically, services for children and young people have been delivered from a static facility, typically youth/children’s centres. The level of growth planned for each district will see the majority of development taking place away from the main hubs. To increase capacity and provide for the additional need created by new developments, much of the youth/early help services will be provided via Mobile/Outreach work. This will enable services to be delivered in the vicinity of new developments, increasing the likelihood of children, young people and parent/carers engaging with them. Therefore, all development will be expected to make contributions towards equipment and resources to enable Mobile/Outreach work to take place.

2.2.2 For expansions and enhancements of youth hubs and children’s centres, including provision of specialist equipment and resources to increase capacity, this will be determined on a case-by-case basis, to mitigate the impact of growth. District provision will be assessed, and contributions requested where there is a project.

2.3 New Users and Contributions Per Dwelling

2.3.1 Kent’s Youth and Early Help Service works with children and young people, aged 0-24. Within this age group, for the purposes of developer contributions, KCC targets 25% of 0-18-year-olds.

Table 1 - New Youth Service Clients Per Dwelling

	New Youth/Early Help Service Clients Per Dwelling
Proportion of 0–18-year-olds per dwelling x 25% reach target = 0.55 x 0.25	0.14
Average occupation per dwelling = 2.4 person	

Average 0–18-year-old occupation per dwelling = 0.55	
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3. Contributions Per Dwelling

3.1 The contributions per dwelling are set out in Table 2. Where there is a need for both Youth Hub expansion/enhancement and outreach capacity increases, a combined contribution of **£74.05** per dwelling will be requested.

Table 2 - Contribution Per Dwelling for Youth Service/Early Help

Capital Cost of Youth Hub and Children’s Centre Expansion/Enhancement - including equipment and resources to increase capacity and enable the existing facility to be used more intensively.	Contribution Per Dwelling
<i>Clients per dwelling x Cost per additional client = 0.14 x 187.50</i>	£25.78
Capital Cost of Mobile/Outreach Work (equipment and resources necessary to deliver the service)	Contribution Per Dwelling
<i>Clients per dwelling x Cost per additional client = 0.14 x £351.08</i> <i>Includes essential staff resourcing costs (£14.79 per dwelling) required to deliver the capital programme of Outreach Work</i>	£48.27

3.2 Strategic Development/Garden Communities

3.2.1 Whilst Kent County Council currently has no plans to provide additional youth hubs in the county, the promotion of large strategic developments may require a new building to be considered. The drive for efficiencies and co-location of facilities is likely to influence overall space requirements and any opportunities for co-location will be actively explored. The requirement for a new youth/children’s centre facility or extension of an existing youth hub/children’s centre (plus fixtures and fittings) will be assessed on a case-by-case basis and financial/land contributions sought accordingly. Example costings are set out in Table 3 below.

Table 3 – Example Contribution sought for new build/extension

Build Cost Per Square Metre (including	£3,668.00
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Fixtures and Fittings)	
150sqm Facility	£550,200.00
Per Dwelling £366,000 / 5000 dwellings	£110.04

Based on provision of 100sqm for 5,000 new dwellings

4. Provision of Infrastructure – Project Types

Kent’s Youth and Children’s Centre Services operate on a Hub and Spoke model, with outreach into targeted communities across the districts. Outreach work enables the Youth/Early Help Service to create bespoke programmes to meet the needs of specific areas, reaching young people and parents/carers who may not be able to access the central hubs, for various reasons such as the cost of travel etc.

To mitigate the needs of new development, KCC may seek contributions towards:

- Expansions and enhancement of existing Hubs to create more capacity, including the provision of resources and specialist equipment to build additional capacity.
- Equipment and resources to enable outreach work within the vicinity of the new development.

5. Indexation

To ensure that financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. The BCIS All-In Tender Price index will be applied, with the base date for indexation set at Q1 2020.

6. Time limit on spend

Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 16: Libraries, Registration & Archives (LRA)

1. Service Overview

- 1.1 KCC has a statutory duty under the [Public Libraries and Museums Act 1964](#) to provide a comprehensive and efficient library service for everyone working, living, or studying in the area.
- 1.2 KCC's library policies are contained in [Framing Kent's Future, Our Council Strategy 2022-2026](#) and the [Libraries, Registration and Archives Strategy 2019-22](#).

For national guidance see:

[Building Better Libraries for the Future](#) (updated 2017),
[Libraries as a statutory service](#) (July 2019),
[Libraries Deliver: Ambition for Public Libraries in England 2016 to 2021](#)
[Government Policy on Archives \(1999\)](#).

- 1.3 KCC has a network of 99 libraries across 12 districts and boroughs. In 2018/19, Kent libraries received almost 4.6 million visits and issued around 4.9 million books, eBooks, and audio-visual items; over 240,000 people attended 23,000 events. As well as being places to browse, request and borrow books, libraries offer a range of services to Kent residents and visitors, including:

- Free access to PCs and public Wi-Fi
- Help for job seekers
- 'Ask a Kent Librarian' giving 24-hour access to trusted information on any and all topics
- Free physical and digital activities for all ages, such as baby rhyme time, talk time, book groups, craft clubs, after school homework help and the summer reading challenge
- Mobile library service delivering to smaller and more remote communities
- Home library delivery service and Red Book Box service to care homes
- The Business and Intellectual Property Centre, Kent History and Library Centre, offering free professional advice to start up and small businesses
- Registration services
- Study spaces
- Community Space for group activities

1.4 With new communities come new users, who place increased pressure on local libraries to offer services that suit their needs. Co-location with other services at new community hub buildings and improving existing spaces to accommodate larger borrower numbers and audiences at events for example, are the current focus for increasing capacity.

2. **Assessing Need and Calculating Demand**

2.1 Threshold for Seeking Contributions and Qualifying Developments

2.1.1 Any development of 10 or more dwellings will be assessed and could generate a request for library contributions.

2.1.2 KCC will not seek contributions from:

- Student accommodation
- Sites specifically set aside for transient Gypsy and/or Traveller Communities

2.2 Service Capacity

2.2.1. New developments will place additional demands for both physical (hard copy) books and digital (eBooks/EAudio) stock. The National Library Standard upper threshold recommends 1532 items per 1000 population; where stock levels are below this, contributions will be sought.

2.2.2. Library capacity has historically been based on Museums, Libraries and Archives (MLA) recommendation of 30sqm per 1,000 population – KCC does not currently meet this standard and has no plans to increase the number of libraries in Kent (the possible exception is the provision of new space on strategic sites/garden communities – (see below). In most cases, it will seek instead to meet the need generated by new growth by:

- improving existing facilities
- refits and reconfiguration
- intensification of use

2.2.3 To create additional capacity within existing libraries, extending the public space will be considered where possible, this could include:

- Converting space previously used by staff into public space by reducing the number or size of offices, workrooms, or storage space
- Making staff space available for community use at certain times
- Reconfiguring libraries to allow more flexible use of space that can be used by different customer groups at different times of day.

2.3 New users per dwelling

2.3.1 The number of new users created per dwelling is set out in Table 1.

Table 1 – Additional Users Per Dwelling

Kent Population	1,576,100 ³³
Library Users per Year	188,807 ³⁴
% Of Kent Population who are library users	11.98%
Average Occupancy Rate of Each New Dwelling	2.4
New Residents from 100 Dwellings	240
New Library Users from 100 Dwellings	28.75
New Library Users Per Dwelling	0.29

3. Contributions Per Dwelling

3.1 Contributions per dwelling for the provision of additional book stock, plus shelving, furniture, and equipment to enable more intensive use of existing library space are set out in the Table 2.

³³ 2021 Census data

³⁴ 2019 data

Table 2 – Per Dwelling Contribution Rate³⁵

Project	Cost Per User	Contribution Per Dwelling
Book Stock	£145.44	£41.81
Shelving and Furniture	£56.72	£20.82
Equipment and resources to enhance service provision, including IT, self-service equipment, digital dens	£15.67	
Total Contribution Per Dwelling		£62.63
Contribution Per Dwelling = Cost per user x users per dwelling		

3.2 Reconfiguration of Library Space

Where reconfiguration of library space requires building works, this will be assessed on a case-by-case basis and cost applied to new housing growth served by the facility.

3.3 Strategic Development/Garden Communities

3.3.1 While KCC currently has no plans for new additional libraries, large strategic developments/garden communities may require new stand-alone buildings or library facilities within a community hub. The drive for efficiencies is likely to influence overall space requirements and opportunities for co-location will be actively explored. Requirements for new or extended library facilities (plus fixtures, fittings and equipment) will be assessed on a case-by-case basis and contributions sought accordingly, based on the example costing set out in Table 3 below.

³⁵ Figures shown in calculations have been rounded to 2 decimal places and may therefore, not sum correctly.

Table 3 Example Contribution Per Dwelling - Sought for New Build/Extension of Existing Building

Build Cost Per Square Metre (including Fixtures, Fittings and Equipment)	£3,668.00
Build cost Per 1000 population (30 sqm)	£110,040
Per Dwelling (using Average Occupancy 2.4) £95,040/1000 x 2.4	£264.09

4. Provision of Infrastructure – Project Types

4.1 Library services infrastructure will be required from developments within the catchment area of the affected library or libraries. Need will generally be based on the library most local to the development, but contributions may also be sought for those most affected, which may include a sub-regional library delivering services/stock to a wider catchment area. NB: Libraries in urban areas also serve surrounding rural areas and villages.

4.2 Development contributions collected to increase capacity at existing Libraries will be applied towards one or more projects, including:

- reconfiguring/expanding space, creating community meeting rooms and events space and improving accessibility
- additional book stock, eBooks and eAudio books
- furniture including shelving and display equipment
- other equipment necessary to enhance the library offer

5. Indexation

5.1 To ensure financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. KCC applies the BCIS All-In Tender Price index, with the base date for indexation set at Q1 2022.

6. Time limit on spend

6.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

Technical Appendix 17: Public Rights of Way (PRoW)

1. Service Overview

- 1.1 KCC has a duty under section the Highways Act 1980 to assert, protect and maintain the highway network, including 6,900km of Public Rights of Way (PRoW). This network of paths is freely available to the public to explore the countryside and coast: it is also integral to creating sustainable development, by providing important links between and within Kent's communities Ensuring new development preserves and enhances the existing network adds significantly to the quality of life, health, and wellbeing of Kent's residents. The [Rights of Way Improvement Plan 2018-2028](#) and its supporting evidence base provides detail about the current network, its value and how it needs to evolve to meet future demand.
- 1.2 The [Definitive Map and Statement](#) (DMS) records Public Rights of Way and is conclusive evidence of the existence and alignment of PRoW at the date specified in the statement: National guidance for Local Authorities on Public Rights of Way is contained within the Department for Environment Food and Rural Affairs' [Rights of Way Circular \(1/09\)](#).

2. Existing PRoW Network

- 2.1 Granting planning permission does not also permit the obstruction or diversion of a PRoW required for the development to proceed. Extinguishing or diverting the PRoW requires a separate application to the Planning Authority under section 257 Town and Country Planning Act 1990. Generally, KCC prefers a new development's design to incorporate any PRoW on existing alignments and within open green corridors. Poor design that leaves PRoW in narrow corridors with no natural surveillance will not be supported. Where the need to divert or extinguish a PRoW is identified, KCC recommends early engagement with its PRoW and Access Service to avoid an objection to the development or the diversion / extinguishment order, and subsequent delay to the development.
- 2.2 KCC's general expectation is that the existing network, or amendments to it, will be preserved and improved within the development boundary.

3. Assessing the Impact of New Development

- 3.1 The [National Planning Policy Framework](#) (NPPF), Para 100 includes the expectation that “Planning policies and decisions should protect and enhance public rights of way and access”.
- KCC will work with local planning authorities during their plan-making stage to assess proposed sites and development areas to establish the impact on the PRoW network. Where possible, costings for works will be set out.
- 3.2 KCC’s PRoW and Access Service will assess development proposals on a case-by-case basis, and may seek developer contributions to fund the mitigation of development impacts to the PRoW network on-site or in adjoining areas, such as:
- the need to improve sections of PROW to ensure suitability for increased use
 - the need to upgrade or create sections of PRoW to accommodate cycle and equestrian use required by the planning consent
 - to improve the connecting network to encourage active, non-vehicular travel
- 3.3 To establish the S106 contribution, the PRoW and Access Service will:
1. Identify the development’s likely impact on the PRoW network
 2. Identify what is required to mitigate that impact
 3. Establish a best estimate of the cost of implementing the mitigation works, based on the current price KCC is paying for such works and the published charging schedule.
- 4. Indexation**
- 4.1 Indexation will be applied to contributions in accordance with advice issued by the Office of National Statistics (ONS) and should match the type of measure to be delivered. For highways construction works this will generally be the Road Construction Index (ROADCON) or the General Building Costs Index. The base date for indexation will be based upon the date at which the costs have been established.
- 5. Time limit on spend**
- 5.1 Any contributions not committed or spent within 10 years of receipt in full (if paid in instalments) will be repaid to the original payee on request.

6. Pre-application Advice

- 6.1 For further information and pre-application advice, contact the PRow and Access Service at prow@kent.gov.uk.

Technical Appendix 18: Waste Disposal and Recycling

1. Service Overview

- 1.1 Under the Environmental Protection Act 1990, KCC is the Statutory Waste Disposal Authority (WDA) for Kent, responsible for arranging recycling and final disposal of household waste within Kent's 12 district Waste Collection Authorities (WCAs).
- 1.2 Section 34 of the Act places a duty on anyone who produces, imports, keeps, stores, transports, treats, or disposes of waste to take all reasonable steps to manage it properly. This duty extends to anyone who acts as a broker and has control of waste.
- 1.3 KCC currently operates five Waste Transfer Stations (WTS) under contract for the deposit and bulk loading of waste collected by district councils. with another three, non-KCC WTS under contract. Some WCA waste is delivered directly to its final disposal point, eliminating double handling, and freeing up WTS capacity.
- 1.4 KCC also operates 19 household waste recycling centres (HWRC), providing Kent residents with facilities for reuse, recycling, and safe disposal of a range of materials. HWRCs play a key role in enabling KCC to meet its statutory responsibility as a WDA, handling over 170,000 tonnes of wastes in 2018/19 alone.

2. Planning for the Future

- 2.1 Housing growth across Kent is increasing demand for HWRC and WTS facilities, with many now needing replacement or expansion.
- 2.2 KCC's [Kent Waste Disposal Strategy 2017-2035](#) sets out the current position, identifies future pressures and outlines how KCC will maintain a sustainable waste management service. It includes population and housing growth, budget pressures, market provision, current performance, legislation, and performance targets.
- 2.3 Growing national and international waste management challenges also have a significant impact on KCC, including:

- International waste management facilities beginning to refuse importation of materials to increase their own circular economy.
- The Government's aim to increase household recycling rates from 45% to 64%.
- Adherence to the Waste Hierarchy, which sets targets to reduce the amount of waste sent for incineration.
- Limited nationwide landfill capacity.
- The cost of incineration and landfill, which is double that of other disposal and recycling options.

2.4 Kent's waste infrastructure provision will be further affected by [Defra's Resource and Waste Strategy](#). A component of the Environment Act, this sets out measure to preserve material resources by minimising waste, promoting efficiency, and moving towards a circular economy by recycling 65% of waste. Minimising damage to the natural environment by reducing and managing waste safely and carefully, and tackling waste crime, such as fly-tipping is required. It combines actions with firm commitments and longer-term policy direction in line with the 25 Year Environment Plan, a strategy for eliminating all avoidable waste, including plastics, and doubling resource productivity by 2050.

3. Approach to Contributions for Waste Infrastructure

3.1 Paragraph 20 of The [National Planning Policy Framework](#) (NPPF) requires strategic policies for infrastructure provision, including waste. KCC will work with the LPAs through the Local Plan process, advising where additional infrastructure is required to meet the needs of new housing growth.

3.2 As the Minerals and Waste Planning Authority for Kent, KCC must also plan for waste management capacity in its [local plan](#). This forms part of the statutory development plan for Kent, together with the adopted local plans prepared by the 12 district and borough planning authorities, and relevant Neighbourhood Plans prepared by local communities.

3.3 There is a direct link between increasing demand on waste facilities and housing growth. Consequently, KCC will seek developer contributions towards the provision of increased HWRC/WTS infrastructure. The contributions sought will meet the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended).

3.4 In order to fulfil its statutory duties, KCC has a network of WTS and HWRC across Kent. Whilst many districts are served by a WTS and at least one

HWRC, to aid efficiency, the provision of waste facilities are planned across Kent with one facility sometimes serving two or more districts. Unlike the WCAs, KCC waste operations are not bound by district borders.

However, there will be one WTF that will directly serve a new development and its expansion, improvement or a new provision will directly meet the need created by the development. For HWRCs KCC seeks to ensure that facilities are located within a circa 20-minute radius of a development. Therefore, the impact of growth on facilities in the 20-minute radius will be assessed and where there is a deficit of provision, a contribution will be sought for a HWRC directly related to the development.

4. Assessing Need and Calculating Demand

4.1 Threshold for Seeking Contributions and Qualifying Developments

4.1.1 Any development of 10 or more dwellings will be assessed. This could generate a request for a contribution where there is an infrastructure deficit in relation to WTS and/or HWRC, and insufficient capacity to accommodate waste and recycling produced by new development.

4.2 Capacity Assessment Criteria

4.2.1 A number of factors influence when a site requires replacement or improvement, including:

- Refuse Collection Vehicles (RCVs) queuing for access to the site, which is a common problem at both WTS and HWRC facilities. As well as the safety implications of RCVs queuing on to the public highway, delays reduce their ability to complete collection rounds in a timely manner.
- Site restrictions in terms of scale and layout, which result in operational inefficiencies and lower-than-average recycling rates. Many WTSs and HWRCs have been modified to accommodate the latest requirements for material segregation, but further work will be needed as new legislation designed to increase recycling rates comes into effect.
- The site no longer being fit for purpose in terms of public usability. Many of KCC's HWRC facilities require the public to use steps to dispose of waste into containers.

This is not only in breach of the Disability Discrimination Act (DDA), but also reduces site capacity since the steps take up much-needed container storage space.

4.2.2 Further housing development within an area exacerbates all the above issues, creating the need for new sites, or extension to existing facilities. Note that KCC's capacity assessment takes only housing growth into account, not any background growth brought about through changes to residents' behaviours.

4.2.3 The need for replacement /extended sites is set out below.

4.2.4 KCC will continue to engage with the district councils through the local plan process, providing details of project in their areas with a view to seeking site allocations within the plan. Regular reviews of infrastructure capacity will ensure service demands are adequately captured in the longer-term.

4.2.5 Mercantile facilities¹ are currently used for Waste Transfer Facilities in Canterbury, Thanet, and Maidstone districts. Contracts have secured sufficient capacity up to 2030 (as a minimum) so contributions towards WTS facilities are not currently being requested in these areas.

4.3 Contribution Methodology

4.3.1 When considering the need for a new facility, KCC assesses all available delivery models to ascertain the most cost-effective solution. This includes using mercantile facilities where available, as well as new build projects funded through capital borrowing or Design, Build, Finance, Operate (DBFO) contracts via revenue funds. Only those projects funded through capital borrowing are included in requests for developer contributions.

4.3.2 Contributions will be requested on a 'per dwelling' basis. The methodology is based upon the build cost per tonne of infrastructure capacity, multiplied by the tonnage of waste produced by a household. The per dwelling rates for WTS and HWRC are set out below.

4.4 Infrastructure Need and Contributions

4.4.1 Waste Transfer Station (WTS) Facilities

4.4.1.1 To meet the needs of housing growth up to 2030, KCC has identified the need for at least five new or improved WTS facilities across Kent. These are summarised in Table 1.

TABLE 1 - WTS PROJECTS

WTS Sites	Project Type	Serves (District)
Folkestone WTS	New (additional)	Ashford, Folkestone
Ebbsfleet WTS	New (additional)	Gravesham Dartford
Sevenoaks WTS	Extension	Sevenoaks
Sittingbourne WTS	Extension	Swale
Tunbridge Wells WTS	Replacement, including increased capacity	Tunbridge Wells, Tonbridge and Malling

4.1.1.2 Based on KCC's recent experience on similar projects, the estimated cost of providing a WTS facility with 75,000-tonne capacity is £13 million.

4.1.1.3 This equates to £173.33 per tonne and includes the cost of build and land. Tonnage figures for Kent show that each dwelling produces 0.82 tonnes of waste requiring processing at a WTS each year -see Table 2 below.

This gives a per dwelling rate for new WTS infrastructure of therefore £142.13.

Table 2 – WTS - Contribution Per Dwelling

New WTS	Cost	Cost Per Tonne £13,000.000 / 75,000	Waste Per Dwelling	Cost Per Dwelling (£173.33 * 0.82)
75,000 Tonne Capacity (Per Annum)	£13,000,000	£173.33	0.82 Tonnes Per Annum	£142.13

4.4.2 Household Waste Recycling Centre (HWRC) Facilities

4.4.2.1 To increase recycling capacity, several existing HWRC sites have been identified for replacement or extension, with one additional facility required. These are summarised in Table 3 below.

TABLE 3 - HWRC PROJECTS

HWRC Sites	Project Type	Serves (District)
Dover HWRC	Extension	Dover HWRC catchment
Ebbsfleet HWRC	New (additional)	Dartford and Pepperhill HWRC catchment
Sittingbourne HWRC	New (replacement, including increased capacity)	Sittingbourne HWRC catchment
Faversham HWRC	Extension	Faversham HWRC catchment
Maidstone HWRC	Extension in the short term New (Replacement, including increased capacity in the long term)	Maidstone HWRC catchment
Margate HWRC	Extension	Margate HWRC catchment
Sheerness HWRC	Extension	Sheerness HWRC catchment
Swanley HWRC	Extension	Swanley HWRC catchment
Tunbridge Wells HWRC	Extension	Tunbridge Wells HWRC catchment
Folkestone HWRC	Extension	Folkestone HWRC catchment

4.2.2.2 Based on KCC's recent experience of delivering similar projects, the estimated build cost of providing a new HWRC facility of 25,000 tonnes capacity is £5 million, and £1 million for a 5,000 tonne HWRC extension. Both equate to a build cost of £200 per tonne, again, including provision for land purchase. Figures show that each Kent household produces 0.26T of waste to be processed at a HWRC each year, giving a per dwelling rate for HWRC infrastructure of £52.00 – See Table 4 below.

Table 4 – HWRC – Contribution Per Dwelling

New HWRC	Cost	Cost Per Tonne £5,000.000 / 25,000	Waste Per Dwelling	Cost Per Dwelling £200.00 * 0.26
25,000 Tonne Capacity (Per Annum)	£5,000,000	£200.00	0.26 Tonnes Per Annum	£52.00
HWRC Extension	Cost	Cost Per Tonne £1,000.000 / 5,000	Waste Per Dwelling	Cost Per Dwelling £200.00 * 0.26
5,000 Tonne Capacity (Per Annum)	£1,000,000	£200.00	0.26 Tonnes Per Annum	£52.00

4.4.2.3 Unlike the WTS catchment areas, those for HWRCs have not been defined by district boundaries: residents are thus free to use any HWRC, regardless of which district/borough it lies within. Typically, residents choose a site based on ease of access, typically a circa 20-minute radius, depending on distance, site capacity or the range of materials accepted.

4.4.2.4 All customers must book a slot in advance and provide a postcode, allowing KCC to monitor which district customers are travelling from. An analysis of 1.7m trips to Kent's HWRCs between March 2021 and February 2022 is provided in **Table 5** below, with the shaded cells representing the district in which each HWRC is located. It is clear that most users choose the facility in their area, or where access is easiest.

**Table 5 Part 1: Proportion of trips made to HWRCs from customer postcode location
(March 2021 – February 2022)**

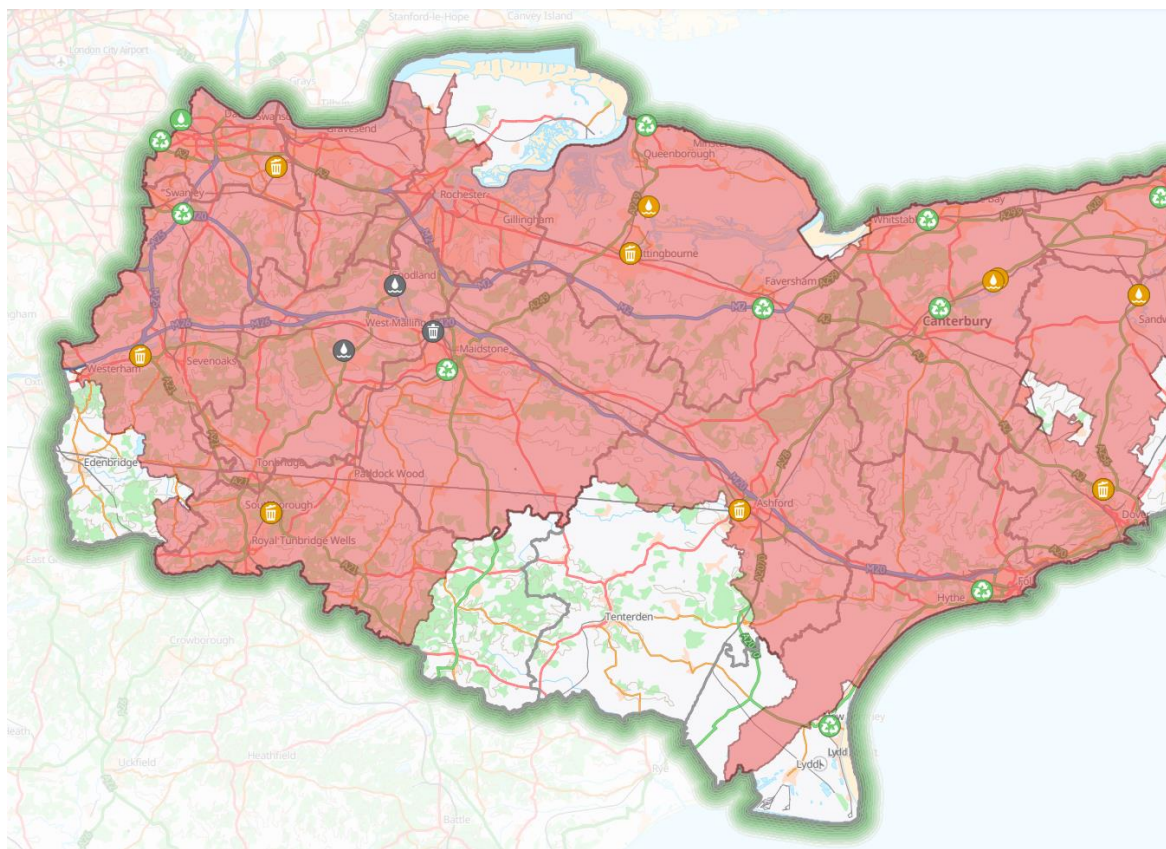
HWRC	Customer's postcode location						
	Ashford	Canterbury	Dartford	Dover	F&H	Gravesham	Maidstone
Ashford	91.3%	0.4%	0.0%	0.2%	2.4%	0.0%	4.5%
Canterbury	1.7%	89.1%	0.0%	4.4%	1.7%	0.1%	0.3%
Dartford	0.1%	0.1%	90.1%	0.1%	0.1%	1.4%	0.4%
Deal	0.1%	0.4%	0.0%	97.7%	0.3%	0.0%	0.0%
Dover	0.2%	2.2%	0.0%	93.4%	3.5%	0.0%	0.0%
Faversham	5.6%	6.8%	0.0%	0.4%	0.3%	0.1%	1.5%
Folkestone	0.8%	0.3%	0.0%	2.6%	95.6%	0.0%	0.1%
Herne Bay	0.1%	97.0%	0.0%	0.4%	0.1%	0.0%	0.1%
Maidstone	0.4%	0.2%	0.0%	0.1%	0.1%	0.1%	85.1%
Margate	0.1%	0.6%	0.0%	0.6%	0.1%	0.0%	0.0%
New Romney	8.1%	0.2%	0.0%	0.3%	87.1%	0.0%	0.2%
Pepperhill	0.1%	0.1%	18.5%	0.1%	0.1%	69.8%	0.5%
Richborough	0.1%	1.2%	0.0%	44.4%	0.2%	0.0%	0.1%
Sevenoaks	0.1%	0.1%	0.0%	0.0%	0.1%	0.0%	0.3%
Sheerness	0.2%	0.1%	0.1%	0.1%	0.1%	0.1%	0.5%
Sittingbourne	0.2%	0.3%	0.0%	0.1%	0.1%	0.1%	3.8%
Swanley	0.1%	0.1%	5.6%	0.1%	0.1%	1.1%	0.9%
Tunbridge Wells	0.2%	0.0%	0.0%	0.0%	0.0%	0.0%	2.1%
Total Visits	139,030	205,922	88,993	213,938	163,839	87,435	142,036

Table 5 Part 2: Proportion of trips made to HWRCs from customer postcode location (March 2021 – February 2022)

HWRC	Customer's postcode location						
	Sevenoaks	Swale	Thanet	Tonbridge and Malling	Tunbridge Wells	Medway	Outside Kent
Ashford	0.0%	0.2%	0.1%	0.1%	0.5%	0.0%	0.2%
Canterbury	0.0%	1.2%	1.2%	0.1%	0.0%	0.0%	0.2%
Dartford	4.9%	0.1%	0.1%	0.3%	0.0%	0.1%	2.3%
Deal	0.1%	0.0%	0.8%	0.0%	0.0%	0.0%	0.4%
Dover	0.0%	0.1%	0.4%	0.0%	0.0%	0.0%	0.1%
Faversham	0.0%	84.6%	0.4%	0.1%	0.0%	0.2%	0.1%
Folkestone	0.1%	0.1%	0.1%	0.0%	0.1%	0.0%	0.2%
Herne Bay	0.0%	0.5%	1.4%	0.0%	0.0%	0.0%	0.2%
Maidstone	0.1%	0.3%	0.1%	12.6%	0.7%	0.2%	0.1%
Margate	0.0%	0.1%	98.1%	0.0%	0.0%	0.0%	0.2%
New Romney	0.0%	0.0%	0.1%	0.1%	0.2%	0.0%	3.6%
Pepperhill	8.0%	0.2%	0.0%	0.8%	0.0%	1.5%	0.2%
Richborough	0.0%	0.1%	53.6%	0.0%	0.0%	0.0%	0.2%
Sevenoaks	73.0%	0.0%	0.0%	17.3%	1.2%	0.0%	7.7%
Sheerness	0.0%	98.2%	0.1%	0.1%	0.0%	0.2%	0.2%
Sittingbourne	0.0%	94.3%	0.2%	0.4%	0.0%	0.5%	0.1%
Swanley	75.0%	0.1%	0.1%	9.0%	0.2%	0.1%	7.6%
Tunbridge Wells	1.5%	0.0%	0.0%	24.7%	70.3%	0.0%	1.1%
Total Visits	120,257	144,311	199,758	77,919	107,583	3,091	18,820

4.4.2.5 As the table shows, while most residents use their own district HWRC (shown in green), this is not always the case. The [WRAP](#) (Waste and Resources Action Programme) Guide recommends that HWRC provision should be located so residents are within a 20-minute drive. KCC has used this recommendation to create its HWRC catchment area, using Lower Layer Super Output Area (LSOA) boundaries. The HWRC rate will be applied to those developments within a HWRC catchment area with an identified project, as shown by Plan 1.

Plan 1: HWRC catchment area (shown in red)



4.4.3 Land Contribution

4.4.3.1 Where new waste infrastructure is required, or additional land needed to enable an existing WTS/HWRC to expand, KCC will seek the provision of land and/or proportionate financial contributions.

4.4.3.2 National Planning Practice Guidance advises how local planning authorities (LPAs) should prepare plans and take account of education requirements. KCC will work with the LPAs and developers to identify and allocate sites to ensure additional education places are planned for, including land required for school expansions and new schools.

- 4.4.3.3 This land will generally be provided to KCC at 'nil consideration'. Where there is no realistic prospect of development, its value will normally be based on its existing or alternative-use value. If the site could realistically have gained residential planning permission, but is required to provide infrastructure for other sites, it will normally be valued at residential land value. Where a developer is providing land and the site area exceeds the development's needs, the landowner should not be disadvantaged. In these cases, KCC will seek proportionate land contributions from other sites and transfer these sums to the land provider.
- 4.4.3.4 The site will still be provided to KCC at nil consideration. KCC will work with the LPAs to secure this via the s106 process and CIL contributions.

5. Indexation

- 5.1 To ensure that financial contributions continue to cover the actual cost of delivering infrastructure, these will be subject to indexation. The BCIS All-In Tender Price Build index will be applied, with the base date for indexation set at March 2022.

6. Time limit on spend

- 6.1 Any contributions will be repaid to the original payee on request if not committed or spent towards its purpose within 10 years of receipt of the contributions in full (if paid in instalments) or alternative longer period as may be agreed.

7. Further Information

- 7.1 Please seek early advice from KCC Waste for further information on land requirements and transfer terms – email wasteinfrastructure@kent.gov.uk

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From: Mike Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director, Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee
– 22 November 2022

Subject: Gypsy and Traveller Site Pitch Allocation Policy Update

Classification: Unrestricted

Electoral Divisions: All divisions

Summary: The Gypsy and Traveller Site Pitch Allocation Policy underpins Kent County Council's aim to provide a safe environment for Gypsy and Traveller communities to live and thrive in Kent. This report informs the Cabinet Committee about the proposed updated policy that will be used to establish an applicant's need for a pitch on a Kent County Council owned Gypsy and Traveller site and how pitches will be allocated to ensure fairness and consistency. The draft policy has had informal input from a number of key stakeholders to ensure it is appropriate, fair, and fit for purpose ahead of Member endorsement of the draft preceding formal consultation with wider stakeholders.

Recommendation(s): The Cabinet Committee is asked to comment on the updated draft Gypsy and Traveller Site Pitch Allocation Policy for formal consultation.

1. Introduction

- 1.1 KCC owns and manages seven sites across the County which are used to accommodate the Gypsy and Traveller community and manages a further two on behalf of Maidstone Borough Council until the end of the 2022/23 financial year.
- 1.2 There is a variety of legislation in force which impacts on the requirement of councils to provide support to gypsies and travellers, and where sites for gypsies and travellers are provided. The Mobile Homes Act 2013 provides security of tenure to residents of mobile home sites where they own the home they live in and rent the pitch from the site owner. From April 2011, this included all local authority Gypsy and Traveller sites.
- 1.3 A public Gypsy and Traveller pitch can be viewed as the equivalent to social rented housing and is for Gypsies and Travellers only, who cannot meet their accommodation need via private provision.
- 1.4 It evolved through several member decisions historically (circa 1960s) that KCC would provide accommodation sites for the Gypsy and Traveller community. Whilst there is no statutory responsibility on KCC to provide sites, the provision from KCC does assist District and Borough Councils in meeting their statutory responsibilities.
- 1.5 As KCC has provided these sites for a number of years, KCC is obliged to maintain the site from a landowner/landlord perspective and that all maintenance and council-led services should be provided by the Owner.

- 1.6 KCC currently owns and manages seven sites designated for gypsy and traveller accommodation providing 128 pitches of varying size at the following locations:

Site	Address	Pitches
Aylesham Caravan Park	Dover CT15 4LS	14
Barnfield Park Caravan Park	Sevenoaks, TN15 7LY	35
Coldharbour Caravan Site	Aylesford, ME20 7NZ	26
Greenbridge Park	Canterbury, CT1 1YZ	18
Polhill Caravan Site	Polhill, TN14 7BG	7
Three Lakes Caravan Site	Sittingbourne, ME10 3NL	14
Windmill Lane Caravan Park	West Malling, ME19 6PQ	14

2. Background

- 2.1 The Kent County Council Gypsy and Traveller Site Pitch Allocation Policy was last updated in 2012 and it sets out how the County Council will establish an applicants need for a pitch on a site it owns, and how vacant plots will be allocated. The current version is published on the Kent County Council website and is actively used to inform pitch allocation.
- 2.2 This policy is pivotal to the good management of our sites and to ensure that our sites provide a safe environment for Gypsy and Traveller communities.
- 2.3 The current policy is out of date and in need of 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.
- 2.4 There have been two attempts historically to update the Pitch Allocations Policy. The first went out for public consultation in 2017 but was withdrawn after an unsupportive reaction from the community, and the second time was in 2019. On this occasion the draft policy was agreed by Environment and Transport Cabinet Committee but was paused until a further policy for public consultation was ready. During this work, several issues were then identified which have taken time to resolve and have been included as appropriate in the draft policy attached.

3. The New Policy

- 3.1 The updated draft aims to strengthen the current allocation process, and by requesting supporting documents and formalising the inclusion of due diligence checks, it aims to drive out false applications, fraud and overall, minimise the number of enforcement and compliance actions that are needed to ensure continuous good management of sites.
- 3.2 It also includes the introduction of a deposit for each pitch which will be the equivalent of two weeks' pitch rent. This is a practice adopted by a number of other Local Authorities (including East Sussex County Council, Dorset County Council, Essex County Council and Herefordshire Council) and the rate of deposit varies between

each Authority. The deposit 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.

- 3.3 The draft also proposes to exclude applications from those who set up an unauthorised encampment on Kent County Council land (including highways) within the last three years. This is to act as a deterrent to the few seeking to force allocation of a pitch on one of the County Council owned sites by intentionally setting up roadside encampments.
- 3.4 It should be noted that the new draft policy is longer than the current published one, and this is because it is intended to remove any ambiguity or vagueness that exists in the current version. It is essential that applicants can understand the whole process and the expectations on them as well as how Kent County Council will process their application.
- 3.5 The draft policy can be found in Appendix 1, with the draft application form and points allocation attached in Appendix 2 and 3 respectively.

4. Pre-Consultation Activity

- 4.1 As part of the work drafting the new policy, several partners were contacted and asked to provide feedback on the draft. Responses were received from:
 - Internal Kent County Council services – Internal Audit, Counter Fraud and the Public Protection Intelligence Team
 - Dartford Borough Council and Tunbridge Wells Borough Council as Local Authorities in Kent who also provide accommodation for Gypsy and Travellers
 - East Sussex County Council as a neighbouring Authority who has a well-managed portfolio of Gypsy and Traveller Sites
 - London Gypsies and Travellers, which is an organisation which challenges social exclusion and discrimination, working for change in partnership with Gypsies and Travellers. They work with the Gypsy and Traveller community and a range of trusted partners to contribute to the development of local, regional, and national policy.
- 4.2 The responses received were supportive of the new strengthened approach and identified opportunities and suggestions to make the policy more robust. All recommendations were considered individually and adopted.

5. Formal Consultation Plan

- 5.1 Working with a dedicated Engagement and Consultation Development Officer, a formal consultation plan has been established to meet the needs of the key groups we wish to consult with.
- 5.2 Based on the results of the EqIA, it is felt that this consultation is a medium risk consultation.
- 5.3 The proposed timeline for the formal consultation is:

Launch consultation	Wednesday 30 th November 2022
Consultation period - 10 weeks (eight plus two to mitigate for consultation running through Christmas).	
Close consultation	Tuesday 7 th February 2023
Analysis and reporting - 6 weeks	
Final approval sought at GEDCCC	Tuesday 16 th May 2023

6. Legal Implications

The draft policy has been written with due regard to the following:

- Mobile Homes Act 1983 (as amended)
- Housing Act 2004
- Human Rights Act 1998
- Equality Act 2010

External legal advisors have been engaged as part of the consultation process and will be providing legal scrutiny to the draft policy and appendices.

7. Equality Impact Assessment

7.1 Screening of the project has not highlighted any significant direct negative impact on any of the protected groups. However, some specific areas for consideration have been highlighted which predominantly focus around making the consultation and application process accessible to all. Support for both processes will be available from the KCC Gypsy and Traveller Service.

7.2 The complete Equality Impact Assessment can be found in Appendix 4.

8. Data Protection Implications

8.1 The new application form to support the Draft Pitch Allocation Policy includes updated consent statements which meet the consent requirements of the Data Protection Act 2018. The consent statements are clear and unambiguous.

8.2 Only the necessary amount of personal data which allows the fair and consistent processing of applications is gathered as part of the Pitch Allocation Policy. A Data Protection Impact Assessment has been submitted to the Data Protection Officer for approval to support the revised policy.

9. Finance Implications

9.1 There are no negative financial implications to the draft Pitch Allocation Policy; however, the introduction of the 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.

10. Recommendation(s)

Recommendation(s): The Cabinet Committee is asked to comment on the updated draft Gypsy and Traveller Site Pitch Allocation Policy for formal consultation.

11. Appendices

- Appendix 1 – Draft Gypsy and Traveller Pitch Allocation Policy
- Appendix 2 – Draft application form
- Appendix 3 – Draft Points Allocation Criteria
- Appendix 4 - EqIA:
<https://democracy.kent.gov.uk/documents/s115086/GypsyTravellerPitchAllocationPolicyEqIA.doc.pdf>

12. Contact details

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1. Aims of the Policy

- To provide access for eligible Gypsies & Travellers to pitches on KCC owned sites
- To provide a safe environment for Gypsy and Traveller communities to live and thrive in Kent by allocating pitches on a fair and consistent basis
- To promote integration and diversity of the Gypsy and Traveller community
- To make best use of pitches for permanent use
- To ensure that caravan pitches are allocated fairly and transparently and based on priority need.

2. Legislative Framework

This policy has regard to the provisions of:

- Mobile Homes Act 1983 (as amended)
- Housing Act 2004
- Human Rights Act 1998
- Equality Act 2010

3. Scope of the Policy

This Allocations policy sets out KCC's arrangements for allocating pitches on any of KCC's permanent Gypsy and Traveller sites. This policy covers new applications for pitches, adding licence holders to existing pitch licence agreements and existing residents requesting transfers between KCC sites.

4. Data Protection and Information Sharing

All information provided as part of your application for a pitch will be treated as confidential and stored securely.

Information will not be given to third parties unless the applicant has given consent; unless there is a requirement in law to do so.

All personal information provided will be processed in accordance with the *Gypsy & Traveller Service Applications Privacy Notice*.

5. Qualifying Criteria for Applying for a Pitch

- Gypsies and Travellers aged eighteen or over who have lived in Kent for at least 12 months, or who have close family (grandparents, parents, children, or siblings) who have lived in Kent for at least the last three consecutive years
- People who apply as qualifying persons and meet the criteria because of exceptional circumstances and special needs regardless of their previous address
- Existing licence holders of KCC's Gypsy and Traveller site who wish to transfer to another site
- British Nationals (British Nationals who are habitually resident in the common travel area)
- EEA Nationals (any person who is a national of any of the countries in the European Economic Area; and is habitually resident in the common travel area or is a worker; or has right to reside in the UK)
- Persons subject to immigration control who have been granted:
 - a) Refugee status
 - b) Exceptional leave to remain (provided there is no condition that they shall not be charged on public funds)

- c) Indefinite leave to remain, provided they are habitually resident in the common travel area and their leave to remain was not granted in the previous 5 years, based on a sponsorship given in relation to maintenance and accommodation (unless the sponsor has died)
- d) Persons subject to immigration control who are a national of a country that has ratified the European Convention on Social or Medical Assistance (ECSMA) or the European Social Charter (ESC) – provided they are habitually resident in the Common Travel Area and are lawfully present in the UK.

6. Exclusions for Applying for a Pitch

There are a number of applicants who are not eligible for a pitch on KCC's Gypsy and Traveller sites. **If an applicant, or any person intending to live with the applicant** on site falls into any of the following categories, the applicant will not be accepted for any of the following reasons:

6.1 Statutory Exclusions

Any person who is ineligible under the law because they are subject to immigration control unless they fall within a class prescribed by regulations made by the Secretary of State.

6.2 Anti-Social Behaviour

Any person who has been evicted or the cause of an eviction from a local authority Gypsy or Traveller site or been the subject/cause of a Possession Order or Injunction due to antisocial behaviour within the past 5 years.

Such behaviour includes, but is not limited to:

- Convictions for violent or other serious offences
- Convictions for drug use or drug dealing
- Used threatening language or behaviour to any officer of a Council, its contractors or any other associated person or partner agency
- Behaved in an anti-social manner towards neighbours (including being responsible for fly tipping/unlicensed scrap dealing)
- Supplied false or misleading information when making an application for a pitch
- Deliberately worsened their housing situation through anti-social behaviour cause
- Moved onto any of our sites without permission in advance
- Set up an unauthorised encampment on KCC land (including highways) within the last 3 years and behaved criminally/anti-socially whilst doing so
- Failure to pay rent, utility bills or any other payments associated with accommodation
- Sanctions issued by previous landlords for significant poor conduct on sites/serious breaching licence agreements
- Committed benefit fraud against public sector organisations i.e., council tax, Department of Work and Pensions

6.3 Other Accommodation

The applicant and/or their partner own a residential property or is the tenant of a Local Authority or a registered social landlord, or a registered holder of a pitch on any other local caravan site.

Existing residents can apply for a transfer to another KCC site.

6.4 Other Considerations

A key aim for KCC is to support and enable communities that are balanced, safe, inclusive, and sustainable, whilst encouraging community cohesion and preventing any conflicts on site and/or with settled residents living near a site. The council will operate the policy in a way that supports the long term needs of each site.

As a result, additional factors will be considered when reviewing applications to ensure the compatibility of an applicant with current residents. Factors may include, but are not limited to religious practices, kinship, lifestyle, and existing groupings on sites. Any and all consideration will be based on fact, evidence and reliable intelligence.

Size of pitch (single or double) will be considered when allocating pitches to new and existing licensees to ensure that the best use of pitches is followed. For example, a single resident may not be considered for a double sized pitch if the next highest scorer is a large family.

7. Applications Process

The Council's application form must be completed for all new applicants and existing licensees wishing to apply for a pitch – this can be the paper or digital version. All applications made on the Council's form will be considered. The application form can be found in Appendix 1.

Care should be taken when filling out this application form, and all information provided must be true and correct. Where false or misleading information is provided **at any time** during the allocation process, the application will be refused/stopped and may be subject to criminal investigation for offences under the Fraud Act 2006.

An officer from KCC's Gypsy and Traveller Service can help applicants complete the form if required. The Council will provide free of charge advice and information about the right to make an application.

7.1 Application Form Submission

Completed application forms must be submitted to the Gypsy and Traveller Service, either online, by email to gypsy.traveller@kent.gov.uk or by post to:

Gypsy and Traveller Service.
Invicta House
County Hall
Maidstone
Kent ME14 1XX

It is the applicant's responsibility to ensure they keep KCC updated of any changes in their contact details or any changes in their circumstances (including but not limited to children, education arrangements, medical conditions, criminal convictions).

7.2 Supporting Evidence

Several supporting documents **must** be provided with the application form for the **applicant, and any person intending to live with the applicant**. These must be original copies and may include:

- Proof of Identity – birth certificate, driving license, or passport

- Proof of current/last address – utility bill, bank statement, council tax bill dated within last 3 months
- Proof of family – birth certificates, child benefit information, income support details, or council tax letter
- Proof of financial status
- Special educational needs for children
- Details of school for children
- Evidence of eviction/homelessness
- Evidence of safety concerns
- Evidence of carer arrangements
- Information about medical conditions – doctor's letters, medical records, hospital letter
- Information about criminal records

KCC reserves the right to seek further supporting evidence as required to support an application.

7.3 Joint Applicants and Other Pitch Residents

Couples who intend to live together must make a joint application. All applicants must be eligible as per this policy.

Details must be provided for all persons intending to live on the pitch (including those under 18) so that they can be added to the pitch application licence if successful. Any persons not detailed in the application form, and subsequently not included on the Pitch Licence Agreement, will be treated as unauthorised residents.

7.4 Validation of Application

Once the completed application and supporting information has been received, the application is validated and checked to ensure all necessary information has been received.

If the application is complete and all necessary information has been provided, the applicant will be notified that your application has been accepted.

If there are any missing documents or information, applicants will be contacted and advised what needs to be provided and by when (normally a date for two weeks is given). At the end of this time, if the application is checked and found to be complete with all necessary supporting evidence provided, the applicant will be notified that the application has been accepted. If there are still missing documents or information, the applicant will be contacted and advised that, on this occasion, the application is rejected as it is incomplete.

Once rejected, any further application for a pitch will require a new application form with supporting documentation.

7.5 Assessment of Applications

All valid applications will be reviewed by the KCC Gypsy and Traveller Service. All assessments are made using the personal information and circumstances declared only – no opinions or assumptions will be made.

The criteria used to assess applications is:

- Existing accommodation

- Security of Tenure
- Welfare considerations
- Local connections
- Familial arrangements
- Education arrangements
- Medical conditions
- Time on waiting list

The points allocation system can be found in Appendix 2.

All scored applications will be entered on to the Waiting List. When a pitch becomes available, the top five highest scoring applications are contacted and asked to provide up to date details if their original application is more than 3 months old. The applicant has two weeks to provide this information. Once the information has been received, scoring is repeated considering any added information provided, and the top three highest scoring applicants are contacted and invited in for interview.

Where no response is received to the request for updated information, the applicant is written to/emailed and asked to confirm that they still want to be considered for a pitch. The applicant has two weeks to respond, after which time, if no response is received, the applicant will be removed from the Waiting List and the application, and all related documentation will be securely deleted. A record will be kept of names for those application forms which have been deleted.

7.6 Debtors

Where applicants have an outstanding housing related arrears (rent, utilities, council tax), no offer of a pitch will be made until the arrears is settled in full, unless there is a housing need that outweighs the arrears.

Where applicants have previously owed money to KCC and the account has not been settled in full, they will not be considered for a pitch.

7.7 Interview

The three applications with the highest score will be invited in to meet with the KCC Gypsy and Traveller Service, to discuss their application in more detail, to provide original copies of supporting documents and to verify the information provided.

The interview will also provide the opportunity for the applicant to ask any questions to the KCC Gypsy and Traveller Service, and for discussions about the pitch licence requirements to begin.

The scoring form will be reviewed based on the interview, and this may mean that scores increase or decrease depending on what further information is verified and disclosed. Where two applicants have the same score following interview, there will be a decision made based on housing need.

7.8 References and Verification Checks

Following the interview, appropriate steps will be taken to verify the information provided and to conduct necessary due diligence checks to confirm suitability for a pitch/site. As part of your application, you have provided your consent for us to complete appropriate due diligence and verification checks on the information you have provided to us.

These checks may include but are not limited to:

- References from previous landlords/local authorities/housing associations
- Credit checks/checks with other local authorities to identify any arrears owed to other public sector partners and to confirm the pitch rent is affordable
- Checks with other information systems administered by KCC (including our intelligence and Trading Standards databases)
- Checks with the Department of Work and Pensions to verify the payment of benefits
- Checks with schools
- Check with doctors/hospitals for confirmation of medical conditions
- Checks with local Police

The results of any checks will be confidential, however if an application is refused because of these checks, applicants will be notified and explained the decision in accordance with the Data Protection Act.

7.9 Updating the Application Form

If at any time during the application process, there are any changes, these must be notified to KCC at the earliest opportunity and your application will be reviewed considering these changes.

7.10 Visit to Site/Pitch

As part of the application process, the most suited applicants will be invited to visit the site and pitch they are applying for before agreeing to the terms and conditions set out in the Pitch Licence Agreement.

8. Decision to Offer Pitch

At all times, KCC reserves the right not to allocate to a vacant pitch on a site, regardless of allocation of points, if in the opinion of the council it is in the best interest of the site and its management.

9. Offer of Pitch

The offer of a pitch will be made verbally and confirmed in writing. The applicant is required to accept or refuse the pitch within a week of receiving the letter. If no response is received within the week, then the pitch will be offered to the next highest scoring applicant.

If the applicant accepts the pitch, a date to meet at a KCC office will be arranged. This meeting will allow KCC Gypsy and Traveller Service to explain the Pitch Licence Agreement to the applicant and will allow the applicant to ask any questions. Once the applicant is happy, they will sign two copies of the pitch licence agreement (one copy will be retained by KCC and one will be given to the applicant), and arrangements will be made to pay the deposit and move onto site. As appropriate, forms to arrange for direct payment of rent will be signed at this time.

If the applicant chooses to refuse the pitch, the pitch will be offered to the next highest scoring/appropriate applicant. The applicant refusing the pitch will advise whether they want to be considered for other pitches or if they are withdrawing their application.

10. Pitch Licence Agreement

The pitch licence agreement is regulated by the Mobile Homes Act 1983, and it sets out the rules governing good conduct of sites, the payments that must be made and advises of breaches and how these will be handled. It also provides the permission for residents,

trailers/mobile homes, other buildings, and animals allowed on pitches. The pitch licence agreement must be signed and agreed by applicants.

Once a pitch licence agreement is in place, any breaches to it will result in appropriate action being taken against you. Breaches can include non-payment of rent or utilities, criminal activity, and anti-social behaviour.

11. Deposit

The Council will seek a deposit at the commencement of the licence. The licence holder will be required to pay two weeks rent in advance of occupation of the pitch. This must be paid within two weeks of accepting the pitch and the keys to the pitch will not be issued until these monies have been paid. If this is not paid in this time, the pitch offer will be withdrawn, and the pitch will be offered to the next suitable applicant (repeating previous steps as necessary).

12. Moving on to site

On the date that is agreed for moving on to site, the new resident will be met on site within 24 hours of this date to handover keys and complete the pitch inventory. The resident will be issued with a Residents Handbook.

13. Communication

The Council aims to provide regular updates throughout the allocation process where contact details are provided. Written notification is dependent upon the applicant providing a contact address.

As part of the pitch licence agreement, residents are required to update the Council with all relevant changes in circumstances, including but not limited to new residents, children turning eighteen, new children and criminal records.

14. Appeals/complaints

Any grievances or complaints can be handled using KCC's formal complaints procedure. A copy of this can be found at [Complaints and compliments - Kent County Council](#) or paper copy can be obtained from the Gypsy and Traveller Service.

Appendix 2 – Application form

Appendix 3 – Points Allocation System

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Application for a KCC Gypsy and Traveller Site Pitch

Consents

Please read each statement in full, and check the box to confirm acceptance:

- The information I will give about myself, and my family members is true to the best of my knowledge. I understand that any false or misleading information I give may lead to prosecution for a criminal offence, my application will be deleted, and I may be evicted from the pitch I have been allocated
- KCC Gypsy and Traveller Service (GTS) complies with the Data Protection Act 2018. I have read and understood the privacy notice which explains how me, and my family members personal information is held and processed by GTS
- I can confirm that all my family members know their personal details have been included in my application and they all understand how their information will be held and processed by GTS
- I give permission for the GTS to carry out verification checks on all information I have provided in the application, and to complete appropriate background checks on myself and all members of my family who will be residing with me. I understand that GTS will treat the information received in this process about myself and my family members in confidence.
- I understand that I am responsible for telling GTS about any changes to me and my family members personal circumstances throughout the application process and whilst on the Waiting List.

Signed:

Name:

Date:

1. About You

Name of Applicant (including any other names by which known)	
Surname	First Names
Date of Birth	National Insurance Number
Contact Phone Number	
Contact Email Address	
Name of Person Completing This Form (if different from main applicant)	

Current Address	
How long at this address	Years Months
Is this your contact address?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If no, please provide contact address	
If you have lived at this address for less than 5 years, please provide all previous addresses and dates	

Marital Status	<input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Other		
Partner			
Name		Date of Birth	
National Insurance Number			
Will your partner be living with you on site?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

To which ethnic group do you belong?	
Gypsy/Roma	
Traveller of Irish Heritage	
Other (please specify)	

2. Current Address/Location

What kind of accommodation is your current address? E.g. mobile home, house, homeless
Who owns the property/site:
Please provide contact details for Local Authority/Landlord
Do you have to move from your present location for any reason?
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please detail reasons:
Is your current accommodation unsuitable for any of the following reasons:
<input type="checkbox"/> Overcrowding – there is not enough room <input type="checkbox"/> No facilities – no washing or showering facilities <input type="checkbox"/> I am being evicted through no fault of my own <input type="checkbox"/> I am being evicted for misuse/breach of agreement/misconduct <input type="checkbox"/> It is unsafe for me/my family through no fault of my own
If you have been travelling in the last 5 years (for more than 50% of the time), please provide a summary of your travelling patterns

3. Your Application for a Pitch

Which site(s) are you applying for: (please tick next to each site)	
Aylesham Caravan Site, Snowdon, Dover	
Barnfield Caravan Park, Ash, Sevenoaks	
Coldharbour Caravan Site, London Road, Aylesford	
Greenbridge Caravan Site, Canterbury	
Polhill Caravan Park, Dunton Green, Sevenoaks	
Three Lakes Caravan Park, Sittingbourne	
Windmill Caravan Park, West Malling	
Any/all of the sites above	

Do you have the right to remain in the UK?	<input type="checkbox"/> Yes <input type="checkbox"/> No
--	--

4. Local Connections

Do you have family living in Kent?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details below:	
Do you have any connections to the site(s) you are applying for?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details below:	

5. Familial Arrangements

Please list all people in your household who will be living with you on the site				
Surname	First Name	Date of Birth	National Insurance Number	Relationship to You

If your application is successful, and you are offered a pitch, only the names of the people you have listed here will be permitted to live with you

Are you, or any person listed above, pregnant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

6. Medical Needs

Do you, or any person listed above, have complex medical needs? (evidence must be provided)	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

Are you a carer for any person listed above? (Evidence must be provided)	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Is any person listed above a carer for you?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

7. Education Arrangements

Please provide details for any of the people listed above who are in school? Evidence must be provided			
Name	Name of School	Address of School	Is this a special education school?

Do you, or any person listed above, have a social worker assigned to you by a Local Authority? Evidence must be provided	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

8. Other

Do you have any pets that you would like to live with you on site?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, please detail below:	
Pet	Number
Dogs	
Cats	
Horses	
Chickens	
Other - please detail below:	

9. Accommodation Arrangements

Do you have a caravan or a mobile home?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
If you do not, and you are successful in getting a pitch, where/how do you intend to get a mobile home?	

Details of your vehicles (at time of the application)	
Make/model	Registration Number

Do you, or any person listed above, own any other property, land, mobile/static home in the UK or abroad?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

10. Financial Arrangements

Are you, or any person listed above, employed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Are you, or any person listed above, self-employed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Do you have a bank account?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, who with?	
How long have you held this account?	
Do you own any land?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please detail and provide location?	
Do you own any property in the UK or abroad?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please detail and provide location?	
Do you have any savings?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please confirm amount	
Do you have any other sources of income? i.e. rental income, pension etc	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please provide details and amounts	

How will you be paying for your pitch rent?
<input type="checkbox"/> Universal Credit <input type="checkbox"/> Housing benefit <input type="checkbox"/> Rent (income from employment)

Please list all state benefits and other income which you or any person listed above receive per week:	
Employment support/job seekers allowance	£
Universal credit	£
Wages from paid employment	£
Working Families Tax Credit	£
Disability Living Allowance	£
PIP	£
Child Benefit	£
Child Tax Credit	£
Maintenance from spouse	£
Pension credit	£
State pension	£
Other – please detail	£
	£

11. Declarations

Have you, or any person listed above, ever been a resident previously on any site owned/managed by KCC?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, previously applied for a pitch on a site owned/managed by KCC?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, ever had an application for accommodation refused?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

Have you, or any person listed above, been convicted of a violent offence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, been convicted of a drug related offence?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Do you, or any person listed above, have any criminal actions pending?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, used or displayed threatening behaviour towards an officer of the Council or other agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, been convicted of or been subject to an injunction for threatening behaviour?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	
Have you, or any person listed above, been issue with a breach notice or notice to quit by a Council?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

Are you, or any person listed above, in debt with housing related costs to a Council or supplier?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please provide details:	

12. Supporting Documents

You must provide all and any documents that support your application. Please tick all that you have provided:

Document	Provided	Office Use Only - Received
Photographic ID for you as main applicant (birth certificate and driving licence or passport)		
Photographic ID for joint applicant (birth certificate and driving licence or passport)		
Photographic ID for any children/family members over 18 who will be residing with you		
Birth certificates for all children		
Proof of current address		
Proof of eviction from current address		
Proof of safety concerns for your current address (such as police reference numbers)		
Evidence of pregnancy		
Evidence of medical conditions (such as doctors or hospital letter)		
Proof of carer status		
Proof of education arrangements (such as letter from school/Local Authority)		
Evidence of social worker arrangements		
Proof of all income and benefit payments (such as letters from providers, bank statements, pension statements, statements of savings accounts)		
Evidence of any criminal records		
Evidence of any breaches/warning letters issued by previous landlords		

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Kent County Council Gypsy and Traveller sites

Pitch allocation - Points allocation system

Points are awarded based on evidence provided with application only – proof must be provided in all circumstances.

Points Rating Criteria	Points
<u>Local Connections</u>	
Applicant(s) have lived in an area for 3 out of last 5 years, or have family resident in the area for at least 12 months	20 per application form
<u>Problems with Existing Accommodation</u>	
Living on an overcrowded plot	10
Unauthorised site without useable facilities	30
Living on an unauthorised private site	10
Current accommodation not culturally suitable	10
Living in temporary accommodation and cannot stay long term	10
<u>Poor or Absent facilities</u>	
Lack of water supply	20
No Toilet	5
No Bathing or Showering facilities	5
<u>Security of Tenure</u>	
Applicant at Risk of Eviction (through no fault of their own)	20
Given notice to quit through no fault of their own	25
<u>Welfare Considerations</u>	
Applicant fears for their personal safety. At risk of, or escaping violence, intimidation, harassment (through no fault of their own)	40
Applicant is required to support or care for a relative	30
<u>Family Considerations</u>	
Pregnancy	15
Children under 12 months	10
Children 1 -18 Years old	5
Relatives aged over 60	15
<u>Educational Considerations – points awarded per child in school</u>	
Children 5-11 Years Old	10
Children 12-18 Years Old	10
Children that have a Statement of Special Educational Needs	25
<u>Medical Conditions – must be confirmed in detail by a medical professional</u>	
Severe. Applicant has life limiting illness, which means they cannot complete basic welfare/daily tasks. Applicant has a carer/care plan in place	100
Substantial. Applicant has/ is likely to have significant health problems. Has, or is likely to frequently have an inability to carry out personal care or domestic routines now and in future.	75
Moderate. Applicant has an inability to carry out the majority of personal care/domestic routines, most of the time. May need help from family on occasion.	50
Minor. Applicant has recognised medical condition but it does not limit their daily activities or personal welfare on a daily basis	30

Kent County Council Gypsy and Traveller sites

Pitch allocation - Points allocation system

<u>Waiting List</u>	
Additional 1 point for every <u>complete</u> year on the waiting list	

From: Michael Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director Growth, Environment and Transport

To: Growth, Economic Development and Communities Cabinet Committee

Subject: Playground Early Years Programme

Classification: **Unrestricted**

Past Pathway of report: N/A

Future Pathway of report: N/A

Electoral Division: County wide

Summary: Playground is a programme of creative activity for babies and young children, and is delivered by Libraries, Registration and Archives (LRA) and the Culture and Creative Economy Service (CCES) working together in partnership.

Playground is aimed at very young children (0-24mths) and their families. Its focus recognises that the first five years of life are crucially important for the development of the child's brain, and that the first three years are the most critical in having lasting impact on a child's ability to learn and succeed at school and in life. Scientific evidence shows that engagement in cultural activities at this early age gives young people better chances later in life. Playground is designed to make a vital early intervention in supporting children to get the best start in life.

Recommendation(s):

The Cabinet Committee is asked to comment upon the report.

1. Background and Strategic Context

- 1.1 Playground embodies Article 31 of the United Nations Rights of the Child - *All children have the right to access high quality cultural activity*. Playground supports the principle that this should start from the earliest years.
- 1.2 The pilot of Playground co-led by Libraries, Registration and Archives (LRA) and the Culture & Creative Economy Service (CCES) was successfully delivered in 2018/19 in partnership with University of Kent and with investment from Arts Council England. The learning and evaluation from the pilot has informed each step that the subsequent programme has taken, resulting in a programme with a very specific focus on children aged 0-24 months, where there has been a clear gap in provision. Playground now complements other interventions that are already available, for example storytime and baby rhyme time in libraries, which are for older children.
- 1.3 Inspired by the Starcatchers model in Scotland, which is recognised as an exceptional model of innovative early years creative engagement nationally and

internationally, Playground is a high-quality creative programme for families with very young children that, through artist led creative play, strengthens communication, child development, and parent-child bonding; whilst also developing the skills of artists and library staff and enhancing their understanding of early childhood development.

- 1.4 Playground responded directly to the impact of COVID lockdowns felt particularly keenly by children. It secured £200,000 of investment from KCC's Reconnect programme and leveraged a further £50,000 from Artsworld Bridge organisation to support delivery of Playground as part of the Reconnect 'Learning Missed' theme from summer 2021 to summer 2022. Playground underpins LRA Ambitions of Enriching People's Lives and Connecting Communities by developing a service that increasingly focuses on the local community with a deeper understanding of what is needed to shape services to reflect community need. It supports libraries' aspirations to be accessible creative and cultural hubs for Kent communities.
- 1.5 Playground aligns with Let's Create, Arts Council England's Strategy 2020-2030, which has a strong focus on the value and strength of work with, by and for babies and young children, and has particular reference to libraries as key to the delivery of the strategy. From the pilot phase onwards, Playground has so far been successful in securing £138,000 of Arts Council England funding, including a successful application to Arts Council England in May 2022 for £85,000 to support the current phase of Playground delivery from June 2022 to March 2023.
- 1.6 Recognising that learning begins from the time that babies are born, Playground's development was designed to reach families from a wide and diverse range of backgrounds, particularly those with babies born during lockdown who have been significantly affected by the pandemic with no or limited social contact other than with their immediate families. This identified a particular need to target those lockdown babies as Playground was developed beyond the pilot phase.
- 1.7 11 artists were selected to work in Libraries and Children's Centres with mentoring from highly experienced artists and professionals to develop the artists' understanding, creative skills, and confidence in working with young children and their families. Weekly artist led sessions for up to 10 babies (per session) age 0-24 months took place in twelve Libraries and six Children's Centres across Kent from November 2021 to June 2022.
- 1.8 Working alongside Libraries and Children's Centre staff, the artists aimed to empower parents and carers of very young children with the confidence and enthusiasm for sustained creative engagement with their children.

"I think it has helped some parents and guardians see what they CAN do with their children, at home and in the session, as opposed to what they thought they COULDN'T do. Playground offers those, especially in deprived areas, things that they wouldn't normally have access to, while also showing them what's possible at home to help stimulate and bond with their baby." (Library Staff Member)

- 1.9 Playground supports the ambitions of the Kent Cultural Strategy contributing to its aim to create a place “*where culture becomes a part of everyday life with more people engaging with, experiencing and being inspired by excellent art*”; and delivers on the strategic aim that children are entitled to high quality cultural experiences from the very earliest age.
- 1.10 The LGA invited submission of a [case study](#) on Playground for their website, and Playground is featured in their Early Years Library/Family Hubs report as an example of good practice.
- 1.11 Playground co-leads are Sarah Bedingfield (LRA) and Lucy Keeley (CCES). Liz Moran, previously Director of Arts and Culture at University of Kent, was appointed as Playground’s Creative Director on a freelance basis in July 2021.

2. Playground Progress to Date

“Playground is an example of genuine community engagement practice for our youngest children and the adults who care for them. This initiative demonstrates the importance of giving babies and their grown-ups the opportunity to participate in positive, rich, shared experiences that bring joy and inspiration as part of early childhood experiences. Coupled with the innovative approach that the artists are taking in developing and delivering Playground, it is clear that a new model of creative engagement for the very young is emerging in Kent and there is much we can learn from the work that is taking place” Rhona Matheson, Starcatchers

Playground in Numbers: summer 21 to summer 22

311 Playground sessions were delivered across 26 weeks

12 libraries and 6 children’s centres in Kent were involved in the project

In total there were 1537 visits by children aged 0-2 years

In total there were 1665 visits by adults

The majority of babies were aged between 3 and 15 months



The youngest Playground attendee was just 7 days old!

- 2.1 Supported through Arts Council England project grant investment, Playground for babies aged 0-24 months is currently being delivered in twelve Libraries and two Children's Centres through to March 2023.
- 2.2 Playground artists are also working in partnership with the KCC Refugee Resettlement Team and delivering Playground sessions for Afghan refugee families currently residing in a hotel in Canterbury. Playground does not rely on verbal communication and can therefore be easily accessed by families for whom English is not their first language.
- 2.3 An additional £148,310 has been secured through Reconnect to support further Playground activity which will be delivered from January 2023 to March 2023 as part of the Reconnect programme. This will include:
 - the creative engagement of families with young children with complex needs including SEND,
 - support for families whose children are approaching the start of formal education through activity in Libraries and childcare settings,
 - developing our work with Afghan families; sharing and celebrating their culture and supporting their resettlement into Kent communities and linking them to their local library service.
- 2.4 £20,000 has been secured from Royal Opera House Bridge to support additional Playground activity in Swale from January to March 2023. Our learning and experience to date has demonstrated the need to review the age range of Playground as the development between 0-24 months is so rapid and the needs of a two-year-old are very different to a one-year-old. The investment from ROH Bridge will enable us to introduce Baby Playground (0-18 months) and Playground (18-36 months) in Sheerness Library and a new Playground venue Sittingbourne Library. In addition, we recognise the value of shared learning and creative play within families and will introduce Family Playground sessions in both locations.
- 2.5 We take a robust approach to evaluation, and work with a professional independent evaluator to assess impact of all Playground activity, to produce comprehensive and detailed research documents that support Playground's ongoing development.

3 Looking Forward: National Portfolio Status

- 3.1 Kent Libraries and Playground has recently been successful with an application to become an Arts Council England National Portfolio Organisation 2023-26. This provides core funding of £285,290 per year for three years from 2023 and enables delivery of:
 - Baby Playground for children aged 0-18 months
 - Playground for children aged 18-36 months
 - Family Playground for 3 and 4-year-olds
 - Playground for children with complex needs

- Expansion of the Playground(ing) professional development programme for artists and library staff
- An artist exchange programme working in partnership with Starcatchers (Scotland), The Spark Arts (Leicester), and Graffiti Arts – BEAG (Ireland),
- The development of a national Early Years Network in partnership with these organisations which will champion the importance of early years strategy, the development of artist practice in this field, and the commissioning of new work with, by and for very young audiences with a view to increasing and sustaining creative family engagement.
- Development of Playground resources, digital and physical
- A new baby and children’s festival across Kent Libraries in 2025/26

4. Financial Implications

- 4.1 An allocation of £80,000 per year (for 3 years) has been identified as KCC match for the total ACE NPO investment of £855,970. This comprises £40,000 cash and £40,000 in kind contribution split equally between LRA and CCES and contained within existing resources

5. Data Protection

- 5.1 The existing privacy notice covers the operation of the service and no new data protection issues arise due to the contents of this paper.

6. Equality and Diversity

- 6.1 The existing Equality Impact Assessments underpinning the breadth of the service’s work apply to the work and roles described in this paper.

7. Recommendation

Recommendation(s):
The Cabinet Committee is asked to comment upon the report.

8. Contact details

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From: Mike Hill, Cabinet Member for Community and Regulatory Services
Simon Jones, Corporate Director, Growth, Environment & Transport

To: Growth, Economic Development and Communities Cabinet Committee
– 22 November 2022

Decision No: 22/00102

Subject: Contract extensions for the provision of Post-Mortem Facilities for the Mid Kent & Medway, North West Kent, and East Kent coroner areas

Classification: Part 1: Main Report Unrestricted
Part 2: Exempt Appendix – Section 12a Local Government Act

Past Pathway of Paper: N / A

Future Pathway of Paper: For Cabinet Member Decision

Electoral Divisions: Countywide

Summary: This paper describes a six-month extension of contractual arrangements for the provision of mortuary and Post-Mortem (PM) services in the Mid Kent & Medway, North West Kent, and East Kent coroner areas.

Recommendation(s): The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse the proposal that the Cabinet Member for Community and Regulatory Services agree the six-month extension for the provision of mortuary and Post-Mortem (PM) services in the Mid Kent & Medway, North West Kent, and East Kent coroner areas and confirm current arrangements from earlier decisions [21/00079](#) and [21/00096](#) as shown at appendix A.

1. Introduction

- 1.1. 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.
- 1.2. In some cases the Coroner will order a Post-Mortem (PM) to establish the cause of death, and in such cases, the deceased is taken to one of five NHS mortuaries across Kent and Medway. On behalf of the Kent Senior Coroners, KCC ensures access to body storage and PM facilities across the Kent coroner areas.
- 1.3. Extensions to three of the four contracts for PM facilities and staff expired on 30 September 2022. Due to an administrative oversight following the departure of the

contract manager from the Coroner Service in May 2022, there is a need for three of these contracts to be extended retrospectively (from October 2022) to ensure continuity of this critical service.

- 1.4. Whilst the three NHS Trusts continue to provide PM facilities for the Council outside of a contracted arrangement, it is recommended that these contracts are extended retrospectively for six months from 1 October 2022 to 31 March 2023 to align contract end dates with the financial year. This interim arrangement will be used by the Coroner Service to continue to examine the service and associated costs to the Trusts of running the contract, and to update contract terms in line with KCC's future needs.
- 1.5. Contracts with Dartford and Gravesham, East Kent, and Medway NHS Trusts for the provision of PM facilities were extended by 12 months in October 2021 to ensure service continuity until the opening of the Digital Autopsy (DA) Body Storage facility at Aylesford, which was estimated for July 2022. The facility has not yet opened, and it is unclear how the Digital Autopsy project will be progressing as the procurement is currently on hold due to market conditions. Extending the mortuary contracts will allow more time for KCC to determine the DA project's direction of travel, and develop a contract for the provision of mortuary services to complement this.
- 1.6. This report sets out the needs of the two Kent and Medway Senior Coroners and the options and context for re-providing these services, before recommending an option for KCC to extend the contracts with the current providers for this critical service.
- 1.7. Contracts had been previously awarded under key decisions [21/00079](#) and [21/00096](#); endorsed by this Cabinet Committee in September 2021 and November 2021. Due to an administrative error, whilst the contracts were awarded in accordance with due process the final Record of Decision was not processed. This report therefore asks Members as part of the key decision to confirm their previous endorsement of these decisions.

2. The needs of the Senior Coroners

- 2.1. Senior Coroners are responsible for providing the coronial service for the KCC and Medway administrative areas. By virtue of The Coroners and Justice Act 2009, KCC is responsible for meeting the costs of the coroner service although Medway Council meets its share of the costs through a cost apportionment and pro rata allocation.
- 2.2. In particular, KCC supports the Senior Coroners by putting in place contracts for the major areas of activity which includes the provision of body storage and PM facilities. In 2021, 6,030 deaths¹ were referred to the Senior Coroners, of which 3,138 required a PM. The number of cases requiring PMs is consistent with previous years, despite the impact of Covid.
- 2.3. The NHS in Kent and Medway has always provided body storage and PM facilities to the Kent and Medway coroners alongside their own requirements for body storage for hospital deaths where the coroner is not involved. There are no private sector PM

¹ The overall number of deaths referred to the Senior Coroner has decreased since 2020 following the implementation of the non-statutory [national medical examiner system](#), operated by the NHS.

providers anywhere in England and Wales that could take on this work and there is no public mortuary facility in Kent or Medway. Each of the five mortuaries in Kent and Medway are already operating at full capacity for body storage and so would not be able to take on any additional PM work from each other in the absence of significant capital investment. Given the modelling that the number of physical PMs will reduce significantly when the DA facility opens, such investment cannot be justified and in any event would be impossible within the timeframe for this proposed extension (six months).

- 2.4. Commissioning the coronial work outside of Kent at other NHS sites is not an option for two reasons. First, the cost to KCC of transferring the deceased would be prohibitive. Second, the service has recent previous experience of using Greenwich Public Mortuary for a year when Maidstone and Tunbridge Wells NHS Trust did not renew its contract with KCC in 2013. The lesson learned from this is that procuring services at such a distance from the coroner area places an unsustainable strain on bereaved families, carbon emissions and service costs and therefore is not a viable option.
- 2.5. Continuing outside of a contracted arrangement puts the Council at risk of receiving an inconsistent service. For example, if NHS Trusts choose to dedicate their pathologists and body storage to their hospital deaths rather than community deaths, a reduced capacity would be available to KCC to carry out its statutory duty on behalf of the Senior Coroners. Without a contract in place, KCC cannot challenge the Trusts if they reduce their capacity to carry out such a critical service.

3. Options

- 3.1. **Do nothing** – this is the current situation as the service is operating outside of a contract. Whilst the three NHS Trusts continue to provide PM facilities for the Council outside of a contracted arrangement, without a contract in place, the Council is at risk of receiving an inconsistent provision and quality of service and having a lack of control over costs, all of which could cause reputational damage to KCC.
- 3.2. **Go out to tender** – this is not an option. Kent and Medway NHS Trusts do not have capacity to take on any extra work without significant capital investment, and given that KCC is moving over to Digital Autopsy which will eventually significantly reduce PM activity, there is no business case for such capital investment. Whilst it is possible that NHS providers outside of Kent may have some capacity, past experience has shown that this approach does not provide a service of suitable quality and cost.
- 3.3. **Use a framework or other viable contract mechanism** – there are no frameworks or other viable mechanisms in England and Wales.
- 3.4. **Renew the contracts for a longer period until the DA facility opens** – extending the contracts for 12-18 months will not provide KCC with the flexibility to negotiate new contracts for mortuary services that support the DA facility. In six months, KCC will have a clearer understanding of the progress of the DA, and would benefit from renegotiating the terms of the mortuary contracts in light of this.

- 3.5. **Renew contracts for six months through single source procurement** – this is the only viable option given the very specialist nature of the work and the absence of any alternative providers with sufficient capacity in Kent or nearby adjoining areas. A six-month extension will be used to improve understanding of the service and associated costs to the Trusts of running the contract. New contract terms will be updated and developed using these findings and in line with KCC's future needs, including the approach to DA.

4. Financial implications

- 4.1. Without a contract extension in place, there is a risk NHS Trusts are able to charge spot rates for the provision of mortuary services.
- 4.2. The financial implications of these three proposed contract extensions are set out in the exempt Appendix of this report. It is forecast that the cost to extend the contracts is within the current funding envelope.
- 4.3. It should be noted that the contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in six equal installments. The contracts with Dartford and Gravesham and Medway NHS Trusts are charged on a cost per PM basis.
- 4.4. One significant benefit of the DA facility will be that with a falling number of pathologists available, it can offer an alternative to invasive PMs, which will reduce the overall number of PMs required. A contract extension longer than six months would tie KCC into a service that will not be required on the same scale once the DA facility comes online. In six months or less, more will be known about the direction of the DA project, and new contract terms for the provision of mortuary services can be developed to robustly support the DA service in its chosen form.

5. Legal implications

- 5.1. The current level of expenditure on PMs with the three Trusts is in the region of £1.1million a year depending on activity levels. Normally this level of expenditure would require a full tender process compliant with the Public Contracts Regulations (PCR) 2015 and KCC's Procurement Policy (Spending the Council's Money).
- 5.2. External legal advice has been obtained from Trowers and Hamlins to evaluate the procurement options and risks of extending the Contracts by six (6) months until 31 March 2023.
- 5.3. Having considered this advice, it is proposed that the modification can be made to the Medway and East Kent Contracts for the following reasons:
- 5.3.1. the services under the Contracts are necessary and require continuation until 31 March 2023.
- 5.3.2. the prices of the extended Contracts do not exceed 50% of the value of the original Contracts; and

- 5.3.3. the services require specialist providers and therefore there are technical reasons why the incumbent providers are the only ones who are sufficiently specialist as to provide the services without material additional cost to the Council;
- 5.4. The risk to the Council is that an alternate service provider will bring a legal challenge. To mitigate this, a Modification Notice will be published to notify the market of the Council's intention to award this contract under Regulation 72.
- 5.5. The Dartford and Gravesham Contract is proposed to be extended or awarded as a below-threshold procurement, given its original value and estimated extension value. The procurement risk is considered low, provided the Council is content with the contractual values stated.

6. Equality implications

- 6.1. The Equalities Impact Assessment (EqIA) completed in 2019 for this service was reviewed last year when contract extensions were awarded to the three NHS Trusts. Nothing has changed in terms of the impact of the contract since then, and no issues have been identified by the service. Should any issues arise they will be dealt with in accordance with KCC policies and statutory requirements.

7. Data Protection implications

- 7.1. For the purposes of the coroner service, the two senior coroners are the data controllers. The GDPR does not apply to deceased persons but information is collected during the course of their enquires that relates to the living. This includes details about next of kin, for example name, address and telephone number. Sometimes this information is shared with other organisations for the specific purposes of the coroners investigation, as in this case with the NHS. The contract contains a data sharing agreement that places a specific obligation on the provider to comply at all times with the requirement of the GDPR for the data they hold relating to next of kin. In addition the service has published a privacy notice which explains what personal information it holds about service users, how it collects it, how it uses it and how it might share information.

8. Policy

- 8.1. The proposed Digital Autopsy facility, to which these contracts are directly linked, supports Priority 2 of Framing Kent's Future: Infrastructure for Communities, as it supports a further digitalisation of KCC's service offer, which contributes to finding better ways to deliver services for Kent.

9. Conclusions

- 9.1. KCC supports the Kent and Medway Senior Coroners by ensuring contracts are in place for body storage and for PMs to ensure they are able to discharge their statutory duties in accordance with the Coroners and Justice Act 2009. Due to an administrative oversight following the departure of the contract manager from the Coroner Service in

May this year, there is a need for three of the contracts for PM facilities and staff to be extended retrospectively to ensure continuity of this critical service.

- 9.2. There are no private sector PM providers anywhere in England and Wales to take on the Kent and Medway PM workload and no public mortuary in Kent or Medway. The five current mortuary sites are all operating at full body storage capacity and could not take on additional work from each other without significant capital investment.. KCC is therefore left with no alternative but to extend the current PM contracts with the current providers until the Digital Autopsy facility opens.
- 9.3. This interim arrangement for six months will align contract end dates and allow the Coroner Service to better understand the provision and associated costs of running the contract for the Trusts. Extending the mortuary contracts will also provide more time for KCC to determine the DA project's direction of travel, and what the relationship will be between these two services.

10. Recommendation

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse the proposal that the Cabinet Member for Community and Regulatory Services agree the six-month extension for the provision of mortuary and Post-Mortem (PM) services in the Mid Kent & Medway, North West Kent, and East Kent coroner areas and confirm current arrangements from earlier decisions 21/00079 21/00079 and 21/00096 as shown at appendix A.

11. Appendices

- Appendix A – Proposed Record of Decision
- Equality Impact Assessment:
<https://democracy.kent.gov.uk/documents/s115085/MortuaryfacilitiesEqIA.docx.pdf>

12. Contact details

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KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Michael Hill, Cabinet Member for Community and Regulatory Services

DECISION NO:

22/00102

For publication Yes

Key decision: YES

Subject Matter / Title of Decision: Coroner Post Mortem Contract Extensions

Decision:

As Cabinet Member for Community and Regulatory Services, I agree the six-month extension for the provision of mortuary and Post-Mortem (PM) services in the Mid Kent & Medway, North West Kent, and East Kent coroner areas and confirm current arrangements from earlier decisions 21/00079 and 21/00096.

Reason(s) for decision:

Senior Coroners are responsible for providing the coronial service for the KCC and Medway administrative areas. By virtue of The Coroners and Justice Act 2009, KCC is responsible for meeting the costs of the coroner service although Medway Council meets its share of the costs through a cost apportionment and pro rata allocation. In particular, KCC supports the Senior Coroners by putting in place contracts for the major areas of activity which includes the provision of body storage and PM facilities.

Cabinet Committee recommendations and other consultation:

The proposal is being discussed at the Growth, Economic Development and Communities Cabinet Committee on 22 November.

Any alternatives considered and rejected:

Do nothing – this is the current situation as the service is operating outside of a contract. Whilst the three NHS Trusts continue to provide PM facilities for the Council outside of a contracted arrangement, without a contract in place, the Council is at risk of receiving an inconsistent provision and quality of service and having a lack of control over costs, all of which could cause reputational damage to KCC.

Go out to tender – this is not an option. Kent and Medway NHS Trusts do not have capacity to take on any extra work without significant capital investment and given that KCC is moving over to Digital Autopsy which will eventually significantly reduce PM activity, there is no business case for such capital investment. Whilst it is possible that NHS providers outside of Kent may have some capacity, past experience has shown that this approach does not provide a service of suitable quality and cost.

Use a framework or other viable contract mechanism – there are no frameworks or other viable mechanisms in England and Wales.

Renew the contracts for a longer period until the Digital Autopsy (DA) facility opens – extending the contracts for 12-18 months will not provide KCC with the flexibility to negotiate new contracts for mortuary services that support the DA facility. In six months, KCC will have a clearer understanding of the progress of the DA and would benefit from renegotiating the terms of the mortuary contracts in light of this.

Renew contracts for six months through single source procurement – this is the only viable option given the very specialist nature of the work and the absence of any alternative providers with

sufficient capacity in Kent or nearby adjoining areas. A six-month extension will be used to improve understanding of the service and associated costs to the Trusts of running the contract. New contract terms will be updated and developed using these findings and in line with KCC's future needs, including the approach to DA.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

.....
signed

.....
date

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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From: Benjamin Watts, General Counsel

To: Growth, Economic Development and Communities Cabinet Committee – 22 November 2022

Subject: Work Programme 2022/23

Classification: Unrestricted

Past and Future Pathway of Paper: Standard agenda item

Summary: This report gives details of the proposed work programme for the Growth, Economic Development and Communities Cabinet Committee.

Recommendation: The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2022/23.

1. Introduction

- 1.1 The proposed work programme, appended to the report, has been compiled from items in the Future Executive Decision List and from actions identified during the meetings and at agenda setting meetings, in accordance with the Constitution.
- 1.2 Whilst the chairman, in consultation with the cabinet members, is responsible for the programme's fine tuning, this item gives all members of this cabinet committee the opportunity to suggest amendments and additional agenda items where appropriate.

2. Work Programme

- 2.1 The proposed work programme has been compiled from items in the Future Executive Decision List and from actions arising and from topics, within the remit of the functions of this cabinet committee, identified at the agenda setting meetings. Agenda setting meetings are held 6 weeks before a cabinet committee meeting, in accordance with the constitution.
- 2.2 The cabinet committee is requested to consider and note the items within the proposed Work Programme, set out in appendix A to this report, and to suggest any additional topics to be considered at future meetings, where appropriate.
- 2.3 The schedule of commissioning activity which falls within the remit of this cabinet committee will be included in the work programme and considered at future agenda setting meetings to support more effective forward agenda planning and allow members to have oversight of significant service delivery decisions in advance.
- 2.4 When selecting future items, the cabinet committee should consider the contents of performance monitoring reports. Any 'for information' items will be

sent to members of the cabinet committee separately to the agenda and will not be discussed at the cabinet committee meetings.

3. Conclusion

- 3.1 It is vital for the cabinet committee process that the committee takes ownership of its work programme to deliver informed and considered decisions. A regular report will be submitted to each meeting of the cabinet committee to give updates of requested topics and to seek suggestions for future items to be considered. This does not preclude members making requests to the chairman or the Democratic Services Officer between meetings, for consideration.

4. Recommendation: The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2022/23.

5. Background Documents: None

6. Contact details

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**GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE
WORK PROGRAMME 2022/2023**

Item	Cabinet Committee to receive item
Work Programme	Standing item
Verbal Updates – Cabinet Members and Corporate Director	Standing item
District Visits Programme	Standing item
Final Draft Budget	Annually (January)
Annual Equality and Diversity Report	Annually (September 2023)
Risk Register – Strategic Risk Register	Annually (March)
Performance Dashboard	Bi-annual (6 monthly)
Kent and Medway Business Fund Monitoring	Bi-annual reporting (6 monthly)
Key Decision Items	

11 JANUARY 2023 at 10am

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item – Rob Hancock
7	Final Draft Budget	Annual
8	Kent and Medway Business Fund Monitoring	Bi-annual
9	Work Programme	Standing item

14 MARCH 2023 at 10am

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item – Rob Hancock
7	Kent Country Parks Strategy Adoption	Tom Marchant
8	Community Services Programme	
9	Social Prescribing	Mike Overbeke
10	Work Programme	Standing item

16 MAY 2023 at 2pm

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item – Rob Hancock
7	Project Gigabyte Broadband Programme	Liz Harrison/Nigel Smith
8	Work Programme	Standing item

28 JUNE 2023 at 10am

1	Intro/ Web announcement	Standing item
2	Apologies and Subs	Standing item
3	Declaration of Interest	Standing item
4	Minutes	Standing item
5	Verbal Updates – Cabinet Members and Corp. Dir.	Standing item
6	District Visits Programme	Standing item – Rob Hancock
7	Work Programme	Standing item

Items for Consideration that have not yet been allocated to a meeting

Thames Estuary/EDC/Thames Crossing	TBA - David Smith
Kent Developer's guide	Early 2023 – after consultation
Faversham Creek Bridge	TBA
Otterpool	TBA
Trading Standards Checked and Ports Team	Mike Overbeke – possibly two reports
Creative Economy	James Pearson
PROW Operational Management Policies	Tom Marchant
Sources of Energy	<i>(Mark Hood – Agenda Setting 17/5/22)</i>
No Use Empty Update	

Kent Design Guide	Deferred from September 2022 meeting – date TBC
Tourism in the county and economic impact	<i>(Mark Hood – Agenda Setting 3/8/22)</i>

Updated 14 November 2022

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