

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

**Tuesday, 14th March, 2023**

**10.00 am**

**Council Chamber, Sessions House**





## AGENDA

### GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE

**Tuesday, 14 March 2023 at 10.00 am**  
**Council Chamber, Sessions House**

Ask for: **Hayley Savage**  
Telephone: **03000 414286**

#### **Membership (16)**

Conservative (12): Mr N Baker (Chairman), Mr H Rayner (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 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 Apologies and Substitutes
- 3 Declarations of Interest by Members in items on the Agenda
- 4 Minutes of the meeting held on 11 January 2023 (Pages 1 - 28)
- 5 Verbal updates by the Cabinet Members and Corporate Director
- 6 Risk Management: Growth, Environment and Transport Directorate (Pages 29 - 46)
- 7 23/00013 - No Use Empty (NUE) update and continuation of the initiative (Pages 47 - 64)
- 8 23/00024 - Kent Country Parks Strategy 2023-28 (Pages 65 - 88)
- 9 23/00025 - New Contracts for the Provision of Post-Mortem Facilities for the Mid Kent & Medway, Northwest Kent, and East Kent Coroner Areas (Pages 89 - 98)

10 Decisions Taken Outside of the Cabinet Committee Meeting Cycle (Pages 99 - 100)

11 Work Programme 2023 (Pages 101 - 106)

12 Future Meeting Dates

All meetings will be held in the Council Chamber, Sessions House, Maidstone, Kent ME14 1XQ.

Tuesday 26 September 2023 at 2pm

Thursday 9 November 2023 at 2pm

Thursday 18 January 2024 at 10am

Tuesday 5 March 2024 at 2pm

Tuesday 14 May 2024 at 2pm

Wednesday 3 July 2024 at 10am

### **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, 6 March 2023**

**KENT COUNTY COUNCIL**

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**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 Wednesday, 11 January 2023.

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

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

IN ATTENDANCE: Mr D Smith (Director of Economic Development), Mrs S Holt-Castle (Director of Growth and Communities), Hayley Savage (Democratic Services Officer) and Mr S Jones (Corporate Director of Growth, Environment and Transport)

**UNRESTRICTED ITEMS****108. Apologies and Substitutes**

*(Item 2)*

There were no apologies.

**109. Declarations of Interest by Members in items on the Agenda**

*(Item 3)*

There were no declarations of interest.

**110. Minutes of the meeting held on 22 November 2022**

*(Item 4)*

RESOLVED that the minutes of the meeting held on 22 November 2022 were a correct record.

**111. Verbal updates by the Cabinet Members and Corporate Director**

*(Item 5)*

1. Mr Hill, Cabinet Member for Community and Regulatory Services, provided an update on the opening of the Jasmin Vardimon Company studio in Ashford. Mr Hill attended the official opening on 7 December 2022 and said the new building provided space for the company's touring productions, rehearsals, training, educational and community classes. The building was part of the regeneration of a disused site on the Henwood Industrial Estate, called the Creative Enterprise Quarter.
2. Mr Murphy, Cabinet Member for Economic Development, gave a verbal update on the following:

- (a) The Leader of the Council, along with Mr David Monk, Leader of Folkestone & Hythe District Council, and Mr Damien Collins, MP for Folkestone & Hythe, had written to the Secretary of State regarding a small nuclear reactor site at Dungeness. Mr Murphy said discussions continued with Rolls Royce as well as other suppliers of small nuclear reactors regarding the site, and the Council was also liaising with the Environment Agency.
  - (b) Mr Murphy visited the transport company Mesaroli at Discovery Park in Sandwich at the end of 2022, who were keen to expand in Kent and said the company Growup Farms was a recent addition to Discovery Park.
  - (c) The No Use Empty (NUE) scheme was supporting the development of business units in Whitfield, Dover. The development would involve businesses such as a printing firm, a glazing firm and freight forwarding companies relocating in the area.
  - (d) The Kent Rural Partnership included representatives from across the rural sector, and was initially focusing on education, research, and development.
  - (e) A joint project was in place with Dover District Council for the provision of Broadband to multi occupancy buildings.
  - (f) Mr Murphy invited Members to attend Business Vision Live on 10 May 2023 at the Kent Showground.
  - (g) Recommendations had been put to the Canterbury and Sevenoaks Local Plan Regulation 18 Consultation and Members would be able to comment if they wished to.
3. Mr Murphy responded to the following questions and comments from Members:
- (a) Asked about the potential for a programme of nuclear reactors across Kent, Mr Murphy said the Council was currently prioritising the site in Dungeness and there was the intention for more than one reactor, however, Mr Murphy agreed that a programme of nuclear reactors would be beneficial to meet increased demand.
  - (b) Asked whether the work on nuclear reactor sites was running alongside a package of energy solutions, Mr Murphy said the opportunity at Dungeness was being investigated as part of a combination of energy sources such as offshore wind, solar power, heat source and hydrogen power.
4. Mr Jones, Corporate Director for Growth Environment and Transport, gave a verbal update on the following:
- (a) As part of the Kent Resilience Forum teams within the Council responded to the tragic incident in the English Channel on 14 December 2022, and to the loss of water supply to residents and businesses across the county between 15 and 28 December 2022. Mr Jones thanked the Emergency Planning Team, the teams within communities specifically Community Wardens and the district teams for their efforts.

- (b) Since 6 December 2022 almost 1,250 precautionary salting runs on roads had been undertaken and over 5,000 tons of salt was used. The weather conditions had resulted in an increase in enquiries from residents and the temporary closure of Folkestone Library.
  - (c) The Community Safety Team was working to improve services related to domestic abuse and during 2022 the team had provided webinars to professionals and frontline practitioners.
  - (d) The Community Wardens had been working with various partners, community groups and food hubs to improve residents' access to support and quality of life during difficult times. They continued to offer one to one support, assist with mental health issues, safeguarding, and welfare support.
  - (e) Trading Standards continued to address illegal vape products which contained ten times the legal limit for nicotine and could be fatal to users. A publicity campaign had been run to alert and inform residents of the dangers. Mr Jones referred to an intervention by the Council's Trading Standards Team in Canterbury and said Illegal vapes had also been seized at the borders.
  - (f) Mr Jones referred to a case in Sandwich where the Trading Standards team had been involved in convicting companies who were attempting to illegally deliver green energy solutions for fraud by false misrepresentation.
  - (g) The Food Standards Agency had confirmed a grant to Kent Scientific Services to help modernise equipment and services in investigating and examining heavy metals in food.
  - (h) Mr Jones congratulated the Kent Film Office and Explore Kent for raising the county's profile for tourism and businesses, and for significantly contributing to the Kent economy, in relation to the film Empire of Light released on 9 January 2023.
5. Mr Jones responded to the following questions and comments from Members:
- (a) Asked about the seizure of illegal products in Canterbury, Mr Jones said the activity on the ground was one part of a continuous campaign and the Trading Standards Team and Intelligence Team continued to monitor and act on activity. A Member asked about media coverage highlighting the dangers of illegal vapes and Mr Jones said he would investigate whether anything further could be done.
  - (b) Asked about the repairs at Folkestone Library and the checks that were carried out on work undertaken, Mr Jones said processes were carried out on the quality of work and referred to the scale of repair in terms of immediate and ongoing work.

RESOLVED that the verbal updates be noted.

**112. Draft Ten Year Capital Programme, Revenue Budget 2023-24 and Medium Term Financial Plan 2023-26**  
(Item 6)

*Mr Peter Oakford and Ms Zena Cooke (Corporate Director Finance) were in attendance for this item.*

1. Mr Oakford introduced the report and explained that, although funding from central government had been better than anticipated, it would not cover the Council's expenditure. Mr Oakford highlighted that inflation continued to be an enormous pressure and spending growth within the Council had increased by £216million. He said £40million in savings was required and the Council was looking to raise its income by £16million from charges to some of its services. Mr Oakford said it would be necessary to draw down from reserves which would weaken the Council's financial resilience and insecure funding areas, which would normally form part of reserves, had been diverted into the base budget. Mr Oakford said a £12million risk reserve had been included in the budget to offset any challenges faced during the year but emphasised this was a small amount in relation to the Council's overall budget. Mr Oakford referred to the assumed 4.99% council tax and social care increase. He explained that the Council's Community Services Consultation had been launched and the Council's contribution to the ongoing "safety valve" negotiations with central government would put further pressures on reserves in future years.
2. Mr Murphy said that Economic Development was looking to bring in an aspirational £1.5million income target from business rates, and officers were working to combine the Council's partnership organisations, Locate in Kent, Produced in Kent, and Visit Kent, for increased efficiency. Mr Murphy said an additional £200,000 income fund would be generated by the No Use Empty Scheme.
3. Mr Hill explained that although savings would be made within his portfolio, all services would continue.
4. Members made the following comments:
  - (a) Asked about the reduction of £200,000 to the Library, Registrations and Archive budget, Mr Hill said the savings were efficiencies within the back-office function and the changes would unlikely be seen by residents.
  - (b) A Member commented on the reduction of £500,000 to the Community Wardens budget and the consequences of that within communities. Mr Hill acknowledged the importance and benefit of Community Wardens and agreed this was disappointing but said it was unavoidable.
  - (c) Members commented that a summary of changes to services (that fell under the relevant Cabinet Committee), would be helpful for future committees to enable easier scrutiny at cabinet committee level.
5. Mr Sole proposed and Ms Meade seconded a motion that "the Cabinet Committee recommends for consideration at Cabinet on 26 January 2023 that



the £10,000 Combined Members Grant be retained for each Member.”  
Members voted on the motion and the motion was lost.

RESOLVED that Members’ comments on the draft capital and revenue budgets relevant to this committee, including responses to consultation, be noted, and reported to the Cabinet on 26th January 2023, before the draft was presented for approval at County Council on 9th February 2023.

### **113. Kent and Medway Business Fund Bi-Annual Monitoring - Q2 2022/2023** *(Item 7)*

*Sir Paul Carter and Mr Martyn Riley (Project Manager) were in attendance for this item.*

1. Mr Murphy provided a brief introduction and welcomed Sir Paul Carter, Chairman of the Kent and Medway Business Fund Committee to the meeting.
2. Sir Paul Carter provided an overview of the achievements of the Kent and Medway Business Fund since its inception in Kent. He reflected on the history of the fund, including its performance and track record, and the future of the scheme.
3. Mr Riley introduced the Kent and Medway Business Fund bi-annual monitoring report on the progress of the Kent and Medway Business Fund. He referred to the summary of the report which included figures up to the end of September 2022.
4. Mr Riley, Mr Murphy, and Sir Paul Carter responded to the following questions and comments from Members:
  - (a) Members commented on the success of the scheme for both the Council and businesses, and its benefit to Kent’s economy including the creation and protection of jobs.
  - (b) Members discussed the importance of publicising and raising awareness of the scheme, within relevant networks, to suitable businesses.
  - (c) Asked about equity investments in businesses, whether owners provided personal guarantees, and whether the exits so far from equity investments had been successful, Sir Paul Carter said security was not asked for and a couple of the equity schemes had significant potential, with one being partially exited with a reasonable return on investment. He said future success would depend on the global economy and highlighted, in particular, the life sciences area which showed potential for positive outcomes.
  - (d) Asked about the varying costs across Kent in terms of the creation and protection of jobs, Mr Riley said the difference in cost reflected the different sectors and use of investment. For example, the tourism industry could produce more jobs compared to a sector that required capital for machinery. Mr Riley said it was difficult to influence how investment was spent but the use of apprenticeships was encouraged.

- (e) Asked whether there was a forum for businesses involved in the scheme, Mr Riley said links were established based on monitoring information and where potential was identified, for example, companies where production was similar or where complementary services could be beneficial. A newsletter was circulated regularly to raise awareness of achievements on the loan scheme. Mr Murphy referred to partner organisations, for example, Produced in Kent and Locate in Kent, as a way of reaching out to businesses and the Council's work with the Kent Chamber of Commerce and Institute of Directors.
5. Mr Riley presented a series of slides (attached to these minutes) and provided a summary of the report by SQW - *Evaluation of the Kent and Medway Business Fund* - which looked at the achievements of the scheme and its future.
6. Mr Riley responded to the following questions and comments from Members:
- (a) Asked about the initial amount of funding from government and the current value of loans outstanding, Mr Riley said the original allocation from government was £55m and the majority had been allocated to loan and equity schemes. Mr Riley said, going forward, it would be possible to provide an estimate based on agreements in place. He said there was an extensive focus on debt recovery and acknowledged that rising interest rates would have an impact on the loan scheme.
- (b) Members recognised the positive approach of potential businesses providing interactive presentations in person, and the benefit in having the opportunity to ask questions and obtain feedback.
7. The Chair thanked all Members and officers involved in the success of the scheme so far.

RESOLVED that the Cabinet Committee notes the report.

#### **114. Youth Unemployment and Apprenticeships**

*(Item 8)*

*Mr David Knox (The Education People Apprenticeship Lead), and Mr David Smith, (Director Economic Development) were in attendance for this item.*

1. Mr Murphy introduced the item and referred to the Employment Taskforce, chaired by Mr Gough and said the Council worked closely with educational and business establishments. He said the report was also being presented to the Children, Young People and Education Cabinet Committee and discussions were taking place to determine how the matter would be addressed between the two cabinet committees.
2. Mr Smith introduced the report and highlighted the link between supporting the financial growth of companies and the provision of employment opportunities. He summarised the background to youth unemployment and apprenticeships in the workplace in Kent.

3. Mr Knox presented a series of slides (attached to these minutes) and provided an overview of apprenticeships within the Council.
4. Mr Knox and Mr Smith responded to the following questions and comments from Members:
  - (a) A Member noted that most apprenticeships were within the field of adult social care and commented on the importance of encouraging businesses to provide apprenticeships with clear signs of promotion. Mr Knox said the government launched last year Flexi-Job Apprenticeship Agencies for small businesses to work with other employers to provide skills for apprentices.
  - (b) Asked how much of the 75% of the levy allocated within the Council was used, Mr Knox said this information could be provided outside of the meeting.
  - (c) A Member asked about the strategic role of the Council in terms of skill development as a government priority of the UK Shared Prosperity Fund, and whether the Council was hoping to use the fund for additional apprenticeships across the county. Mr Smith said strategic discussions between the Council and the districts, as well as local colleges and The Education People, would take place regarding the UK Shared Prosperity Fund and it was agreed this would be added to the Cabinet Committee's work programme for a future meeting.

RESOLVED that the report and presentation be noted, and the Cabinet Committee for Children, Young People and Education would be invited to consider the same issues at one of its future meetings.

## **115. Performance Dashboard**

*(Item 9)*

*Ms Rachel Kennard (Chief Analyst) was in attendance for this item.*

1. Ms Kennard introduced the Performance Dashboard for Quarter 2 of 2022/23 and highlighted the key areas of performance.
2. Ms Kennard, Mr Murphy and Mr Hill responded to the following questions and comments from Members:
  - (a) A Member asked, where services had been impacted by the Covid-19 pandemic, for figures before pandemic to be included in future reports. Mr Hill said libraries were currently at 64% of the pre-pandemic figure.
  - (b) Asked about KPI ED08 - *Developer contributions secured against total contributions sought* – and the indication that the amount would be less than hoped, Mr Murphy said the year-to-date figure was now nearer to £18million and the figure fluctuated depending on local plans and delays for developments to proceed.
  - (c) Asked about the varying timeframes used for the graphs on page 5 of Appendix 1, Ms Kennard said this would be reviewed.

- (d) Asked about the recording of library data when considering viability, for example in relation to Folkestone Library which was currently closed, Mr Hill said usage of libraries would take account of any extraneous factors.

RESOLVED that the performance report for Quarter 2 of 2022/23 be noted.

### **116. District Visits Programme 2023**

*(Item 10)*

*Mr Rob Hancock (Programme Manager) was in attendance for this item.*

1. Mr Murphy introduced the item and said Members' comments had been taken on board and issues resulting from district visits would be reported at future meetings.
2. Mr Hancock introduced the report and said the visit to Maidstone on 20 January 2023 had been postponed and further visits would be arranged for 2023. He said future reports to the committee would include a dashboard recording outcomes from visits.

RESOLVED that the Cabinet Committee noted the report and agreed to receive a dashboard at future meetings monitoring progress on matters raised.

### **117. Community Wardens and Positive Wellbeing**

*(Item 11)*

*Mr Mike Overbeke (Group Head, Public Protection) and Ms Rebecca Law (Business Development Manager) were in attendance for this item.*

1. Mr Hill introduced the item and said the Positive Wellbeing intervention activity, which was an important part of the work of Community Wardens, supported many lonely and isolated people in the county and made a significant contribution to the Council's adult social care service.
2. Mr Overbeke and Ms Law introduced the report. Ms Law provided an overview of the programme and shared feedback from residents who had received the service.
3. Members acknowledged the significance and importance of the Community Warden service and how it made a difference within communities in terms of preventative working, social prescribing and supporting the NHS.
4. Ms Holt-Castle said the team had been working with the University of Essex in evaluating the social prescribing project, and with the University of Kent to evaluate the impact of the Community Wardens, to demonstrate how social prescribing could delay pressures on Adult Social Care and a report covering the work would be brought back to the committee in due course.
5. Mr Hill thanked Members for their support.

RESOLVED that Members' comments on this programme and the potential to incorporate the Positive Wellbeing intervention activity into the Community Wardens service delivery model going forward be noted.

**118. Work Programme 2023**

*(Item 12)*

RESOLVED that the Work Programme 2022/23 be noted, subject to the addition of

- UK Shared Prosperity Fund

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# Evaluation of the Kent and Medway Business Fund:

## Summary of findings

# Introduction: Evaluating the KMBF

Ten years on from the establishment of the initial RGF-funded schemes, Kent County Council commissioned an evaluation to consider

- The **impact** of the KMBF on the Kent and Medway economy and its value for money
- The **process** through which KMBF was delivered, how this evolved and lessons learnt
- The **strategic alignment** of the Fund and how it contributes to wider economic development

... to help inform KCC in the future design of the Fund and in its discussions with Government

## Approach

- Analysis of monitoring data going back to the start of the earlier Expansion East Kent, TIGER and Escalate schemes (with a cut-off of August 2021 for most data)
- Business survey of beneficiary businesses and unsuccessful applicants (121 responses in total)
- 12 in-depth interviews with firms that secured KMBF funds
- Interviews with other strategic stakeholders
- Principally focused on loan scheme



# Performance

- By August 2021, **£52.4 million in loan payments approved** (across KMBF and predecessor schemes) through 328 loan agreements (with £52.1 million defrayed at that point)
- **£30.3 million cumulatively repaid** into the Fund (higher gap between payments due and actual receipts during Covid-19, but expected to fall as emergency repayment holidays came to an end)
- **Average loan value on current KMBF was £106k**, broadly in line with the average finance request reported through the UK Small Business Survey
- **All beneficiary firms since 2017 have been SMEs**, reflecting the composition of the county's business base
- Diverse sectoral distribution, although relatively **strong representation from manufacturing and technology** businesses
- **'Bad debt' rates around 12% of loans agreed by value** since 2012. But mostly relates to loans agreed in 2012-14 – suggesting learning and improvement over time, and in line with national comparators
- **Value of combined equity portfolio had increased by 5.5%** on original investment by March 2022

# Impact

- By August 2021, KMBF and predecessor programmes had **created 3,485 FTE jobs and safeguarded 1,400**. Job outputs are measured on evidence of specific jobs created or safeguarded, and are considered robust
- **Unit cost per job around £10,700** – relatively low vs. national comparators and lower than the cost per job anticipated in original business case
- By August 2021, the loan schemes had secured **£74.8 million in private sector leverage** – a ratio of around 1.45:1 on loans defrayed
- **Benefit: cost ratio to 2021 estimated at 5.56:1**. But the BCR could rise over time as funds are reinvested
- **Additionality relatively high**: 42% of respondents said they would not have delivered the project at all without KMBF support
- Other benefits included increased turnover, staff development and investment in innovation/ product development

*“By expanding to our new property, we’ve been able to increase our product range and we have doubled our turnover as a business... we’re now exporting to the US and we’re looking to expand further”*

*“Being able to do it all at once [building and equipment] was integral to getting the business up and running”*

# Process and management

- Management information for the loan scheme is robust and of high quality
- **Most beneficiary businesses were satisfied with the application and appraisal process.** There is evidence that processes have become more streamlined, and guidance is clear
- Consultees were **generally positive about the way in which the KMBF is managed**, especially in relation to the approachability and responsiveness of the Business Investment Team
- Members of the Investment Advisory Board make a substantial contribution to the running of KMBF, and the membership contains a range of external members with business experience.
- However, **some applicants observed that they were given insufficient time in presenting to the IAB:** it may be useful to address this to ensure equal opportunities for all applicants

*“The guys are really helpful. We were worried about our ability to meet our repayment schedule at one point, so we asked about the possibility of a break in payments. They were very approachable”*

*“The whole process was aimed at helping me..... the team have been very responsive”*

# Alignment with strategy and future need

- The focus on job creation aligned with the original objectives of the Regional Growth Fund, But there is **potentially an inconsistency between the 'core metric' of direct job creation and the aim of the KMBF to also support greater productivity and innovation.** It may be helpful to adopt a wider range of metrics to account for this
- **Efforts are made to align the KMBF with other measures to support business growth.** Efforts are also made to encourage the application of 'cross-cutting themes' (such as interaction with the skills system and environmental sustainability)
- Strong evidence of **alignment between the KMBF and the package of measures to support the growth of Discovery Park** (and the life science sector) as a key economic asset.
- Based on the Longitudinal Business Survey, we estimate that there is likely an **annual 'finance gap'** in Kent and Medway (i.e., firms with viable propositions which cannot obtain finance) of between £9 million and £45 million – KMBF an important part of the mix in bridging the gap.

# Research, analysis and advice

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# SQW

## Contact

For more information:

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[www.sqw.co.uk](http://www.sqw.co.uk)

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# Apprenticeships

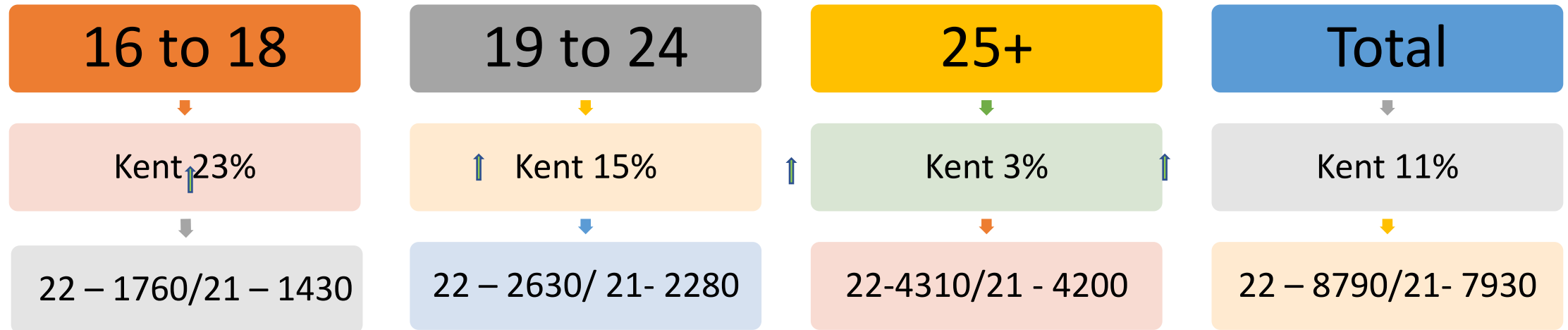
**THE EDUCATION  
PEOPLE**

Kent County Council &  
The Education People.

# Kent Apprenticeship starts

Based on 4<sup>th</sup> quarter data comparing 20/21 to 21/22

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Kent first positive increase in 16 to 18 starts since 15/16



# KCC as an employer

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## Maximising the KCC apprenticeship levy

- Since the introduction of the apprenticeship levy in 2017 KCC has supported 1038 colleagues to access apprenticeship training
- All apprentices access the bespoke 'KCC Made in Kent' development programme in addition to apprenticeship training.
- 'Growing our own' social workers utilising the social work degree apprenticeship – 24 NQSWs will graduate in the spring 2023
- KCC Kent Graduate programme utilises Apprenticeship training as professional development
- KCC Kickstart programme – 86% moved to employment with KCC, other employers or returned to education

# KCC as an employer supporting the wider Kent economy

## Sharing the KCC apprenticeship levy

- Since summer 2018 all levy paying employers have been able to share up to 25% of their levy contributions with other employers to support apprenticeship training
- KCC sharing since 2019
- Robust application process is accessible via [kent.gov.uk](http://kent.gov.uk) with support provided – Government Pledge site now ‘live’ for applications
- Applicants must identify how the funding for training will help to deliver KCC’s Strategic outcomes by supporting either;-
  - Children & young people
  - Kent economic growth
  - Older & vulnerable residents

# Sharing the KCC Levy – supporting the wider Kent workforce

Active - 219 employees 91 employers

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Professional Area	Number on programme
Adult social care	114
Accountancy	3
Administration	7
Customer care	7
Early years and education	37
Science	3
Leadership & Management	11
Nursing	6
CYPF	23
Marketing	1
IT	2
Plumbing / construction	2
Sport / Health	2
Hospitality Team member	1
<b>total</b>	<b>219</b>

Apprenticeship Level	Number on Programme
L2&L3	158
L4	26
L5	24
L6	5
L7	6
<b>total</b>	<b>219</b>

# Sharing the KCC Levy – supporting the wider Kent workforce

## Pipeline

19 employees & 10 employers

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Professional area	Number in pipeline
Adult social care	8
Early years and education	7
Sports Coach/ community Sport & Health officer	4
<b>total</b>	<b>19</b>


Apprenticeship Level	Number
L2&L3	14
L4	4
L5	1
L6	0
L7	0
<b>total</b>	<b>19</b>



- Working on behalf of Kent County Council, the Education People created a new role offering support to local businesses to provide more apprenticeship opportunities:
  - This year the service has engaged with 149 new employers and provided 100 new opportunities.
  - Held 7 apprenticeship employer events across all Kent school districts providing over 1200 students with a positive engagement with local employers supported by reconnect funding.







**THE EDUCATION  
PEOPLE**  
Secondary School Improvement,  
Skills & Employability

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Working with Kent County Council this year we held the Apprenticeship Graduation Ceremony at Rochester Cathedral where over 600 people attended to see 153 apprentices graduate.



# Consideration for the future.

**As a group we thought we would take this opportunity to gain your insight and potential ideas on future tasks and activities.**

1. We have seen a raise in apprenticeship starts, but have seen apprentices struggle to complete their apprenticeships. What support do think is needed to help improve the completion rates of apprenticeship's
  1. Provide support to employers to ensure they are fully prepared to support an apprentice.
  2. Manage expectation's of apprentices and employers to help them complete.
  3. When government introduced the increased employer incentive to £3000 we had an increase in employers recruiting more apprentices, what do you think would help employers take on more apprentices?
2. From our work with employers, they need help to recruit apprentices. How can Kent County Council help employers to recruit more apprentices:
  1. How can we raise the profile of apprenticeships and the support available.
  2. Provide advice and guidance to businesses.
  3. Maximise all contacts with businesses to promote support available across all services and partners.

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From: Derek Murphy, Cabinet Member for Economic Development

Mike Hill, Cabinet Member for Community and Regulatory Services

Simon Jones, Corporate Director for Growth, Environment & Transport

To: Growth, Economic Development and Communities Cabinet Committee – 14 March 2023

Subject: **Risk Management: Growth, Environment and Transport Directorate**

Classification: **Unrestricted**

**Past Pathway of Paper:** None

**Future Pathway of Paper:** None

**Electoral Division:** All

**Summary:** This paper presents the strategic risks relating to the Growth, Economic Development and Communities Cabinet Committee, comprising of 3 risks on the Corporate Risk Register that fall within the relevant Cabinet portfolios; plus a summary of key risks from within the Growth, Environment and Transport directorate.

**Recommendation(s):**

The Cabinet Committee is asked to consider and comment on the risks presented.

**1. Introduction**

- 1.1 Risk management is a key element of the Council's internal control framework and the requirement to maintain risk registers ensures that potential risks that may prevent the Authority from achieving its objectives are identified and controlled.
- 1.2 Corporate and Directorate risks are reported to Cabinet Committees annually and contain strategic or cross-cutting risks that potentially affect several functions across the Growth, Environment & Transport directorate, and often have wider potential interdependencies with other services across the Council and external parties.
- 1.3 Corporate Directors also lead or coordinate mitigating actions in conjunction with other Directors across the organisation to manage risks featuring on the Corporate Risk Register.

- 1.4 The majority of these risks, or at least aspects of them, will have been discussed in depth at the relevant Cabinet Committee(s) throughout the year, demonstrating that risk considerations are embedded within core business.
- 1.5 A standard reporting format is used to facilitate the gathering of consistent risk information and a 5x5 matrix is used to rank the scale of risk in terms of likelihood of occurrence and impact. Firstly, the current level of risk is assessed, taking into account any controls already in place to mitigate the risk. If the current level of risk is deemed unacceptable, a 'target' risk level is set and further mitigating actions introduced, with the aim of reducing the risk to a tolerable and realistic level. If the current level of risk is acceptable, the target risk level will match the current rating.
- 1.6 The numeric score in itself is less significant than its importance in enabling categorisation of risks and prioritisation of any management action. Further information on KCC risk management methodologies can be found in the risk management guide on the 'KNet' intranet site.

**2. Growth, Environment and Transport led Corporate Risks**

- 2.1 The Corporate Director for the Growth, Environment and Transport directorate is the lead, on behalf of the Corporate Management Team, for several of the council's corporate risks that fall within the Economic Development or Community and Regulatory Services Cabinet portfolios. A brief summary of changes over the past year are outlined below, with full details contained in the risk register extract attached at Appendix 1. The risks are regularly reviewed by directorate and divisional management teams.

Risk Reference	Risk Description	Current Score	Target Score
CRR0003	Securing resources to aid economic growth and enabling infrastructure.	High (20)	High (16)
<p>The Council actively seeks to secure the resources/funding necessary to provide the infrastructure required to support growth, which often need to be bid for in very tight timescales and are increasingly subject to the drive to deliver economic impact, housing and employment outputs.</p> <p>The risk specifically highlights gaps in funding at local level between the overall costs of the infrastructure required and the Council's ability to secure sufficient funds through the current funding systems, including Section106 contributions, Community Infrastructure Levy and other growth levers and the consequential impacts. In addition, the Levelling Up and Regeneration Bill introduces proposals to replace the existing 106 / CIL system with a new Infrastructure Levy that may result in Local Planning Authorities as the Charging Authorities.</p> <p>The Kent and Medway Economic Strategy and a range of other economic interventions are being developed and / or implemented to support growth and the economic infrastructure required.</p>			

CRR0004	Simultaneous emergency response and resilience	High (20)	Medium (15)
<p>Ensuring that the Council works effectively with partners to plan for, respond to, and recover from, emergencies and service disruptions is becoming increasingly important in light of climate change impacts, national and international security threats, severe weather incidents, threats of 'cyber attacks', border fluidity issues and more recently, geo-political that may impact energy supplies and concerns regarding avian flu.</p> <p>KCC has been engaging with an independent review of the Kent Resilience Forum to provide clarity on KCC's role, contribution and responsibilities as a partner within the KRF. KCC preparations are being made for potential power outages across the County ensuring continuity of front-line services, with KCC representatives taking part in regional and national exercises to share learning locally.</p>			
CRR0042	Border fluidity, infrastructure and regulatory arrangements	High (25)	High (20)
<p>The UK now operates a full, external border as a sovereign nation and controls are now placed on the movement of goods between the UK and the EU. New border controls including the Entry/Exit System (EES) which sees non-EU citizens fingerprinted and photographed at borders are being introduced, although implementation has been delayed until the end of 2023.</p> <p>KCC's "Dover Access Improvements" £45m Levelling Up Fund bid to improve traffic flow to the EU through the Port of Dover, including additional border control points and a new exit route, has been successful.</p>			

### 3. Growth, Environment and Transport Directorate risk profile

3.1 The current risks in the GET Directorate risk register are shown below.

Risk Reference	Risk Description	Current Score	Target
GT0004	Skills shortage and capacity issues	High (20)	Medium (12)
<p>As part of the external bidding process officers are required to submit suitable business cases, which require staff with the appropriate skill set to manage contracts, projects and for planning applications. These skill sets are often transferrable and therefore there are risks relating to recruiting or retaining suitably trained project managers as the private sector remains competitive in this area.</p> <p>The risk has been acknowledged by the directorate management team as broader than project management skills and capacity issues and this risk is likely to be broadened to reflect wider recruitment and retention issues for key roles across the directorate.</p> <p>A workforce strategy and action plan has been developed and is regularly reviewed, aiming to address key skills gaps. Emphasis has been placed on raising the standards of project management, while succession planning is another mitigation.</p>			

Risk Reference	Risk Description	Current Score	Target
GT0001	Health and Safety, and wellbeing considerations	High (20)	Medium (10)
<p>Services across the directorate need to pay due regard to potential Health and Safety issues due to the nature of the work they undertake, in addition to factors relating to staff wellbeing.</p> <p>A Health and Safety Board for the directorate is being introduced and tasked with refreshing the Health &amp; Safety plan for the directorate.</p>			
Risk Reference	Risk Description	Current Score	Target
GT0026	Funding sufficiency for Net Zero ambitions	High (16)	Medium (9)
<p>This risk relates to the capital investment needed to meet the 2030 Net Zero objective, which is not yet fully identified. Funding has been secured for estate decarbonisation and funding opportunities continue to be sought and applied for.</p>			
Risk Reference	Risk Description	Current Score	Target
GT0020	Identification, planning and delivery of Medium-Term Financial Plan targets.	High (16)	Low (4)
<p>The directorate is required to make its contribution to the challenging savings targets required by the council over the medium term. There is a reduced ability for the directorate to mitigate year-on-year, but the Directorate participates fully in financial monitoring processes and has developed savings and income proposals that have been fed into the MTFP, as well as a more detailed financial review due to be undertaken with check and challenge. Key projects are monitored and managed by the GET Directorate Management Team.</p>			
Risk Reference	Risk Description	Current Score	Target
GT0025	Capital Investment and Asset Management	Medium (15)	Medium (9)
<p>There is a risk of insufficient capital funding for Highway Asset Management and Infrastructure growth, as well as achieving Net Zero for the KCC estate by 2030 (cross-reference to GT0026 above).</p> <p>Actions are taking place to source additional capital funding with ongoing oversight within the directorate.</p>			
Risk Reference	Risk Description	Current Score	Target
GT0027	Failure of ICT systems	Medium (12)	Medium (12)
<p>The directorate is growing more reliant on information held electronically and would be impacted by staff being unable to continue working remotely due to equipment failure. Business Continuity Plans have been updated to include plans to mitigate against this risk and equipment is upgraded when available and necessary.</p>			
Risk Reference	Risk Description	Current Score	Target
GT0019	Delivery of in-year budget targets.	Medium (12)	Medium (9)

As well as the medium-term financial challenges raised in GT0020 above, more immediate budget challenges exist in-year. Like other parts of the council, services in the directorate are being impacted by inflation, but also income volatility can be problematic for some services and some services such as Waste Management are demand-led. At the time of reporting to Cabinet in December 2022, the GET directorate was forecasting a revenue variance of £5.1m.

Risk Reference	Risk Description	Current Score	Target
GT0021	Services provided to the Directorate do not meet an acceptable standard	Medium (12)	Medium (9)

The Directorate Management Team is continually liaising with KCC commissioners on any issues regarding performance of service providers (e.g., KCC Local Authority trading companies or outsourced services), and the directorate's services are increasingly being involved as key stakeholders in matters of strategy and service design. This is in addition to liaison with corporate services to ensure they can provide expert advice at the right time.

3.2 In addition to the open risks on the directorate register, there are several risks being considered for inclusion on the directorate risk register as a result of recent Directorate Management Team discussions. These relate to:

- The need for difficult policy decisions to be taken in the challenging financial environment and associated impacts.
- Market capacity to sustain or meet growing demand and associated cost implications.
- Ensuring clarity of, and adherence to, council governance arrangements.
- Dependency on partners for decisions taken at district level e.g. in relation to s106 monies.
- Implications arising from the need to make short term decisions relating to investment due to the current financial position, potentially hampering achievement of best outcomes.

#### 4. Key Divisional Risks

4.1 The Corporate and Directorate risks are underpinned by risks at a divisional level that are typically more operational in nature. The Directorate Management Team has regular oversight of significant divisional risks, examples of which currently includes those relating to:

- Shortage of HGV Drivers, bus Drivers and School Transport Personal Assistants
- Lack of clarity over potential legislative changes e.g., Resources and Waste Strategy
- Information governance arrangements
- Maintenance of community assets as well as parts of the KCC estates that our services operate out of.
- Defending planning decisions at major planning enquiries
- Potential impacts on the environment from development.
- Cost of living price increases

- Ash Dieback and tree health

## 5. Recommendation

The Cabinet Committee is asked to **consider** and **comment** on the risks presented in this report.

### Contact details:

*Report Author:*

*Mark Scrivener, Corporate Risk Manager*

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### Relevant Corporate Director:

Simon Jones, Corporate Director, Growth, Environment and Transport

[Simon.Jones@kent.gov.uk](mailto:Simon.Jones@kent.gov.uk)



## **KCC Corporate Risk Register**

For Presentation to Growth Economic Development and  
Communities Cabinet Committee on 14/03/2023

## Corporate Risk Register - Summary Risk Profile

Low = 1-6
Medium = 8-15
High =16-25

Risk No.	Risk Title	Current Risk Rating	Target Risk Rating	Direction of Travel since July 2022
CRR0003	Securing resources to aid economic recovery and enabling infrastructure	High (25)	High (16)	↔
CRR0004	Simultaneous Emergency Response, Recovery and Resilience	High (20)	Medium (15)	↔
CRR0042	Border fluidity, infrastructure, and regulatory arrangements	High (25)	High (16)	↔

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NB: Current & Target risk ratings: The 'current' risk rating refers to the current level of risk taking into account any mitigating controls already in place. The 'target residual' rating represents what is deemed to be a realistic level of risk to be achieved once any additional actions have been put in place. On some occasions the aim will be to contain risk at current level.

Likelihood & Impact Scales					
Likelihood	Very Unlikely (1)	Unlikely (2)	Possible (3)	Likely (4)	Very Likely (5)
Impact	Minor (1)	Moderate (2)	Significant (3)	Serious (4)	Major (5)



<b>Risk ID</b>	<b>CRR0003</b>	<b>Risk Title</b>	<b>Securing resources to aid economic recovery and enabling infrastructure</b>			
<b>Source / Cause of Risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
<p>The economy in Kent &amp; Medway has been impacted by the Covid pandemic, inflation and other world events, and the impacts could be disproportionate across the county (e.g., in coastal areas). To gain an understanding of the implications, an impact assessment has been conducted, which has led to the preparation of an Economic Strategy, which aims to act as a stimulus for improvement.</p> <p>The Council actively seeks to secure the resources/funding necessary to provide the infrastructure required to support growth, which often need to be bid for in very tight timescales and are increasingly subject to the drive to deliver economic impact, housing and employment outputs.</p> <p>At a local level there is often a significant gap between the overall costs of the infrastructure required and the Council's ability to secure sufficient funds through the current funding systems, including Section106 contributions, Community</p>	<p>The inability to secure sufficient funding, including contributions from development, to deliver the infrastructure necessary to support growth may require gap funding in order for KCC to fulfil its statutory duties.</p> <p>Deferral of developer contributions and / or elongated planning consents leads to delayed or compromised infrastructure.</p> <p>Whilst future details and guidance are awaited regarding the new Levelling Up and Regeneration Bill from Central Government, this presents significant financial risk dependent upon emerging policy.</p>	<p>Key opportunities for growth missed.</p> <p>The Council finds it increasingly difficult to fund services and match-fund infrastructure across Kent and fully mitigate the overall impact of housing growth on KCC services and, therefore communities.</p> <p>Kent becomes a less attractive location for inward investment and business.</p> <p>Our ability to deliver an enabling infrastructure becomes constrained.</p> <p>Reputational risk associated with delayed delivery of infrastructure required.</p> <p>Additional revenue costs incurred due to infrastructure delays and operational costs increasing.</p>	<p>Simon Jones, Corporate Director Growth, Environment and Transport (GET)</p> <p><b>Responsible Cabinet Member(s):</b> On behalf of Cabinet:</p> <p>Derek Murphy Economic Development</p>	<p>V. Likely (5)</p> <p><b>Target Residual Likelihood</b> Likely (4)</p>	<p>Major (5)</p> <p><b>Target Residual Impact</b> Serious (4)</p> <p><b>Timescale to Target</b> 3+ years</p>	

<p>Infrastructure Levy and other growth levers.</p> <p>The recent Levelling Up and Regeneration Bill introduces proposals to totally replace the existing 106 / CIL system with a new Infrastructure Levy. This may result in Local Planning Authorities as the Charging Authorities.</p>	
<b>Control Title</b>	<b>Control Owner</b>
Multi-agency Kent and Medway Employment Task Force has been established.	David Smith, Head of Business and Enterprise (KCC lead)
Specific business support packages, including the Kent & Medway Business Fund, Economic Recovery and Resilience Plan, Arts Investment Fund etc.	David Smith, Head of Business and Enterprise (KCC lead)
Single Monitoring System (SMS) is used to track individual s106 planning obligations from the Council's initial request for developer contributions through the issue of invoice for payment.	Nigel Smith, Head of Development / Stephanie Holt-Castle, Director Growth and Communities.
Strong engagement of private sector through Kent and Medway Economic Partnership (KMEP), Business Advisory Board and Kent Developer Group	David Smith, Head of Business and Enterprise (KCC lead)
Teams across the Growth, Environment and Transport directorate work with each individual District on composition of local infrastructure plans including priorities for the CIL and Section 106 contributions, to articulate needs for the demands on services.	Nigel Smith, Head of Development (GET) / Stephanie Holt-Castle, Director Growth and Communities.
Government consultations on proposals for reform of the planning system in England considered and responded to.	Tom Marchant, Head of Strategic Planning and Policy
Monitoring of socio-economic data and trends and development of responses to changed economic trends.	David Smith, Head of Business and Enterprise.

Responses are made to emerging Government Strategies		Stephanie Holt-Castle, Director of Growth and Communities
Growth and Infrastructure Framework for Kent and Medway published, setting out the infrastructure needed to deliver planned growth.		Stephanie Holt-Castle, Director, Growth & Communities
<b>Action Title</b>	<b>Action Owner</b>	<b>Planned Completion / Review Date</b>
Develop a Kent and Medway Economic Strategy which states the priority activities and projects that are required to support economic growth and the economic infrastructure that is required; and will contain a funding/resources model for delivering change.	David Smith, Head of Business and Enterprise (KCC lead)	March 2023 (review)
Kent Design Guide to be published – will influence and provide people with expectations and standards that we expect.	Simon Jones, Corporate Director GET	December 2023
Development of Kent and Medway Infrastructure Mapping Platform (IMP) – a digital tool consolidating and publishing key local growth and infrastructure data used to coordinate the planning and delivery of ‘good growth’	Tom Marchant, Head of Strategic Planning and Policy	September 2023 (review)
Developer Contributions Guide update – will influence and provide people with expectations and standards that we expect.	Simon Jones, Corporate Director GET	July 2023
Producing Local Transport Plan 5 and approval by County Council (draft plan for consultation)	Lee Burchill, Local Growth Fund Programme Manager	September 2023 (review)
Identify the various funding opportunities available and develop a funding framework for accessing the right investment, for the right project, at the right time.	David Smith, Head of Business and Enterprise (KCC lead)	March 2023 (review)
Development of the Kent & Medway Infrastructure Proposition – an infrastructure plan for the county.	Tom Marchant, Head of Strategic Planning and Policy	December 2023 (review)

<b>Risk ID</b>	<b>CRR0004</b>	<b>Risk Title</b>	<b>Simultaneous Emergency Response, Recovery and Resilience</b>			
<b>Source / Cause of Risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
<p>The County Council, along with other Category 1 Responders in the Kent, has a legal duty to undertake risk assessment and planning to reduce the likelihood and impact of major incidents and emergencies.</p> <p>This includes responses associated with the Government's Counter-terrorism Strategy (CONTEST).</p> <p>Ensuring that the Council works effectively with partners to plan for, respond to, and recover from, emergencies and service disruptions is becoming increasingly important in light of climate change impacts, national and international security threats, severe weather incidents, threats of 'cyber-attacks' and uncertainties around implications of the future UK/EU relationship.</p> <p>Geo-political events may impact national energy supplies which could result in power outages across the County.</p> <p>The recovery from the Covid-19 pandemic is putting significant</p>	<p>Potential for failure of relevant planning, response and recovery contingencies when confronted by the complexity and scale of multiple emergencies. Critical services could be unprepared or have ineffective emergency and business continuity plans which would inhibit their ability to cope with simultaneous emergencies.</p> <p>Disruption to supply chain hampers could negatively impact corporate business continuity and effective response to incidents.</p> <p>Focus on post UK/EU transition contingency planning could impact corporate capacity to progress other aspects of emergencies and resilience agenda.</p> <p>Future wave(s) of pandemic / winter pressures /cost of living challenges could place additional strain on capacity and resource.</p>	<p>Potential increased harm or loss of life if response is not effective.</p> <p>Serious threat to delivery of critical services.</p> <p>Significant harm to the natural and build environment of Kent.</p> <p>Increased financial cost in terms of recovery and insurance costs.</p> <p>Damage and disruption to local businesses and the Kent economy.</p> <p>Potential for public unrest and reputational damage.</p> <p>Legal actions and intervention for failure to fulfill KCC's obligations under the Civil Contingencies Act and/or other associated legislation.</p>	<p>On behalf of CMT: Rebecca Spore, Director of Infrastructure</p> <p><b>Responsible Cabinet Member(s):</b> On behalf of Cabinet:  Mike Hill, Community &amp; Regulatory Services</p>	<p>Likely (4)</p> <p><b>Target Residual Likelihood</b> Possible (3)</p>	<p>Major (5)</p> <p><b>Target Residual Impact</b> Major (5)</p> <p><b>Timescale to Target</b> 3+ years</p>	

strain on organisational capacity and resources.	
<b>Control Title</b>	<b>Control Owner</b>
Management of financial impact to include Bellwin scheme	Cath Head, Head of Finance (Operations)
KCC contribute to its responsibilities as part of the Kent Resilience Team which is an integrated and co-located team to deliver enhanced emergency planning and business continuity in Kent	Andy Jeffery, KCC Manager, Kent Resilience Team
On-going programme of review relating to ICT Disaster Recovery and Business Continuity arrangements. ICT resilience improvements are embedded as part of the ICT Transformation Programme.	Dave Lindsay, Interim Head of ICT Strategy and Commissioning
KCC contribute to local multi-agency flood response plans that are in place for each district/borough in Kent, in addition to overarching flood response plan for Kent.	Andy Jeffery, KCC Manager, Kent Resilience Team
Local procedures have been and are being continually reviewed and refined for occasions the national threat level increases to 'critical'. This includes an update of the Corporate Business Continuity Plan.	Tony Harwood, Resilience and Emergencies Manager
KCC has a Major Emergency Plan that is refreshed regularly	Tony Harwood, Resilience and Emergencies Manager
Ensure business continuity governance arrangements focus on directorate issues and complement KCC's cross directorate resilience groups and forum	Tony Harwood, Resilience and Emergencies Manager
Emergency planning training rolled out at strategic, tactical and operational levels. Resilience and Emergency planning service business plan in place	Tony Harwood, Resilience and Emergencies Manager / Andy Jeffery
KCC and local Kent Resilience Forum partners have tested preparedness for chemical, biological, radiological, nuclear and explosives (CBRNE) incidents and communicable disease outbreaks in line with national requirements.	Tony Harwood, Resilience and Emergencies Manager / Anjan Ghosh, Director of Public Health / Andy Jeffery KCC Manager, Kent Resilience Team

Work programme implemented to deliver Kent County Council compliance with the Radiation (Emergency Preparedness and Public Information) Regulations 2019, including amendments to the Dungeness Offsite Emergency Plan	Tony Harwood, Resilience and Emergencies Manager
KCC Business Continuity Management Policy and overarching Business Continuity Plan in place, underpinned by business continuity plans at service level.	Rebecca Spore, Director Infrastructure
Legally required multi-agency Kent Resilience Forum in place, with work driven by risk and impact based on Kent's Community Risk Register. Includes sub-groups relating to Health and Severe Weather. KCC Strategic Prevent Lead is now chair of Kent Resilience Forum Delivery Board which reports into Kent Resilience Forum Executive Board.	Rebecca Spore, Director Infrastructure
KRF and KCC Command and Control structures planned and in place to deal with simultaneous events	Rebecca Spore, Director Infrastructure
Kent & Medway Prevent Duty Delivery Board established (chaired by KCC) to oversee the activity of the Kent Channel Panel, co-ordinate Prevent activity across the County and report to other relevant strategic bodies in the county	Richard Smith, Corporate Director ASCH
The Director of Public Health works through local resilience forums to ensure effective and tested plans are in place for the wider health sector to protect the local population from risks to public health.	Anjan Ghosh, Director of Public Health / Andy Jeffery, KCC Manager, Kent Resilience Team
Kent and Medway Channel Panel (early intervention mechanism providing tailored support to people who have been identified as at risk of being drawn into terrorism) established at district and borough level.	Nick Wilkinson, Prevent and Channel Strategic Manager
Ongoing development of a PREVENT counter-terrorism risk assessment	Nick Wilkinson, Prevent and Channel Strategic Manager
The annual assurance statement is a self-declaration approved by the Chief Executive/Head of Paid Service which captures the Authority's compliance with the requirements of the Counter Terrorism Act. Actions identified within the annual assurance statement are transferred to the Kent and Medway Action Plan. Kent and Medway Board for PREVENT have oversight of action progress.	Nick Wilkinson, Prevent and Channel Strategic Manager
Implementation of Kent's Climate Adaption Action Plan	Stephanie Holt-Castle, Director of Growth and Communities

Ensure all 13 key Emergency Plans are regularly updated and validated with exercises. Giving consideration to risks on the KRF Community Risk Register.	Tony Harwood, Resilience and Emergencies Manager / Andy Jeffery	
Ensure 24/7 Emergency Planning cover and response, including a 24/7 Duty Emergency Planning Officer (DEPO), Duty Director, and Recovery Director function, and fully equipped County emergency Centre (CEC)	Tony Harwood, Resilience and Emergencies Manager / Andy Jeffery	
Maintain and support relevant KRF and KCC groups, including KCC Horizon Scanning Group, Cross Directorate Resilience Forum, and Directorate Resilience Groups	Tony Harwood, Resilience and Emergencies Manager / Andy Jeffery	
Continued preparations for, and response to, implications of future UK/EU relationship in relation to border friction, regulatory change etc. (cross-reference to CRR0042)	Simon Jones, Corporate Director GET	
<b>Action Title</b>	<b>Action Owner</b>	<b>Planned Completion Date</b>
Engaging with the independent review of the Kent Resilience Forum. Clarity required on KCC's role, contribution and responsibilities as a partner within the KRF	Rebecca Spore Director Infrastructure	April 2023
Coordination of KCC preparations for potential power outages across the County ensuring continuity of front-line services	Tony Harwood, Resilience and Emergencies Manager.	April 2023 (review)

<b>Risk ID</b>	<b>CRR0042</b>	<b>Risk Title</b>	<b>Border fluidity, infrastructure and regulatory arrangements</b>			
<b>Source / Cause of risk</b>	<b>Risk Event</b>	<b>Consequence</b>	<b>Risk Owner</b>	<b>Current Likelihood</b>	<b>Current Impact</b>	
Changes at the UK border with Europe means additional controls now exist on the movement of goods and people between the UK and the EU.	That changes in border customs, checking and processing routinely disrupt local communities and both the strategic and local road networks.	Significant slowdown in the existing flow of goods and people through the Kent Ports leads to long delays in accessing Dover Ports and Eurotunnel.	Simon Jones, Corporate Director GET	Very Likely (5)	Major (5)	
The UK Government and the EU have introduced new border controls and further changes are being introduced including the new Entry/Exit System (EES). KCC has been working with partners at a local and national level to assess potential implications for the county and prepare for various scenarios.	That the Government does not provide sufficient capital and revenue financial support to departments, agencies, local authorities and other infrastructure stakeholders necessary to address the necessary infrastructure, legislation and controls to ensure long term plan for frictionless border movements.	Impacts on major traffic routes as a result of Operation Brock and other mitigations for port delays and the consequential increase in local and pan-Kent road journey times, impacting on local residents and businesses.	<b>Responsible Cabinet Member(s):</b>  David Brazier, Highways & Transport	<b>Target Residual Likelihood</b>  Possible (4)	<b>Target Residual Impact</b>  Serious (4)	
KCC is reliant on coherent, coordinated governance and information across Government to aid the Local Authority and partners locally in planning their contingency arrangements and responding appropriately.		Significant detrimental impact on county's economic competitiveness, attractiveness for inward investment and quality of life for Kent residents.	Mike Hill, Community & Regulatory Services			<b>Timescale to Target</b> 1-2 years
		Significant increase in imported goods subject to statutory checks by Trading Standards including consumer goods and animal				



	<p>feeds.  Imported animals now subject to welfare checks at Border controls posts, breaches of welfare subject to investigation by Trading Standards. Shortages and delay may impact supply chains.</p>
<b>Control Title</b>	<b>Control Owner</b>
KCC engagement with and support for the Kent Resilience Forum	Lisa Guthrie, Head of Kent Resilience Team
Regular engagement with senior colleagues in relevant Government Departments.	Simon Jones, Corporate Director GET
Several training exercises have taken place to prepare for various scenarios.	Simon Jones, Corporate Director, GET / Tony Harwood, Resilience and Emergencies Manager
KCC involvement in Operation Fennel Strategic and Tactical Groups (multi-agency planning groups for potential disruption at Port of Dover and Eurotunnel).	Simon Jones, Corporate Director GET
Operation Fennel strategic plan in place	Simon Jones, Corporate Director GET
KCC Cross Directorate Resilience Forum reviews latest situation regarding transition impacts	Tony Harwood, Resilience and Emergencies Manager
KCC contribution to multi-agency communications in the 'response' phase, and leadership of communications in the 'planning' and 'recovery' phases	Christina Starte, Head of Communications
KCC services are continually reviewing business continuity arrangements, taking potential scenarios into consideration (cross-reference to CRR0004), with co-ordination via Directorate Resilience Groups	Service Managers
KCC membership of the Delivery Models Operational Group and associated working groups such as Emergency Planning, Infrastructure etc.	Steve Rock, Head of Trading Standards

Government funding applied for to support improving access to the borders.	Simon Jones, Corporate Director GET	
Recruited additional staff for Port Team and animal health officers to provide capacity.	Steve Rock, Head of Trading Standards	
<b>Action Title</b>	<b>Action Owner</b>	<b>Planned Completion Date</b>
Working with Government to develop short, medium and long-term plans for border resilience looking at infrastructure and technological solutions.	Simon Jones, Corporate Director GET	July 2023 (review)
Preparation for impact of implementation of EES system.	Simon Jones, Corporate Director GET	November 2023

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

To: Growth, Economic Development & Communities Cabinet Committee -  
14 March 2023

Subject: No Use Empty (NUE) update and continuation of the initiative

Key Decision 23/00013

Classification: Unrestricted

Electoral Division: All

Past pathway of paper: N/A

Future pathway of paper: For Cabinet Member Decision

**Summary:** Kent County Council (KCC) launched the No Use Empty (NUE) initiative in 2005 in East Kent. Following the success of NUE in East Kent, the initiative was rolled out across Kent in 2008/09 and is now delivered by KCC in partnership with all 12 district and borough councils.

The primary aim of the initiative is to improve the physical urban environment in Kent by bringing long-term empty properties back into use as quality housing accommodation through a range of interventions.

NUE operates a loan scheme providing short term secured loans registered as a first or second charge. On repayment of the loan, funds are recycled to the next project. In addition to this NUE is helping to deliver increased Council Tax receipts and collection of Business Rates.

The purpose of this report is to provide Cabinet with an update on NUE's performance to date, including the £24m Derelict Conversion/New Builds NUE Scheme (investing the Council's cash balances in accordance with KCC's Treasury Management Strategy) which is helping contribute to accelerating the delivery of good quality housing in the County.

**Recommendation(s):**

The Cabinet Committee is asked to comment on and consider and endorse or make recommendations to the Cabinet Member Economic Development to support:

a) the continuation of the NUE initiative to at least 2027-28 with a further update to be provided at that time;

b) how NUE is funded and seek the agreement of the Section 151 Officer or the Cabinet Member for Finance as appropriate for approval to spend; and

c) for authority to be delegated to the Director of Growth and Communities to take appropriate actions including, but not limited to, KCC entering into legal agreements (loan agreements, legal charges, personal guarantees, equity loans, joint ventures, deed of priority, deed of postponement), consider and approve requests which may require KCC consent and discharge of legal charges, recovery of loans through legal action, as necessary to implement this decision.

The Proposed Record of Decision is at Appendix A.

## **1. Introduction**

1. 1. Kent County Council (KCC) launched its 'No Use Empty' (NUE) campaign in 2005 as part of its Public Sector Agreement (PSA2) targets, to examine better ways of delivering services, and how we might work more effectively with district councils. The primary aim of the initiative is to improve the physical urban environment in Kent by bringing empty properties back into use as quality housing.
1. 2. The initiative originally focused on the following districts: Thanet, Dover, Folkestone and Hythe (Shepway) and Swale, as the research found most empty properties (over 3,000) were in these areas. As the project was very successful KCC expanded NUE to include all 12 Kent district councils in January 2008.
1. 3. NUE is now firmly established as the longest running and most effective empty property initiative in the country winning several national awards including UK Housing Award for Regeneration (2018) and shortlisted for Council of the Year in the UK Housing Awards (2020 and 2022).

## **2. Achievements**

- 2.1 NUE has a proven track record returning 7,676 long-term empty properties back into use across the County to the decent home standard. Long term empty means those dwellings that have been unoccupied or substantially unfurnished for over six months.
- 2.2 Latest Council Tax records show there are a total of 6,204 long term vacant dwellings in the Kent area (source data: Department for Levelling Up, Housing and Communities). This represents a reduction of 594 compared to the previous year's data. There are a further 1,303 long term empty properties in Medway.
- 2.3 NUE on average is returning 523 long-term empty properties back into use per annum (based on performance over the last 10 years). Without NUE intervention the number of long-term empty properties would probably be more than 15,000. For clarity this excludes investment activity which is focused on new builds.
- 2.4 A summary by district is at Appendix 1.

## **3. Finance – Capital (NUE Empty Property)**

- 3.1 NUE was launched with an initial investment of £5m – a mixture of prudential borrowing and re-investment of the PSA2 reward grant.

- 3.2 The Loan Scheme operates as a recycling loan funds and provides working capital funding to help owners/small developers refurbish and convert empty home or redundant commercial buildings with planning permission to provide good quality residential accommodation.
- 3.3 In the early years of the scheme empty properties attracted Council Tax concessions. NUE loans were provided interest free with an administration fee charged to help bring these properties back into use and generated additional Council Tax receipts.
- 3.4 As NUE has evolved we have also introduced interest bearing loans for larger empty property projects which require a greater financial support or to those small developers who return to the scheme with new projects. The interest rate reflects the increased risk of these loans and is used to provide for a small element of bad debt risk as well as assisting with the administration costs of the scheme. The loans continue to be offered interest free to first time applicants and an application fee is charged.
- 3.5 To date, NUE has awarded £55.5m in short term secured loans and has levered in £41.8m from the public/private sectors, giving a total investment of £97.3m across Kent. All loans are subject to a risk assessment and secured as a 1st or 2nd charge and offered typically over a three-year period.
- 3.6 The average renovation cost to return one unit to occupation is £71,000 with KCC investment being £40,000 per unit.
- 3.7 The investment has funded 1,376 homes of which 983 of these are classified as new homes (change in numbers). The new homes are generating new Council Tax receipts worth approximately £1,595,461 per year (based on completions to date), rising to £1,736,052 by 2023/24 (based on projects due to complete).
- 3.8 NUE has calculated that creating 71 new homes per year from larger redundant buildings would increase the new Council Tax receipts to £2,238,164 by 2027-28.
- 3.9 A summary of investment by district and Council Tax calculations is at Appendix 2.
- 3.10 NUE as a service has seen a steady increase in loan applications since 2017-18. Only three loan applications received during the year did not progress, primarily due to the required supporting evidence not being provided. The pre-application work NUE undertakes with our district empty property officers and the required upfront application fee minimises the number of applications which are not supported.
- 3.11 It has been NUE practice to offer the first loan up to a maximum of £175,000 as interest free. However, should a customer return with a second application for consideration, the loan is offered on interest bearing terms.
- 3.12 The table below records the loans approved under the main empty property initiative over the last 10 years including the value of loans and the number of homes created under the Capital Programme.

Financial Year	NUE (Empty Property)		
	Loans Approved	Value Approved	Homes Created
2014-15	20	£1.3m	67
2015-16	27	£3.0m	111
2016-17	23	£2.0m	46
2017-18	25	£3.9m	84
2018-19	34	£6.8m	111
2019-20	35	£5.2m	89
2020-21	41	£4.0m	80
2021-22	40	£9.8m	132
2022-23 (to date)	42	£7.9m	112

3.13 NUE newsletter with example projects is at Appendix 3.

3.14 The following is a summary of the NUE initiative as described in the Draft Budget Report 2023-24 (since approved 9 February 2023, Page 6 &10, Row 19 Appendix B – Capital Investment Summary 2023-24 to 2032-33).

CAPITAL INVESTMENT SUMMARY 2023-24 TO 2032-33				Cash Limits			
Row Ref	Project	Total Cost of Scheme	Prior Years Spend	2023-24	2024-25	2025-26	Later Years
		£000s	£000s	£000s	£000s	£000s	£000s
19	Kent Empty Property Initiative – No Use Empty (NUE)	52,901	48,192	11,589	-4,700	-2,180	0

3.15 In 2024-25, there is a requirement to commence repayment of the original sum provided to NUE (-£4.7m) followed by a further repayment in 2025-26 (-£2.1m). NUE is seeking agreement to defer this to later years or to switch funding so that Treasury Investment funds are used to substitute loss of funding from the Capital Programme.

#### 4. Finance - Treasury Investment (NUE New Builds Scheme)

4.1 In addition to the NUE Empty Property Initiative NUE launched a new loan product in financial year 20/21 following support from Treasury Management and agreement from the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services.

4.2 An initial £12m was allocated to NUE to provide secured, by way of first charge, short-term interest-bearing loans (recycled) to developers of derelict/vacant sites, to primarily create new build residential units in Kent and to generate a return on investment for KCC and for NUE to cover its operational costs.

4.3 The allocation was quickly exhausted due to the unprecedented demand for the new loan product. Incremental increases in subsequent years of £4m agreed with Treasury and the recycling of loans already repaid has allowed NUE to bring forward more projects.

4.4 On 12 September 2022 Nick Buckland, KCC Head of Pensions and Treasury confirmed the level of funding to be made available to NUE be increased from £20m to £24m with

immediate effect. As agreed, the interest rate charged to NUE by Treasury was increased from the original agreed rate of 1.5% to 2.5% with effect from 1st July to 31 March 2023.

4.5 The most recent Treasury Investment Strategy document can be found at <https://democracy.kent.gov.uk/documents/s116375/Appendix%20N%20-%202023-24%20draft%20TMS.pdf>

4.6 To date NUE has approved loans to the value of £25.1m supporting 182 new build residential homes. The table below records: loans approved which also includes those projects which are in phased stages (total of 10) or projects receiving additional funds due to the increased costs of materials during the pandemic (total of 2), value of loans (includes recycled funds) and number of new homes created by financial year.

Financial Year	NUE Derelict Sites		
	Loans Approved	Value Approved	Homes To be Created
20/21	21	£11.1m	108
21/22	14	£6.2m	39
22/23 (to date)	22	£7.8m	35
<b>Total</b>	<b>57</b>	<b>£25.1m</b>	<b>182</b>

4.7 A total of 67 new build residential homes have been completed to date. Following the sale or re-finance of these properties, NUE have received £8.4m in loan repayments to date and are expecting a further £0.2m before March 2023.

4.8 The projects are varied ranging from single houses, bungalows, 2-3 houses and apartment blocks all of which are in 8 of the 12 Kent districts, primarily in our coastal regions.

4.9 The following table below represents all projects supported with Treasury Investment by District.

District	No. Of Loans	NUE Loan £	Residential Units Supported
Ashford	1	£300,000	2
Canterbury	2	£776,250	1 + TBC – planning required
Dartford	1	£600,000	13
Dover	22	£8,620,000	47
Folkestone & Hythe	9	£4,923,000	58
Swale	5	£1,874,000	12
Thanet	15	£7,690,800	48
Tunbridge Wells	2	£260,000	1
<b>Total</b>	<b>57</b>	<b>£25,044,050</b>	<b>182</b>

4.10 There are two examples of districts (Dover and Folkestone & Hythe) acquiring completed NUE projects to help meet their respective housing targets. In both instances the local district has made these available via their respective housing waiting lists at affordable rents.

4.11 The new Council Tax receipts generated from new builds, is calculated to be £306,000 per year (based on Average Band C £1,700 per home x 180 units to date). This is in

addition to the traditional empty property scheme to convert existing buildings which means fewer brownfield/green sites are needed to meet housing targets.

4.12 A selection of new build projects is at Appendix 4.

## 5. Finance – Revenue

5.1 NUE has operated without revenue support since 2020-21. The original revenue budget was reduced from £60k to £30k in 2019-20 and removed the following year as a contribution to savings via the MTFP (Medium Term Finance Plan).

5.2 An administration fee based on the value of the loan is collected under the main empty property initiative. A typical fee would be £750.

5.3 The loans offered for new builds which are Treasury funded operate on a different fee scale, currently 1% + VAT of the total sum borrowed. Interest, typically 5-6% is applied to all loans and collected quarterly or at the end of loan term.

5.4 The fee income and interest earned is used to fund all work undertaken by the NUE team and our legal services providers (Invicta Law and Bevan Brittan) for the provision of services associated with the production of loan documentation. This falls under the overarching service level agreements between KCC and its respective service providers. The combination of fees and interest charged across both loan initiatives has allowed NUE to become self-financing. This also factors in the return on investment for Treasury.

5.5 For clarification, the NUE initiative does not procure the services to bring empty properties back into use. All payments are in the form of a loan to the empty property owner.

5.6 The table below reflects typical running costs based on current year.

Staff inc. Travel, Training	£168,700
Legal Services	£95,500
Website	£1,200
Empty Homes Membership	£1,300
Treasury Return on Investment	£283,400
Application Fees	(£161,600)
Interest Collected	(£388,500)
Total	£0

5.7 In addition to making NUE cost neutral, the following table shows the value of Revenue to Capital contributions NUE made from income generation from 2013-14 to 2020-21. The £887k generated has been re-invested to provide more loans. This is attributed to interest charged (in earlier years from late payments and then from interest bearing loans).



Financial Year	Revenue to Capital Contribution
2013-14	(£22,165)
2014-15	(£34,613)
2015-16	(£40,334)
2016-17	(£55,297)
2017-18	(£94,004)
2018-19	(£113,814)
2019-20	(£160,000)
2020-21	(£367,137)
<b>Total</b>	<b>(£887,363)</b>

5.8 No further Revenue to Capital contributions were made after 2020-21. Instead, any surplus generated has been deposited into the approved NUE reserve account set up in accordance with the requirements of the Treasury Investment funds.

## 6. How NUE has evolved.

6.1 The success of NUE is based on planning, dedicating resources, monitoring outcomes, adjusting delivery models to reflect current market conditions, providing financial assistance to owners by offering short term secured loans with repayments recycled for new loans.

6.2 NUE remains innovative and has taken advantage of funding opportunities as they have arisen to offer different loan products, deliver more homes and to bring vacant commercial properties back into use.

6.3 **Affordable Homes Project.** Homes and Communities Agency (HCA) awarded £750,000 to KCC for NUE to deliver an affordable homes scheme (2012-2015). Using NUE funds as match 42 affordable units in Dover, Folkestone, Hythe, and Sittingbourne were delivered.

6.4 Interest free loans were offered over a 5-year period and provided to owners of larger sized properties who agreed to let the homes at 80% of the market rental value. There is a requirement for the HCA funding loaned to be repaid to KCC and for NUE to recycle into a similar scheme in perpetuity. All the original loans were repaid by 2020-21.

6.5 **Top Up Loans.** NUE administer top up loans on behalf of the respective councils (Dover, Folkestone and Hythe and Tunbridge Wells) and are re-cycled in the same way as the NUE loan fund. An additional £15,000 per unit is available.

6.6 Since 2016, Folkestone & Hythe District Council have provided £300,000 per year (totalling £2.1m to date) recognising that some of the larger properties merit additional funds to return them back into use.

6.7 Tunbridge Wells Borough Council have allocated £100,000 for use as top-up loans.

6.8 Dover District Council allocated £300,000 in 2017-18 for top up loans specifically targeted at empty properties in wards which are adjacent to or close to the St. James Retail and Leisure development in the town centre. A further allocation of £300,000 was allocated in 2019-20.

- 6.9 **Interest bearing loans.** Interest free loans remain available to those that participate in the empty property initiative. However, since 2017 if a previous applicant returns to the NUE scheme with a further application for funding then this will be offered but interest applied. Larger projects which require additional loan support are also considered and if approved the loan is offered on interest bearing terms.
- 6.10 **Live Margate.** NUE was allocated £4.9m (£2.9m in 2018 and £2m in 2021) of the Growing Places Funds (GPF) awarded to KCC to deliver the Live Margate project. There is a target to create 66 homes by bringing long term empty properties back into use in the intervention area.
- 6.11 To date £4.5m has been awarded in short term secured loans to create 107 homes. A total of 9 homes were created prior to NUE intervention, which means 116 housing homes will be delivered by the project. A total of 86 homes are occupied. KCC are required to repay the Growing Places Fund by the contractual project completion date (March 2025).
- 6.12 **NUE Commercial.** In 2018-19 KCC were awarded £1m Growing Places Fund (GPF). The project aims to return long term empty commercial properties back into use for residential, alternative commercial or mixed-use purposes. It has a specific focus on town centres (particularly coastal areas of Kent).
- 6.13 The project builds on the NUE residential model providing short term secured loans. There was a requirement to return eight commercial units back into use and provide a total of 28 residential homes by March 2022.
- 6.14 NUE contracted with 12 projects (6 during 2018/19, 6 during 2019/20) allocating all GPF funds. Project locations: Deal (2) Dover (6) Folkestone (2) and Margate (2). The projects delivered 15 commercial units back into use and created 28 residential units. Following reconciliation of total project costs, the value of GPF loaned plus KCC NUE Loan plus Private Sector Leverage equals £4,528,86. KCC is required to repay the £1m from Growing Places Fund by the contractual project completion date (March 2023). The final payment of £200k will be repaid on time.
- 6.15 In January 2020 NUE featured in the guidance for 'Dealing with Empty Shops' produced by the Local Government Association (LGA) for councils faced with challenges around vacancy on their high streets and in their town centres. <https://www.local.gov.uk/dealing-empty-shops-guide>
- 6.16 **NUE Commercial Phase II.** In 2021-22 KCC was awarded a new allocation of £2m Growing Places Fund (GPF) to deliver a Phase II building on the success of the initial project allowing NUE to return more long term empty commercial properties back into use for residential, alternative commercial or mixed-use purposes.
- 6.17 There is a requirement to return 18 commercial units back into use and provide a total of 36 residential homes. KCC is required to repay the £2m from Growing Places Fund by the contractual project completion date (March 2027).

- 6.18 NUE has contracted with 16 projects to date. Project locations: Canterbury (3), Dover (3), Faversham, Folkestone (2), Herne Bay, Hythe, Margate, Ramsgate (2), Sheerness and Sittingbourne. On completion 20 empty commercial units will be returned to use and 51 new homes will be created exceeding the target.
- 6.19 A breakdown of funding by district and examples of projects under NUE Commercial is at Appendix 5
- 6.20 **Medway Council.** In September 2021 Medway Council joined the NUE initiative allocating an initial £200k for the provision of short term secured loans. Medway did not have a scheme such as NUE but do have 1,303 long term empty properties. The NUE Kent team provide a service to Medway to process their loan applications and the use of the KCC legal services provider. All loans are paid out by Medway Council, and they are responsible for any debt recovery. Medway Council pay KCC per application processed by the NUE team.
- 6.21 **NUE Empty Property Initiative.** In 2022, NUE secured £2.5m from the Growing Places Fund to convert additional derelict properties. To date £882,000 has been allocated which is funding 33 homes back into use.
- 6.22 The limited amount of Medway funding available has meant that only one loan to date has been approved and paid out. Medway wish to continue the relationship with NUE and are discussing the availability of more funding for 2023-24.
- 6.23 **Southend On Sea City Council (SOSCC).** In February 2022, the NUE Kent team agreed with SOSCC to support the NUE South Essex project which received funding from the South-East Local Enterprise Partnership Limited to return long-term empty commercial properties back into use for residential, alternative commercial or mixed-use purposes.
- 6.24 SOSCC received £1m from the Growing Places Fund and £1.2m from the Getting Building Fund to deliver the NUE South Essex project with locations spread across South Essex which takes in the local authority areas of Southend-on-Sea, Basildon, Brentwood, Castle Point, Rochford, and Thurrock which together form the Association of South Essex Local Authorities. Short term secured loans are offered and operate on the same terms as the Kent NUE Commercial project.
- 6.25 The NUE Kent team provide a service to SOSCC to process their loan applications and the use of the KCC legal services provider. All loans are paid out by SOSCC, and they are responsible for any debt recovery. SOSCC pay KCC per application processed by the NUE team.
- 6.26 The first two loans were processed and paid out December 2022. The Kent NUE team is currently working on three recommendations for loan approval which will mean that all the £1.2m from the Getting Building Fund will be allocated prior to March 2023.
- 6.27 SOSCC has been extremely complimentary about the advice and guidance provided by the NUE Kent team. The project officer at SOSCC has a pipeline of projects to be considered for 2023-24 which will use their GPF allocation.

## **7. Proposals for NUE Going forward.**

- 7.1 KCC is an enabler. The recycling loan fund operated by NUE provides working capital to help owners/small developers refurbish/convert empty homes or redundant commercial buildings to provide good quality residential accommodation.
- 7.2 Bringing long term empty properties back into use is a key method of driving regeneration which not only provides new homes but also new sources of employment and a sense of community.
- 7.3 Wider regeneration initiatives continue to attract high profile investors and funding, this has led to an increase from small and medium sized property developers looking to refurbish empty buildings and turn them into homes, however, in many cases severe dilapidation and an inability to access funding on the open market for renovation costs results in buildings being left empty.
- 7.4 Demand for empty property loans has not diminished. It is not unusual to have at least 10 new enquiries each week. NUE have a steady pipeline of projects covering long term empty property loans, new build loans and commercial property loans.
- 7.5 Taking account of NUE's success, it is proposed that the NUE scheme continues as follows:
- 7.6 **NUE Empty Property Initiative**
- 7.7 NUE main loan scheme is included in the Capital Programme for 2023-24 with an expectation that NUE will commence repayment of the original sum provided to NUE from 2024-25 (-£4.7m) followed by a further repayment in 2025-26 (-£2.1m).
- 7.8 Previous discussions with finance colleagues have intimated that all NUE activity could be funded under the Treasury Investment Strategy which includes an allocation of up to £40m for NUE activity. Currently NUE have an allocation of £24m which is used to provide short term secured loans (recycled) for new builds.
- 7.9 Therefore, NUE is seeking Cabinet Committee support that from 2024-25, the traditional empty property initiative be continued under this funding stream, thus allowing the repayment of the funds attributed to the Capital Programme to commence. This would allow the empty property initiative to continue.
- 7.10 It is proposed that the Treasury Investment is increased by £5m in 2024-25 and £5m in 2025-26 raising the total investment in NUE from £24m to £34m, which gives some scope for negotiating further investment opportunities considering the new build loan scheme.
- 7.11 NUE has already demonstrated that further income from these loans can be generated with interest being applied to repeat customers or larger loans. The total interest generated is £887k as identified at 5.7 in this report. Therefore, this gives further opportunity to collect a return on investment for KCC.

## 7.12 NUE new builds.

7.13 There is a steady pipeline of projects and enquires as previously mentioned. The availability of this KCC loan fund is assisting our smaller local developers who still find it difficult to access mainstream funding. Bespoke lenders often require: a higher rate of interest; greater security; early exit penalty fees; more restrictive lending criteria and delays in being able to administer and process in timescales which are critical to taking projects forward. The NUE loan scheme bridges the gap for many developers between mainstream lenders and bespoke lenders.

7.14 NUE is not seeking to increase the allocation of £24m for loans for new builds in 2023-24. There is sufficient churn from the early loans awarded and now repaid to fund planned activity in 2023-24.

7.15 Having a degree of flexibility in accessing and potentially increasing the funding Treasury have made available to NUE for new builds in future years will ensure NUE is able to offer a fluid “open year-round” approach and is not solely reliant on projects to complete and be repaid before a new project can be funded and works commence.

## 7.16 Return on Investment.

7.17 There is an interest-bearing element to cover the cost of the NUE service and to compensate Treasury for the opportunity cost of lending NUE the funding as opposed to investment.

7.18 The difference between the actual interest charged on each individual loan and the amount required by Treasury is used to cover the operational costs of NUE management and administration over the lifetime of the initiative.

7.19 As of December 2022, the return on investment which has been paid to Treasury was £389.7k. A further return on investment of between £75-80k is expected to be paid to Treasury by 31st March 2023 based on expected drawdowns in the last quarter of the current financial year.

7.20 The following table shows the projected return on investment in future years based on loans approved to date (calculated at 2.5%). This does not consider new loans as they come on board which would continue to increase the return year on year as we continue to re-cycle the original loans.

Financial Year	Forecast Treasury ROI
FIN YR 23-24	£ 543,010
FIN YR 24-25	£ 491,147
FIN YR 25-26	£ 541,527
<b>TOTAL</b>	<b>£ 1,575,684</b>

7.21 **Top Up Loans.** The combination of NUE loans and ‘Top Ups’ are designed to help developers to bridge the gap between pre/post refurbishment values by providing a loan which takes account of costs of works, which banks and other lenders will not do. Without this joined up approach these properties would have remained empty. NUE will

continue to encourage the other districts to identify funds which could be used in the initiative.

7.22 **NUE Commercial Phase II.** NUE is confident that given the number of projects already in contract will exceed the required target to return 18 commercial units and the creation of 36 residential units by March 2025.

7.23 NUE is active in several town centres and there is merit in working with those districts that were successful in their bids for Future High Streets Funding to maximise impact.

7.24 **Live Margate.** The final projects approved will complete during 2023-24. NUE will continue to monitor the loan repayments due under this funding stream as there is a requirement to repay the Growing Places Fund by March 2025.

7.25 **Medway Council.** To continue to provide administrative support subject to their availability of funding. NUE is paid on a per application basis.

7.26 **Southend on Sea City Council.** To continue to provide administrative support for at least next 18 months. NUE is paid on a per application basis.

## 8. Equality and Diversity

8.1 An Equalities Impact Assessment (EQIA) was undertaken in May 2017. NUE completed the Annual Return 2021-22 for EQIA on 15 August 2022. A review was carried out in January 2023 and approved on 30th January 2023.

## 9. Information Governance

9.1 To comply with the General Data Protection Regulation (GDPR), a privacy notice for NUE is published on the KCC website (<https://www.kent.gov.uk/about-the-council/information-and-data/access-to-information/gdpr-privacy-notice/economic-development/no-use-empty-scheme>).

9.2 The performance of the NUE initiative is monitored and reviewed by the Growth and Communities Division.

9.3 The initiative was specifically audited in 2012-13 with and was included in the wider the Divisional Governance Audit Review for Economic Development 2017-18 with no specific recommendations for change identified. As part of the KCC annual audit, the external auditors have requested information from NUE regarding loans and repayments (most recently February 2023). No actions to date.

9.4 There is a robust application process in place. This includes:

- Confirmation with local authority regarding planning requirements and to be in place before any loans are awarded.
- Projects must adhere to the decent homes standard and have correct certifications in place to comply with any building regulation requirements.
- Proof of ownership
- Identity of owners
- Insolvency and bankruptcy checks

- Quotes for works.
- Proof of additional funds
- Independent RICS valuation(s)
- Security for loan

- 9.5 The project is monitored by KCC and district officers (frequency is dependent on size of project/loan).
- 9.6 It is recognised that there may be need to instruct Legal Service to recover a loan. Should this arise a summary with actions and key dates is presented to Head of Service by the Strategic Programme Manager to seek approval from the Director of Growth and Communities to progress should recovery be required.
- 9.7 This report also offers an opportunity to seek the agreement of the Section 151 Officer or the Cabinet Member for Finance as appropriate for approval to spend and to seek agreement to renew the approvals given in 2019: for Cabinet to agree that authority be delegated to the Director of Growth and Communities for the NUE initiative to take appropriate actions, including but not limited to, KCC entering into legal agreements (loan agreements, legal charges, personal guarantees, equity loans, joint ventures, deed of priority, deed of postponement), consider and approve requests which may require KCC consent and discharge of legal charges, recovery of loans through legal action, as necessary to implement this decision.

## 10. Policy

- 10.1 Framing Kent's Future is the Council's strategic plan for 2022 to 2026, setting out the priorities over the next and how to tackle the challenges and make the most of the opportunities that the county is facing.
- 10.2 NUE works with a range of partners including the Kent Districts and Medway taking a co-ordinated approach when it comes to tackling empty properties making a valid contribution to two of the four priorities, namely:
- Priority 1: Levelling up Kent.
  - Priority 2: Infrastructure for communities
- [https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0018/136431/Framing-Kents-Future-strategy-document.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0018/136431/Framing-Kents-Future-strategy-document.pdf)
- 10.3 NUE also supports the South-East Local Enterprise Partnership strategy – Working Together for a faster, smarter, and more sustainable economic recovery (March 2021)  
<https://www.southeastlep.com/our-strategy/economic-recovery-and-renewal-strategy/>
- 10.4 NUE also supports the Kent and Medway Housing Strategy 2020-25 'A Place People want to call home' also confirms its continued support for the No Use Empty campaign, bring further empty home back into use across the County.  
<https://www.kenthousinggroup.org.uk/assets/uploads/large/FINAL-Kent-Medway-Housing-Strategy-2020-2025-29.7.2020.pdf>

## **11. Conclusion**

- 11.1 NUE has a proven record and has been recognised nationally for its contribution in bringing long term empty properties back into use. It has won awards, featured in local and national press, numerous BBC, and Channel 4 programmes, and recognised by a number of organisations including the Scottish Government, Welsh Government, and the Empty Homes Agency.
- 11.2 Continued support for NUE will allow the initiative to:
- Support economic growth including through new commercial activity: attracting new business rates, creating, and safeguarding jobs.
  - Increase the number of new homes available because of mixed-use developments: generating new council tax receipts.
  - Support wider regeneration, assisting in the vitality and viability of existing commercial areas, improving the quality of the local environment, complementing wider regeneration activities, and supporting community safety and cohesion
- 11.3 Investing the Council's cash balances was deemed a more appropriate funding route for these short-term loans (two-to-three years) than borrowing from external lenders over longer periods of time (20-25 years). In this way the Council is diversifying its investments, receiving a return on its funds, and saving on borrowing costs.
- 11.4 The introduction of an interest-bearing loan (still competitive) was firstly to help cover the costs of administering the scheme but more importantly to ensure the Council still earned a return on its funds. NUE is still able to deliver its impressive benefits of Council Tax and Business rate receipts, supporting the economy and small developers, assisting District Councils deliver their Local Plan targets as well as covering the costs of the service.

## **12. Recommendation(s):**

- 12.1 The Cabinet Committee is asked to comment on and consider and endorse or make recommendations to the Cabinet Member Economic Development to support:
- a) the continuation of the NUE initiative to at least 2027-28 with a further update to be provided at that time;
- b) how NUE is funded and seek the agreement of the Section 151 Officer or the Cabinet Member for Finance as appropriate for approval to spend; and
- c) for authority to be delegated to the Director of Growth and Communities to take appropriate actions including, but not limited to, KCC entering into legal agreements (loan agreements, legal charges, personal guarantees, equity loans, joint ventures, deed of priority, deed of postponement), consider and approve requests which may require KCC consent and discharge of legal charges, recovery of loans through legal action, as necessary to implement this decision.

The Proposed Record of Decision is at Appendix A.



### **13. Appendices and background document:**

Appendix A - Proposed Record of Decision

[Appendix 1 NUE - Statistics by District.pdf \(kent.gov.uk\)](#)

[Appendix 2 NUE - Investment and Council Tax.pdf \(kent.gov.uk\)](#)

[Appendix 3 NUE - NUE Newsletter.pdf \(kent.gov.uk\)](#)

[Appendix 4 NUE - New Build Examples.pdf \(kent.gov.uk\)](#)

[Appendix 5 NUE - NUE Commercial Phase I and II.pdf \(kent.gov.uk\)](#)

Equality Impact Assessment: No Use Empty - Kent Empty Property Initiative

Background document: Record of key decision: July 2019:

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2270>

### **14. Contact details.**

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Derek Murphy, Cabinet Member for Economic Development

## DECISION NO:

23/00013

**For publication** Yes

**Key decision:** YES

**Subject Matter:** No Use Empty (NUE) update and continuation of the initiative

**Decision:** As Cabinet Member for Economic Development, I agree to support:

- a) the continuation of the NUE initiative to at least 2027-28 with a further update to be provided at that time;
- b) how NUE is funded and seek the agreement of the Section 151 Officer or the Cabinet Member for Finance as appropriate for approval to spend; and
- c) for authority to be delegated to the Director of Growth and Communities to take appropriate actions including, but not limited to, KCC entering into legal agreements (loan agreements, legal charges, personal guarantees, equity loans, joint ventures, deed of priority, deed of postponement), consider and approve requests which may require KCC consent and discharge of legal charges, recovery of loans through legal action, as necessary to implement this decision.

### **Reason(s) for decision:**

Kent County Council (KCC) launched the No Use Empty initiative in 2005 in East Kent. Following the success of NUE in East Kent, the initiative was rolled out across Kent in 2008/09 and is now delivered by KCC in partnership with all 12 district and borough councils.

The primary aim of the initiative is to improve the physical urban environment in Kent by bringing long-term empty properties back into use as quality housing accommodation through a range of interventions.

The purpose of this decision is to secure support to continue with the initiative.

### **Cabinet Committee recommendations and other consultation:**

The proposed decision is being discussed by Members of the Growth and Economic Development Cabinet Committee at their meeting on 14 March 2023.

### **Any alternatives considered and rejected:**

**Do Nothing** – to proceed as planned which means that the main No Use Empty initiative is phased out after 23/24 and no longer funded under the Capital Programme.

**Do minimum** – to proceed as planned with reduced funding coming out of the initiative (£4.7m in 24/25) but look to defer later withdrawals to keep £7m in the initiative.

**Do switch funding** – to proceed as planned with reduced funding coming out of the initiative (£4.7m in 24/25 and in later years) but increase the call on Treasury Investment Funds from 24/25 onwards, which would require more of the £40m currently available for investment being allocated to NUE.

**Defer**- to rephase all the repayments under the Capital Programme by 3 years.

**Do maximum** – to increase Treasury Investment funding by £4.7m in 24/25 and in later years to

entirely offset the reduced funding from the Capital programme.

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

.....  
signed

.....  
date

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

**To: Growth, Economic Development and Communities Cabinet Committee on - 14 March 2023.**

**Subject: Kent Country Parks Strategy 2023-28**

Key Decision: 23/00024

Classification: **Unrestricted**

**Past Pathway of report: N/A**

**Future Pathway of report: For Cabinet Member Decision**

**Electoral Division: Countywide**

**Summary:** This report provides an update on the recent consultation that was undertaken on the proposed Strategy for Kent Country Parks 2023-28. It provides an overview of the findings, as well as the proposed amendments to the Strategy.

**Recommendation(s):**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to adopt the Kent Country Parks Strategy 2023-28 and to delegate to the Growth and Communities Director, in consultation the Cabinet Member, any further decisions that may be appropriate to deliver the Strategy as shown at Appendix A.

## **1. Introduction**

1.1 Kent Country Parks Service manages nine country parks and three smaller countryside sites across the county.

1.2 In summary the Service:

- Hold eight Green Flags;
- Receives 1.6 million annual visitors;
- Benefits from regular volunteering opportunities at five sites and over 10,000 volunteer hours per year;
- Delivers environmental education, Forest Schools, and nature-themed birthday parties to 7,000 children per annum;
- Incorporates over 30km of accessible routes; and
- Offers accessible Changing Spaces toilets at three sites.

- 1.3 The current strategy ran from 2017 – 2021 and as such a new strategy was drafted during 2021/22, informed by contributions from an informal Members' Working Group.
- 1.4 The 2023 – 2028 Strategy was consulted upon from 4<sup>th</sup> October 2022 to 12<sup>th</sup> December 2022, following its endorsement by the Growth, Economic Development and Communities Cabinet Committee in March 2022.

## 2. The Consultation Results

- 2.1 A Report on the consultation results was prepared by Blackwood Bayne Ltd
- 2.2 There were 387 respondents to the Strategy consultation, of whom 93.6% were Kent residents and 2.4% were residents of Medway or further afield. The remainder of respondents had replied in their capacity as a business, Parish / Town / Borough / District / County Councillor, charity, voluntary or community sector organisation, or 'other'.
- 2.3 318 respondents had visited a Country Park within the last year.
- 2.4 On strength of agreement with the vision, *"To provide an inspirational, accessible and sustainable countryside experience for all Kent's residents and visitors"*, 91% of respondents agreed.
- 2.5 The proposed strategy put forward three Strategic Aims:
  1. Provide a Country Park network of well-connected high quality and biodiverse greenspace across Kent. 96% of consultees agreed with Strategic Aim 1
  2. Sustain and manage visitor numbers to our Country Parks by always providing a quality customer experience alongside a comprehensive environmental education service, facilities, events, and activities that encourage increased or repeat visits especially amongst under-represented groups. 86% of consultees agreed with Strategic Aim 2
  3. Consolidate the financial sustainability of the Country Parks through maximising self-financing and external funding opportunities. 71% of consultees agreed with Strategic Aim 3
- 2.6 Taking into account the consultation responses plus further input from the informal Members' Working Group, the following actions on the Strategy are proposed:
  - To maintain the Strategy's Vision and Objectives unchanged, given overall strong agreement.
  - To articulate more clearly in the Strategy what we mean by accessibility at Country Parks under Objective 5 by adding the following sentence: *We want our Country Parks to be accessible to all, from children to adults across all abilities.*

- To include a paragraph in the text accompanying Objective 9 which increases understanding of this objective as follows: *We recognise the need to balance financial sustainability with providing offers and activities across a range of price points for our customers. This includes externally funded/ subsidised education sessions, a range of prices in the shops, cafes and events programme, free activities at Open Days and plenty of picnic benches to allow visitors to bring and enjoy their own food and drink.*

2.7 In addition, the following delivery mechanisms for the Strategy will be strengthened or adapted in light of consultation feedback:

- To recognise the strong levels of support for Strategic Aim 1 through actions in Country Parks Business Plan - clearly communicating what we are doing for biodiversity through interpretation, membership of strategic groups and new quarterly newsletters.
- To clearly communicate through delivery of the Country Parks Business Plan that income generated at Country Parks including from car parks goes back into the running of Country Parks facilities.
- To look for more effective ways to communicate with younger customers as well as Black, Asian and Minority Ethnic communities during the delivery of our Business Plan.

### **3. Financial Implications**

3.1 This Strategy will be delivered through the County Council's capital and revenue funding of the Kent Country Parks Service, and through the income that the service generates year on year. The Service in 2021/22 was 76% cost neutral to the authority and as per Strategic Aim 3, it will consolidate its financial sustainability over the course of the Strategy. Monitoring and performance will be through the Medium-Term Financial Planning process.

### **4. Legal implications**

4.1 There are no legal implications arising from the proposed recommendations.

### **5. Equalities implications**

5.1 The Equality Impact Assessment (EqIA) on the proposed Strategy determined that there is no indication that the Strategy will have an adverse equality impact on any of the protected characteristics.

5.2 The consultation responses do not change that determination but do suggest a course of action for the Service in better targeting communications to underrepresented or other target groups. This course of action has been included in the Kent Country Parks Business Plan for 2023/24 and will be implemented and monitored against delivery of the Business Plan.

## 6. Other corporate implications

- 6.1 As well as being intrinsically important sites for biodiversity and heritage, the Country Parks make a significant contribution to wider outcomes important to Kent County Council, including those in the strategic framework, 'Framing Kent's Future 2022-2026' as follows:

### Priority 1: Levelling Up Kent

- *We will maximise the use of national skills funding, including the apprenticeship levy and the lifelong learning entitlement to create real opportunities for people to access training opportunities throughout their lives that lead to employment in vocational and technical fields.* The Country Parks provide apprenticeships and volunteering opportunities.
- *We will adopt an unrelenting focus on reducing cardiovascular disease in our population by continuing to focus on healthier behaviours, stopping smoking, taking up exercise and healthier eating.* The Country Parks provide local opportunities for Kent residents to exercise outdoors through our network of trails, trim trails and both formal and informal walks and events.

### Priority 2: Infrastructure for Communities

- *We will invest in Kent's high-quality landscapes and rural environment, protecting and enhancing productive farmland and protected landscapes and working with our partners to tackle climate change challenges such as the growing demands on water supply as our county grows.* The Country Parks are managed for biodiversity and actively seek opportunities for biodiversity enhancement. The Country Parks contain Sites of Special Scientific Interest, Local Wildlife Sites, and four of the parks are situated within the Kent Downs Area of Outstanding Natural Beauty.
- *We will enable a coordinated, properly resourced and sustainable volunteering infrastructure across the county, including building upon the Kent Volunteer Partnership pilot project.* The Country Parks offer regular conservation volunteering opportunities.
- *We will work with civil society and other partners to find ways to tackle social isolation and loneliness, including 'social prescribing' to community groups and activities that help people connect with others, building upon the successes of the Connected Communities project and through our Community Wardens, targeting them where they are most needed.* Country Parks staff lead on the Kent and Medway Green Social Prescribing Forum and actively seek opportunities to link the Country Parks with Public Health initiatives as well as links with charitable organisations and partners.
- *We will create the right conditions to ensure there is a community-based offer of activities for young people that is led by the community and meets the needs of a diverse population.* The Country Parks engage with Children and Young People through a range of school-based, educational activities, holiday events for families, toddler groups and more.



### Priority 3: Environmental Step Change

- *We will improve access for our residents to green and natural spaces especially in urban and deprived areas and through our Public Rights of Way network to improve health and wellbeing outcomes.* The Country Parks are linked to the Public Rights of Way network and promote these through signage and interpretation.
- *We will be a community leader in action for pollinators and develop KCC's own estate for the benefit of these vital insects.* The Country Parks management plans are linked to Kent's Plan Bee and actively managed for pollinators.
- *We will invest in our natural capital to maximise nature-based solutions that assist in adaptation to, and mitigation of climate change impacts.* Country Parks staff take part in the Kent Nature Partnership's Management Working Group and are actively seeking ways to maximise nature-based solutions through delivery of the Kent Environment Strategy.

### Priority 4: New Models of Care and Support

- *We will work within the system to ensure a strong focus on preventative community services, building a strong strategic relationship with the social sector in Kent and their role in supporting a system-wide focus on prevention.* Country Parks staff collaborate regularly with other Kent County Council teams such as Community Safety, Active Kent and Medway and Public Health to establish a joined-up approach to prevention.

6.2 The Country Parks Strategy 2023-28 will contribute to the Kent Environment Strategy as follows:

- Conserve and enhance the quality and supply of Kent's natural resources and assets.
- Strengthen our understanding of the health, social and economic value of our natural and historical assets.

## **7 Governance**

7.1 The Growth, Economic Development and Communities Cabinet Committee is asked to delegate to Stephanie Holt-Castle as Growth and Communities Director, in consultation with Mike Hill as the relevant Cabinet Member, any further decisions that may be appropriate to deliver the Strategy.

## **8 Conclusions**

8.1 Subject to comments from Growth, Economic Development and Communities Cabinet Committee, the three Aims and eleven Objectives will inform and underpin the Service's 2023/24 Business Plan, as well as subsequent annual business plans.

- 8.2 This strategy will be delivered by the Country Parks team who will work in partnership with other KCC departments, external stakeholders, and our local communities to achieve the vision, aims and objectives.
- 8.3 In order to ensure we know whether we are making progress, we will monitor the following indicators:
- Visitor numbers
  - Visitor satisfaction ratings
  - Social media ratings
  - Volunteer hours
  - Number of external awards
  - Income generation levels
  - Management of flora and fauna
- 8.4 The Country Parks team will produce an annual report outlining progress against these indicators and will make this available to all visitors and stakeholders.

## 9 Recommendation(s)

### **Recommendation(s):**

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Community and Regulatory Services on the proposed decision to adopt the Kent Country Parks Strategy 2023-28 and to delegate to the Growth and Communities Director, in consultation with the relevant Cabinet Member, any further decisions that may be appropriate to deliver the Strategy as shown at Appendix A.

## 10. Background Documents

- Appendix A – Proposed Record of Decision
- Kent Country Parks Strategy 2023-2028
- [Kent Country Parks Strategy - Summary of Consultation Responses](#)
- [Kent Country Parks Strategy 2023 - 2028 Consultation Results - Main Report](#)
- [Kent Country Parks Strategy 2023 - 2028 Consultation Results - Appendix](#)
- [Kent Country Parks Strategy Questionnaire.pdf](#)
- [EQIA Country Parks Strategy Aug 2022.pdf \(kent.gov.uk\)](#)

## 11. Contact details;

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Isabel.Shaw@kent.gov.uk

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Director of Growth and Communities  
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Email address: Stephanie.Holt-Castle@kent.gov.uk

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Mike Hill, Cabinet Member for Community and Regulatory Services

**DECISION NO:**

23/00024

**For publication** Yes

**Key decision: YES**

**Subject Matter:** Kent Country Parks Strategy 2023-28

**Decision:** As Cabinet Member for Community and Regulatory Services, I agree to adopt the Kent Country Parks Strategy 2023-28 and to delegate to the Growth and Communities Director, in consultation the Cabinet Member, any further decisions that may be appropriate to deliver the Strategy.

**Reason(s) for decision:** The current strategy ran from 2017 – 2021 and as such a new strategy was drafted during 2021/22, informed by contributions from an informal Members' Working Group. The purpose of this decision is to adopt the new strategy.

**Cabinet Committee recommendations and other consultation:**

The proposed decision is being discussed by Members of the Growth and Economic Development Cabinet Committee at their meeting on 14 March

**Any alternatives considered and rejected:**

Not to revise the Strategy. This was rejected as Country Parks make a significant contribution to wider outcomes important to Kent County Council, including those in the strategic framework, 'Framing Kent's Future 2022-2026'.

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

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signed

.....  
date

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Kent Country Parks

# Strategy

## 2023-2028





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Consultation on the Country Parks Strategy 2023-28 took place from 4th October to 12th December 2022. This Strategy has been developed based on the responses received.

## Alternative formats

Easy Read and Large Print versions of this document are available.

If you require the document in any other alternative format or language, please email [alternativeformats@kent.gov.uk](mailto: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.



# 1. Foreword



Kent County Council (KCC) is privileged to own and manage a range of Country Parks and countryside sites which contain some of the highest quality natural habitats and landscapes that Kent has to offer. This draft five-year Strategy sets out how we intend to protect and manage these natural environments at the same time as providing high quality opportunities for individuals, families and communities to play, learn and relax in these wonderful green spaces.

Our connection with the natural environment has never been more important. Nor has our ability to step away from the urban environment, to breathe fresh air and to give time to our physical and mental health been more needed. Our network of Country Parks provides space for exercise, for reflection and for learning and enables us to spend time with our friends and family. We are very proud of the work that we do and of the quality landscape, habitat and facilities that we manage to give Kent's residents and visitors an outstanding visit each and every time.

As we work through the challenges faced by the climate emergency alongside the changing economic backdrop, we want to make sure that the services we are providing are meeting the needs of our communities. I would therefore urge you to take the time to respond to the current public consultation on the next five-year Country Parks Strategy and help us make the Country Parks even better for you.

A handwritten signature in blue ink that reads "Mike Hill". The signature is written in a cursive style and is positioned above the printed name and title.

**Mike Hill**  
Cabinet Member for Community  
and Regulatory Services

## 2. Some highlights of the 2017-2021 Strategy

1. Over 6.5million visitors to the parks over the four-year period.
2. Seven Green Flags retained every year with an eighth achieved in 2021.
3. All four Country Parks entered received a silver gilt or gold award every year from the South and South East in Bloom award scheme and Brockhill Country Park won Best Country Park in the South East award in 2018 and again in 2019.
4. Over 30,000 children took part in educational activities or events and over 600 adults took part in training or qualifications with our team giving the opportunity to inspire a new generation as well as upskill our adult learners.
5. Expansion of our volunteer team network to include regular volunteering opportunities at five sites and over 40,000 volunteer hours being provided. Volunteering is essential in supporting the work of the team and also provides opportunities for people to connect to their local community alongside the health benefits of keeping fit and active in the outdoors.
6. £400,000 of investment from the Public Health Containment Management Fund that has been used to repair and maintain the Country Parks following their extensive use during the pandemic and to 'build back better' with accessibility improvements including new surfaced circular pathways and walking routes.
7. The service has established a digital presence with customers now using social media as their main communication channel and has successfully launched an online booking platform for events and other paid for services such as venue hire and birthday parties.
8. The first Changing Spaces accessible toilet was opened at Shorne Woods Country Park giving visitors with additional needs access to first class facilities to support them to visit the countryside for the first time, or to be able to stay longer when they do.
9. Achieved Ready to Burn industry accreditation for firewood being produced and sold by the service which cements our position as a responsible and trustworthy fuel supplier to our local communities.





### 3. Vision and Strategic Aims

Our vision for the Kent Country Parks Service is:

“To provide an inspirational, accessible and sustainable countryside experience for all Kent’s residents and visitors.”

**This vision is supported by three strategic aims:**

- 1.** Provide a Country Park network of well connected, high quality and biodiverse greenspace across Kent.
- 2.** Sustain and manage visitor numbers to our Country Parks by always providing a quality customer experience alongside a comprehensive environmental education service, facilities, events and activities that encourage increased or repeat visits especially amongst under-represented groups.
- 3.** Consolidate the financial sustainability of the Country Parks through maximising self-financing and external funding opportunities.

# 4. The Kent Country Park Network

The Kent Country Parks service currently manages nine principal Country Parks across the county:

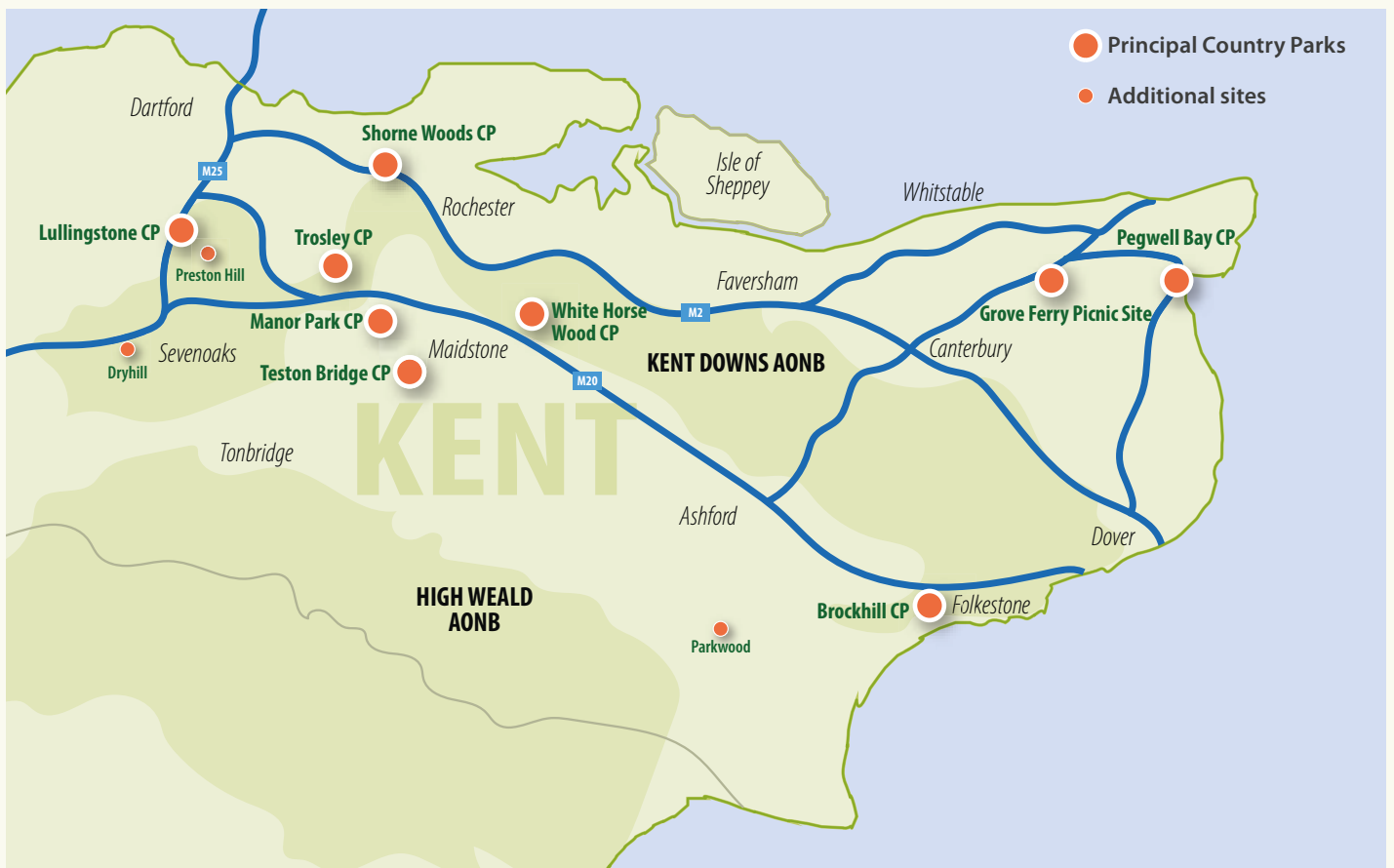
- Shorne Woods Country Park
- Lullingstone Country Park
- Brockhill Country Park
- Trosley Country Park
- Teston Bridge Country Park
- Manor Park Country Park
- Pegwell Bay Country Park
- Grove Ferry Picnic Site
- White Horse Wood Country Park



Detailed descriptions, photographs, management plans of, and directions to, these parks can be found at [www.kent.gov.uk/countryparks](http://www.kent.gov.uk/countryparks)

In addition, the Kent Country Parks services manages three further sites under a rolling three year management arrangement:

- Preston Hill Countryside Site
- Dryhill Countryside Site
- Parkwood Picnic Site









# 5. Strategic Aim 1

To provide a Country Park network of well connected, high quality and biodiverse greenspace across Kent.

## Objectives

**1. Provide high quality parks that are maintained and improved in line with our management plans, statutory and grant obligations and that, where possible, the standards of our management are independently tested and verified.**

We will work to ensure that the parks and the visitor facilities are maintained and improved to the highest possible standards in line with the individual management plan for each site. We will meet all statutory and grant obligations and mirror industry best practise in our custodianship of the land. We will retain the eight Green Flag Awards that we currently hold and seek continued opportunities for additional external recognition through programmes such as the South and South East in Bloom Awards.

**2. Our Country Parks are well connected through physical networks and collaborative partnerships to enable the best results for people, nature and the environment.**

We will work to establish connectivity with neighbouring and remote landowners to provide a bigger network of corridors for wildlife enabling nature to move freely between different environments and to help to

restore and preserve biodiversity. Through collaborative partnerships we will support opportunities to connect and improve connectivity across greenspace in Kent with opportunities to increase or diversify the current portfolio being explored. We will use the knowledge and expertise of the Kent Country Parks team to benefit partnerships that are seeking to increase the connectivity of people, nature and the environment across Kent through actively participating in networks supporting this agenda.

**3. Maintain or, where possible, enhance the biodiversity, heritage and landscape values of the sites ensuring that opportunities to connect communities to their value are provided.**

Kent County Council's Country Parks include some of Kent's richest natural heritage, with sites of high biodiversity value, sites within the special landscape of the Kent Downs Area of Outstanding Natural Beauty (AONB), as well as sites containing Scheduled Monuments.

Of the nine principal parks, one is part of a National Nature Reserve which alongside adjacent land contains internationally important habitat, three contain significant areas of land designated by Natural England as Sites of Special Scientific Interest (SSSIs) and three are Local Wildlife Sites.





Each park has an individual management plan that is endorsed, where needed, by Natural England and provides the framework to allow the Kent Country Parks team to carry out appropriate management to conserve and improve the landscape and the biodiversity of the parks alongside providing visitor access and management. This management approach alongside interpretation aids and engagement opportunities seek to improve visitors understanding of the landscape, heritage and biodiversity whilst ensuring they remain protected for the future.

**4. Our Country Parks support the achievement of the outcomes of the Kent Environment Strategy, the Kent Biodiversity Strategy and the Kent Nature Recovery Strategy.**

Through its strategic policies Kent County Council is working with partners to protect and enhance our natural and historic environment at the same time as promoting greener, cleaner recovery from the pandemic and ongoing economic growth and resilience. The Kent Country Parks will continue to play their part in supporting the outcomes of the Kent Environment Strategy, the Kent Biodiversity Strategy and the Kent Nature Recovery Strategy ensuring Kent's natural resources and assets are managed in order to support the needs of the natural environment for generations to come.





## 6. Strategic Aim 2

Sustain and manage visitor numbers to our Country Parks by always providing a quality customer experience alongside a comprehensive environmental education service, facilities, events and activities that encourage increased or repeat visits especially amongst under-represented groups.

### Objectives

**5. Increase the accessibility of the countryside through the deployment of landscape management techniques, effective outward looking partnership working and improved facilities that seek to provide equity of access to quality greenspace to all Kent residents and visitors.**

We want our Country Parks to be accessible to all, from children to adults across all abilities. We will take bold steps to provide first class accessibility improvements to the Country Parks through the provision of at least two further Changing Spaces toilet facilities and through a programme of upgrades to our playgrounds.

This will be combined with ongoing development and maintenance of connected path networks that enable visitors to explore further the Country Parks and their neighbouring greenspaces where this is appropriate.

Through better more connected partnership approaches to access we will not only join up the Country Parks with other landowners but will also take a strategic oversight approach to biodiversity enhancements and improvements so that the landscape and the natural environment also benefit from improved partnership working. We will seek to increase access to greenspace where this is appropriate with a view to aligning the equity of access across the whole of Kent.





**6. Work with nurseries, schools, further education establishments and adults to provide environmental education and events that promote engagement with the natural world alongside supporting future sustainability and responses to the climate emergency.**

Parks are a great place for people of all ages to learn about the world around them, to grow their confidence and to understand how each of our actions can have an impact on the local and global environment and contribute to the step change that is needed to support and recover nature and respond to the climate emergency. By expanding our education, training and events offering to include more topics, a greater number of opportunities for school visits and vocational training courses and more events for our children we will engage and inspire the next generation of environmentally aware citizens who have the confidence and ability to take sustainable decisions about their lives, their work and their local community.

**7. Provide and increase high quality volunteering opportunities including seeking new ways for communities to volunteer their time to the work of the Country Parks.**

Our parks already benefit from the thousands of hours of hard work and dedication provided by our volunteers each year. Their input is invaluable, and we will continue to develop our volunteering programmes so that additional opportunities to support the service can be provided. We will provide volunteering programmes that are enjoyable and rewarding and where recognition is provided to those who generously give us their time, energy and expertise.

**8. Maximise the ability of Country Parks to meet the health and well-being needs of communities and contribute to good quality of life through strong cross partnership working with physical and mental health care providers.**

The physical and mental health benefits of being in the outdoors are becoming increasingly recognised and this was especially apparent during the pandemic when the ability of communities to access their local greenspace became a significant part of daily life. We will work with health partners and charities to develop health initiatives in the parks and to provide services and facilities that allow visitors to focus on their physical and mental health needs when they visit.





# 7. Strategic Aim 3

Consolidate the financial sustainability of the Country Parks through maximising self-financing and external funding opportunities.

## Objectives

**9. Maximise the opportunities to generate income on the sites through catering, education, events and innovative paid for facilities and services whilst operating at maximum efficiency.**

The Kent Country Parks service is already generating income to cover approximately 76% of its running costs through a range of paid for services including catering, education, events, venue hire and other paid for services. Over the next five years the service will review the efficiency of these income generating services and seek to maximise the income and the profitability of the services offered. Alongside this we will look for opportunities to expand our offer across the Country Parks sites (where this is possible) either through existing income streams or by adopting new and innovative services or facilities.

We recognise the need to balance financial sustainability with providing offers and activities across a range of price points for our customers. This includes externally funded/ subsidised education sessions, a range of prices in the shops, cafes and events programme, free activities at Open Days and plenty of picnic benches to allow visitors to bring and enjoy their own food and drink.





We will use our own knowledge and the experience of industry to adopt the most efficient methods of delivering services and facilities ensuring that every pound of income generated adds maximum return to the service and its ongoing provision.

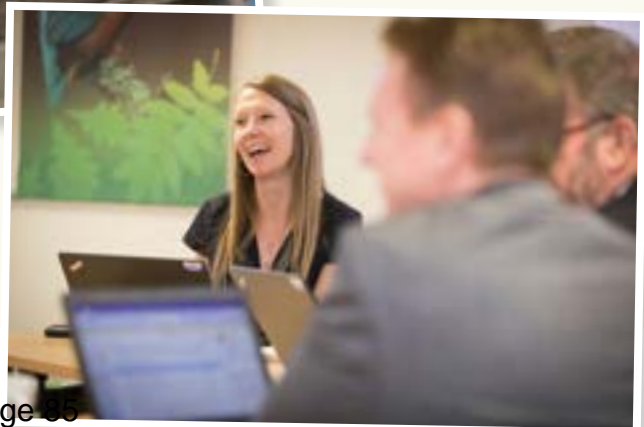
**10. Explore, develop and secure external funding opportunities that complement the work of the Country Parks.**

We will actively seek opportunities for external grant funding and, where appropriate, private business collaboration or sponsorship in order to continue to improve

our financial sustainability and to enable us to respond with agility to legislative or best practise changes in our industry.

**11. The portfolio of Country Parks sites provides the ability for all to enjoy regardless of their age, health, race, religion, disability or gender and that our management supports equality, environmental protection and the achievement of our strategic aims at all times.**

We will act on the findings of our research to continue to understand who is using our parks and how. We will take appropriate action to ensure that visitors to our parks reflect the diverse population of Kent. We will continue to adopt high professional standards to ensure that our management provides the best level of environmental protection balanced with the right to access the countryside and that we take every opportunity to be part of our local communities. We will promote environmental conservation and play our part in education and achievement of the climate emergency response.



## 8. Delivery and Performance Management

This Strategy will be delivered by the Country Parks team who will work in partnership with other KCC departments, external stakeholders and our local communities to achieve the vision, aims and objectives.

**In order to ensure we know whether we are making progress, we will monitor the following indicators:**

- Visitor numbers
- Visitor satisfaction ratings
- Social media ratings
- Volunteer hours
- Number of external awards
- Income generation levels
- Management of flora and fauna

We commit to producing an annual report outlining our progress against these indicators and to making this available to all our visitors and stakeholders.



# Appendix

We believe that the country parks are important in their own right, but we also value the significant contribution they make to wider outcomes contained within KCC's Framing Kent's Future 2022-2026 strategic framework, the Kent Environment Strategy and the Kent Health and Wellbeing Strategy. The parks also support a number of KCC's wider responsibilities such as the AONB Management Plan and the fulfilment of the Biodiversity Duty which the government has placed on public authorities.

The following table highlights the outcomes contained in these documents which the Country Parks help to deliver.

KCC Strategic Framework outcomes	Kent Health and Wellbeing Strategy Outcomes	Kent Environment Strategy Outcomes
<b>Priority 1: Levelling Up Kent</b>		
<ul style="list-style-type: none"> <li>We will maximise the use of national skills funding, including the apprenticeship levy and the lifelong learning entitlement to create real opportunities for people to access training opportunities throughout their lives that lead to employment in vocational and technical fields.</li> <li>We will adopt an unrelenting focus on reducing cardiovascular disease in our population by continuing to focus on healthier behaviours, stopping smoking, taking up exercise and healthier eating.</li> </ul>	Every child has the best start in life.	Ensure sustainable access and connectivity for businesses and communities.
<b>Priority 2: Infrastructure for Communities</b>		
<ul style="list-style-type: none"> <li>We will invest in Kent's high-quality landscapes and rural environment, protecting and enhancing productive farmland and protected landscapes and working with our partners to tackle climate change challenges such as the growing demands on water supply as our county grows.</li> <li>We will enable a coordinated, properly resourced and sustainable volunteering infrastructure across the county, including building upon the Kent Volunteer Partnership pilot project.</li> <li>We will work with civil society and other partners to find ways to tackle social isolation and loneliness, including 'social prescribing' to community groups and activities that help people connect with others, building upon the successes of the Connected Communities project and through our Community Wardens, targeting them where they are most needed.</li> <li>We will create the right conditions to ensure there is a community-based offer of activities for young people that is led by the community and meets the needs of a diverse population.</li> </ul>	Effective prevention of ill health by people taking greater responsibility for their health and wellbeing.	Conserve and enhance the quality and supply of Kent's natural resources and assets.
<b>Priority 3: Environmental Step Change</b>		
<ul style="list-style-type: none"> <li>We will improve access for our residents to green and natural spaces especially in urban and deprived areas and through our Public Rights of Way network to improve health and wellbeing outcomes.</li> <li>We will be a community leader in action for pollinators and develop KCC's own estate for the benefit of these vital insects.</li> <li>We will invest in our natural capital to maximise nature-based solutions that assist in adaptation to, and mitigation of climate change impacts.</li> </ul>	The quality of life for people with long term conditions is enhanced and they have access to good quality care and support.	Strengthen our understanding of the health, social and economic value of our natural and historical assets.
<b>Priority 4: New Models of Care and Support</b>		
<ul style="list-style-type: none"> <li>We will work within the system to ensure a strong focus on preventative community services, building a strong strategic relationship with the social sector in Kent and their role in supporting a system-wide focus on prevention.</li> </ul>	<p>People with mental health issues are supported to live well.</p> <p>People with dementia are assessed and treated earlier and supported to live well.</p>	

## Contact us

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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  
– 14 March 2023

**Decision No:** 23/00025

**Subject:** New contracts for the provision of Post-Mortem Facilities for the Mid Kent & Medway, North West Kent, North East Kent, Central and South East Kent coroner areas

**Classification:** **Part 1: Main Report Unrestricted**  
**Part 2: Exempt Appendix – Section 12a Local Government Act**

**Electoral Divisions:** Countywide

**Summary:** This paper describes an annual contract that can be renewed up to four years for arrangements for the provision of mortuary and post-mortem (PM) services in the Mid Kent & Medway, North West Kent, North East Kent, Central and South 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 and South East Kent coroner areas agree to:

- A) Issue new contracts, via direct awards, for the provision of Post-Mortem Facilities in Mid-Kent and Medway, Northwest Kent, and East Kent, to commence from 1 April 2023 for a period of 12 months with the option of extending for a further 4 years.
- B) delegate authority to the Director for Growth and Communities, in consultation with the Cabinet Member for Community & Regulatory Services, to negotiate, finalise and enter into the contracts; and
- C) delegate authority to the Director for Growth and Communities to take other relevant actions, including but not limited to entering into required legal agreements and agreed contract extensions, as necessary to implement the decision

The Proposed Record of Decision is 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. The current contracts for PM facilities and staff expire on 31 March 2023. There is a need for these contracts to be renewed from 1<sup>st</sup> April 2023 to ensure continuity of this critical service.
  - 1.4. Contracts with Dartford and Gravesham, East Kent, Medway Maritime and Maidstone and Tunbridge Wells NHS Trusts for the provision of PM facilities are required until the opening of the Digital Autopsy (DA) Body Storage facility at Aylesford. There is no confirmed commencement date for the implementation of the DA project. Renewing 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.
  - 1.5. 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 renew the contracts with the current providers for this critical service.

## **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. 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 2022, 6289 deaths were referred to the Senior Coroners, of which 3138 deaths<sup>1</sup> 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 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.

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<sup>1</sup> 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.

- 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

#### **Option 1: Do nothing**

This is a statutory service, and unless contracts are put in place the system of coronial death investigation and certification in the Mid Kent & Medway, North West Kent, North East Kent, Central and South East Kent coroner areas will fail. The Council will also be at risk of receiving an inconsistent provision and quality of service, a lack of control over costs, and subsequent reputational ramifications.

#### **Option 2: Go out to tender Competitive Tender Process**

There are no private sector organisations within this marketplace locally, and previous experience of mortuary use outside of Kent has not delivered a suitable service. A competitive tender process will not yield a competitive process.

#### **Option 3: Use a framework or other viable contract mechanism.**

There are no known frameworks or other viable mechanisms for the provision of mortuary facilities in England and Wales.

#### **Option 4: One NHS Trust delivers all PMs.**

No single facility can accommodate the number/level of PMs.

**Option 5: Renew contract through single source procurement Direct award new contracts to the NHS Trusts** – Direct award new contracts to the NHS trusts through the regulation 12 exclusion permitted within PCR15. This option is recommended given the very specialist nature of the work and the absence of any alternative providers with sufficient capacity in Kent or nearby adjoining areas. Annual contracts that can be renewed/extended 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 renewal in place, there is a risk NHS Trusts can charge spot rates for the provision of mortuary services.
- 4.2. The financial implications of these proposed contract renewals are set out in Annex A (exempt) of this report. Subject to negotiation, it is forecast that the cost to renew the contracts is within the current funding envelope, the 22/23 budget being £1,269,400.00.
- 4.3. It should be noted that the current contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in six equal instalments, however the discussions for the new contract will include payment based on activity levels. The contracts with Dartford and Gravesham, Medway Maritime and Maidstone and Tunbridge Wells NHS Trusts are charged on a cost per PM basis.

#### **5. Legal implications**

- 5.1. In accordance with regulation 12 of the Public Contract Regulations 2015 (PCR15), Public contracts between entities within the public sector are excluded from the provisions detailed in the PCR15. This allows the Council to award contracts directly to the four NHS Trusts without the need to follow the competitive processes detailed in the regulations.
- 5.2. The Council does have an obligation to deliver Value for Money on behalf of the taxpayer. As part of the negotiation process, the Council will ensure consistency across the contract through amended pricing and specifications. This will ensure the service remains within the £1.3m budget (based on 22/23 cost).
- 5.3. To ensure transparency, the Council will publish a Contracts Finder Notice for each of the contracts detailing the value and duration.

#### **6. Equality implications**

- 6.1. The Equalities Impact Assessment (EqIA) updated in 2023 for this service this year in preparation for contract renewals. 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 coroner's investigation, as in this case with the NHS. The contract contains a data sharing agreement that places a specific obligation on the provider to always comply 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 can discharge their statutory duties in accordance with the Coroners and Justice Act 2009. There is a need for the contracts for PM facilities and staff to be extended 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. Further to the previous report to Cabinet Committee to extend the post-mortem contracts for six months, work continues apace on Digital Autopsy, but requires further time to determine the best way forward.
- 9.3. This arrangement for an annual contract that can be renewed/extended up to two times 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

**10.1 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 and South East Kent coroner areas agree to:

A) Issue new contracts, via direct awards, for the provision of Post-Mortem Facilities in Mid-Kent and Medway, Northwest Kent and East Kent, to commence from 1 April 2023 for a period of 12 months with the option of extending for a further 4 years.

B) delegate authority to the Director for Growth and Communities, in consultation with the Cabinet Member for Community & Regulatory Services, to negotiate, finalise and enter into the contracts; and

C) delegate authority to the Director for Growth and Communities to take other relevant actions, including but not limited to entering into required legal agreements and agreed contract extensions, as necessary to implement the decision

The Proposed Record of Decision is at Appendix A.

## 11. Appendices

Appendix A: Proposed Record of Decision

Equality Impact assessment: [Renewal of contracts with the NHS for the provision of mortuary facilities and staff to carry out post mortems on behalf of the Kent and Medway Coroner Service](#)

## 12. Contact details.

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### Relevant Director:

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# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Mike Hill, Cabinet Member for Community and Regulatory Services

## DECISION NO:

23/00025

**For publication** Yes

**Key decision:** YES

**Subject Matter: New Contracts for the Provision of Post-Mortem Facilities for the Mid Kent & Medway, Northwest Kent, and East Kent Coroner Areas**

**Decision:** As Cabinet Member Community & Regulatory Services I agree to:

- A) Issue new contracts, via direct awards, for the provision of Post-Mortem Facilities in Mid-Kent and Medway, Northwest Kent, and East Kent, to commence from 1 April 2023 for a period of 12 months with the option of extending for a further 4 years.
- B) delegate authority to the Director for Growth and Communities, in consultation with the Cabinet Member for Community & Regulatory Services, to negotiate, finalise and enter into the contracts; and
- C) delegate authority to the Director for Growth and Communities to take other relevant actions, including but not limited to entering into required legal agreements and agreed contract extensions, as necessary to implement the decision.

**Reason(s) for decision:** The current contracts for PM facilities and staff expire on 31 March 2023. There is a need for these contracts to be renewed from 1st April 2023 to ensure continuity of this critical service.

### **Cabinet Committee recommendations and other consultation:**

The proposed decision is being discussed by Members of the Growth and Economic Development Cabinet Committee at their meeting on 14 March

### **Any alternatives considered and rejected:**

**Do nothing** - This is a statutory service, and unless contracts are put in place the system of coronial death investigation and certification in the Mid Kent & Medway, North West Kent, North East Kent, Central and South East Kent coroner areas will fail. The Council will also be at risk of receiving an inconsistent provision and quality of service, a lack of control over costs, and subsequent reputational ramifications.

**Go out to tender Competitive Tender Process** - There are no private sector organisations within this marketplace locally, and previous experience of mortuary use outside of Kent has not delivered a suitable service. A competitive tender process will not yield a competitive process.

**Use a framework or other viable contract mechanism** - There are no known frameworks or other viable mechanisms for the provision of mortuary facilities in England and Wales.

**One NHS Trust delivers all PMs** - No single facility can accommodate the number/level of PMs.

**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:** 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 – 14 March 2023

**Decision No:** N/A – For information only

**Subject:** **Decisions Taken Outside of the Cabinet Committee Meeting Cycle**

**Classification:** Unrestricted

**Past Pathway of Paper:** Cabinet Member Decision

**Future Pathway of Paper:** N/A

**Electoral Division:** County-wide

**Summary:** The following decision was taken between meetings of the Growth, Economic Development and Cabinet Committee as it could not be reasonably deferred to the next programmed meeting of the Cabinet Committee for the reasons set out in paragraph 2.3 below.

**Recommendation:**

The Growth, Economic Development and Communities Cabinet Committee is asked to note that decision 23/0008: Gypsy and Traveller Service Improvement Project was taken between meetings of the Cabinet Committee in accordance with the process in Part 2 paragraph 12.36 of the Council’s Constitution.

**1. Introduction**

1.1 Decision 23/0008: Gypsy and Traveller Service Improvement Project was taken between meetings of the Growth, Economic Development and Communities Cabinet Committee, as it could not reasonably be deferred.

**2. Background and Reason for Urgency**

2.1 The Department for Levelling Up and Housing and Communities Traveller Fund was launched in May 2022 and welcomed bids for improvement and development projects on designated Gypsy and Traveller Sites. The national fund was £10million, and Local Authorities were invited to bid for individual projects not exceeding £1million per bid. Due to the limited amount of funding available, and being the first opportunity of its kind, there was a lot of interest in applying for the competitive fund.

- 2.2 The Gypsy and Traveller Service submitted 7 individual bids, totalling £3.8million and were successful in all of them. All of the project plans will provide essential improvements and maintenance on site, which will ensure KCC is providing residential sites that are safe and well maintained.
- 2.3 Due to the numerous changes in central government last year, the decision around the award was delayed. It was only advised to us on 23rd December 2022 that all of our bids had been successful and have been awarded £3.8m capital grant. Consequently, the stipulated timeframe for accepting the funding awarded was extremely short (13th January 2023). A short extension to the initial deadline was agreed to enable KCC to complete its formal governance process to accept the grant but this was still outside the meetings timetable for this Cabinet Committee.

### 3. Recommendation(s)

The Growth, Economic Development and Communities Cabinet Committee is asked to note that decision 23/0008 – Gypsy and Traveller Service Improvement Project was taken between meetings of the Cabinet Committee in accordance with the process set out in Part 2 paragraph 12.36 of the Council’s constitution.

### 4. Background Documents

[Decision - 23/0008 - Gypsy and Traveller Service Improvement Project \(kent.gov.uk\)](#)

### 5. Contact details:

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Relevant Director  
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**From:** Benjamin Watts, General Counsel

**To:** Growth, Economic Development and Communities Cabinet Committee – 14 March 2023

**Subject:** Work Programme 2023

**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 2023.

## **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.

<p><b>4. Recommendation:</b> The Growth, Economic Development and Communities Cabinet Committee is asked to consider and agree its Work Programme for 2023.</p>
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### **5. Background Documents:** None

### **6. Contact details**

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**GROWTH, ECONOMIC DEVELOPMENT AND COMMUNITIES CABINET COMMITTEE  
WORK PROGRAMME 2022/2023**

<b>Item</b>	<b>Cabinet Committee to receive item</b>
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	Quarterly
Kent and Medway Business Fund Monitoring	Bi-annual reporting (6 monthly)
Key Decision Items	

**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
7	Old Rectory Management Contract	
8	Performance Dashboard	
9	Project Gigabyte Broadband Programme	
10	Community Services Programme	
11	KCC Village Halls Update	
12	Developer Contributions Guide	
13	Cyclopark Operator Agreement Funding	
14	Economic Strategy for Kent and Medway	
15	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
7	Work Programme	Standing item
<b>26 SEPTEMBER 2023 at 2pm</b>		
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
7	Annual Equality and Diversity Report	
8	Work Programme	Standing item
<b>9 NOVEMBER 2023 at 2pm</b>		
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
7	Work Programme	Standing item

<b>Items for Consideration that have not yet been allocated to a meeting</b>	
Thames Estuary/EDC/Thames Crossing	Possibly three separate items
Otterpool	
Trading Standards Checked and Ports Team	Possibly two reports
Creative Economy	
Sources of Energy	<i>(Mark Hood – Agenda Setting 17/5/22)</i>
Kent Design Guide	TBC
Tourism in the county and economic impact	<i>(Mark Hood – Agenda Setting 3/8/22)</i>

Gypsy and Traveller Site Pitch Allocation Policy Consultation Report	
UK Shared Prosperity Fund (KCC's strategic role)	<i>(Jordan Meade – GED&amp;C CC 11/01/23)</i>
Dungeness Nuclear Power Station	<i>(David Robey – agenda setting 31/01/23)</i>

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