

**Kent  
County  
Council**  
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## **FORWARD PLAN OF DECISIONS**

**12 November 2019 - 31 March 2020**

**This Edition of the Forward Plan Supersedes ALL Previous Editions**

Leader of the County Council – Roger Gough  
Published by Democratic Services

This Forward Plan lists “Key Decisions” which Kent County Council intends to take over the next six months. It gives information on the projects that will be coming forward and who will be involved with them. The Plan also contains reference to other proposed decisions, which although not Key Decisions are nonetheless significant in terms of their outcomes.

Please use the contact details given to let us know your views.

## **FORWARD PLAN OF DECISIONS**

Each month the Council publishes a Forward Plan of Decisions expected to be taken during the following six months.

A “Key Decision” is an Executive-side Decision which is likely to:

- (a) result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

Key Decisions can only be taken by the Cabinet, the Leader or an individual Cabinet Member.

Decisions which should be regarded as Key Decisions because they are likely to have a significant effect either in financial terms or on the Council’s services to the community include:

- (a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan
- (b) Adoption of major new policies not already included in the Policy Framework (Constitution Appendix 3) or changes to established policies
- (c) Approval of management and business plans
- (d) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality. For example, closure of a school, approval of a major project (such as a highway scheme) or programme of works, major changes in the eligibility criteria for provision of a service, major changes in the fees charged for a service, or proposals that would result in a service currently provided in-house being outsourced.
- (e) Decisions where the consequences are likely to result in compulsory redundancies or major changes in the terms and conditions of employment of a significant number of employees in any of the Council’s functions.

Preparation of the Forward Plan helps the Council to programme its work and ensures compliance with the Local Government Act 2000. Every month, the period covered by the Plan will be rolled forward by one month and the plan will be republished.

The Plan outlines the consultation that is proposed in respect of future decisions and who members of the public and the Council should contact to make comments on any particular item. Anyone is entitled to obtain copies of the documents that will be relied upon when a decision is taken, unless those documents are ‘Exempt’ within the meaning of the relevant sections of the Local Government Act 1972 (as amended).

Reports related to decisions will be published on the Council’s web site at [www.kent.gov.uk](http://www.kent.gov.uk) at least five days before the decision it is due to be taken. Once the decision has been taken, a copy of the Record of Decision will also be published on the Council’s website.

<b>The Kent County Council Cabinet Members are:</b>	
Mr Roger Gough	Leader of the Council
Mr Peter Oakford	Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services
Mrs Clair Bell	Cabinet Member for Adult Social Care and Public Health
Miss Susan Carey	Cabinet Member for Environment
Mrs Sue Chandler	Cabinet Member for Integrated Children's Services
Mr Mike Hill	Cabinet Member for Community and Regulatory Services
Mr Richard Long	Cabinet Member for Education and Skills
Mr Michael Payne	Cabinet Member for Highways and Transport
Mrs Shellina Prendergast	Cabinet Member for Communications, Engagement and People
Mr Mike Whiting	Cabinet Member for Economic Development

All Members can be contacted by writing to Kent County Council, Sessions House, County Hall, Maidstone, Kent, ME14 1XQ or by email via the Council's website.



**NEW**

**NOT BEFORE 11 DECEMBER 2019 BY CABINET / CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Community and Regulatory Services</p> <p><b>Reference No:</b> KCC must comply with the Civil Contingencies Act 2004 and in doing so, be guided by the Resilience Risk Register which identifies coastal, fluvial and surface water flooding as key risks to Kent.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>19/00086 - Updates to KCC Flood Response Emergency Plan</b></p> <p><b>The Decision needed:</b> <b>Background:</b></p> <p>KCC is legally required to have Emergency Plans in place to respond to identified threats under the Civil Contingencies Act 2004. The Kent Resilience Forum Risk Register identifies coastal, fluvial and surface water flooding as a key risk in the County, and it is for this reason that KCC is required to have an emergency plan in place to support the planning for and response to such incidents. The decision required is to approve the latest updates to KCC’s Flood Response Emergency Plan. Once the Cabinet Member for Community and Regulatory Services has approved these updates, the Plan will be published to KCC.gov, uploaded to Resilience Direct and shared with relevant KCC colleagues and resilience partners (including Districts and Parish Councils).</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> Not before December 2019</p> <p><b>Reason if Key Decision</b> Equalities implications: An EqIA has been completed for the updated KCC Flood Response Emergency Plan.</p> <p>Data Protection implications: Not applicable.</p>

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

No public consultation has taken place, nor is it planned. However, the draft plan has been shared with partners both within KCC and beyond. It was tabled at the KRF Severe Weather Group on 4 July and the Cross-Directorate Resilience Forum and Kent Flood Risk Management Committee, on 22 July 2019. Consultation was undertaken across key resilience partners with significant contribution from Environment Agency, Kent Fire and Rescue Service and Kent Resilience Team.

**Cabinet Committee consultation planned or undertaken:**

The KCC Flood Response Emergency Plan will be presented to Environment and Transport Cabinet Committee on 29th November to enable further Elected Member scrutiny ahead of final decision on sign-off by Cabinet Member for Community and Regulatory Services.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The key cost is officer time in terms of both plan drafting, upkeep and associated training and exercising. These costs have been assimilated into the Resilience and Emergency Planning Service core budget. Therefore, no additional cost accrues from the existence of this plan and through improving the effectiveness of any response and recovery to flooding in the County, the document should reduce costs to KCC and local communities.

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00087 - Land Drainage Policy**

**The Decision needed:**  
**Proposed Decision:**

That Kent County Council adopts a policy for undertaking our Land Drainage powers under the Land Drainage Act 1991

**Background:**

Kent County Council as the Lead Local Flood Authority has powers as a Land Drainage Authority, under the Land Drainage Act 1991, to regulate ordinary watercourses in Kent. An ordinary watercourse is a watercourse that is not a main river; it may be a small river, stream, ditch or drain and does not always need to flow.

As a land drainage authority KCC has powers to provide consent for any works within an ordinary watercourse. In exercising this role, we must ensure that the works do not increase the risk of flooding. We are also obliged to ensure that there is no loss of habitat or pollution to the watercourse. At present there is no policy statement on how KCC exercises these powers, which would provide clarity on the use of the powers.

**Options:**

- Stay with present policy – these powers remain without a policy, which means that there is no clear statement of how we exercise them and no robust policy to refer to.
- Develop and adopt a policy to provide clarity on how KCC will exercise its powers to regulate ordinary water courses

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before December 2019

**Reason if Key Decision**

EqIA undertaken and included in consultation

There are no data protection implications

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Environment and Transport

Cabinet Committee on 29 November 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Costs are met through the Lead Local Flood Authority budget.

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00088 - Drainage and Planning Policy Update 2019**

**The Decision needed:**

**Proposed Decision:**

To adopt the new Drainage and Planning Policy Statement

**Background:**

As a Lead Local Flood Authority (LLFA), Kent County Council has been acting as a statutory consultee for surface water within the planning process since April 2015. KCC is required to provide technical advice and guidance on planning applications in relation to surface water drainage strategies, designs and maintenance arrangements put forward by developers via the Local Planning Authority for major developments. The Drainage and Planning Policy Statement sets out the drainage requirements that KCC will require when reviewing surface water management provisions, which will seek to deliver the requirements of the Non-Statutory Technical Standards and National Planning Policy Framework (NPPF). With recent changes in the NPPF and publication of DEFRA's 25-Year Environment Plan, the Drainage and Planning Policy Statement has been revised to be consistent with them.

**Options:**

- Stay with present policy – these powers remain as they were and do not reflect recent changes in planning policy or lessons learned from performing this function.



- Revise Policy to be consistent with NPFF and DEFRA's 25-Year Enforcement Plan

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before December 2019

**Reason if Key Decision**

EqlA undertaken and included in consultation.

There were no Data Protection implications.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The consultation on the revised Drainage and Planning Policy Statement started on 19th August and ran until 30th September 2019. All consultation documents were available online at:

[www.kent.gov.uk/drainageandplanningpolicy](http://www.kent.gov.uk/drainageandplanningpolicy)

The revised Drainage and Planning Policy Statement will be presented to the Environment and Transportation Cabinet Committee on 29 November. Following this, the Policy Statement will be adopted by the Cabinet Member for Environment.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Costs are met through the Lead Local Flood Authority budget

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00089 - Section 19 Flood Investigation Reporting Policy**

**The Decision needed:**

**Proposed Decision:**

That Kent County Council adopts a policy that sets the criteria for publishing reports of investigations under Section 19 of the Flood and Water Management Act 2010.

**Background:**

As Lead Local Flood Authority (LLFA) for Kent, KCC has a duty to publish reports of investigations into flood events in Kent under Section 19 of the Flood and Water Management Act 2010. LLFAs are given freedom to determine the criteria that triggers a report of an investigation to be published. A policy for reporting on flood investigations was set out in the first Kent Local Flood Risk Management Strategy that was adopted by the County Council in 2012. The Kent Local Flood Risk Management Strategy was refreshed in 2018. The new Strategy did not include policies regarding how KCC would exercise its duties as LLFA, as it focussed on the broad strategic issues of local flood risk management. The Section 19 policy needs revising.

Previously the policy proposed that KCC published a report of an investigation of a flood event once one property was flooded internally; it is proposed that this is raised to five properties flooded internally, along with significant disruption to infrastructure and any other incidents KCC considers merit a report.

A report of an investigation under Section 19 of the Flood and Water Management Act 2010 is merely a statement of the facts of the flooding, i.e. where the flooding occurred, when it occurred, the conditions that caused the flooding, what was affected/damaged in the flood etc. An investigation does not include analysis of the event, any mitigation options or identify how flood risk might be reduced in future.

**Options:**

- Stay with present policy – the policy remains as it was in the Local Flood Risk Management Strategy 2012, which sets the threshold for triggering a report of an investigation at one property. Reports of flooding that involve only a few properties are not usually useful, compiling and publishing reports of flood investigations take a long time, which delays providing a comprehensive narrative of the event to the affected residents as we need to consult with partners on the report before it is published. Small floods are rarely complex and a public report is rarely in the public interest. In

this scenario KCC would continue to compile these reports for these floods.

- Change threshold – the policy could be set at a higher threshold for triggering the publication of a report of a flood investigation, this would mean reports of flood investigations are focussed on flood events where there is a greater public interest in the causes of the flooding. KCC would continue to investigate floods that do not reach this threshold, but we would not be bound to publish a report, unless we considered that there was a public interest in a public report of the event. This would improve the service to residents, as small floods can be explained relatively quickly to residents and we can move on to looking at options to reduce the risk, whilst we focus report writing resources on floods which have a greater public interest.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Environment

### **Date:**

Not before December 2019

### **Reason if Key Decision**

EqIA undertaken and included in consultation

There were no Data Protection implications

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The consultation ran from 19th August until 30th September 2019. The consultation documents can be found at:

[www.kent.gov.uk/section19floodinvestigation](http://www.kent.gov.uk/section19floodinvestigation)

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 29 November 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

Cost are met through the Lead Local Flood Authority budget

### **Support documents**

**Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** Provision of such disposal services is a statutory obligation under the Environmental Protection Act 1990 and other such waste legislation.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00090 - Clinical Waste Collection, Reception and Disposal Services - SC18063**

**The Decision needed:**

**Proposed Decision:**

To provide authority to the Head of Waste Management and Business Services to agree new supply arrangements for Collection, Reception and Disposal of Kent’s clinical waste.

**Background:**

This requirement is for the recommissioning of a Clinical Waste Collection, Reception & Disposal Contract for Kent within the Growth, Environment and Transport Directorate of KCC.

The current contract with Tradebe Healthcare National Ltd is due to end 31 December 2019.

The start date of this Contract is anticipated to commence 1st January 2020 for a period of 4 years (48 months). There will be no option to extend this Contract.

Currently KCC Waste Management has a Contract with Tradebe Healthcare National Limited for the collection or reception, and disposal of Clinical waste that is collected kerbside from all twelve districts and borough councils within Kent.

Indicative contract expenditure is funded through existing operational waste management budgets.

Provision of such disposal services is a statutory obligation under the Environmental Protection Act 1990 and other such waste legislation.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before December 2019

**Reason if Key Decision**

An EQIA has been carried out and no equalities implications have been identified. The DPIA assessment reflects that there is no collection of personal data and no future requirement to do so

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors****Consultees**

Public consultation is not required as there is no impact on the end user.

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 29 November 2019.

**Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:**

Indicative contract expenditure is funded through existing operational waste management budgets.

**Support documents****Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** The introduction of this policy does not impact on the statutory obligations required of a Waste Disposal Authority, other than to aid enforcement of HWRC operating policies in accordance with the Environmental Protection Act 1990.

There are various pieces of legislation KCC Waste Management can utilise to enforce HWRC policies and procedures, including the Environmental Protection Act 1990, The Fraud Act 2006, The Theft Act 1968 and 1978, and the Local Government Act 1972 as well as various other legislations.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.****Title:**

**19/00091 - Household Waste Recycling Centres Enforcement**

## **Policy**

### **The Decision needed:**

### **Proposed Decision:**

To introduce an Enforcement Policy to clearly identify procedures in relation to the delivery of environmental enforcement duties and powers relevant to the Kent County Council's Household Waste Recycling Centre (HWRC) service.

### **Background:**

The Kent Waste Disposal Strategy (2017-2035) was adopted in February 2017 and sets out the overarching ambition for KCC Waste Management. Analysis has shown that the current Household Waste Recycling Centre (HWRC) infrastructure will not cope with the expected levels of waste growth anticipated as a result of the forecast population increase. Officers are developing projects and policy changes designed to reduce demand on site, create revenue streams, and create clearer intelligence that will enable stronger and more successful enforcement actions against individuals defrauding the Authority, for example, through illegal disposal of trade and commercial waste.

A decision is sought on the introduction of an Enforcement Policy which will support KCC and their contracted HWRC Providers in the transparent and effective delivery of HWRC waste enforcement practices. Issues addressed by the policy include: trade waste abuse, theft of materials, fly-tipping at the HWRC entrance, abuse of staff and other customers, and non-adherence to HWRC policy.

### **Options:**

The Enforcement Policy is largely an aggregation of existing policies and procedures. There are no substantive changes to policies already agreed by Members. However, the policy will allow officers to tackle issues encountered at site in a more transparent way, with a published policy to strengthen actions taken. With regards to the actual enforcement actions that can be utilised, the Policy clearly states these, again for transparency.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Environment

### **Date:**

Not before December 2019

### **Reason if Key Decision**

Equalities implications:

An Equality Impact Assessment (EqIA) was completed to ensure consideration was given to the impact of any policy introduction. This

initial assessment indicated the potential for low negative impact on particular groups, but procedures and actions identified will easily mitigate against these.

Data protection implications:

A Data Privacy Impact Assessment (DPIA) initial screening was undertaken which found that a DPIA is not necessary as no personal data is collected, shared, used or processed as part of the production of the HWRC Enforcement Policy itself or as a result of the policy. It did recognise that DPIAs may be required for individual enforcement activities which arise as a result of implementation of the policy.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 29 November 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

There are no financial implications to the introduction of this policy, however greater enforcement practices should ensure HWRC policies are upheld and deter non-adherence, therefore providing savings to the service.

The KCC Waste Enforcement Officer and Technical Support Officer who undertake enforcement for the KCC Waste Management Team are current roles already covered in base budget. Any other costs incurred from the adherence to this policy e.g. legal costs, provision of advice to customers etc are also already included in base budget and have been for many years.

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Environment**

**Reference No:** Under the Environmental Protection Act 1990, as the Waste Disposal Authority, KCC has a legal obligation to provide a waste disposal service. The proposed commissioning solution enables the Authority to discharge its statutory duty as Waste Disposal Authority. KCC will be using Regulation 12 (Public Contracts between entities within the public sector) of the Public Contracts Regulations 2015 to vary this Contract.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00092 - The commissioning of contracts for the Management and Operation of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent, including haulage Services**

**The Decision needed:**

**Proposed Decision:**

To award new contractual arrangements contracts for the Management and Operation of Household Waste Recycling Centres (HWRCs) and Waste Transfer Stations (WTSs) in Kent, including haulage services.

**Background:**

KCC currently has three contracts for the management and operation of the waste sites that fall within the scope of this project.

KCC has a statutory responsibility to provide municipal waste collection facilities for residents to deposit their civic waste through Household Waste Recycling Centres (HWRCs) and to make final disposal of all waste, which includes kerbside collected waste; such waste is transferred, bulked and hauled to final disposal processors through a network of Transfer Stations. Kerbside waste is collected by the District Councils who are the Statutory Waste Collection Authority and transferred to KCC as the Waste Disposal Authority.

Contracts for the operation and management of HWRC & Transfer Stations provide plant, labour, bulking and haulage to process Kent's municipal waste and to maximise recycling and transport materials to final disposal points for treatment or energy recovery.

Waste Management operates 18 HWRCs and incorporated within this, are six Transfer Stations. The management and operation of these sites is currently contracted to four Providers. These contractual arrangements are delivered through three Lots, 0, 1 and 2.

**Options that have been considered:**

The current Supplier operates two contract Lots 1 & 2. These were awarded in 2014, the initial six-year term concludes at 31st October 2020, the option of a further six-year extension is not viable as the Supplier is unprepared to enter into an extension period without substantially modifying contract rates, material risk and increasing overhead costs. Extension is not therefore a recommended option. Lot 0 is operated by Commercial Services Group; this agreement is due to end on 31st October 2020.



## Section 2 – Who is taking the final decision and when

### Who is taking the Decision

Cabinet Member for Environment

### Date:

Not before December 2019

### Reason if Key Decision

Equalities implications:

No issues identified at early stage EqIA, note that this should be reviewed as project continues.

Data Protection implications:

Initial screening is that a full DPIA will not be necessary as no personal data is collected

### Reason if this decision has been delayed/withdrawn from a previous plan

## Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors

### Consultees

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 29 November 2019.

## Section 4 – Responsible Officer – Who to contact for more information.

### Your name, Your Service, Your phone number and email address:

Current revenue costs of £50m total for the overall cost to KCC over the total term of the initial five-year contract.

Allocation from latest approved KCC Budget;

- Waste Processing – Operation of Waste Facilities – Transfer Station – P7WF-61083-523-000-0000-00
- Waste Processing – Operation of Waste Facilities – HWRC – P-7WG-61083-523-000-0000-00

### Support documents

**Responsible Cabinet Member - Leader of the Council**

**Reference No:** Kent County Council will legally become a co-signatory of the

Joint Committee Agreement, alongside Medway Council, East Sussex County Council, Thurrock Council, Southend-on-Sea Council, and Essex County Council.

The Joint Committee Agreement sets out the activities and rules relating to the operation of the SELEP Accountability Board. For reference, the SELEP Accountability Board, whose voting members are the 6 county and unitary council leaders, must be confident that the capital projects which SELEP invests in demonstrate high certainty of delivering good value for money in a specified timescale. No funding can be drawn down without their approval.

The Leader of Kent County Council formally is appointed a Company Director of SELEP Ltd, concurrent to his term in office.

This decision enables the Leader of the Council to endorse the articles of association and framework agreement for SELEP Ltd, alongside the other SELEP Strategic Board Members.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00093 - Kent County Council's engagement with the South East Local Enterprise Partnership (SELEP)**

**The Decision needed:**

**Proposed decision:**

- Agree to Kent County Council remaining a partner in and member of the South East Local Enterprise Partnership (SELEP) after it becomes a company limited by guarantee in 2020.
- Confirm that the Leader of the Council will be the KCC nomination for appointment as a Director of SELEP Ltd, as per the proposed SELEP Board Membership arrangements.
- Confirm that the Leader of Kent County Council will be the formal voting representative of KCC at SELEP Strategic Board meetings of SELEP Ltd and at the SELEP Accountability Board, the latter to be governed by the updated Joint Committee Agreement; and
- Delegate authority to Kent County Council's Monitoring Officer, in consultation with the Leader and the Corporate Director for Growth, Environment and Transport, to enter into relevant contracts, legal agreements and put appropriate arrangements in place required to implement this decision, including but not limited to, signing an updated Joint Committee Agreement governing the SELEP Accountability Board.

## **Background:**

Kent County Council has been a member of the South East Local Enterprise Partnership (SELEP) since its inception in 2011, and the Leader of Kent County Council has been one of the twenty-eight SELEP Strategic Board Members.

The role of SELEP is to drive forward economic growth through strategy development, allocating funding, acting as an advocate for the area, and bringing together a range of stakeholders to co-ordinate action.

In July 2018, the Government published 'Strengthened Local Enterprise Partnerships', and in January 2019, published a new National Assurance Framework. These documents stipulate that all LEPs must become a Company Limited by Guarantee within a fixed deadline, and the Company must have no more than 20 Directors and 5 Co-opt. Failure to comply may result in the Government withholding funding to the LEPs (including Local Growth Funding).

To comply with Central Government's rules, the SELEP Strategic Board has voted to become a Company Limited by Guarantee before 1 April 2020. It has agreed that Kent County Council will be invited to select a representative to become a SELEP Company Director; SELEP has stated the representative must be either the Leader of Kent County Council or a Cabinet Member.

More details are contained in the County Council report dated 12 September 2019: <https://democracy.kent.gov.uk/documents/s92048/Item%208%20-%20SELEP.pdf>

## **The options are as follows:**

- Agree to continue to participate in the South East Local Enterprise Partnership after it becomes a company limited by guarantee. SELEP invites Kent County Council to select a SELEP Company Director from its Cabinet. The chosen KCC Director on SELEP will be asked to formally agree the SELEP Ltd Articles of Association and its Framework Agreement (that are currently being drafted by SELEP's Accountable Body (i.e. Essex County Council)). Agreed participation also necessitates that Kent County Council sign a refreshed Joint Committee Agreement, which gives legitimacy to the SELEP Accountability Board (the current Joint Committee Agreement was signed in 2015 by SELEP).
- Decide to withdraw from the South East Local Enterprise Partnership. If Kent County Council withdraws from SELEP, it significantly limits Kent County Council's ability to prioritise its strategic aims within regional and national agendas. It removes its ability to influence the Local Industrial Strategy, and other regional strategic economic plans. It also places at risk the funding which is granted to Kent capital projects through SELEP (this includes the Local Growth Funding and Growing Places Funding). This funding is presently expected to be in excess of £150m between 2015 and 2021.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Leader of the Council

### **Date:**

Not before December 2019

### **Reason if Key Decision**

Equalities implications:

No equality implications identified for the change in SELEP legal status and governance arrangements. Equality consideration as part of SELEP operational activity will continue as normal.

Data Protection implications:

The names of the Company Director will be published at Companies House by SELEP's Accountable Body (i.e. Essex County Council). This decision does not require any changes to Kent County Council's data recording and procedures.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed decision will be considered at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

Central Government permits LEPs to bid for certain competitive funding pots, such as Local Growth Funding, which local authorities do not have direct access to. Kent County Council is anticipated to receive over £150m in capital funding from 2015 to 2021 for capital projects, and this central government funding is passported through SELEP.

If Kent County Council withdraws from SELEP, these funds are placed at risk.

Provide £ total for the overall cost to KCC (including capital and revenue across whole project or full lifetime of the contract if relevant)?

The current cost to Kent County Council of participating in the South East LEP is £72,500 per annum. This comes from the KCC Economic Development

budget.

Participation in the LEP provides access for KCC to significant Local Growth Fund and other funding streams to support key projects.

**Support documents**

**NOT BEFORE 29 NOVEMBER 2019 BY CABINET MEMBER )**

**Responsible Cabinet Member** - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

**Reference No:** Service consultations will be required to progress the project to the next stages along with the necessary contract and property documentation put in place.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00072 - Oakwood Development**

**The Decision needed:**  
**Proposed decision:**

To authorise to the Director of Infrastructure in consultation with the Cabinet Member for Finance, Corporate and Traded Services to progress with the Oakwood House Development as set out in the exempt report which will go to the Policy and Resources Cabinet Committee meeting on 8<sup>th</sup> November 2019.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

**Date:**  
Not before November 2019

**Reason if Key Decision**

An Equality's Impact Assessment has been undertaken and can be viewed on request.

**Reason if this decision has been delayed/withdrawn from a previous**

<b>plan</b>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>This matter will be reported to the Policy and Resources Cabinet Committee on 8<sup>th</sup> November 2019 and the Infrastructure Commissioning Board on 26<sup>th</sup> September 2019.</p> <p>This matter previously went to the Policy and Resources Cabinet Committee on 18<sup>th</sup> January 2019 and 16<sup>th</sup> May 2019 and Infrastructure Commissioning Board on 26<sup>th</sup> March 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The project will enable the council to consolidate its property footprint into a single location. The project is expected to deliver revenue savings once in steady state. Funding has been allocated from the Capital MTFP to progress with the redevelopment.</p> <p><b>Support documents</b></p>

**NOT BEFORE 27 NOVEMBER BY CABINET MEMBER / CABINET**

<b>Responsible Cabinet Member - Cabinet</b>
<p><b>Reference No:</b> The Kent Commissioning Plan for Education enables KCC to meet its Statutory responsibility to ensure that every child receives appropriate educational provision.</p> <p><b>Key No</b></p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>19/00079 - Commissioning Plan for Education Provision in Kent 2020-24</b></p> <p><b>The Decision needed:</b>  <b>Background –</b>  The Commissioning Plan for Education Provision in Kent (KCP) is a five-year rolling plan which is updated annually. It sets out how Kent discharges its</p>

statutory responsibility, as the Strategic Commissioner of Education Provision, to provide sufficient Early Years, SEND, Primary and Secondary places and to ensure that there are appropriate learning pathways for pupils at Post 16. It is also our responsibility to ensure that we have enough places in the right locations, to meet the demands of increased pupil numbers and parental preferences. It reflects the fact that the Local Authority's role has changed to being the commissioner, as well as continuing to be a provider, of education provision.

**Proposed decision –**

To agree the Commissioning Plan for Education Provision 2020-24.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet

**Date:**

Not before November 2019

**Reason if Key Decision**

A full EqIA has been completed and is attached to the FED.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

Individual consultations will be undertaken on each proposal outlined in the Commissioning Plan as required.

The matter will be discussed at the Children's, Young People and Education Cabinet Committee on 15 November 2020 and at Cabinet in January 2020.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The Local Authority as Strategic Commissioner of Education Provision has a key role in securing funding to provide sufficient education provision in the County, particularly in schools, in order to meet its statutory responsibilities. The cost of providing additional school places is met from Government Basic Need Grant, supported borrowing by KCC and developer contribution monies. The forecast capital outlay needed to fulfil the need identified in the Commission Plan 2020-24 will be provided in the report to CYPE Cabinet Committee on 15 November 2019 for comment, prior to full sign off by Cabinet in January 2020.

## Support documents

**Responsible Cabinet Member** - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

**Reference No:** The conveyance will be conducted on behalf of KCC by Invicta Law.

**Key** Yes

### Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.

**Title:**

**19/00080 - Disposal of the Former Sittingbourne AEC and land to the rear, College Road, Sittingbourne, ME10 1LF**

**The Decision needed:**

**Background:**

KCC is to dispose of Sittingbourne Adult Education Centre and enter into an option agreement for the land to the rear. The vacant former AEC is a grade II listed former school building sitting on approximately 4.742 acres with approximately 2.7 acres of this as the former playing fields. The site was declared surplus to operational requirement and suitable for disposal.

**Proposed decision:**

The Cabinet Member is asked to agree to the disposal of the former Sittingbourne AEC and land to the rear and to delegate authority to the Director of Infrastructure to progress with and enter into the necessary documentation and legal agreements required to implement this decision.

### Section 2 – Who is taking the final decision and when

**Who is taking the Decision**

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services

**Date:**

Not before November 2019

**Reason if Key Decision**

The capital receipt will be used by KCC where Equality Impact Assessments would be undertaken where appropriate in the dispense of its statutory duties and corporate operations.

**Reason if this decision has been delayed/withdrawn from a previous plan**

### Section 3 – – Who is to be consulted, how and when, ( The Duty to



<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>Public consultation has been undertaken as required by service directorates.</p> <p>This matter will be discussed at the Property-Sub Committee meeting on 8<sup>th</sup> November 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The sale of the property will result in a capital receipt for KCC and indirectly contribute to the dispense of its wider community services to its residents.</p> <p><b>Support documents</b></p>

<b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b>
<p><b>Reference No:</b> There are no specific legal implications for KCC. The change relates to children who are under the statutory school age. The school will be applying for planning permission to complete the wider improvement scheme.</p> <p><b>Key No</b></p>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>19/00081 - Kings Hill School - Alteration of lower age range to enable establishment of a nursery class</b></p> <p><b>The Decision needed:</b>  <b>Background Information:</b></p> <p>Kings Hill School currently provides early years education for children who turn five when in the Reception class. Analysis by KCC Early Years relating to the sufficiency of nursery places in the local area indicates that there is a deficit of 80 nursery spaces in Kings Hill. Pressure for early year places has increased as additional houses have been built at Kings Hill and the demand is set to continue to increase as the 635 homes in ‘Phase 3’ are occupied. There is also a similar pressure for nursery places in the neighbouring area, with sufficiency data indicating a 106 space deficit in West Malling. This total 186 space deficit commonly necessitates parents traveling further afield to access nursery provision.</p> <p>In both September 2013 and 2014 the school offered 90 Reception places (three classes) rather than its usual 60; these ‘bulge years’ were to ensure a sufficient number of Reception places were available. The school was</p>

provided with two additional classrooms to accommodate these larger year groups. The classes will be leaving over the next two years (currently in Years 5 and 6). Therefore, two additional classrooms will become available; one in September 2020 and one in September 2021, resulting in an overall loss of 60 pupils.

The nursery will initially provide 30 spaces in September 2020 that will increase to a maximum of 45 in 2021. Therefore, even with the establishment of the nursery, the school's roll will decrease over a two-year period from 480 to a maximum of 465; a decrease of 15 pupils.

There are various local private early years care providers who have long waiting lists and do not have the capacity to expand. KCC is also working with another local primary school on a proposal to establish nursery provision.

**is proposal will help to secure our ambition “to ensure that Kent’s young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy” as set out in ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015 2020)’.**

**Proposed decision:**

The Cabinet Member for Education and Skills proposes to:

- alter the lower the age range from 4-11 years to 2-11 years;
- to enable the school to establish a nursery class from September 2020

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An Equality Impact Assessment (EqIA) has been produced and is accessible online via the following link: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations). No issues have been identified in the early stage EqIA, but the assessment will be reviewed as the project continues.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

In accordance with the Department for Education's Statutory Guidance (October 2018): Making 'prescribed alterations' to maintained schools, there is a need to undertake a formal statutory consultation process.

The consultation runs from 16 September 2019 to 14 October 2019. Further information is available on the School Consultation webpage:  
[www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

This matter will be considered at the Children's, Young People and Education Cabinet Committee on 15<sup>th</sup> November 2019.

The Local Member's views will be sought and any comments provided will be included in the Children's, Young People and Education Cabinet Committee report concerning the proposed changes.

#### **Section 4 – Responsible Officer – Who to contact for more information.**

##### **Your name, Your Service, Your phone number and email address:**

There is no capital expenditure required by KCC; The scheme will be funded by the school, utilising existing capital funds and via a loan from KCC. The school will receive revenue funding from the County Council based on the number of children in the setting and hours that they attend.

##### **Support documents**

#### **Responsible Cabinet Member - Cabinet Member for Education and Skills**

**Reference No:** Any legal implications will be identified in the report to the Cabinet Member for Children, Young People and Education before he takes his decision to issue a statutory public notice.

**Key** Yes

#### **Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

##### **Title:**

**19/0082 - Proposal to make prescribed alterations to St Nicholas (Community Special) School from September 2020**

##### **The Decision needed:**

##### **Background Information:**

St Nicholas (Community) Special School is a day provision providing for 268 boys and girls aged 4 to 19 with Profound, Severe and Complex Needs (PSCN). Currently St Nicholas has a designated number of 285. In addition to the main building at Holme Oak Close, the school currently operates primary satellite provisions at Chartham Primary School and Canterbury Primary School. St Nicholas School also has secondary

satellite provision at Spires Academy and an informal arrangement at the Whitstable School, as well as with Canterbury College for post 16 students. The satellites provide St Nicholas students with opportunities for integration at a mainstream school. The new satellites will provide additional opportunities and choice for integration for both primary and secondary pupils.

**Proposed decision:** The Cabinet Member for Education and Skills proposes to issue a public notice to:

- a) establish an 8-place primary satellite of St Nicholas (Community Special) School at St Johns Primary School, Canterbury; and
- b) establish a 32-place secondary satellite of St Nicholas (Community Special) at Canterbury Academy, Canterbury.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Education and Skills

### **Date:**

Not before November 2019

### **Reason if Key Decision**

(Confirm that an EqlA has been undertaken – should be done at earliest stage of project scoping) An Equality Impact Assessment has been produced as part of the consultation process and is attached.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

A public consultation period will be held from 9 September to 7 October 2019:  
<https://www.kent.gov.uk/education-and-children/schools/school-consultations>

The report is planned to be taken to the CYPE Cabinet Committee on 15 November 2019.

The views of the Local Member will be sought during the consultation period and will be included in the report to Cabinet Committee on 15 November 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

St Johns Primary School has identified a classroom to provide the space needed to create the satellite provision. Developer contributions of £24,548.70 will be provided for the cost of refurbishments. Canterbury Academy will be provided with a 4 classroom modular building established on the site to accommodate the satellite provision. The cost of moving and refurbishing the Foxwood mobile units has been estimated at £580,843.93 and will be funded from the Education Capital budget. As per KCC policy a total of £6,000 per newly provided classrooms will be provided to the school from the DGS revenue budget. For this project a total of £30,000 will be provided for the establishment of the satellite provisions. KCC will work closely with the senior leadership teams of both schools to ensure that all appropriate accommodation and facilities are provided to enable them to deliver an effective curriculum.

**Support documents****Responsible Cabinet Member** - Cabinet Member for Education and Skills**Reference No:** Contracting for KCC framework building contractors.**Key No****Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.****Title:****19/00083 - Proposal to Expand Gravesend Grammar School from 174 places to 210 places in September 2021****The Decision needed:****Background:**

Kent County Council's Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out the future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link: <http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision>

KCC forecasts indicate a growing demand for Year 7 places in Gravesend from the start of the 2019-20 academic year. The Gravesend and Longfield Selective Planning Group is forecast to have a deficit of 36 Year 7 places (1FE) from 2019-20 that increases to a deficit of 62 places (2FE) for the 2021-22 intake and increases again to 99 places (3.3FE) by 2023/24.

Gravesend Grammar School has a Published Admission Number of 174, but has in the past, offered extra places through appeals.

KCC proposed an expansion of the school to take the PAN to 210 (7FE). The school currently has a permanent infrastructure that can accommodate a PAN of 150. There is a temporary two storey block on site that offers additional accommodation, facilitating the extra 24 places. To expand Gravesend Grammar School, KCC are proposing the removal of the temporary block and building a new block at the school, together with other infill and enhancement work to social spaces. This work would be completed before the September 2021 intake. This build would enable the school to offer 210 Year 7 places for September 2021.

**Proposed decision:**

The Cabinet Member for Education and Skills proposes to expand Gravesend Grammar School, Church Walk, Gravesend, Kent, DA12 2PR increasing the Published Admission Number (PAN) from 174 places to 210 places from September 2021.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An EqlA has been completed.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

A Public Consultation ran from 30<sup>th</sup> September 2019 to 1<sup>st</sup> November 2019, with a drop-in event for stakeholders to raise issues and concerns on 15<sup>th</sup> October 2019. The consultation included the community and other stakeholders, including the following groups:

- **All schools in the Gravesham Borough**
- **Elected Members (Kent County Council, Gravesham Borough Council)**
- **Parish and Town Councils**
- **Local MPs**
- **Dioceses of Rochester and Southwark**
- **Church Groups**
- **Residents Groups**

▪ **Children’s Centres, Community and Voluntary Groups, Youth Groups**

This matter will be discussed at the Children’s, Young People and Education Cabinet Committee on 15<sup>th</sup> November 2019 – Ian Watts will be in attendance.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

A feasibility study has been carried out which estimates the cost of delivery being between £7.0m and £7.5m, wholly funded by the CYPE Basic Need Capital Budget. In line with the agreement of Cabinet Committee on 7 May 2019, the capital figure reported here is a budget estimate for information only. Subject to Members support for the proposal to progress, these estimates will be refined as detailed design work is undertaken and the scheme progresses through the planning process. Following receipt of planning permission, the refined cost estimate will be presented to Infrastructure Commissioning Board and the Cabinet Member for Children, Young People and Education for a key decision to be made. If Members support the progression of this proposal capital will be spent developing the design. This expenditure will be below the level requiring a key decision and within that delegated to officers.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Education and Skills

**Reference No:** Contracting for KCC framework building contractors.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020**

**The Decision needed:**

**Background Information:**

Kent County Council (KCC) as the Local Authority has a statutory duty to ensure sufficient school places are available. The County Council’s Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out our future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link: <http://www.kent.gov.uk/about-the-council/strategies-and->

[policies/education-skills-and-employment-policies/education-provision.](#)

It is anticipated that there will be significant short and medium-term pressure for additional Year R places in the West Dartford Planning Group which indicates that additional capacity will be needed for 2019/20, continuing for later years.

As part of the measures being taken to address the capacity issues illustrated above, KCC is proposing that West Hill PAN to 90 for 2020.

**Proposed Decision:**

The Cabinet Member for Education and Skills proposes to expand West Hill Primary Academy, Church Walk, Dartford, Kent, DA12 2PR Dartford Road, Dartford, DA1 3DZ increasing the Published Admission Number (PAN) from 72 places to 90 places from September 2020.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An EqlA has been completed. There are no issues identified, but officers will continue to monitor.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

A Public Consultation ran from 8<sup>th</sup> October 2019 to 12<sup>th</sup> November 2019, with a drop-in event for stakeholders to raise issues and concerns on 6<sup>th</sup> November 2019. The consultation included the community and other stakeholders, including the following groups:

- **All schools in the Dartford Borough**
- **Elected Members (Kent County Council, Dartford Borough Council)**
- **Parish and Town Councils**
- **Local MPs**
- **Dioceses of Rochester and Southwark**
- **Church Groups**
- **Residents Groups**
- **Children’s Centres, Community and Voluntary Groups, Youth Groups**

This matter will be considered at the CYPE Cabinet Committee meeting on



15<sup>th</sup> November 2019 – Ian Watts will be in attendance.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

**Capital:**

A feasibility study has been carried out which estimates the cost of delivery being between £2.2m and £2.4m, wholly funded by the CYPE Basic Need Capital Budget.

**Revenue Funding:**

Should the scheme progress, £6,000 per new learning space will be provided towards the cost of furniture and equipment. This will be given to the school to purchase the required equipment.

In addition, an allowance of up to £2500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment.

**Pupil Growth Funding**

The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum.

**Support documents**

**Responsible Cabinet Member - Cabinet**

**Reference No:** Invicta Law is providing advice and the land acquisition will be completed by KCC Infrastructure. Any further legal implications to be established through continued engagement with Invicta Law Ltd and Strategic Commissioning

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00085 - Thanet Parkway Railway Station - Scheme Delivery**

**The Decision needed:**

**Proposed decision:**

The Cabinet to agree to the progression and delivery of the Thanet Parkway Railway Station project, which will entail, among other processes, the following key activities;

- a) undertaking detailed design; and subject to planning approval;
- b) completing acquisition of the land; and

c) entering into contracts as necessary for construction.

And;

agree to delegate authority to the Corporate Director of Growth, Environment & Transport, in consultation with the Cabinet Member for Highways and Transportation, to take appropriate actions necessary to implement this decision, including but not limited to, deciding the preferred procurement route and entering in relevant contracts or other legal agreements.

### **Background**

A previous Key Decision was taken by the Cabinet Member for Environment and Transport on 1 August 2014 (14/00056) which approved the delivery of Thanet Parkway Station in the location to the west of Cliffsend, involving:

- a) Commencing land acquisition work;
- b) Undertaking public consultations to support the project development process; and
- c) Undertaking project development work to enable the submission of a planning application and design work for the scheme.

The feasibility design for the scheme received Approval in Principle (equivalent to Network Rail's 'Governance in Railway Investment Projects Stage 3' [GRIP 3] status) in August 2017. Following that milestone, the scheme was progressed through outline design (GRIP 4) and planning application was submitted in May 2018.

Comments received during the planning process regarding the visual impact of the scheme led to changes in the scheme design. As a result, the design work and planning application documents have been amended and are being readied for a resubmission of the planning application in November 2019.

Negotiations for land acquisition have been ongoing with the intention to enter into a contract following this decision approval.

A decision is required to proceed with the delivery of the scheme in order to meet the project delivery programme.

### **Options - it is a legal requirement (2012 Executive Arrangements regulations) to outline other options considered**

A full options analysis has been carried out as part of the scheme business case (Appendix 1). Below is a summary of the options considered as alternatives to delivering Thanet Parkway.

Option	Outcome
--------	---------

1	Do nothing	rejected as it would fail to accommodate increasing demand for rail travel, accelerate the delivery of housing and fail to improve access to jobs and employment space.
2	Increase car parking provision at Ramsgate Station	shortlisted for further investigation but rejected due to the lack of land in the residential area around the station.
3	Increase car parking provision at Minster Station	rejected due to unsuitable local highway network, impact on Minster village and poorer rail service at Minster.
4	Shuttle bus from the Birchington-On-Sea Station	rejected due to unattractive journey times and lack of rail access to Ashford, Canterbury and Maidstone.
5	Direct coach service from London	rejected due to long journey times and low impact on economic growth.
6	Shuttle bus from Ramsgate Station	rejected due to lack of suitable terminus at Ramsgate and low impact on economic growth.

**How the proposed decision meets the objectives of ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’**

Since 2010, Thanet Parkway has been a key strategic transport priority for Kent County Council, with the ambition to deliver the station first mentioned in Growth without Gridlock (December 2010), the third Local Transport Plan (2011-2016), the Rail Action Plan for Kent (April 2011) and most recently in Local Transport Plan 4: Delivering Growth without Gridlock (2016 – 2031) (LTP4). The delivery of the station continues to be of significant importance to the County Council and is a strategic priority in LTP4 because of its ability to improve rail connectivity between East Kent, other Kent towns and London; to improve the attractiveness of the area to employers and thereby address the historic economic disadvantage of East Kent.

The delivery of the station will help meet the overarching objective of LTP4: *To deliver safe and effective transport, ensuring that all Kent’s communities and businesses benefit, the environment is enhanced, and economic growth is supported.*

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet

### **Date:**

Not before November 2019

### **Reason if Key Decision**

Equalities implications:

An Equalities Impact Assessment has been undertaken and will accompany the report to Environment and Transport Cabinet Committee.

Data Protection implications:

A Data Protection Impact Assessment is not required as this project does not require the processing of personal data

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

#### **Public Consultation:**

Public consultations were held on 2nd February – 27 March 2015 and 25 January – 19th March 2017. A statutory planning consultation was held in 2018 following submission of a planning application in May 2018. Further stakeholder engagement has/is being carried out during autumn 2019. This included a public meeting with Cliffsend Parish Council, and the residents of Cliffsend on 10th October 2019.

<https://www.kent.gov.uk/roads-and-travel/travelling-around-kent/thanet-parkway-railway-station>

#### **Cabinet Committee consultation planned or undertaken**

The project was taken to Environment and Transport Cabinet Committee in July 2014, at which the proposed decision (14/00056) was endorsed. The scheme has also featured in many transport strategy documents.

The proposed decision will be taken to Environment and Transport Cabinet Committee on 29 November 2019 prior to Cabinet on 2 December 2019.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

The total cost of the project is estimated to be £34.51m based on a 2019

estimate.

The scheme funding is comprised of £14m from the Local Growth Fund (administered by the South East Local Enterprise Partnership), £2m from Thanet District Council, £0.7 from the East Kent Spatial Development Company.

KCC has committed £2.65m and will commit to funding the remaining amount whilst continuing to explore further external funding opportunities.

The business case work has been completed, showing that the project offers high value for money and that the station is commercially viable (net fares revenue is in excess of the on-going cost). Depending on the operating model, there is the potential for the station car park to provide a future income to KCC over a number of years.

Growth Environment & Transport, Section 4 – Capital Investment Plans 2019-20 to 2021-22 By Year, Row 6, page 70.

Growth Environment & Transport, Section 4 – Capital Investment Plans 2019-20 to 2021-22 By Fund

### **Support documents**

**NOT BEFORE 6 NOVEMBER BY CABINET MEMBER / CABINET**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** A range of legal and regulatory duties apply to animal and plant health including Civil Contingencies Act 2004, Animal Health Act 1981 (amended by Animal Health Act 2002), European Communities Act 1972, Plant Health Act 1967, Plant Health (England) Order 2015 and Wildlife and Countryside Act 1981

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00074 - Animal and Plant Health Emergency Plan**

**The Decision needed:**  
**Proposed decision:**

To approve The Animal and Plant Health and statutory ACTSO Appendix; The Local Authority Exotic Notifiable Animal Disease Contingency Plan as a KCC led Kent Resilience Forum document.

**Background:**

Kent County Council enforces a range of legal and regulatory duties in relation to animal and plant health. This plan sets out the powers and duties of KCC in this regard and incorporates the Association of Chief Trading Standards Officers statutory guidance on Notifiable Animal Disease response. A significant change is proposed to this standing document in making it multi-agency in reach through Kent Resilience Forum, though remaining KCC-led.

**Section 2 – Who is taking the final decision and when****Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before November 2019

**Reason if Key Decision**

Equalities implications:

Following a desk top assessment an EqIA was not deemed necessary for this project because of the technical and scientific nature of the subject matter

Data Protection implications:

Personal contact details are included within restricted circulation (non-public) version of plan.

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors****Consultees**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 29 November 2019.

**Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:**

Planning costs are absorbed into existing budgets.

**Support documents**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Education and Skills</p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>19/00075 - Changes to the KCC local funding formula for schools</b></p> <p><b>The Decision needed:</b>  In response to the Government confirming the additional funding for schools, Kent County Council is set to receive an approximately £52m for 2020-21.</p> <p>The Council will continue to operate a local funding formula for Kent maintained schools (and this formula is also used by the Education and Skills Funding Agency for calculating Kent academy budgets) during this period and legislation dictates that any changes to that formula is subject to an all school consultation.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b>  Cabinet Member for Education and Skills</p> <p><b>Date:</b>  Not before November 2019</p> <p><b>Reason if Key Decision</b>  An equalities impact assessment will be completed and this will accompany the consultation documentation.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>A consultation with all Kent schools and academies will be undertaken during October and the feedback from the consultation will be discussed at the Schools Funding Forum on 29<sup>th</sup> November.</p> <p>The proposed decision will be considered by the CYPE Cabinet Committee on 15 November 2019</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>

**Your name, Your Service, Your phone number and email address:**

The costs of the new funding formula will be fully met from the Dedicated Schools Grant and will not be a cost to Council funding.

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Education and Skills**

**Reference No:** KCC have a duty, under Section 22 of the Children Act 1989, to safeguard and promote the welfare of each child we look after. Under Section 27 of the Act, local authorities are entitled to expect other authorities and certain NHS bodies to assist them in discharging their functions to children in need, looked after children and their parents and carers. Section 11 of the Children's Act 2004 places a duty on a range of organisations and agencies to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00076 - CYP Emotional Wellbeing and Mental Health Service**

**The Decision needed:**

This decision follows on from decision number 18/00071 to end the current Section 76 agreement and establish a new agreement which reflects KCC as the commissioning lead for the KCC elements of the CYPMHS service.

In 2017, KCC jointly commissioned the CYPMHS with the local NHS. KCC invested £2.65m into the NHS contract via a Section 76 agreement. The new service has resulted in a significantly different clinical model, a large restructure and upskilling of the workforce and the implementation of a new data management system. However, demand for the specialist and targeted interventions have been significantly higher than expected and this impacted on the initial stages of the service transformation. A greater capacity has been allocated to the management of this demand and associated high waiting lists, particularly those across the neurodevelopmental pathway. Significantly this has impacted upon the delivery of the Local Authority funded services particularly the early intervention elements of the contract.

Whilst CCGs are now seeing improvements in the performance of the overall service, it has been apparent that some of the KCC funded elements are not achieving the desired outcomes. These challenges have included; significant underperformance in relation to numbers of young people



receiving a service through the Early Help pathway and Kent Health Needs Education Service; lack of available performance data and dispute in relation to payment for the contract.

KCC remains committed to working in partnership with the NHS to manage the challenges and improve the contracting arrangements. Progress has been reported back to SCB and CYPE Cabinet Committee and a full options appraisal will be presented to CYPE Cabinet Committee on 15 November 2019.

The recommended option is to split the KCC investment in the contract as follows:

- £1.217m retained in the current contract for the LAC Priority Assessments and Harmful Sexual Behaviour interventions. These elements of the service require clinical interventions and oversight. Changes to the Section 76 agreement will enhance the oversight that KCC has on the performance of these services.
- £1.2m refocussed through a range of evidence-based and resilience-focuses interventions.
- Reduce the funding for the Kent Health Needs Education Service from the current £240k arrangement to ensure a focused approach to meet the needs of the school.

Other options considered were:

- Business as Usual - Retain the current service model and continue to work with the NHS to improve the contracting arrangements
- Recommission a new service - Withdraw KCC's investment in the contract and re-commission a new service
- Align KCC Early Help workforce to the current contract and invest the funding within KCC provision

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Education and Skills

### **Date:**

Not before November 2019

### **Reason if Key Decision**

An EQIA has been completed as part of the process and will continue to be reviewed as we progress the work.

### **Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

This is a county-wide service and any changes will be communicated to schools, police and health providers. Consultation will be undertaken with members at CAB in October 2019.

This will be discussed at the CYPE Cabinet Committee meeting on 15 Nov 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The KCC element of the contract is worth £2.65m per annum. The proposed decision will split the investment, with £1.217m retained in the contract and £1.2m refocused into alternative services/interventions. £50k designated to support KHNES and £190k of Dedicated Schools Grant refocused through the DSG High Needs Funding arrangements for KHNES. A financial audit of the KCC investment is currently being undertaken by the NHS. The changes to the Section 76 agreement will allow KCC to have clear oversight of the funding and performance of the remaining Authority Services. There is existing capacity within the service to undertake the recommended changes.

**Support documents**

PRoD  
Report  
App 1

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:** Consent to demolish the existing school buildings has been sought from Canterbury City Council. A detailed Planning Application will be lodged with KCC Planning Group for the main works. The necessary contractual documents will be put in place.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00077 - Barton Court Free School - Building Contract**

**The Decision needed:**

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Corporate and Democratic Services</p> <p><b>Date:</b> Not before November 2019</p> <p><b>Reason if Key Decision</b> N/A</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<b>Section 3 – Who is to be consulted, how and when, including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>This matter will be considered at P&amp;R Cabinet Committee in November 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> Funding for the project is provided by Project Delivery Grant from the Department for Education. KCC applies for the grant on a stage by stage basis.</p> <p><b>Support documents</b></p>

**NOT BEFORE 2 OCTOBER 2019 BY CABINET MEMBER/CABINET**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> in order to de-risk the proposed acquisition in the context of the project and viability pressures, there are a number of conditions being imposed to mitigate these risks.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b> <b>19/00058 - Strategic Acquisition &amp; Disposal, Maidstone East</b></p> <p><b>The Decision needed:</b></p>

**Proposed decision:**

To consider the Maidstone East redevelopment and the next steps in the delivery of the comprehensive development of the site and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services, the Corporate Director for Finance and the Cabinet Member for Finance to finalise terms and enter into the necessary documentation to complete the transactions in line with the Councils Decision.

**Background:**

In July 2016 KCC and MBC entered into a Collaboration Agreement and jointly acquired a strategically located site at Maidstone East with the long term objective to assemble adjacent land and facilitate the viable delivery of a high quality "Gateway" development in line with pre-agreed objectives to primarily improve this part of the County Town.

The proposed Decision will consider the next steps in the delivery of a comprehensive development on the site. Following the completion of the due diligence the decision report will set out the options in relation to the next steps for consideration by the Leader, the Cabinet Member for Corporate and Democratic Services and the Cabinet Member for Finance following which a decision will be taken.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2019

**Reason if Key Decision**

N/A, although will be taken fully into account in the planning phase.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decision will be considered at the Policy and Resources Cabinet Committee on 20 September 2019.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

There is a financial allocation in the Medium Term Financial Plan for a Property Investment Fund (PIF), which would be utilised to support the acquisition strategy. A holding strategy would be put in place to manage the properties in the short term. As per the Collaboration Agreement, it is clear that KCC are to take forward the most viable scheme possible and at a minimum, recoup their level of investment to date upon completion.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00059 - Strategic Acquisition, Tonbridge & Malling**

**The Decision needed:**

**Proposed decision:**

To consider the decision report for the acquisition of two properties and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services, the Corporate Director for Finance and the Cabinet Member for Finance to finalise terms and enter into the necessary documentation to complete the property transactions.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2019

**Reason if Key Decision**

N/A although will be taken fully into account in the planning phase

**Reason if this decision has been delayed/withdrawn from a previous plan**

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b>  There is a financial allocation in the Medium Term Financial Plan for a Property Investment Fund (PIF), which would be utilised to support the acquisition strategy.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Adult Social Care and Public Health</b></p> <p><b>Reference No:</b> Regulation 12(7) of the Public Contracts Regulations 2015 enable this type of co-operation between contracting authorities where certain conditions are met. Independent legal advice has supported the legality of the approach in relation to the public health functions which are the subject of the partnership.</p> <p>This form of arrangement builds on duties that already existed to exercise functions with a view to integrating the provision of care and support provision, under the Care Act 2014 (“CA 2014”), with health provision (section 3, CA 2014). Both parties are also under a duty, under s.82 of the NHS Act 2006, to co-operate with one another to secure and advance the health and welfare of the people of England and Wales.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>19/00064 - Kent County Council and Kent Community Health NHS Foundation Trust collaborative partnership - delivery and transformation of Public Health services</b></p> <p><b>The Decision needed:</b>  <u><b>Proposed Decision:</b></u></p> <p>To agree the extension of collaborative partnership arrangement with Kent Community Health NHS Foundation Trust (KCHFT) until at least March</p>

2025 and ongoing delivery of Public Health services through this approach. Public Health services included within the current arrangement are listed below:

- Health Visiting
- School Health Services
- Sexual Health Services
- Lifestyle Services and NHS Health Checks
- Oral Health Services
- Postural Stability Services

**Background:**

Kent County Council took the decision to enter into an innovative partnership with Kent Community Health Foundation Trust (KCHFT) in September 2017, with the aim to maximise the opportunity to improve the health of Kent residents, deliver common objectives and accelerate delivery of the Sustainability Transformation Plan (STP), known as the Sustainability Transformation Partnership. This arrangement was also designed to offer the flexibility to align to new local care arrangements.

This decision recognised that KCHFT was integral to the delivery of the STP and recognised that both KCC and KCHFT faced significant challenges which could be better managed through a joint open and transparent approach. The original decision put procurement in “abeyance” until at least March 2020 and a further decision is required on how best to deliver these services in the future. Legal advice taken at this time confirmed that the approach was permitted within the Procurement Regulations.

The Kent and Medway Sustainability and Transformation structures are more advanced than in 2017 and local leaders are working to deliver the local plan, Case for Change. This includes a series of commitments which have been supported by KCHFT. Kent and Medway STP is developing a five-year plan in response to the national LTP and is required to become an Integrated Care System (ICS) in the coming months. Services and health providers will need to align to these changes and work with commissioners to determine how they can best integrate and support acceleration of local care.

Kent continues to face a series of significant demographic pressures alongside budget constraints and pressures, e.g. long-term clarity on national NHS pay and uncertainty on future funding arrangements for the Public Health grant.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Adult Social Care and Public Health

**Date:**

Not before October 2019

**Reason if Key Decision**

Equalities implications: Equality Impact Assessments will be completed at a service level as required.

Data Protection implications: KCHFT is IG Toolkit compliant and Data Process Impact Assessments will be completed at a project level as required.

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors****Consultees**

This item was discussed by the Health Reform and Public Health Cabinet Committee on 24 September and the proposed decision endorsed. The minute of the discussion is as follows:

**19/00064 - Delivery and Transformation of Public Health Services.**

*(Item. 8)*

The Chairman advised the committee that, as this and the exempt report later in the agenda (item 12) contained much detailed information, he was minded to take both reports together in a closed session at the end of the meeting. It was important that Members have the opportunity of a full understanding of the issues before being able to comment on them and consider the recommendations, and to do this they would need to be able to have a frank discussion and explore all of the available information. This could only be done effectively in a closed session.

**EXEMPT ITEM** (open access to minutes)

**19/00064 - Delivery and Transformation of Public Health Services.**

*(Item. 12)*

*Mrs V Tovey, Public Health Senior Commissioning Manager, was in attendance for this item.*

1. Mrs Tovey introduced the reports for agenda items 8 and 12 and responded to questions of detail from the committee, including the recruitment and training of new nurses and retention and re-training of experienced nurses to take on new roles, for example, as health visitors and school nurses, to offer a new career pathway. The Care Quality Commission's recent rating of Kent Community Health NHS Foundation Trust (KCHFT) as 'outstanding' would help to retain and attract new staff. Other questions included clarity of the conditions that were required to be met for the County



Council and KCHFT to enter into this agreement. Mrs Tovey confirmed that the conditions were set out in section 12(7) of the Procurement Regulations and also referenced within the exempt report. Mrs Tovey informed the committee that independent legal advice confirmed the arrangement met these criteria for the delivery of public health services and advised that this would be subject to review during the five years to ensure the conditions continued to be met.

2. It was RESOLVED that:-

- a) the context, risk and assurance associated with the proposed procurement approach for public health services be noted; and
- b) the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health, to authorise the County Council to extend the collaborative arrangement with Kent Community Health NHS Foundation Trust, for the services listed in the report, until March 2025, be endorsed.

#### **Section 4 – Responsible Officer – Who to contact for more information.**

##### **Your name, Your Service, Your phone number and email address:**

The spend of Public Health services across the 5 years will be in the region of £187,109,535. However, values will be subject to annual review and will fluctuate based on demand and any external investment e.g. through Health partners.

Additional income through Health Partners enables delivery of HIV treatment services and targeted work for NHS Health Checks as set out as part of the STP.

The estimated value for 2019/20 is £37,421,907 with anticipated income of £860K from NHS England and the Kent and Medway STP. Services included are Health Visiting, School Nursing, Postural Stability, Sexual Health, Lifestyle services, including Smoking, and NHS Health Checks and Oral health. A number of services are open-access and, as such, actual spend will be dependent on demand.

##### **Support documents**

**NOT BEFORE 20 AUGUST 2019 BY CABINET MEMBER**

**Responsible Cabinet Member** - Cabinet Member for Community and Regulatory Services

**Reference No:** KCC will need to enter into and or vary a number of legal agreements with Turner Contemporary, Arts Council England and a number of partners, in order to secure the project.

KCC will need to enter into a number of contractual agreements to develop and deliver the site.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00060 - Turner Contemporary**

**The Decision needed:**

**Proposed decision:**

That the Cabinet Member for Community and Regulatory Services agree to:

- (a) Enter into and or vary significant legal agreements including, but not limited to, a Memorandum of Understanding and Collaboration Agreement with Turner Contemporary, RNLI, Yacht Club, Arts Council England and any other stakeholders as required
- (b) Authorise the Director of Infrastructure to enter into all necessary legal agreements for the delivery and the construction of the project
- (c) Permit the project subject to KCC’s VAT partial liability exemption position not being breached or in breach

**Background:**

The project is a combination of reconfiguration and refurbishment of the Turner Contemporary (TC) and the Rendezvous site. The aim of the project is to make the TC more financially sustainable by reducing running costs and improving the potential for increasing revenue income and making the TC building function more efficiently to service the high levels of visitors it currently attracts.

The scope of the project will be to consider how best to maximise income generation through the inclusion of car parking income, retail and catering offer, while preserving the current standards of the facility.

The Gallery has far exceeded its predicted visitor numbers and this has had a tangible effect on regeneration which has encouraged people to relocate to Margate and enabled new businesses to become established in the surrounding areas. This project now seeks to secure this position that will allow the Turner Contemporary to become more financially self sufficient.

**Section 2 – Who is taking the final decision and when**

<p><b>Who is taking the Decision</b> Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> Not before August 2019</p> <p><b>Reason if Key Decision</b> No adverse impacts have been identified in the Equalities Impact Assessment and this will be kept under review as the project progresses.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.</p> <p>Public consultation will be undertaken wherever it is part of the Arts Council England requirements.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Arts Council England (ACE) is investing £495k in the project towards build costs via grant funding. KCC contribution of £1.5m from the current Capital Programme.</p> <p><b>Support documents</b></p>

**NOT BEFORE 30 JULY 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</b></p> <p><b>Reference No:</b> Kent County Council (KCC) does not have a legal duty to provide sites in Kent for the Gypsy and Traveller community. This is a statutory duty placed upon the district and borough councils to discharge as</p>
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part of their local plans. All local councils are required to produce an up-to-date Local Plan for their area, to guide the spatial development of the borough.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00052 - Gypsy and Traveller Pitch Allocation Policy**

**The Decision needed:**

Proposed Decision:

To revise and update Kent County Council’s (KCC) Gypsy and Traveller Service Allocations Policy for managed sites.

**Background:**

This review work is part of ongoing, council-wide activity to update and improve our processes, policies and practices.

The priorities for the Gypsy and Traveller service are to:

- Improve current service efficiency whilst also planning for future demographic pressures within the Gypsy and Traveller community through better planning and countywide coordination on the provision of good quality sites.
- Manage the growing financial challenge by ensuring that pitch allocations are made in a clear and transparent manner and that rent affordability is confirmed prior to pitches being allocated.
- Improve licensee vetting, licence agreements and enforcement policies to ensure our sites’ residents understand accepted levels of behaviour, including requirements for rent payments, both prior to being allocated a pitch and for the duration of their tenancy.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before July 2019

**Reason if Key Decision**

Gypsies and Travellers are protected groups under the Equality Act 2010. EQIA’s have been completed to ensure impacts of policy changes have been considered and mitigations factored in where appropriate.

<b>Reason if this decision has been delayed/withdrawn from a previous plan</b>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed decision will be discussed at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The new Pitch Allocation policy will seek to redress historic issues around rent affordability and ongoing rent collection by setting out clear guidelines to all prospective tenants of the required rent arrangements and the subsequent enforcement action that will be taken if rent payments are not recovered in line with requirements.</p> <p>Increased, consistent vetting of tenants will ensure that affordability of pitches is checked prior to licences to occupy being issued.</p> <p>Recovery of 100% of rent costs for all tenants is critical to enable the ongoing quality, sustainable management of the sites in the future.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Community and Regulatory Services</b></p> <p><b>Reference No:</b> This opportunity has not been subject to competition. This is supported by Regulation 32(2)(b)(ii) of the Public Contract Regulations which states that a Negotiated Procedure without Prior Publication may be used where services can be supplied only by a particular economic operator where competition is absent for technical reasons</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b></p> <p><b>19/0055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area</b></p>

<p><b>The Decision needed:</b> To award a 4 year contract to Maidstone &amp; Tunbridge Wells NHS Trust (MTW) for the provision of post mortem (PM) facilities at Tunbridge Wells Hospital, Pembury for the Mid Kent &amp; Medway coroner area.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b> Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> Not before July 2019</p> <p><b>Reason if Key Decision</b> An Equality Impact Assessment has been carried out and there is no potential for discrimination and all opportunities to promote equality are currently being taken in line with KCC policies and statutory requirement. Should any issues arise they will be dealt with in accordance with KCC policies and statutory requirements.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed decision was considered and endorsed at the Environment and Transport Cabinet Committee on 16 July 2019.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> Based on 2018-19 activity levels the estimated cost for the 4 years is £676,000</p> <p><b>Support documents</b></p>

**NOT BEFORE 30 APRIL 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> N/A</p> <p><b>Key</b> Yes</p>
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**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**19/00031 - Increase in the designated number at The Elms School, Dover**

**The Decision needed:**  
Background:

The Elms School is a good school designated for 96 pupils with behaviour and learning needs. Currently the school has 130 pupils on roll. This number is expected to increase to 158 from September 2019. It is necessary therefore, to regularise this situation and increase the designated number of the school via a statutory process.

Legislation requires that statutory proposals are undertaken where the number of pupils on roll of a special school exceeds its designated number by more than 10%. Therefore, we are proposing to increase the designated number to 158, to regularise the current position and to increase the number of places available.

Proposed decision:

Increase the designated number of The Elms School, Dover from 96 to 158 places

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**  
Cabinet Member for Children, Young People and Education

**Date:**  
Not before April 2019

**Reason if Key Decision**  
The Equality Impact Assessment is in place. No adverse impacts have been identified at this point.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

A consultation will take place in April/May 2019.

The Children's, Young People and Education Cabinet Committee will receive a report on this matter in June 2019.

The view of the local members will be sought as part of the consultation.

#### **Section 4 – Responsible Officer – Who to contact for more information.**

##### **Your name, Your Service, Your phone number and email address:**

The Elms School will receive the funding for the pupils in line with the funding allocated to special schools through KCC's funding formula. A feasibility study needs to be undertaken to assess what, if any accommodation will need to be needed to enable the increase in the designated number.

##### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Children, Young People and Education

**Reference No:** KCC will accept the contractual responsibilities for the construction contracts to deliver the new school.

**Key No**

#### **Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

##### **Title:**

**19/00037 - New St Andrew's Primary Free School Contract Approval**

##### **The Decision needed:**

##### **Background:**

In July 2016 the Department for Education approved a Wave 11 bid proposed by the Tenax Trust to establish the St Andrew's Primary Free School at Paddock Wood, Tunbridge Wells. The proposed new school will have the capacity for 420 pupils (2 FE) from reception to year 6. The bid also included an estimated 60 nursery places. The Education and Skills Funding Agency (ESFA) is responsible for funding the delivery of the new school.

The ESFA has appointed KCC to act as the Local Delivery Agent (Responsible Body), with Gen2 acting as KCC's Agent. As the Responsible Body, KCC will commit to procuring and delivering the scheme and will be the contracting authority for the purpose of the scheme. As the Responsible Body KCC is also responsible for compliance with all relevant statutory obligations and is required to secure any statutory approvals required to deliver the scheme.

#### **Section 2 – Who is taking the final decision and when**



<p><b>Who is taking the Decision</b> Cabinet Member for Children, Young People and Education</p> <p><b>Date:</b> Not before May 2019</p> <p><b>Reason if Key Decision</b> Tenax Trust and the Department for Education will have considered the equality impacts of opening a new school as part of their decision making. In respect of this proposed decision, to agree KCC can enter into a contract to deliver the school building, there are no known equalities implications.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The matter does not need to be considered by the Infrastructure Commissioning Board as the proposal is outside of the terms of reference.</p> <p>Consultation on the proposal to open a new school would be a matter for Tenax Trust and the DfE.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> The ESFA has allocated funding for the build costs of the school (circa £8.35 million) and this will be secured within a Development Agreement prior to KCC entering any Construction Contract. There will be no capital funding requirements from KCC in relation to the scheme and therefore no impact on the County Council's MTFP.</p> <p><b>Support documents</b></p>

**NOT BEFORE 17 APRIL 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> N/A.</p> <p><b>Key No</b></p>
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**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**19/00028 - Expansion of Palmarsh Primary School**

**The Decision needed:**

Background Information:

In January 2017 permission was agreed to release £2,200,000 from the Education and Young People's Services Capital budget to enable Palmarsh Primary School to expand to 1FE. It was understood that this would be the first phase of a gradual expansion to 2FE.

The first phase of the expansion would provide 3 new classrooms, a new entrance off Jubilee Close, offices and car parking with further classrooms being added in later phases.

Planning permission for the first phase of the expansion has been achieved. However, in order to secure the said planning permission significant adaptations needed to be made increasing the capital costs to £2,600,000.

Options:

Consideration has been given as to how we can scale back the first phase of the expansion plans, ensuring there is: is sufficient high quality classroom space for the school to expand to 1FE; provision of a new entrance off Jubilee Close; increased car parking and the completion of agreed s278 works.

Sufficient classroom space could be achieved via the removal of an old mobile classroom and replacing this with a new two classroom mobile unit. The new offices and permanent classrooms could be delivered in a later phases as an when there is a need for second FE of provision. The total costs for the mobile classrooms, new entrance off Jubilee Close, car parking and s278 works would be in the region of £700,000.

A variation to the present planning permission will be required if this was to proceed.

Proposed decision:

The Cabinet Member for Children, Young People and Education is asked to release £625,000 of the £2,200,000 already agreed from the Children, Young People and Education Capital budget to expand Palmarsh Primary School to 1FE.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Children, Young People and Education

**Date:**

Not before April 2019

**Reason if Key Decision**

The Equality Impact Assessment is in place. The variation in plans will not impact on the judgements in the EqIA.

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors****Consultees**

This matter will be considered by the Infrastructure Commissioning Board on 30 April 2019 or 24 May 2019.

A consultation on expanding to 1FE was undertaken in 2016, as there is no change to this decision further consultation is not required.

The report will be submitted to the Children's, Young People and Education Cabinet Committee meeting on 28 March 2019.

The view of the local member will be sought prior to the Cabinet Committee meeting.

**Section 4 – Responsible Officer – Who to contact for more information.****Your name, Your Service, Your phone number and email address:**

£1,200,000 has been secured in developer contributions of which £887,000 has been paid so far. The estimated costs for the mobile classrooms, new entrance, carparking and s278 works would be in the region of £700,000. The School will put the £75,000 towards this from their capital funding with the rest coming from the Children, Young People and Education Capital budget. The School will receive increased funding through the Delegated Budget. The rising roles will be protected in line with KCC Growth Funding Policy. Revenue funding will also be allocated to enable the School to resource one of the classrooms. At present that is at a value of £6,000.

**Support documents**

**NOT BEFORE JANUARY 2018 BY CABINET MEMBER**

**Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance and Traded Services**

**Reference No:** Provision of this service is a statutory responsibility. The market was tested to establish levels of interest.

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**17/00125 - Healthwatch Kent interim contract**

**The Decision needed:**

Proposed decision: To agree:-

- a) the implementation of an interim contract for the provision of a Local Healthwatch for Kent for the period April 1<sup>st</sup> 2018 to March 31<sup>st</sup> 2020, with sufficient break clauses to end earlier where appropriate; and
- b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract

How the decision relates to Corporate Objectives

- Commissioning Framework Principle 7: Customers at the heart of our commissioning approach
- KCC’s commissioning of a Healthwatch for Kent is required by duties under the Health and Social Care Act 2012, which built upon the Local Government and Public Involvement in Health Act 2007

The matter is referred to in the Business Plan/Medium Term Capital Programme.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Deputy Leader and Cabinet Member for Finance and Traded Services

**Date:**

Not before January 2018

**Reason if Key Decision**

No equalities implications – whole Kent provision.

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed incorporation of the Service User Forum and Mental health

Action Groups into the Healthwatch Kent contract was discussed by the Adult Social Care Cabinet Committee on 23 November 2017.

The interim contract will be discussed by the Health Reform and Public Health Cabinet Committee on 24 January 2018.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.

**Support documents**

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

**Responsible Cabinet Member** - Cabinet Member for Corporate and Democratic Services

**Reference No:** None

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**17/00094 - Disposal of Land East of Great Chart Primary School, Singleton**

**The Decision needed:**

Approval to the Director of Infrastructure to progress with and enter into the necessary documentation to complete the disposal of the aforementioned property in consultation with the Cabinet Member for Corporate and Democratic Services. The Decision will seek legal agreements to be actioned to complete the sale of the relevant properties.

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2017

**Reason if Key Decision**

None

<p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p> <p>Securing a capital receipt to fund the capital programme and to streamline the Council's property portfolio to achieve financial and efficiency benefits in line with appropriate policy</p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>Property decisions to be discussed at the Property Sub Committee.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>Property holding costs will cease upon sale.</p>
<p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Planning, Highways, Transport and Waste</b></p> <p><b>Reference No:</b> None</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b></p> <p><b>17/00084 - (Phase 2) A274 Sutton Road, Maidstone at its junction with Willington Street</b></p> <p><b>The Decision needed:</b></p> <p>The Willington Street Junction Improvement Scheme is to help reduce congestion on the Sutton Road corridor on the A274 strategic route. Public engagement on the revised scheme layout will be carried out during August 2017, a report will be presented to advise the feedback and potential amendments including any related mitigation measures.</p> <p>The scheme supports policy objectives of supporting existing businesses and encouraging economic activity with housing growth and job creation by reducing congestion and improving infrastructure and accessibility.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b></p>

<p>Cabinet Member for Planning, Highways, Transport and Waste</p> <p><b>Date:</b> Not before October 2017</p> <p><b>Reason if Key Decision</b> None - detailed scheme design will consider equalities aspects</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>On-going liaison and engagement with residents and business community as required and at appropriate stages of the scheme development.</p> <p>The decision will be discussed at the Environment and Transport Cabinet Committee on 21<sup>st</sup> September 2017.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> The estimate cost is £3m and will covered under existing budget allocations from the Local Growth Fund and Section 106 Developer Contributions.</p> <p><b>Support documents</b></p>

**LONG TERM**

<p><b>Responsible Cabinet Member - Cabinet Member for Corporate and Democratic Services</b></p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b> <b>Lawn Primary School, Gravesend - New Playing Field</b></p> <p><b>The Decision needed:</b> Update 01 February 2017: Officers have confirmed that the decision is still ‘live’ and that KCC continue to work with the landowner regarding use of</p>

the land and any consequential s106 arrangements. The process is expected to be lengthy and is likely to be ongoing for the duration of 2017.

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The Cabinet Member will be asked to agree that KCC take a long lease of 99 years at a nominal rent from Lafarge to facilitate expansion of school roll. Lafarge to create new playing field and to maintain subsoil thereafter. The Playing Field is being delivered as part of a s106 Agreement being a contribution to mitigate the impact of adjacent development of 510 homes upon Lawn Primary School and free up space on the existing Lawn PS site to enable expansion of the existing school buildings from 1FE to 2FE.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

### **Date:**

Before January 2018

### **Reason if Key Decision**

This decision is considered as a key decision owing to the length of the lease, in accordance with the Council's Property Management Protocol

### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The proposed Cabinet Member decision will be considered by the Property Sub-Committee at its meeting scheduled 27 March 2015

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

Lead officer: Kahren Knott – Estates Surveyor, Property & Infrastructure Support

03000 416356

kahren.knott@kent.gov.uk

Lead Director: Rebecca Spore – Director of Property & Infrastructure Support

03000 416716

Rebecca.spore@kent.gov.uk

### **Support documents**



**Responsible Cabinet Member** - Cabinet Member for Children, Young People and Education

**Reference No:** 16/00101

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**

**16/00101 - Proposal to expand Marden Primary School**

**The Decision needed:**

The Cabinet Member for Children, Young People and Education will be asked to agree to:

- i. Expand Marden Primary School, Goudhurst Road, Marden, Tonbridge, Kent, TN12 9JX, from 280 places to 420 places, increasing the published admission number (PAN) from 40 to 60 for Year R entry in September 2018
- ii. Allocate the budget from the Basic Needs budget (full details to be provided within the Education and Young People’s Services Cabinet Committee Report)

In accordance with Appendix 4 Part 2 16 (a) of the Council’s constitution, the Council’s Executive Scheme of Officer Delegation provides that “Once a Member-level decision has been taken.....the implementation of that decision should be delegated to officers...” In this instance it is envisaged that the Director of Infrastructure will inherit the authority to act and will enter into any necessary contracts/ agreements on behalf of the County Council or further delegate responsibilities in accordance with 16 (c) of the same scheme “Senior Managers exercising delegated powers will...be able to sub-delegate...functions to more junior officers”

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Children, Young People and Education

**Date:**

Not before January 2018

**Reason if Key Decision**

This proposal will help “to ensure that Kent’s young people have access to the education....necessary to support Kent business to grow ...” as set out in ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015 - 2020)’ and supports delivery of KCC’s responsibility to provide sufficient, high quality places where they are needed as set out in the ‘Commissioning Plan for Education Provision in Kent 2016-2020’

Financial Implications: Will be set out in the report that will be considered

by the Children's, Young People and Education Cabinet Committee.  
Legal Implications: Any legal implications will be identified in the report that will be considered by the Children's, Young People and Education Cabinet Committee  
Equality Implications: An Equality Impact Assessment has been produced and can be viewed here: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations) .

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The Commissioning Plan for Education Provision 2016-20 identified Marden as an area of future need and Marden Primary School was therefore proposed for expansion to meet that predicted demand. The Plan was considered and endorsed by the Education and Young People's Services Cabinet Committee on 15 December 2015 prior to the final version being considered and approved by Cabinet on 21 March 2016.

A public consultation commenced on 23 September 2016 and closed on 21 October 2016. Further information is available on the School Consultation webpage: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

The outcome of the consultation was due to be reported to Education and Young People's Services Cabinet Committee on 23 November. The report was deferred, pending further discussions on the design and planning process and will be considered by the Cabinet Committee at its meeting scheduled for 22 June 2017

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Jared Nehra, Area Education Officer for West Kent  
03000 412209  
Jared.nehra@kent.gov.uk

**Support documents**

**UPDATE AWAITED**

**Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services**

<b>Reference No:</b> 13/00095
<b>Key</b> Yes
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b>  <b>Disposal - Residential Land adjoining Great Clayne Lane Farm, Gravesend.</b></p> <p><b>The Decision needed:</b>  To seek approval for the Director of Property and Infrastructure Support in consultation with the Cabinet Member for Corporate and Democratic Services to progress with and enter into the necessary legal documentation to complete the disposal of residential land adjoining Great Clayne Lane Farm, Gravesend following the marketing of the site. The site has been marketed and offers received, shortlisted and a preferred purchaser has been identified. The Decision will seek for legal agreements to be actioned to complete the sale of the property.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b>  Cabinet Member for Corporate &amp; Democratic Services</p> <p><b>Date:</b>  Not before October 2015</p> <p><b>Reason if Key Decision</b>  Financial criteria is likely to be exceeded</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b>  Lead officer: Rebecca Spore  Director of Property &amp; Infrastructure Support  Tel: 01622 - 221151  E-Mail: rebecca.spore@kent.gov.uk</p>

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Corporate & Democratic Services

**Reference No:** 14.00022

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**

**Former Shepway Resource Centre, Folkestone - Disposal**

**The Decision needed:**

**LATEST UPDATE:**

19/05/2014 - Decision due date changed from 18/02/2014 to 01/08/2014.

**REASON:** The proposed decision to dispose of the Centre was delayed while internal processes were undertaken to ensure that no other suitable use could be found before disposal. This process is complete and the former resource centre will be placed on the market shortly. Responses from the market will be gauged after a period of approximately 3 months and a proposal for the site put forward at that time. The decision will be considered by the Property Sub-Committee or the Policy and Resources cabinet Committee before being taken by the Cabinet Member.

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To seek approval to the disposal of the former Shepway Resource Centre following the marketing of the site

**Section 2 – Who is taking the final decision and when**

**Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

Not before October 2015

**Reason if Key Decision**

**Reason if this decision has been delayed/withdrawn from a previous plan**

**Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

**Consultees**

The proposed decisions will be discussed at Policy & Resources' Property Sub Committee following marketing.  
The property is situated within the electoral division of Folkestone West. Cllr Hod Birkby has been consulted.

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

Alyson McKenna,  
01622 696032  
alyson.mckenna@kent.gov.uk  
Rebecca Spore,  
01622 221151  
rebecca.spore@kent.gov.uk

**Support documents**

**DEFERRED**

**Responsible Cabinet Member - Cabinet Member for Corporate & Democratic Services**

**Reference No:**

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**Sandwich Highways Depot**

**The Decision needed:**

**Update 09/03/2015:**

**DEFERRED: The disposals team at KCC are currently working on new plans for the site in order to ensure that the maximum value is secured; surveys are being carried out with a view to marketing the site in the future dependent on the outcome of those surveys.**

**Latest Update:**

19/05/2014: Decision due date changed from 23/12/2013 to 'Not before' 01/11/2014.  
REASON: The disposals team at KCC are currently working on new plans for the site in order to ensure that the maximum value for the site is secured. Options appraisal work is underway and this work is expected to take approx. 6 months,

therefore an expected decision date is set for November.

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To seek approval to proceed with the disposal of the above site to raise a capital receipt which will be allocated to support the capital programme.

To seek approval to identify and progress with the acquisition of a new site for the service.

The Director of Property and Infrastructure Support will be authorised to finalise terms for both the disposal and acquisition of a new site.

This decision is needed to enable a modern highway service operation to be provided in the East Kent Area that is both reactive and responsive to changing demands. It directly supports 3 of the Bold Steps for Kent.

- Firstly it helps deliver the “Kent Environment Strategy” by the provision of new environmentally friendly facilities (e.g. grey water) via the construction technique with the eventual adaptation of new work practices within the new depot.
- Secondly it builds relations with key business sectors across Kent as the supply chain involved in such a project provides work to businesses of all sizes.
- Thirdly by the better siting and provision of facilities for the new depot it ensures that the most robust and effective public protection arrangements are in place for road management including bad weather response.

The impact of the decision is that full assessment of the potential disposal of the site can be explored within the market place to ensure that best value principles are adhered to. In tandem a full search and feasibility study will be undertaken to identify a new location for the alternative highways depot which satisfies the above objectives.

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

**Reason if Key Decision**

**Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The matter was considered by the Property Sub Committee of the Policy and resources Cabinet Committee at its meeting on 27<sup>th</sup> February 2013. The proposed decision was endorsed by the Committee.

The report to committee was exempt from publication and consideration of it took

place in private.

Public minutes can be viewed by clicking on the link below:

<https://democracy.kent.gov.uk/documents/g5176/Printed%20minutes%2027th-Feb-2013%2014.00%20Property%20Sub-Committee.pdf?T=1>

**Section 4 – Responsible Officer – Who to contact for more information.**

**Your name, Your Service, Your phone number and email address:**

**Support documents**

**Responsible Cabinet Member -**

**Reference No:** 12/020231

**Key No**

**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.**

**Title:**

**Eden Centre Lease**

**The Decision needed:**

**LATEST UPDATE:**

19/05/2014 - Decision due date changed from 01/03/2014 to 01/01/2015.

**REASON:** The decision remains at the earliest stages of investigation and options appraisal. A further review will take place in January 2015 when a decision pathway will be identified and the proposed decision updated further.

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**To seek agreement to the principle of granting a long lease to a charitable community interest company or similar vehicle, of The Eden Centre, Four Elms Road, Edenbridge.**

The proposal directly links to Bold Steps for Kent, putting the citizen in control, building new partnerships and providing a new fit for purpose building to deliver Library and FSC services in conjunction with other partners such as the Citizen's Advice Bureau and House (West Kent Action), to support Kent's more vulnerable citizens.

The impact of the decision will be that KCC will have less control of the management and operation of the centre as they would become the responsibility of a third party.

Risks identified are:

- Reliance on the professionalism of the trustees to deliver a successful facility, agreeing with all partners a financial model for the charitable vehicle

- Reputational damage to KCC if the charitable vehicle were to fail
- Obtaining buy in from all community groups in occupation to form trust
- Untried and untested model
- Level of income generation from the centre which could go to the charitable vehicle is currently unknown as a new facility
- Continued KCC ownership of a non-core asset
- Officers may be unable to get agreement from stakeholders, charitable vehicle does not prove financially sustainable or the trust may break down and charitable vehicle will have to pick up void periods and associated costs (benefit to KCC).

## **Section 2 – Who is taking the final decision and when**

### **Who is taking the Decision**

**Date:**

#### **Reason if Key Decision**

Not a key decision

#### **Reason if this decision has been delayed/withdrawn from a previous plan**

## **Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**

### **Consultees**

The Eden Church, Citizen's Advice Bureau, House (West Kent Action), Edenbridge Library and FSC as partners in the centre. It is expected that representatives from all of these occupier groups will be represented by the charitable vehicle trustees, along with Sevenoaks District Council and Edenbridge Town Council.

## **Section 4 – Responsible Officer – Who to contact for more information.**

### **Your name, Your Service, Your phone number and email address:**

Rebecca Spore - Director of Property & Infrastructure Tel no 01622 22115, Rebecca.spore@kent.gov.uk

Barbara Cooper, Director of Economic Development. Tel no 01622 221856, Barbara.cooper@kent.gov.uk

### **Support documents**

## **– Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors**



