



## **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**

**URGENT DECISIONS - IMMEDIATE IMPLEMENTATION**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Highways and Transport</p> <p><b>Reference No:</b> Legal advice has been commissioned and considered for this decision. It is proposed to enact regulation 32/72 of the PCR 15 to extend the contract.</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>20/00092 - Highway Term Maintenance Contract Extension</b></p> <p><b>The Decision needed:</b> Decision: The Cabinet Member for Highways and Transport is asked to approve the award of a 20-month extension with Amey until 30th April 2023.</p> <p>Reason for the decision: Kent County Council is the statutory Authority responsible for the delivery of highway services for the residents of Kent (excluding Medway). Under the Highways Act 1980, as the local Highway Authority, the Council has a legal duty to maintain its respective sections of the highway network under section 41. This includes responsibility for maintaining, managing and, where necessary, improving their section of the network.</p> <p>The Highway Term Maintenance Contract (HTMC) delivers a large number of services which are currently provided by Amey which is due to terminate on the 31 August 2021.</p> <p>To procure a replacement contract is complex and time consuming. The original programme was extremely tight with minimal time to deal with unforeseen circumstances. The COVID-19 pandemic impact has meant that it is not possible to deliver that programme. It is proposed to mitigate against this risk that the contract is extended until 30 April 2023.</p> <p>Background: A commissioning programme which focused on reviewing the current contractual arrangements on how these should be delivered post 2021 was underway. Good progress was made, but due to the COVID-19 pandemic and the associated measures taken by government, the re-procurement of a strategic contract of this kind at this time would represent a high risk for KCC.</p>

**Reason for Urgency:**  
Due to the lead times to procure a replacement contract, a decision for the extension needs to be taken to ensure KCC is able to meet its statutory obligation and secure stability for the forthcoming year.

Procurement Policy Note (PPN) 01/20 provided advice and guidance for central and local government authorities to consider when evaluating the effects of the COVID-19 pandemic on its contracts with any decision subject to this legislation being shared with the wider market through a modification notice. It is expected that central and local government implement a return to business as normal by October 2020 and thus all decisions will be required to be taken by this date.

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

**Who is taking the Decision**  
Cabinet Member for Highways and Transport

**Date:**  
August 2020

**Reason if Key Decision**  
An Equalities Impact Assessment has been carried out and no adverse impacts have identified at this stage.

**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**

Is any public consultation planned or has already been undertaken?  
No

Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?  
No Cabinet Committee consultation is possible due to urgency process. Under this process, comments will be sought from the Chair and Group Spokesmen of the Scrutiny Committee and the Chair and Group Spokespeople of the Environment and Transport Cabinet Committee.

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

**Your name, Your Service, Your phone number and email address:**  
This will defer a forecasted £2.4m MTFP increase for two years.

**Support documents**

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<p><b>Responsible Cabinet Member</b> - Cabinet Member for Highways and Transport</p> <p><b>Reference No:</b> QC advise has been provided.</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>20/00074 - Grant for Kent's road network needs to support Transition</b></p>
<p><b>The Decision needed:</b></p> <p>Decision: To approve the acceptance of the Section 31 Grant monies award from the Department for Transport (DfT) to procure and manage works to deliver customs checking and freight holding areas and associated infrastructure at sites secured by DfT to support Government Transition arrangements.</p> <p>This approval includes agreement to;</p> <ul style="list-style-type: none"><li>a) AGREE to accept the Grants under the terms and conditions required by Government; and</li><li>b) APPROVE the implementation of the necessary works as detailed in this report and the Grant specification to deliver the sites’ facilities;</li><li>c) CONFIRM that the projects will be delivered via the KCC Highways Term Maintenance Contract as a Highways Improvement Scheme in support of traffic management plans; and</li><li>d) DELEGATE authority to the Corporate Director for Growth, Environment and Transport to, in consultation with the Cabinet Member for Highways and Transport and the Leader, take any necessary actions to implement this decision, including but not limited to entering into relevant legal agreements and authorising spend from Grant monies.</li></ul>
<p>Reason for the decision: The decision will support operational traffic management plans relating to Transition from the EU on the 31<sup>st</sup> December 2020</p> <p>Background: As part of the arrangements to support Transition from the EU, Government has identified the need for sites to provide additional custom checking and freight holding areas. The first site is adjacent to J10a, M20 and will</p>

provide capacity to hold up to 2,000 HGVs.

**Reason for Urgency:**

The site must be delivered in advance of 31 December 2020 to allow time for training and testing. Confirmation of the site and offer was only received Mid-July and to achieve the deadline, some enabling works have commenced. This key decision is now required urgently to ensure appropriate authority is in place to support the delivery of the site and to provide necessary flexibility to allow for swift significant Officer decisions on this project to enable the site to be delivered by the deadline date.

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

**Who is taking the Decision**

Cabinet Member for Highways and Transport

**Date:**

August 2020

**Reason if Key Decision**

An EqlA has been undertaken. This an off-network construction project. Initial screening confirms there are no anticipated negative impacts on groups with protected characteristics.

**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**

Has any public consultation been undertaken or is any planned?

This is a Government-led project. On behalf of DfT, KCC delivered letters to all properties on the immediate boundary of the site being worked on.

No Cabinet Committee consultation is possible due to urgency process. Under this process, comments will be sought from the Chair and Group Spokesmen of the Scrutiny Committee and the Chair and Group Spokespeople of the Environment and Transport Cabinet Committee.

Additionally, an All Member Briefing on Transition traffic management proposals was held on 5 August 2020.

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

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

DfT has confirmed that works will be fully funded via Section 31 grants. The grant can be used to support revenue as well as capital works.

Grants will be made in phases in line with the project delivery phases, with the



initial grant being £12m for preparatory work at a site adjacent to J10a, M20.

Any further works will be subject to confirmation of grant funding award.

### **Support documents**

## **NOT BEFORE 24 AUGUST 2020 - NON-KEY**

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

**Reference No:** Invicta Law is representing KCC in this matter.

The premises subject of the proposed lease was previously owned by the County Council and held for and used by the College. As the College obtained Trust status in 2014, they are entitled by Law to claim an estate interest in the premises. Having regard to the location of the premises, on the second and third floor levels of a four storey building, it would be inappropriate for such accommodation to be owned by the College Trust, therefore a long lease would be more appropriate on this occasion.

**Key No**

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

**Title:**

**20/00094 - Proposed Granting of Lease of Accommodation at Westgate Primary School, Dartford, for occupation and use by Dartford Science and Technology College**

**The Decision needed:**

Proposed decision:

Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to grant a 99 year lease to Dartford Science and Technology College Trust to regularise their occupation of the County Council's retained accommodation at Westgate Primary School, Dartford, having regard to change in status of the College and to delegate authority to the Director of Infrastructure to finalise and enter into any necessary legal agreements.

This is a lease of 99 years and therefore falls outside of the Delegated Powers set out in KCC's Property Management Protocol.

Background:

Cygnus Academies Trust occupy the majority of the property known as Westgate Primary School, Dartford, under the terms of a 125-year lease granted in 2016, when the School converted to an Academy. Part of the Primary School building has been occupied for over ten years by the adjoining Dartford Science and Technology College, which obtained Trust status in 2014. The College Trust need to be granted a lease of the accommodation occupied, having regard to their change of status.

Options (other options considered but discarded):

This Decision ensures that the County Council's granting of the lease accords with the 2007 Regulations and regularises the College's occupation of the County Council's retained accommodation within the Primary School.

## **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 September 2020

### **Reason if Key Decision**

It is not felt that the granting of this lease represents any impact on any of the nine areas specified by KCC under its Equality Impact Assessments. EQIA is therefore not 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**

Has any public consultation been undertaken or is any planned?

Public consultation is not required.

The College Trust are supportive of taking a long lease of the accommodation and have approved the initial terms for the lease. The Academy Trust are aware the accommodation retained by the County Council from the Academy Lease granted in 2016 is to be formally leased to the College, and the terms of the lease replicate existing working arrangements on site, therefore neither party will be compromised upon completion of the lease to the College Trust.

Cabinet Committee consultation planned: Policy & Resources Cabinet Committee on 11 September 2020.

Have views been sought from local Members?

The Local Member has been formally consulted with regard to the proposed granting of the lease.

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

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

A peppercorn rent per annum.

The College Trust shall be responsible for maintenance and repair of the interior of the accommodation they occupy. The Academy Trust are currently responsible for maintenance and repair of the accommodation in accordance with their existing Academy Lease.

Each party to bear its own costs of the granting of the lease upon completion.

**Support documents**

**NOT BEFORE 7 SEPTEMBER 2020**

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

**Reference No:** A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the municipal waste collected from households in Kent

**Key** Yes

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

**Title:**

**20/00091 - Commissioning Activity for Waste Compactors and servicing**

**The Decision needed:**

**Proposed decision**

To provide delegated authority to the Director of Highways, Transportation and Waste to award contractual arrangements for a waste compactor replacement programme and associated repair and maintenance servicing agreement.

**Background:**

Waste compactors are required at Household Waste Recycling Centres to maximise capacity of waste being disposed where the Final Disposal Outlets are not within the locality of the facility. The majority of KCC waste

compactors are beyond their life expectancy with some being well over 20 years old. A replacement programme has been developed which has commenced with the most critical and urgent compactors being replaced where failure was imminent. The remainder requires a commissioning exercise alongside a repairs and maintenance schedule to ensure upkeep of the compactors.

**Options:**

Option 1 – Do nothing and replace compactors with containers – this is not an option as payloads will diminish by 70% culminating in more cost to the Authority.

Option 2 – Repair compactors – this is not an option as extensive repairs have already been undertaken in recent years and the plant is now beyond economical repair with some having critically failed; new HWRC contract is being let on the proviso that compactors will be renewed.

Option 3 – Undertake a commissioning exercise to complete the replacement Programme with a repairs and maintenance service agreement for all compactors – this is the preferred option to ensure that the compactors on KCC sites are operating efficiently with minimal downtime.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before September 2020

**Reason if Key Decision**

Equalities implications:

An EQIA is not required because this is an infrastructure project

Data Protection implications:

A DPIA is not required because this is an infrastructure project

**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 15 September 2020.

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

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

The Programme is already funded from a successful Capital Bid spread over a 3-year period; a revenue contribution was given for critical provision at the commencement of the Programme. The repairs and maintenance service agreement will be funded from Waste Management's annual revenue budget (£216,300 over 3 years).

**Project Costs**

Capital £1.07m

Revenue £439,926 up front costs to repair critically failed compactors

1st tranche spend £735,085

Remaining budget for new commission = £774,841 + Maintenance costs at 216,300 = £991,141

**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 original commissioning solution enabled the Authority to discharge its statutory duty as Waste Disposal Authority

**Key** Yes

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

**Title:**

**20/00090 - Contract for the Textiles and shoes - Collection and Processing**

**The Decision needed:**

**Proposed decision:**

To provide delegated authority to the Director of Highways, Transportation and Waste to award a new contractual arrangement for the collection and processing of textiles and shoes collected at the Household Waste Recycling Centre (HWRCs).

**Background:**

Kent County Council, as the Waste Disposal Authority provide Household Waste Recycling centres for the disposal of household waste. This includes making provision for the deposit of Textiles and Shoes at Kent's 18 Household Waste Recycling Sites.

The current contract is in an extension period that expires 31st October 2020 and to ensure that KCC's statutory obligations are met, and that there is continuity of service a commissioning exercise is required.

**Options:**

Option 1 – Do nothing – the current contracts will elapse with no arrangement in place and thereby incurring significant contingency disposal costs.

Option 2 – continue with the existing contractor out of contract – this is not necessary as there is sufficient time to conduct a commissioning activity.

Option 3 – undertake a commissioning exercise to secure a provider.

**Preferred option:**

Option 3 is the preferred option. The authority is seeking to appoint a new provider to secure an income-based contract (5-year term) that will benefit and achieve the best outcomes for the authority and Kent households and fulfil the Statutory duty of KCC operating under the Environmental Protection Act 1990, to dispose of collected municipal waste.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before September 2020

**Reason if Key Decision**

Equalities implications:

An EQIA has been carried out and no equality implications have been identified as this is a collection contract and not a public facing service.

Data Protection implications:

There is no personal data collected or exchanged and no implications under GDPR

**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 15 September 2020.

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

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

This is an income only contract, with no cost to KCC if preferred option approved;  
The textile market has suffered during COVID and current market value is £0 per tonne; markets are improving as the economy recovers; the new contract will be market tracked monthly to ensure potential income is in line with market recovery.  
The budgeted income target is being adjusted as part of the Budget Amendment to be considered by County Council on September 10th, 2020.

**Support documents**

**NOT BEFORE 3 SEPTEMBER 2020**

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

**Reference No:** The grant agreements give Kent County Council the legal and financial responsibility for ensuring the proper use and administration of the funding in accordance with the terms and conditions.

**Key** Yes

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

**Title:**

**20/00086 - Investment of Getting Building Funding in third-party projects**

**The Decision needed:**

**Proposed Decision:**

The Leader of the Council is asked to:

- **Endorse the projects in Kent that the South East Local Enterprise Partnership’s Strategic Board has prioritised to receive Getting Building Funding (GBF) at its board meeting on 16 July 2020.**
- **Act as the accountable body for third-party projects within Kent’s geographical boundaries that are selected by the SELEP to receive GBF grant funding.**
- **Delegate to the Section 151 Officer the authority to sign on KCC’s behalf a grant agreement or equivalent, where this is required to draw down funds following business case approval**

**Background:**

**On 10<sup>th</sup> June 2020, the Government made a call to Local Enterprise Partnerships (LEP) for shovel-ready schemes that were able to spend in the next 18 months, as a way to stimulate economic recovery and help mitigate the impact that COVID-19 has had on employment levels.**

**Consequently, the South East Local Enterprise Partnership (KMEP), via the Kent and Medway Economic Partnership (KMEP), wrote to local stakeholders (including KCC) asking for their shovel-ready scheme suggestions. All forthcoming proposals were then submitted to Government, via SELEP, on 18<sup>th</sup> June 2020. The accumulated total of these SELEP suggestions equalled £573m.**

On 3<sup>rd</sup> July 2020, the Government informed the South East Local Enterprise Partnership (SELEP) that it would receive £85million of 'Getting Building Fund' (GBF) to deliver 'shovel-ready' schemes. GBF is capital grant funding.

The Government asked SELEP to prioritise its original scheme suggestions for inclusion within the £85m funding envelope. The SELEP Strategic Board met on 16<sup>th</sup> July 2020 to make its decision.

The SELEP Strategic Board chose seven Kent projects to be included within the £85m ask of Government. Three of these projects are to be delivered directly by Kent County Council and are covered by Decision 20/00085. Four projects are to be delivered by third-party promoters. These third-party schemes are:

<b>Project Title</b>	<b>Project Promoter</b>	<b>GBF ask</b>
First + Second Floors, Building 500, Discovery Park	Discovery Park Ltd	£2,500,000
The Meeting Place, Swanley	Sevenoaks District Council	£1,490,000
New Performing & Production Digital Arts Facility	North Kent College	£12,625,000
Romney Marsh Employment Hub	Folkestone & Hythe District Council	£3,536,466

The approval of Ministers to SELEP's £85m list is awaited.

If Ministerial approval is granted, the business cases for these third-party projects will be presented to the SELEP Accountability Board in October or November 2020 for their approval of the funding award.

Subject to the necessary approvals being granted, SELEP will require Kent County Council to enter into a grant agreement with Essex County Council (which is SELEP's accountable body) for all schemes awarded GBF by SELEP within KCC's administrative boundary, whether the projects are Kent County Council projects, or alternatively projects promoted by a third party (e.g. a private sector business). For these projects, where Kent County Council is not the project promoter, Kent



County Council is asked to enter a back-to-back grant agreement with the third party.

This key decision is therefore required to enable grant agreements to be entered into, so that funding may be secured for the Kent projects from the Getting Building Fund.

**Options (other options considered but discarded)**

If Kent County Council were to choose to not enter into a grant agreement for the GBF projects selected by the SELEP Strategic Board, the GBF funding could be either (i) retained by central government or (ii) reallocated by SELEP to another project(s). It is not clear at the time of writing if the project would be in Kent's geographical area, or from another area of the SELEP.

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

**Who is taking the Decision**

Leader of the Council

**Date:**

Not before September 2020

**Reason if Key Decision**

Equalities implications:

The third-party promoters are required to write an EqIA as a condition of their business case receiving SELEP Accountability Board approval.

Data Protection implications:

DPIA is not required, as personal data is not included in the grant agreements or project business cases.

**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 25 September 2020.

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

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

Kent County Council will enter into the following capital grant agreements for the amounts specified:

Project Title, Project Promoter and GBF ask:  
First + Second Floors, Building 500, Discovery Park - Discovery Park Ltd - £2,500,000  
The Meeting Place, Swanley - Sevenoaks District Council - £1,490,000  
New Performing & Production Digital Arts Facility - North Kent College - £12,625,000  
Romney Marsh Employment Hub - Folkestone & Hythe District Council - £3,536,466

The GBF capital grant funding is provided by the Government via SELEP. It is not KCC funding.

The legal agreements will ensure that any potential claw back of GBF by the Government comes from the third-party project promoter, not from Kent County Council.

### **Support documents**

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

**Reference No:** The grant agreements give Kent County Council the legal and financial responsibility for ensuring the proper use and administration of the funding in accordance with the terms and conditions.

**Key** Yes

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

**Title:**  
**20/00085 - Investment of Getting Building Funding in KCC-delivered projects**

**The Decision needed:**

**Proposed Decision:**

The Leader of the Council is asked to:

- **Accept the Getting Building Funding under the SELEP terms and conditions.**
- **Agree that the Getting Building Funding (GBF) will be used to support the already approved KCC projects that the South East Local Enterprise Partnership’s Strategic Board prioritised to receive GBF at its board meeting on 16 July 2020.**

- **Delegate management of the funding and arrangement for the additional GBF money to the Corporate Director for Growth, Environment and Transport, in consultation with the relevant Cabinet Member.**

**Background:**

On 10<sup>th</sup> June 2020, the Government made a call to Local Enterprise Partnerships (LEP) for shovel-ready schemes that were able to spend in the next 18 months, as a way to stimulate economic recovery and help mitigate the impact that COVID-19 has had on employment levels.

Consequently, the South East Local Enterprise Partnership (KMEP), via the Kent and Medway Economic Partnership (KMEP), wrote to local stakeholders (including KCC) asking for their shovel-ready scheme suggestions. All forthcoming proposals were then submitted to Government, via SELEP, on 18<sup>th</sup> June 2020. The accumulated total of these SELEP suggestions equalled £573m.

On 3<sup>rd</sup> July 2020, the Government informed the South East Local Enterprise Partnership (SELEP) that it would receive £85million of 'Getting Building Fund' (GBF) to deliver 'shovel-ready' schemes. GBF is capital grant funding.

The Government asked SELEP to prioritise its original scheme suggestions for inclusion within the £85m funding envelope. The SELEP Strategic Board met on 16<sup>th</sup> July 2020 to make its decision.

The SELEP Strategic Board confirmed seven Kent projects to be included within the £85m ask of Government. Four of these projects are to be delivered by third-party promoters and are covered by Decision 20/00086. Three projects are to be delivered directly by Kent County Council. These KCC schemes are:

**Project Title**

Project Title	Impact on existing KCC scheme	GBF ask	Existing Decision Number
Digitally Connecting Rural Kent & Medway	Extends the Kent Top-Up Voucher scheme, so more businesses and residents in rural areas may apply	£2,290,152	18/00024(a)
Thanet Parkway Railway Station	Secures and accelerates delivery with contributions from a range of sources including reduced KCC capital commitment.	£11,999,000	19/00085

Javelin Way Development	Accelerates the delivery of the scheme and mitigates the impact COVID-19 had on the timeline.	£578,724	17/00119
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The approval of Ministers to SELEP's £85m list is awaited.

If Ministerial approval is granted, the business cases for these KCC projects will be presented to the SELEP Accountability Board in September, October or November 2020 for their approval of the funding award.

Subject to the necessary approvals being granted, SELEP will require Kent County Council to enter into a grant agreement with Essex County Council (which is SELEP's accountable body) for all schemes awarded GBF by SELEP within KCC's administrative boundary.

This key decision is therefore required to enable grant agreements to be entered into, so that additional Government funding may be secured for these Kent County Council projects from the Getting Building Fund.

**Options (other options considered but discarded)**

If Kent County Council were to choose to not enter into a grant agreement for the GBF projects selected by the SELEP Strategic Board, the GBF funding could be either (i) retained by central government or (ii) reallocated to other projects by the SELEP Strategic Board. It is not clear at the time of writing if the project would be in Kent's geographical area, or from another area of the SELEP.

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

**Who is taking the Decision**

Leader of the Council

**Date:**

Not before September 2020

**Reason if Key Decision**

Equalities implications:

Each project will prepare an EqIA, which is a condition of their business case receiving SELEP Accountability Board approval.

Data Protection implications:

DPIA is not required, as personal data is not included in the grant agreements or project business cases.

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

<p><b>The Growth, Economic Development and Communities Cabinet Committee were consulted on:</b></p> <ul style="list-style-type: none"> <li>• the Kent Top-Up voucher scheme on 9 May 2018</li> <li>• the Javelin Way project on 21 November 2017</li> </ul> <p><b>The Cabinet Committee consultation planned:</b></p> <ul style="list-style-type: none"> <li>• Environment and Transport Cabinet Committee on 15 September 2020</li> <li>• Growth, Economic Development and Communities Cabinet Committee on 25 September 2020</li> </ul>
<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><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>  Kent County Council will enter into the following capital grant agreements for the amounts specified:</p> <p>Project Title and GBF ask:  Digitally Connecting Rural Kent &amp; Medway - £2,290,152  Thanet Parkway Railway Station - £11,999,000  Javelin Way Development - £578,724</p> <p>The GBF capital grant funding is provided by the Government via SELEP. It is not KCC funding.</p> <p>The Government has specified that the GBF must be spent by 31 March 2022 or there is a potential that the funding will be clawed back. Appropriate project management oversight is being directed to these projects to minimise this risk.</p> <p><b>Support documents</b></p>

**NOT BEFORE 7 AUGUST 2020 - SEMI-URGENT**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Adult Social Care and Public Health</p> <p><b>Reference No:</b> S75 of the National Health Service Act 2006 and the resulting regulations (NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000/617) set out the partnership arrangements that NHS bodies and Local</p>
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Authorities may enter into via a s75 agreement. These include pooled funds and delegation of certain functions. As this proposed decision seeks to extend an existing arrangement made in line with the national policy framework there are no direct legal implications arising from it. Legal advice has been sought in preparing the deed of variation.

**Key** Yes

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

**Title:**

**20/00084 - Section 75 Partnership Agreement Variation - COVID-19 Hospital Discharges and out of Hospital Work**

**The Decision needed:**

**Proposed decision –**

To approve a variation to the S75 Partnership Agreement with the NHS, to allow the pooled budget to include the COVID19 funding in relation to hospital discharges and out of hospital work and delegate authority to the Corporate Director of Adult Social Care and Health to take other relevant actions, including but not limited to entering into and finalising the terms of relevant contracts or other legal agreements, as necessary to implement the decision.

**Reason for urgency –**

To enable the Council to reclaim the costs associated with avoiding hospital admission and enabling hospital discharge, as part of the Council’s response to Covid 19 in support of the NHS. The Covid-19 Hospital Discharge Service Requirements funding for the NHS requires the Council to establish a pooled budget before any costs can be reclaimed.

Kent County Council and NHS Dartford Gravesham and Swanley Clinical Commissioning Group, NHS West Kent Clinical Commissioning Group, NHS Swale Clinical Commissioning Group, NHS Ashford Clinical Commissioning Group, NHS Canterbury and Coastal Clinical Commissioning Group, NHS Thanet Clinical Commissioning Group, and NHS South Kent Coast Clinical Commissioning Group entered into a Framework Partnership Agreement relating to the commissioning of health and social care services Better Care Fund on 1 April 2015 (Decision Number 15/00015) in exercise of the powers referred to in Section 75 of the 2006 Act, as amended by a Deed of Variation dated 22 August 2016 (the “Partnership Agreement”). The NHS Bodies have subsequently undergone a statutory merger reorganisation under section 14G of the 2006 Act. The rights and obligations of the NHS Bodies under the Partnership Agreement transferred as a matter of law to NHS Kent and Medway Clinical Commissioning Group (the “CCG”) on 1 April

As part of the NHS and wider public sector’s response to the global Covid-19 pandemic the Government issued the Covid-19 Hospital Discharge Service Requirements (the “Discharge Requirements”) which took effect on 19 March 2020. The Discharge Requirements have been introduced to

ensure that where it is clinically safe to discharge patients from an acute or community hospital those patients are discharged in accordance with the new 'Discharge to Assess' model.

To support the new Discharge Requirements a range of measures have been introduced including, amongst others:

- a) a temporary suspension of the obligation of the need to carry out Continuing Healthcare assessments for patients on the acute hospital discharge pathway and in community settings during the Enhanced Discharge Services Period;
- b) a commitment that the NHS will fully fund the cost of new or additional elements of existing out of hospital health and social care support packages to facilitate discharge from, or to prevent admission to, hospital as set out in the Discharge Requirements until such time as local health and care systems are notified that the Discharge Requirements will come to an end; and
- c) a suspension of the usual patient eligibility criteria during the Enhanced Discharge Services Period.

In accordance with the Discharge Requirements, the Partners to the S75 agreement have considered the most appropriate model through which to commission the enhanced discharge service and admissions avoidance services and to pool the funding for the purpose of funding this service and have agreed to vary the terms of the Partnership Agreement.

## **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 August 2020

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

An EQIA has not been completed. The variation agreement is centred on enabling quick and safe discharge and more generally reducing pressure on acute services.

#### **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**

Cabinet Committee consultation planned: No, due to the urgency and the timings of committees this will not be possible.

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

The Council has incurred around £4.7m of costs relating to the avoidance of admission to or discharge from hospital for the first 3 months so far. These costs can be reclaimed from the NHS via the Covid-19 Hospital Discharge Service Requirements funding. In order to be able to reclaim the funding, the Council needs to be part of a pooled fund with the NHS. The additional funding should be identifiable separately and spending from this new funding should be recorded for each person discharged and supported under these arrangements. Once pooled, funding should be treated as a single pooled fund and used to deliver the appropriate care for individuals to be discharged under these new arrangements. Given the Council's financial position and the funding shortfall for Covid related costs, it is critical that this source of funding is made available for the Council to reclaim its costs.

**Support documents****NOT BEFORE 28 AUGUST 2020****Responsible Cabinet Member - Cabinet Member for Environment****Reference No:** Invicta Law will review the final draft agreements

Current drafts are based upon existing approved drafts by of 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:****20/00088 - Waste performance payments for Dover District Council & Folkestone and Hythe District Council****The Decision needed:****Proposed Decision:**

To approve KCC entering into an Inter Authority Agreement (IAA) with Dover District Council and Folkestone & Hythe District Council to increase levels of recycling and reduce disposal costs for KCC. To encourage improvement, savings will be equally shared between respective Collection and Disposal Authorities as performance payments.

**Background:**

These proposed agreements accord with the policy approach agreed by the



Cabinet Committee on the 31<sup>st</sup> May 2018, that new Waste Partnership Agreements with Collection Authorities should include the reward based on performance.

Partnership agreements and shared savings have proved to be a very successful method to share the benefits and rewards of reducing residual waste, they actively act as an incentive and have driven higher levels of recycling and therefore positive environmental outcomes. They have already been implemented in West Kent at Gravesham, Tonbridge & Malling and Tunbridge Wells Borough Council.

**Options (other options considered but discarded):**

The existing fixed enabling payments will no longer continue as the East Kent Waste Partnership ends in January 2021. These fixed payments have not proved to incentivise collection Authorities to achieve the targeted levels of recycle. KCC has borne this commercial risk over the last 10 years

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

Improved and available kerbside recycling schemes contributes to the protection and enhancement of the natural environment, supports a good quality of life for residents and allows sustainable waste growth through increased housing and population growth.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before August 2020

**Reason if Key Decision**

Equalities implications:

An EqIA has been undertaken with no identified impacted protected characteristics as this is a Business to Business agreement  
The District Councils will have developed an EqIA that is relative to the service they are delivering for their residents.

Data Protection implications:

There are no data implications following the completion of a DPIA as there is no capture of any 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**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Environment and Transport Cabinet Committee on 15 September 2020.</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>  Total overall revenue costs of £9.6m for an 8-year contracted term. There is no capital expenditure. This term is equal to the term of kerbside collection contract.</p> <p>Funding and budget line P7WE61022523000000000</p> <p><b>Support documents</b></p>

<b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b>
<p><b>Reference No:</b> KCC will accept the contractual responsibilities it will hold with the DfE relating to the construction of the new school.</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>20/00087 - Expansion and relocation of Platt Church of England Voluntary Aided Primary School under the Priority School Building Programme Round 2, on behalf of the Department for Education</b></p> <p><b>The Decision needed:</b>  <b>The Cabinet Member for Education and Skills is asked to:</b></p> <ol style="list-style-type: none"> <li>a) Allocate £1,390,000 to the project, of which £900,000 is to be funded from the Priority Schools Building Programme Budget and £490,000 from the Children Young People and Education Services Basic Need Capital Budget.</li> <li>b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with KCC General Counsel and the Director of Education to enter into any necessary contracts/agreements on behalf of the County Council with the Trustees of Platt CoE Primary School to secure the sale of the current school land with the sale proceeds to be</li> </ol>

paid to the County Council

- c) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with KCC General Counsel and the Director of Education to enter into any necessary contracts/agreements on behalf of the County Council to secure funding of no less than £3,430,000 from the Department for Education for the project
- d) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with KCC General Counsel and the Director of Education to enter into any necessary contracts/agreements on behalf of the County Council to facilitate and manage the construction of the new school buildings and associated works
- e) Authorise the Director of Infrastructure, Strategic and Corporate Services to ensure that the appropriate level of funding is received from the Department for Education to cover their agreed share (70%) of any unforeseen costs during the building's construction to ensure that the County Council minimises any unforeseen costs
- f) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts

### **Priority School Building Programme Background;**

On 1 May 2014, the Minister of State for Schools announced that the Government would fund a further phase of the Priority School Building Programme (PSBP), with a value of around £2 billion. The new phase, known as PSBP2, was planned to be a five year programme operating between 2015 and 2021 and entailed major rebuilding and refurbishment projects in schools and sixth form colleges in the very worst condition.

PSBP was not intended to replace those wider efforts to support local authorities, dioceses, sixth form colleges, academies and multi-academy trusts in addressing the condition needs of their estates. Rather it was intended to run alongside these in order to address individual projects that were of such a significant scale that it would be difficult to pay for them through regular formulaic maintenance allocations.

On 9 February 2015, The Secretary of State for Education and the Minister of State for Schools, announced that 277 schools across the Country had been successful in their applications. KCC were successful for 7 of the schools in addition 6 further schools across Kent where Academies bid directly. Platt Church of England (CE) Voluntary Aided (VA) Primary was one of the 7 successful KCC school applications.

Previously, the first round of PSBP funding had mainly focused on whole school replacement projects, whereas the criteria for PSBP round 2 was amended and was not always centred on replacing all of the school's

accommodation. The emphasis was more upon block replacement and was based on poor condition rather than any other criteria such as suitability or sufficiency. Only in exceptional circumstances was a whole school to be replaced.

To aid the delivery of the PSBP round 2 programme, the Education Funding Agency (EfA) decided to offer LA's the opportunity to deliver schemes locally, using local procurement arrangements and local supply chains. These schemes were to be funded by the EfA, but there was opportunity for the Local Authority to contribute additional funds for basic need expansion.

### **Platt CE Primary School:**

Platt Church of England Primary School is a small school with a religious character within the Rochester Diocese, it has a school roll of 156 children between 4 and 11 years of age. It received a Good judgement at its last Ofsted inspection in April 2019, which was a Section 8 short inspection.

In round 2 of the PSBP scheme KCC, with support from the Diocese of Rochester, as it involves a VA school, made a successful application for funding to improve Platt CEP school. The EfA funding allocation of £3,430,000 was limited to covering the rebuilding of 2 main school blocks that were in the poorest condition. The project was also selected by the EfA for local delivery with KCC to receive the necessary funding for the construction via a Project Delivery Grant.

Subsequently, agreement was reached with the Diocese and the EfA that third party funding would be used to rebuild the remaining two blocks that had not successfully met PSBP funding criteria. This would allow the whole school to be relocated and rebuilt on a site adjacent to the existing school building. It also enables a Basic Need expansion of the school's PAN from 26 to 30, which would provide 28 additional places across the age range of the school for local children, as a 1FE school it would be financially more sustainable and secure into the longer-term future.

The third-party funding was to be achieved through the capital receipt from the sale of the existing school land; owned by the trustees of the school, as it is a Voluntary Aided school. An allocation of cost was agreed with the DfE based on the areas of the building, to allocate the cost of replacement of the school and the cost of increasing the capacity of the school. This increase in capacity was to be fully funded from the future sale of the existing site. Which has been estimated at between £800,000 and £1.2 million.

The total scheme cost was initially estimated to be £3,640,000; However, at tender stage it became apparent that there would be significant cost pressures on the scheme arising from the planning requirement to provide a pitched roof which added circa £400,000 to the project.

Value engineering works have been on-going for some time, but cost

pressures have been exacerbated by other design and development issues, notably site surveys which confirmed requirements for an additional £190,000 for foundations and retaining walls and £110,000 for drainage. In addition, ecology costs are now at £140,000 due to the volume of reptiles found and an additional £50,000 has been allocated to address the additional costs related to constructing within the relevant Covid-19 restrictions. All additional costs have been scrutinised and agreed by the DfE.

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

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

Cabinet Member for Education and Skills

#### **Date:**

Not before August 2020

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

An Equality Impact Assessment (EqIA) has been produced and no issues were 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 no need to undertake a formal statutory consultation process.

Decision by the Cabinet Member outside of Cabinet Committee would be needed to enable the scheme to meet the DfE project timeline.

The Local Member's views will be sought, and any comments provided will be included in the Cabinet Member report concerning the proposed change.

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

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

The total estimated cost of the scheme is now £4,720,000. The PSPB funding from Government will be £3,430,000, which leaves £1,290,000 to be funded by third party funding, in addition a contingency of £100k should be allowed for, the total third-party funding required is therefore £1,390,000. It was initially anticipated that the sale of the existing school site would fully fund the third party funding; however this may no longer be the case, due to the increase in costs and advice we have received that the school land may not achieve the

higher end of its valuation due to value suppression and nervousness within the land sale market.

It is projected that there will be a funding deficit of up to £490,000 if the land sale achieves an estimated £900,000 value.

It is therefore necessary for the County Council to consider contributing £490,00 of capital funding in recognition of the 28 additional places that the school's relocation will provide.

### **Support documents**

**Responsible Cabinet Member** - Cabinet Member for Economic Development

**Reference No:** None as third parties will sign up to the approved legal agreement prior to any funding being transferred.

**Key** Yes

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

**Title:**

**20/00083 - Local Growth Fund Round 3b Third Party Scheme - East Malling Advanced Technology Horticultural Zone**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Highways & Transport is asked to give approval for the East Malling Advanced Technology Horticultural Zone project to be progressed through the next stages of development and delivery including authority for Kent County Council to enter into funding and legal contracts with the third party (NIAB EMR) who are delivering the scheme.

Specifically, to:

- i) give approval to enter into Local Growth Fund funding agreement subject to the approval of the Corporate Director of Finance & Procurement
- ii) give approval to enter into legal agreements with the third parties delivering the schemes to transfer the conditions of the LGF spend and project management to them

**Background Information:**

In the Growth Deal announcements in July 2014 (Round One) and January 2015 (Round Two), the Government allocated £482 million from the Local Growth Fund to capital projects across the South East Local Enterprise

Partnership (SELEP) area.

As the end of the Growth Deal (March 2021) approaches; projects throughout the SELEP region have experienced delivery challenges; therefore £33.396m of funding, from these projects has been returned for reallocation through the LGF3b pipeline list. Through this process, an allocation has been made available for the East Malling Advanced Technology Horticultural Zone project. This scheme is being delivered by an external partner (NIAB EMR) and KCC will transfer the allocated funding onto the third party, for the delivery of the scheme.

It has been agreed with Government that SELEP and therefore Kent County Council will receive Local Growth Fund in quarterly instalments in advance in accordance with the scheme spending profiles, subject to completion of a Business Case for each project and the approval of the project by SELEP Accountability Board.

A Legal agreement has been prepared between KCC and NIAB EMR which will transfer all the LGF spend and project management responsibility on to them. This includes updating Kent County Council monthly on project progress and spend; as well as completing the post scheme monitoring required by SELEP.

The East Malling Advanced Technology Horticultural Zone will be delivered in line with the current governance arrangements under the Local Growth Fund (KCC and SELEP). Therefore, the scheme will carry out necessary consultation and equality impact assessments as part of the scheme progression.

The business case for the East Malling Advanced Technology Horticultural Zone (£1,683,600) was approved at SELEP Accountability Board on 3<sup>rd</sup> July 2020.

Before the legal agreement can be finalised for NIAB EMR; a key decision is required. The LGF cannot be spent until the Key Decision is in place.

**Options:**

The options considered for the East Malling Advanced Technology Horticultural Zone are set out in the business case document which can be accessed here:

East Malling Advanced Technology Horticultural Zone (pages 24-26)  
<https://www.southeastlep.com/app/uploads/2019/09/Full-Business-Case-Advanced-Technology-Horticulture-Zone-EMT-NIAB-EMR-03-June-2020.pdf>

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

**Who is taking the Decision**

Cabinet Member for Economic Development

**Date:**

Not before August 2020

**Reason if Key Decision**

An EQIA is being developed by the third parties as set out in their business case and this will be submitted to KCC prior to the LGF being drawn down.

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**

Consultation has been carried out by NIAB EMR during the development of the scheme. No consultation has been completed by KCC as this is a third-party scheme which KCC is not contributing to financially.

The proposed decision will be considered by the Environment and Transport Cabinet Committee on 15 September 2020.

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

The scheme is fully externally funded with no cost to KCC. The project cost/funding was £5,043,300 and LGF allocation of £1,683,600 closes the funding gap. KCC is simply passporting the funds to an external provider. KCC will incur costs in developing the legal agreement with NIAB EMR and administering the LGF and this will be charged to the project and is covered by the legal agreement. The only risk to KCC is, as is the case with any LGF project, that any abortive costs then become a pressure to KCC as they have to be written back to revenue. Mitigations are in place to prevent this eventuality.

**Support documents**

**Responsible Cabinet Member** - Cabinet Member for Highways and Transport

**Reference No:** None identified

**Key** Yes

**Section 1 – the decision needed, how it relates to the Council's**



## Corporate Outcomes and the Costs and risks involved.

### Title:

### **20/0082 - Ebbsfleet Development Corporation Funded Programme – Green Corridors Programme Phase 3**

### The Decision needed:

#### **Proposed decision**

The Cabinet Member for Highways & Transport is asked to give approval for KCC to accept the capital grant from Ebbsfleet Development Corporation (EDC) and to take the Green Corridors Phase 3 Programme through the next stages of development and delivery.

Specifically, to:

- i) give approval to enter into the EDC grant agreement subject to the approval of the Corporate Director of Finance & Procurement
- ii) give approval to progress all statutory approvals or consents required for the programme;
- iii) give approval to carry out consultation on the schemes;
- iv) give approval to enter into construction contracts as necessary for the delivery of the schemes

I also agree to delegate authority to Corporate Director of GET, in consultation with the Corporate Director of Finance & Procurement, to enter into relevant legal agreements and take other actions necessary to implement this decision.

### **Background:**

Ebbsfleet Development Corporation (EDC) are providing KCC with a grant of £7.4m between 2020/21 and 2022/23 for KCC's Major Capital Programme Team to manage and deliver the Green Corridors Phase 3 Programme.

The principle behind the Green Corridors project is to aid the creation of a walking and cycling culture to improve public realm, the quality of life for residents and resident satisfaction, whilst making routes safer to use, more appealing and less polluted from traffic. It aims to connect developments around Ebbsfleet Garden City to usable walking and cycling infrastructure within a fully connected network.

Phase 3 of the initiative will provide a combination of new routes to connect developments with destinations and improvements to existing routes. The programme will provide up to 20 small scale improvements and 2 large scale improvements to existing routes alongside up to 6 new routes.

The Green Corridors Programme is fully externally funded by EDC and the extent of the works delivered is scalable dependent on the level of funding available. No KCC funding will be used to deliver the schemes and officer time will be capitalised against the grant provided by EDC.

Through KCC managing and delivering this programme of works, we have the opportunity to shape the routes which are progressed; in particular linking with potential initiatives being delivered with Emergency Active Travel funding as well as Local Growth Fund schemes which have already been constructed.

A key decision is required to allow KCC to progress with the next stages of scheme delivery; including appointing a project manager to deliver the programme and commissioning feasibility work and outline designs for the proposed routes.

**Options:**

EDC has considered options for the routes to be investigated within their business case for the Green Corridors programme.

The long list of routes comprised all the missing walking and cycling links needed to connect the planned new developments with existing destinations. This was reduced to the shortlist by removing all links which are expected to come forwards through other developer contributions. The full list can be seen in the business case which is included as a background document.

EDC also considered options for delivery; primarily either:

- EDC fund and directly deliver the scheme or
- EDC fund and KCC deliver as the Highway Authority utilising approved highway contractors

EDC's preferred delivery method is that KCC deliver the programme as the Highway Authority. This delivery method also has benefits for KCC, the main two being:

- Allowing KCC to influence the routes which are taken forwards to link with other initiatives and schemes already delivered
- Ensuring that the schemes are installed in line with our Asset Management Plan

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

The scheme particularly addresses Strategic Outcome 2 "Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life".

The provision of safe and attractive walking and cycling routes linking new developments with key destinations gives Kent's residents options for travel, improving access to employment, education, health care and local amenities without relying on the private car. This programme aims to improve health and wellbeing, reduce levels of congestion and improve air

quality.
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Highways and Transport</p> <p><b>Date:</b> Not before August 2020</p> <p><b>Reason if Key Decision</b> EDC as the programme promoter and funder will produce an EQIA and this will be made available to KCC prior to the grant agreement letter being signed.</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>The proposed decision will be considered at the Environment and Transport Cabinet Committee on 15 September 2020.</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> The Green Corridors programme is fully externally funded by EDC. They will provide a capital grant of £7.4m to KCC between 2020/21 and 2022/23 which will be used to deliver the programme of walking and cycling improvements around Ebbsfleet Garden City. KCC Officer time required for the delivery of the programme will be capitalised and met from the project funding; therefore there will not be a revenue cost for KCC in the delivery of this project.</p> <p><b>Support documents</b></p>
<p><b>Responsible Cabinet Member - Cabinet Member for Highways and Transport</b></p> <p><b>Reference No:</b> The award of any contracts will be in full compliance with all relevant procurement regulations</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's</b>

## Corporate Outcomes and the Costs and risks involved.

### Title:

**20/00081 - Urban Grass, Shrubs, Hedges and Rose Bed Maintenance Contract**

### The Decision needed:

#### Proposed decision:

Provide the Corporate Director for Growth, Environment and Transport with delegated authority to procure and enter into appropriate contractual arrangements for the provision of Urban Grass, Shrubs, Hedges and Rose Bed Maintenance services including any potential extension periods in accordance with the expectations set out in the report.

#### Background information:

The Urban Grass, Shrubs, Hedges and Rose Bed Maintenance Contract (UGSHRMC) is currently delivered by Commercial Services Trading Limited (Trading as Landscape Services) and expires on the 31st January 2021. A new contract will be required to be procured prior to the end date. This contract will allow for the prescribed services to be delivered for an initial 60-month period with potential extensions.

The Council has a legal duty to keep roads and pavements clear of vegetation for safe passage of highway users. The main service areas comprise of urban grass, shrub and hedge cutting to contribute to visual amenity. These services will need to be commissioned externally to ensure the Council meets its obligations.

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

### Who is taking the Decision

Cabinet Member for Highways and Transport

### Date:

Not before August 2020

### Reason if Key Decision

An EqlA has been drafted. No adverse impacts have identified at this stage.

### 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 15 September 2020.

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

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

It is expected that any new procurement and delivery model will present a price increase which reflects changes in market prices since the contract was let in 2018. A competitive procurement process will appoint the best value contractor from the tenders submitted.

**Support documents**

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

**Reference No:** An Environment Policy is a key requirement of meeting the international Standard ISO14001 and gives assurance that processes are in place to deliver compliance with environmental legislation, reducing the risk of fines, losses and negative PR due to non-compliance.

**Key** Yes

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

**Title:**

**20/00080 - Revision of KCC Environment Policy**

**The Decision needed:**

**Proposed decision**

The Cabinet Member for the Environment proposes the adoption of a revised Environment Policy to be implemented through the Council’s established environmental management system, which is certified to the international Standard for Environmental Management, ISO14001:2015.

**Reason for the decision:**

To ensure the Council’s Environment Policy is brought in line with the latest environmental priorities for clean growth, clean air and the natural environment as set out in new Strategies and Plans issued by UK Government and at county level (e.g. the Kent and Medway Energy & Low Emissions Strategy and net-zero target commitments).

**Background:**

KCC is the lead partner in delivering the Kent Environment Strategy and the Kent & Medway Energy and Low Emissions Strategy and has had a publicly available Environment Policy since circa 2005. Since April 2009, all KCC services have been certified to the international Standard for Environmental Management ISO14001, which requires the organisation to approve and publish its commitment to prevent pollution and continually improve its environmental performance in the form of a Policy. There has

been significant shift in the political and public focus on environmental matters since the last policy was published in 2017.

**Options:**

- A. Retain existing policy which was last revised and published in March 2017.
- B. Approve a revised policy, which reflects current priorities set out in new Strategies and Plans issued by UK Government and at county level.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before August 2020

**Reason if Key Decision**

Equalities implications – There are no direct equalities implications. All projects or significant initiatives to deliver the policy commitments will have an Equalities Impact Assessment completed.

Data Protection implications - A Data Protection Impact Assessment is not needed as this Policy 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**

The proposed decision will be considered by the Environment & Transport Cabinet Committee on 15 September 2020.

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

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

This links directly to Council budget savings and is a key document which directs all services in delivering environmental improvement initiatives that achieve resource efficiencies and minimise environmental risks and financial losses

**Support documents**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Highways and Transport</p> <p><b>Reference No:</b> The award of any contracts will be in full compliance with all relevant procurement regulations</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>20/00079 - Road Asset Renewal Contract 2021</b></p> <p><b>The Decision needed:</b>  <b>Proposed decisions:</b></p> <p>Provide the Corporate Director for Growth, Environment and Transport with delegated authority to procure and enter into appropriate contractual arrangements for the provision of road asset renewal services including any potential extension periods in accordance with the expectations set out in the report.</p> <p><b>Background information:</b></p> <p>Under section 41 of the Highways Act 1980, as the local Highway Authority, the Council has a legal duty to maintain its respective sections of the highway network. This duty includes responsibility for maintaining, managing and, where necessary, improving sections of the network. These services need to be commissioned externally to ensure the Council meets its statutory obligations and that service continuity is ensured.</p> <p>The Road Asset Renewal Contract (RARC) is currently delivered by Eurovia and expires on 31<sup>st</sup> December 2020. Due to a higher level of funding spent through the contract, there is no scope to invoke the extension options detailed within the contract. A new contract will be required to be procured prior to 1<sup>st</sup> January 2021. This contract will allow for the prescribed works and services to be delivered for an initial 24-month period with potential extensions.</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 Highways and Transport</p> <p><b>Date:</b>  Not before August 2020</p> <p><b>Reason if Key Decision</b></p>

<p>an EqIA has been drafted. No adverse impacts have identified at this stage.</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 and the Environment and Transport Cabinet Committee on 15 September 2020.</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>It is not expected that any new procurement and delivery model will present a significant price increase. A competitive procurement process will appoint the best value contractor from the tenders submitted.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Cabinet Member for Environment</b></p> <p><b>Reference No:</b> Setting of an accelerated net-zero target and implementing an action plan will exceed the requirements of the 2019 revision of the Climate Change Act 2008, which introduced into law the UK target of net-zero emissions by 2050.</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>20/00078 - Kent County Council net-zero emissions target proposal</b></p> <p><b>The Decision needed:</b></p> <p><b>Proposed decision:</b></p> <p>The Cabinet Member for the Environment proposes an accelerated net-zero emissions target to be achieved by Kent County Council by 2030. To be delivered by investment in line with the supporting action plan. This target to be applied to its own estate and operations (excluding schools) and those of its traded companies.</p> <p><b>Background:</b></p>



To discharge the request made by County Council in May 2019, following the approved motion to acknowledge a Climate Emergency and support a net-zero emissions target of 2050 for the county. The motion also included that by May 2020, KCC would set an accelerated net-zero target for its own estate and operations and those of its traded companies.

In response to the Climate Emergency, the UK government revised the Climate Change Act 2008 in 2019. This introduced into law the UK target of net-zero emissions by 2050. This Act requires local authorities to act to reduce emissions both from their own operations and their geographical area. In addition to setting an organisational target to deliver net-zero emissions, KCC has led on the development of the Kent and Medway Energy and Low Emissions Strategy, which is due to be considered for approval by the Environment & Transport Cabinet Committee on 17 July 2020. The KCC net-zero action plan supporting the target is derived from the high-level action plan included within this new multi-agency and cross-county Strategy.

**Options:**

- Seek to achieve net-zero by 2030 – this approach is possible using the balanced scenario approach.
- Seek to achieve 80% reduction by 2030 and net-zero by 2050 – this aligns closely with the science-based evidence, however this would not be considered as accelerated action as per the motion agreed in May 2019. This would not be aligned with other local authorities in Kent and Medway who have almost all declared a target of net-zero by 2030 or earlier.
- Seek to achieve net-zero by 2050 – this would not be considered accelerated action as it is the same as the UK target.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before August 2020

**Reason if Key Decision**

Equalities implications -

The target and supporting action plan has been derived from the activity to develop the Kent & Medway Energy and Low Emissions Strategy. The EQIA completed in support of this Strategy is relevant. There are no significant negative impacts identified. There are likely to be more positive

equality impacts than negative, particularly for Age, Maternity, Carers and Disability. Where staff policies need to be reviewed or changed to align with the net-zero target, specific equalities considerations will be assessed at that time.

Data Protection implications -

A Data Protection Impact Assessment is not needed as this Strategy 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**

The proposed decision will be considered at the Environment and Transport Cabinet Committee on 15 September 2020.

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

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

To achieve net-zero by 2030 would require investment in the region of £27 million with an estimated return of £96 million by 2050. The break-even point at which cumulative savings and income match the level of investment is expected to be 2030.

Funding is expected to be from a variety of sources and this includes existing KCC-Salix Finance funded energy efficiency investment funds and ERDF grant funding secured,

**Support documents**

**Responsible Cabinet Member - Cabinet Member for Highways and Transport**

**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:**

**20/00077 - Gravesend Bus Hub (Barrack Row and Garrick**

## **Street)**

### **The Decision needed:**

#### **Proposed decision:**

The Cabinet Member for Highways & Transport is asked to give approval to take the Gravesend Bus Hub scheme through the next stages of development and delivery.

#### **Specifically:**

- i) Approval to enter into the Local Growth Fund and EDC Grant funding agreements subject to the approval of the Corporate Director of Finance & Procurement.
- ii) Approval to undertake the detailed design and surveys for the project, including development control and land charge disclosures. This work will be undertaken by appointing a consultant through the KCC Professional Services Framework Contract.
- iii) Approval to progress all statutory approvals or consents required for the scheme, including transfer of land and rights.
- iv) Approval to carry out any additional consultation required for the scheme.
- v) Approval to enter into construction contracts as necessary for the delivery of the scheme subject to the approval of the Capital Officer Group to the recommended procurement strategy.
- vi) Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

#### **Background:**

The Gravesend Bus Hub scheme is one of the enhancements to interchange facilities and will deliver a bus interchange in Gravesend Town Centre to improve the transport connections between rail, bus, cycling and walking, linking with the recently completed Rathmore Road improvement LGF scheme. Initially the Gravesend Bus Hub scheme was to deliver a new interchange provision in Barrack Row for local buses using the Local Growth Funding only. KCC officers have investigated an enlarged scheme which would include Garrick Street and improvements to the existing Fastrack interchange utilising underspend from the completed Rathmore Road scheme (using remaining Strategic Transport Infrastructure Programme funding) and a contribution from the Fastrack programme. The enlarged scheme will provide additional benefit and overall cost savings by delivering the two elements at one time through a single procurement exercise.

The Gravesend Bus Hub scheme was made possible with the completion of the Rathmore Road scheme, which implemented a re-routing of the one-way traffic system traffic flows along the new Rathmore Road. This was separately delivered through the LGF programme and creates the road

space for the building of the interchange at Barrack Row.

For the Garrick Street improvements, KCC Public Transport require a high-quality product that enhances the premium bus service offered by Fastrack. A Kent based architect was commissioned to work up canopy designs for Fastrack in Garrick Street. The style and type of canopy will then be used along Barrack Row to give a similar quality feel and look for the local bus stops. The building of a transport interchange also represents the final phase of the delivery of the Gravesend Transport Quarter (GTQ) master plan which originates from 2005. Gravesham BC as an active stakeholder are also keen to see the interchange constructed homogenously to complete the GTQ. Early plans for the GTQ saw the construction of the Barrack Row bus hub as part of a multi-story car park development by Network Rail but the car park scheme was abandoned by Network Rail further to a 2011 Planning Application.

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

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

Cabinet Member for Highways and Transport

### **Date:**

Not before August 2020

### **Reason if Key Decision**

None anticipated. The design of the schemes is at an advance stage and the Equalities Impact Assessment (EqIA) screening opinion has indicated a 'Low' impact but the EqIA will be regularly reviewed in parallel with the scheme final development.

### **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 15 September 2020.

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

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

The scheme cost is £4.173m and this will be fully funded by LGF, STIPS, GBC contribution, Public Transport Capital / Fastrack operating surplus and EDC Grant. Although the scope of the project has been enhanced since the first decision in 2015, the increased cost is fully funded. The Public Transport Capital contribution is £150k DfT funding and £700k is being provided from the Fastrack Reserve. Regarding the grants, careful deliberation will be taken of the relevant grant terms and conditions.

## Support documents

**Responsible Cabinet Member** - Cabinet Member for Integrated Children's Services

**Reference No:** The RAA will be underpinned by a partnership agreement setting out how the three local authorities will jointly exercise adoption service functions. It will set out the legal implications associated with joining the RAA and its inherent delegations. There is a risk to all Local Authorities who fail to join a regional adoption agency by 2020 as central government has the power to direct how its services would be delivered, if it deems it necessary to do so. This would reduce the influence the local authority has over its own service design and delivery.

**Key** Yes

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

**Title:**

**20/00076 - Regional Adoption Agency - Kent, Bexley & Medway**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Integrated Children's Services is asked to agree to Kent County Council working in partnership with London Borough Bexley and Medway Council to form a Regional Adoption Agency, known as Adoption Partnership, which has been established in line with the government programme.

**Background:**

In March 2016, the government announced changes to the delivery of adoption services setting a very clear direction that all local authorities' adoption services must be delivered on a regionalised basis by 2020. Legislation is in place to direct local authorities who do not engage in this programme. It is proposed that a new Regional Adoption Agency (RAA) is created through combining the adoption services for the three authorities of Kent, Bexley and Medway. These agencies wish to build on the success of their existing services to improve performance in meeting the needs of children who require permanence through adoption, by bringing together the best practice from each authority within the RAA. Kent, Medway and Bexley will enter into a legal partnership arrangement. One of the three local authorities will be required to lead on certain aspects of business servicing and these will be agreed by the Executive Board. All three local authorities are keen to ensure this is an equal partnership,

each holding shared responsibility for its outcomes.

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

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

Cabinet Member for Integrated Children's Services

### **Date:**

Not before August 2020

### **Reason if Key Decision**

An equalities impact assessment has been completed and approved in respect of the service, as well as a staffing equalities impact assessment both of which identified a low impact rating. Staff are employed by different employers none of whom have control over the other and none of the pay grades come from a common source but are determined by each authority. HR leads for each Partner have undertaken a review of employee's terms and conditions and minimal differences were identified.

### **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 significant amount of consultation is underway. There are several workstreams operating to ensure that all the necessary planning and implementation work can take place between now and the go-live date. The full detail of the consultation plan is included in the business case but the workstream areas are as follows:

- Practice development & alignment
- HR
- IT
- Commissioning
- Finance
- Legal and governance
- Comms and engagement
- Adopter and adoptees voices
- Strategic and political engagement

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

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

The partnership agreement will have a strong focus on financial equitability and the overall model of delivery will cost no more than the current cost of services collectively across the region. Each local authority will be asked to contribute no more than its current budget for delivering adoption services in

year 1. The Kent Adoption budget for 2020-21 is just over £3,000,000.

### **Support documents**

**NOT BEFORE 20 AUGUST 2020**

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

**Reference No:** The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

**Key** Yes

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

**Title:**

**20/0073 - Agree the allocation of additional Basic Need funds to increase the RoD as outlined below to permanently expand the secondary provision at Ursuline College by 1FE from September 2019**

**The Decision needed:**

**Proposed Decision:**

The Cabinet Member for Education and Skills is asked to agree to:

- I. Allocate an additional £1.3m from the Children, Young People & Education Capital Budget, to fund the delivery of the accommodation required to enable the school to operate its agreed Published Admission Number of 150.
- II. Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.
- III. Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

**Background:**

The Kent Commissioning Plan for 2015 to 2019 identified the need for additional secondary school provision for Thanet to be in place for September 2019 onwards. The Kent Commissioning Plan for 2017 to 2021 forecast that up to 8 forms of entry of provision would be required during the period 2019-22. Most of the new provision will be provided via a new 6FE Free School established on the former Royal School for the Deaf site in Margate. As the future minimum need was identified as 8FE a permanent solution would be required. Feasibility studies of all Thanet Secondary schools were undertaken, and discussions took place with governing bodies and Academy Trusts to establish whether they would support expansion. It was identified that Ursuline College site could accommodate a permanent expansion and that the academy trustees were in support of the proposal.

At the Children's Young People and Education Cabinet Committee on the 13 October 2017 it was agreed to permanently expand Ursuline College and based on feasibility reports, £3million was allocated to the build project from the Basic Need Capital Programme Budget (Record of Decision 17/00100). It was acknowledged at the time that the final amount may be higher as the costs of the project at that point were estimated.

The build programme has had to be delivered in phases. It has now been identified that additional costs of £1.3m will be incurred due to the impact of key parts of the school having Listed Building status and the changes to the scope of the project which include:

- Listed Building impact
  - Fire Escape stairs have had to be replaced with like-for-like bespoke designed replacements.
  - Specific materials were specified by Listed Buildings to be used in the project
    - Lime-based plaster
    - Re-use of or matched (bespoke) skirtings
  - Like-for like replacements, including window casements & frames, stairs and fire escape.
- Condition of existing building and unforeseen requirements
  - emergency electric upgrade works (Phase 1). These had not been identified at feasibility stage.
  - new sub-station (Phase 2); failure to provide this supply upgrade would restrict the College's use of new facilities
- Scheme development
  - St Cecilia building was originally planned to be refurbished to meet current regulations. Discussions with Planners now require it is replaced (new modular build block of 3nr classrooms and associated areas)
  - Replacement of St Cecilia building to meet BB103 classroom sizes also requires demolition of Little Brescia building.
  - Review of and improvements to on-site parking as part of planning requirements.

This has increased the cost of the project by £1.3m. As this is an increase of more than 10% of the allocated funding a further decision will be required.



## Original Decision and Report

17/00100 – A permanent 2FE expansion of Ursuline College from September 2019

You can view details of the decision and accompanying papers by clicking on the link below:

Internet – <https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2109>

### Options

Feasibility studies of all Thanet Secondary schools were undertaken in 2017, and discussions took place with governing bodies and Academy Trusts to establish whether they would support expansion. It was identified that Ursuline College site could accommodate a permanent expansion and that the academy trustees were in support of the proposal.

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

This expansion is in line with priorities in the Kent Policy Framework, 'Vision and Priorities for Education and Young People's Services' and the 'Commissioning Plan for Education' (2018 – 2022).

All options were considered as part of the Kent Commissioning Plan for Education Provision 2018-2022.

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

### Who is taking the Decision

Cabinet Member for Education and Skills

### Date:

Not before August 2020

### Reason if Key Decision

A full impact assessment has been carried out and was published with the original CYPE Cabinet Committee papers.

### 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

### Is any public consultation planned or has already been undertaken?

A full consultation was undertaken by the school, as an Academy with the result that the Governing Body determined to proceed with the proposal.

**Cabinet Committee consultation planned or undertaken.**

The original proposal was presented to the CYPE Cabinet Committee on 13 October 2017 and the RoD was dated 23 November 2017.

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2109>

23 November 2016 - the Commissioning Plan for Education Provision 2017-21 was endorsed by the Cabinet Committee prior to the final version being considered and approved by Cabinet on 23 January 2017.

8 July 2015 – A report on the Future Provision of Secondary Education in Kent – Cabinet Committee noted the actions required to increase Secondary school capacity to meet the demands of a growing Secondary school population.

A report seeking the allocation of additional funding to increase the allocated funding to the project was provided to the 30 July 2020 Children's, Young People and Education Cabinet Committee for comment.

The views of the Local Members were sought prior to the original decision. Their views will be sought on the request for increased capital allocation and reported at the Cabinet Committee.

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

The Basic need budget allocated to this project currently stands at £3m. If the cost of the project was to be greater than 10% of the agreed figure, the Cabinet Member would be required to take a further decision to allocate the additional funding. Revised costs have resulted in a figure that exceeds 10% of the original agreed £3 million. The cost increase of £1.3m has been budgeted for within the existing Basic Need Programme, provided for by savings on other schemes. Ursuline has £399,155 in developer contributions agreed towards this project. For each additional classroom, resulting from the expansion of the school, the sum of £6,000 will be allocated towards the classroom setup costs. Ursuline College will appoint additional teachers, as the student numbers increase and the need arises.

**Support documents**

PRoD  
Report

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

**Reference No:** The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

**Key** Yes

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

**Title:**

**20/00072 - Allocate approved Basic Need funds to increase the RoD as outlined below on a proposal to permanently expand the secondary provision at Trinity School, Sevenoaks, from a PAN of 120 to 180, ongoing from September 2018**

**The Decision needed:**

**Proposed decision:**

The Cabinet Member for Education and Skills is asked to agree to:

- a. allocate an additional £2.5m from the Children, Young People & Education Capital Budget, in addition to the £9m previously allocated, to provide a project total of £11.5m to fund any necessary additional works or variations to accommodation.
- b. Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.
- c. Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

**Background**

KCC’s Children and Young People’s Education Cabinet Committee endorsed the proposal to allocate £9m from the Capital budget to enable the proposal to go ahead. This decision was made in the paper 18/00006.

The proposal is to allocate an additional £2.5m from the Children, Young People & Education Capital Budget, in addition to the £9m previously allocated, to provide a project total of £11.5m

**The reasons for the increased expenditure are as follows:**

The initial Record of Decision was given, prior to the planning permission being granted which required further works than anticipated for a standard 2FE Expansion at the time. Due to pupil demand and time constraints the project has been procured and delivered over a three year period which adds cost to the Scheme and inflation costs. The project has and is being delivered over six phases across the three year period to meet the Basic Need requirement and this was not envisaged when the initial ROD was approved.

The additional funding is to complete the outstanding phases of work which

include 4 New Science Labs and internal refurbishments in line with the DfE BB103 Guidelines to give the School the space they require to fully expand by 2FE.

Since presenting the previous RoD, the bus park has been extended and has required additional S278 works to the main highway alongside the school to enable safe access and egress for the buses. This bus park provides for the 12FE on site at Wildernesse, not just the Trinity students. Additionally, the MUGA being provided as a part of the Trinity scheme has to be designed to include a retaining wall given the size and location of MUGA being provided.

KCC have worked with the contracted builder over the past six months alongside the school to reduce the scope and specification as much as possible without compromising on the educational space needed. Savings have been made where possible with specific relation to omitting some admin areas and reducing the M&E scope of works.

Without the additional funding, we will not be able to complete the outstanding Phases to provide the teaching accommodation to meet the demand of pupil places at Trinity School.

### **Options**

There are no viable options. This school expansion is being proposed to accommodate the demand for non-selective places in the central Sevenoaks area.

The only alternative, Knole Academy is not able to expand on their current site, due to cost and space issues.

*Original decision and Report*

<https://democracy.kent.gov.uk/mgIssueHistoryHome.aspx?Ild=47967&optionId=0>  
<https://democracy.kent.gov.uk/mgDecisionDetails.aspx?Ild=47967&Opt=1>

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

This enlargement has added an additional 60 Year 7 places to the capacity per year, in line with priorities in the Kent Policy Framework, ‘Vision and Priorities for Education and Young People’s Services’ and the ‘Commissioning Plan for Education’ (2018 – 2022).

All options were considered as part of the Kent Commissioning Plan for Education Provision 2018-2022.

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

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

Cabinet Member for Education and Skills

**Date:**

Not before August 2020

**Reason if Key Decision**

A full impact assessment has been carried out and was published with the original CYPE Cabinet Committee papers:  
<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=894&MId=7730&Ver=4>  
The assessment highlighted the following positive impacts:  
An increase in total number of places available to meet the needs of children with disabilities and/or SEN  
More families able to access good school places  
School places available to children with and without faith based backgrounds.  
No adverse impacts were identified

**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**

**Is any consultation planned or has already been undertaken?**

A full consultation was undertaken by the school, as an Academy with the result that the Governing Body determined to proceed with the proposal.

**Has this proposal been to cabinet committee?**

Yes. The original proposal was presented at the Children's, Young People and Education Cabinet Committee on 8 March 2018.

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2155>  
<https://democracy.kent.gov.uk/documents/s83182/Item%2010%20-%20CYPE%20CC%20Report%20-%20Trinity%20School%20Expansion.pdf>

**Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?**

CYPE Cabinet Committee on 30<sup>th</sup> July 2020.

**Have views been sought from local Members?**

The views of the Local Member (Margaret Crabtree) were sought prior to the original decision. Her views will be sought on the request for increased capital allocation.

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

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

Kent County Council's contribution is currently £9m. KCC acknowledged that the final amount may be higher or lower than the original project estimate, and that if the final cost of the project was 10% or more higher than the amount allocated via the Record of decision the Cabinet Member would be required to take a further decision to allocate the additional funding. Revised cost estimates from architects are that the cost will be in excess of 10% higher. The cost increase of

£2.5m is already accounted for within the existing Basic Need Programme. As part of the ongoing budget management, provision has already been made against schemes where costs were seen to be increasing as these were developed, provided for by savings on other schemes and external funding contributing to some schemes in the programme. For a period of three academic years since the school started to admit these increased cohorts, the school has received protection for an additional 60 Year 7 pupils.

**Support documents**

PRoD  
Report

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

**Reference No:** The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

**Key** Yes

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

**Title:**

**20/00071 - Funding update on the proposal to permanently expand Tunbridge Wells Grammar School for Boys by increasing the published admission number (PAN) from 180 to 210 places from September 2019**

**The Decision needed:**

**Proposed decision –**

The Cabinet Member for Education and Skills is asked to:

- a) Allocate an additional £4.3 million from the Children, Young People & Education Basic Need Capital Budget to fund any necessary additional works or variations to accommodation.
- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.
- c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

## **Background:**

The expansion of Tunbridge Wells Grammar School for Boys from 180 to 210 selective Secondary school places is one of five secondary school expansions proposed in 2017 to provide additional capacity in selective and non-selective secondary schools in Tunbridge Wells and Tonbridge. The Cabinet Committee of 22 November 2017 endorsed the allocation of £7.7 million from the Basic Need budget to fund the permanent expansion of Tunbridge Wells Grammar School for Boys.

The school's first permanently expanded intake of 210 pupils in September 2019 was accommodated within the school's existing accommodation, with additional accommodation needed to accommodate future intakes. The scheme includes the construction of a new teaching block of classrooms, a sports hall and additional dining facilities through conversion of the current gymnasium; works commenced in Summer 2019.

The proposal is to allocate a further £4.3 million from the Young People & Education Basic Need Capital Budget

The reasons for the increased expenditure are as follows:

- **Unforeseen costs relating to ground conditions (including soft spots remediations), repairs to the existing gym roof, a larger water attenuation tank required and a new foul drainage system.**
- **An alteration to the scheme's design has been made which will increase the capacity of the new dining facility in the former gymnasium such that the school's current dining room, which is a rented mobile structure at the opposite end of the school to the kitchen will no longer be required. This will mean that KCC will no longer incur the monthly rental cost of this mobile unit, which would otherwise have been incurred in perpetuity.**
- **Additional costs incurred due to longer build time than originally anticipated; this is primarily related to unaccounted for additional works (as detailed above) and the associated scoping and design works.**

Actions have been taken to minimise the additional costs, including the procurement of a single contractor across this scheme and the expansion of the neighbouring St Gregory's Catholic School.

Original Decision

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2117>

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=894&MId=7730&Ver=4>

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

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

Cabinet Member for Education and Skills

**Date:**

Not before August 2020

**Reason if Key Decision**

An Equality Impact Assessment (EqIA) has been produced and identified the following positive impacts identified are:

The new accommodation and better facilities will have a positive impact on students and staff through the improvement of the learning environment.

More families able to access school places

School places available to children with and without faith-based backgrounds.

No adverse impacts have been identified.

**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****Is any public consultation planned or has already been undertaken?**

In accordance with the Department for Education's Statutory Guidance (October 2018): Making 'prescribed alterations' to maintained schools, there was no need to undertake a formal statutory consultation process. However, an informal education consultation was completed from 1<sup>st</sup> May 2018 to 8<sup>th</sup> June 2018 as part the evidence base that was included in a Local Authority application to Selective Schools Expansion Fund (SSEF). Further information is available on the School Consultation webpage:

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

**Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?**

The original proposal was presented to the Children's, Young People and Education Cabinet Committee on 22 November 2017, prior to the decision being taken by the Cabinet Member for Children, Young People and Education:

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=894&MId=7728&Ver=4>  
[https://kccconsultations.inconsult.uk/gf2.tif/938850/45780261.1/PDF/-/ROD\\_TWGSB\\_signed\\_by\\_Roger\\_12.12.17.pdf](https://kccconsultations.inconsult.uk/gf2.tif/938850/45780261.1/PDF/-/ROD_TWGSB_signed_by_Roger_12.12.17.pdf)

A revised report was presented to the Children's, Young People and Education Cabinet Committee on 30<sup>th</sup> July 2020.

The views of the Local KCC Member for Tunbridge Wells North, Peter Oakford, were sought prior to the original decision.

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



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

Kent County Council's contribution was initially £7.7m. The Cabinet Committee and Cabinet Member acknowledged that the final amount may be higher or lower as the costs of the project were presented as an estimate prior to the procurement of a contractor. If the cost of the project was to be greater than 10% the Cabinet Member would be required to take a further decision to allocate the additional funding. This proposal increases the contribution by £4.3 million, taking the total scheme cost to £12 million. The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum. The school will also receive £6,000 per new learning space that is provided towards the cost of furniture and 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. The schools will appoint additional staff as and when appropriate

**Support documents**

PRoD  
Report

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

**Reference No:** The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

**Key** Yes

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

**Title:**

**20/00070 - Funding update on the proposal to permanently expand and relocate St Peter's Church of England Primary School from 140 places to 210 places, increasing the published admission number (PAN) from 30 to 60 for Year R entry in September 2018**

**The Decision needed:**

**Proposed decision –**

The Cabinet Member for Education and Skills is asked to:

- a) Allocate an additional £1.3 million from the Children, Young People & Education Basic Need Capital Budget to fund any necessary additional works or variations to accommodation.
- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf

of the County Council.

- c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

**Background:**

Kent County Council (KCC), with the support of the Governing Body, proposed to expand and relocate St Peter's Church of England Primary School to help provide improved Primary education facilities and more school places for local children. The project will permanently expand the school from 140 places to 210 places, increasing the published admission number (PAN) from 20 to 30 (1FE) Year R places from September 2019.

The expansion will serve to meet the additional demand for Primary school places arising from new housing at Hawkenbury. The relocation of the school to new, purpose-built accommodation will significantly improve and increase the facilities available for its pupils.

A 4-week public education consultation was undertaken from 20 February 2018 to 20 March 2018, prior to the decision being made. In May 2018 the Cabinet Member for Children, Young People and Education agreed to the capital funding allocation of £6.9 million from the Basic Need Capital Programme Budget for the scheme.

A further £1m was allocated from the Children's, Young People and Education Capital Budget in June 2019. The need for additional funds prior to the commencement of construction were the result of abnormal topography on the site that necessitated additional ground works, building redesign and changes to the car park and site entrance. There was also an unforeseen need for alternative piling and foundation solutions to mitigate any exposure from ground contamination.

The proposal is to allocate a further £1.3 million from the Young People and Education Basic Need Capital Budget. The reasons for the increased expenditure are as follows:

Since the commencement of work on site there have been further unforeseen and significant abnormal issues relating to the condition of the land on transfer to KCC. This has resulted in the need for the redesign of some elements of the school, such as the level of the playing field, the redesign process created delay to the programme. Additionally, costs and delays to the programme have been incurred due to the need for unanticipated remedial works to take place to enable construction to be completed.

This work will entail an outlay of capital expenditure from KCC to progress the scheme in a timely manner. Actions have been taken to minimise the quantum of additional costs as far as possible through working with the

main contractor to identify design solutions.

**Original decisions:**

<https://democracy.kent.gov.uk/mgDecisionDetails.aspx?IId=48461&Opt=1>  
<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2265>

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

As the strategic commissioner of school provision, the Local Authority (LA) has a duty to ensure that there are sufficient school places for the residents of Kent as set out in Kent’s Commissioning Plan for Education Provision in Kent (2018-22 iteration for this expansion).

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before August 2020

**Reason if Key Decision**

An Equality Impact Assessment (EqIA) has been produced and identified the following positive impacts:

The new accommodation and better facilities will have a positive impact on students and staff through the improvement of the learning environment.

More families able to access school places

School places available to children with and without faith based backgrounds.

No adverse impacts have been identified

**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**

**Is any public consultation planned or has already been undertaken?**

In accordance with the Department for Education’s Statutory Guidance (October 2018): Making ‘prescribed alterations’ to maintained schools, there was a need to undertake a formal statutory consultation process. Prior to the decision being made, a public education consultation was undertaken from 20<sup>th</sup> February 2018 to 20<sup>th</sup> March 2018 and subsequently a formal Public Notice ran from 8<sup>th</sup> June 2018 to 6<sup>th</sup> July 2018.

**Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?**

The original proposal was presented to the Committee in written report format outside of committee, prior to the decision being taken by the Cabinet Member for Children, Young People and Education.

<https://democracy.kent.gov.uk/documents/s84548/1800020%20Report.pdf>

A Basic Need Programme Update report that included the detail for the additional funding allocation for St Peter's was presented to and endorsed by the Children's, Young People and Education Cabinet Committee on 7<sup>th</sup> May 2019. The Cabinet Member for Children, Young People and Education agreed to the additional funding on 4<sup>th</sup> June 2019.

A revised report was presented to the Children's, Young People and Education Cabinet Committee on 30<sup>th</sup> July 2020.

The views of the Local KCC Member for Tunbridge Wells South, Catherine Rankin, were sought prior to the original decision.

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

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

Kent County Council's contribution was initially £6.9 million and this was increased by £1 million in June 2019. The proposal increases the contribution by £1.3 million, taking the total scheme cost to £9.2 million. This will be offset over a period of time by approximately £1.5 million from developer contributions and an estimated £450,000 in capital receipts from the sale of the existing school site. The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum. The school will also receive £6,000 per new learning space that is provided towards the cost of furniture and 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. The schools will appoint additional staff as and when appropriate.

**Support documents**

PRoD  
Report

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

**Reference No:** The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

**Key** Yes

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

**Title:**

**20/00069 - Funding update on the proposal to permanently expand Harrietsham Church of England Primary School from 210 places to 420 places, increasing the published admission number (PAN) from 30 to 60 for Year R entry in September 2018**

**The Decision needed:**

**Proposed decision –**

The Cabinet Member for Education and Skills is asked to agree to:

- a) Allocate an additional £420,000 from the Children, Young People & Education Basic Need Capital Budget to fund any necessary additional works or variations to accommodation.
- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.
- c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

**Background:**

The enlargement of Harrietsham CEP School from 210 to 420 places represents KCC's strategic response to the forecast population growth in Harrietsham village and the surrounding area.

A public education consultation was held from 19 September 2016 to 17 October 2016, with the results included in the Cabinet Committee report. The Harrietsham CEP School expansion scheme was considered by the Education and Young People's Services Cabinet Committee on 23 November 2016. The Cabinet Committee endorsed the allocation of £3 million from the Basic Need budget to fund the permanent expansion of the school

A further £600,000 was allocated from the Children's, Young People and Education Capital Budget in June 2019 to enable the creation of an additional and necessary bell-mouth entrance between the highway and the land being acquired for a car park and additional costs due to unexpected site logistics during construction relating to the topography and split levels between the car park and main school site.

The proposal is to allocate a further £420,000 from the Young People &

Education Basic Need Capital Budget to enable the scheme to be completed.

The reasons for the increased expenditure are as follows:

- Additional costs incurred due to significantly longer build time than originally anticipated; this is primarily as a result of unforeseen issues relating to planning, ecology and drainage.
- Supplementary design alterations to comply with planning requirements associated with a site within an Area of Outstanding Natural Beauty.
- The requirement for additional survey works to conform with ecological requirements following the acquisition of the adjacent land for the car parking area. This work included the identification and relocation of protected species such as Great Crested Newts.
- Unforeseen work to ensure the drainage within the car parking area and main site are sufficiently robust to accommodate the extra capacity needed following the expansion.

The scheme was originally procured under a two-stage design and build contract, however delays caused by the planning constraints outlined above has meant that the project needed to be split into two separate contracts to ensure that the school is provided with the additional accommodation required for September 2020.

**tion has been taken to mitigate the financial impact as far as possible, including**

- Changes to roof design
- Alteration to proposed storage and circulation space
- Omission of works required to the existing front lobby and office space

**Original decisions:**

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=1994>

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2265>

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

As the strategic commissioner of school provision, the Local Authority (LA) has a duty to ensure that there are sufficient school places for the residents of Kent as set out in Kent's Commissioning Plan for Education Provision in Kent (2016-20 iteration for this expansion).

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before August 2020

**Reason if Key Decision**

A full impact assessment has been carried out and identified the following positive outcomes: The new accommodation and better facilities will have a positive impact on students and staff through the improvement of the learning environment and places available to children with all faith-based backgrounds. No negative impacts have been identified.

**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****Is any public consultation planned or has already been undertaken?**

In accordance with the Department for Education's Statutory Guidance (October 2018): Making 'prescribed alterations' to maintained schools, there was a need to undertake a formal statutory consultation process. A public education consultation was held from 19 September 2016 to 17 October 2016 and a formal Public Notice ran from 6<sup>th</sup> January 2017 to 3<sup>rd</sup> February 2017.

**Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?**

The results of the consultation were included in the Cabinet Committee report that was considered by the Education and Young People's Services Cabinet Committee on 23 November 2016.

A revised report was presented to the Children's, Young People and Education Cabinet Committee on 30<sup>th</sup> July 2020.

The views of the Local KCC Member for Maidstone Rural East, Mrs Shellina Prendergast were sought prior to the original decision.

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

Kent County Council's contribution was initially £3 million and this was increased by £600,000 in June 2019. This proposal increases the contribution by £420,000, taking the total scheme cost to £4.2 Million. The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and the Schools' Funding Forum. The school will also receive £6,000 per new learning space that is provided towards the cost of furniture and 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. The schools will appoint additional staff as and when appropriate.

**Support documents**

PRoD  
Report

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

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

Yes

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

**0068 - Proposal to provide additional funding to support the provision of a New 2FE Primary School on the Ebbsfleet Green Development, Dartford**

**Decision needed:**

**Proposed decision:**

Cabinet Member for Education and Skills is asked to agree to:

provide £1.9m of additional funding, making a total of £9m (including £4.6m of Developer Contributions) to build a new 2FE Primary School on the Ebbsfleet Green Housing development in Dartford Borough.

Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Council and the Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.

Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member with any such variations requiring a new Record of Decision.

**Background**

Ebbsfleet Garden City is seeing rapid housing development across several sites, Ebbsfleet Green being one of the largest. The development is well underway. The Section 106 provides for a new 2FE school to be delivered on the site.

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 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:

[www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision](http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision)

The Children, Young People and Education Committee considered this proposal on the 13 October, 2017, and recommended that funding be agreed.

The Maritime Academy Trust was appointed by the DfE to run the new school, following an open competition that concluded in 2017.



June 2018. The 2FE primary provision would also have a 26 place early years provision and a 15 place SRP for those whose primary barrier to learning is autism.

Developer, Redrow, KCC and the Ebbsfleet Developer Corporation sit on an Education Review Group (ERG) to discuss and if necessary, vote on issues about the delivery of the school that are not covered by the Section 106 or need clarification.

Reason that there is now a shortfall in funding is that the project was first costed in 2017 and in line with inflation and other issues, the cost has been revised. There have been several design changes required by the planning authority and Ebbsfleet Development Corporation to achieve planning permission, not least that the building is now a 2FE fitout.

There was an initial cost of temporary accommodation in mobiles which was aborted because the decision was taken to relocate the temporary provision to another school for a period of one year to allow the school to start this September. This has resulted in aborted costs for not delivering the mobile units on the Redrow land, aborted cost of temporary design and surveys for the temporary provision.

**Options**  
There are no options. This school is being proposed to accommodate the demand from the new housing development.

The proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council Strategic Statement (2015-2020)'

Provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that "Children and Young People in Kent get the best start in life".

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

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

Met Member for Education and Skills

Before August 2020

### **When is Key Decision**

A consultation was completed and submitted with CYPE Cabinet Committee report 19/00083 presented on 15 November 2019. It can be found here:

[https://kccconsultations.inconsult.uk/gf2.ti/f/925602/36858629.1/DOCX/-q1A\\_initial\\_assessment\\_Dartford\\_Primary\\_Free\\_School.docx](https://kccconsultations.inconsult.uk/gf2.ti/f/925602/36858629.1/DOCX/-q1A_initial_assessment_Dartford_Primary_Free_School.docx)

The assessment identified the following positive impacts:

More primary school places available, providing families with more options and choices

Increase in the number of places available to meet the needs of pupils with disabilities and/or SEN and specifically those with Autism Spectrum Disorder. No adverse impacts were identified.

### **When if this decision has been delayed/withdrawn from a previous plan consultation planned or has already been undertaken?**

Public Consultation ran from 11 May 2018 to 22 Jun 2018

### **When has proposal been to cabinet committee?**

Presented to Children's, Young People and Education Cabinet Committee on 17 October 2017.

<https://democracy.kent.gov.uk/documents/s79150/Item%208%20-20Report%20Oct%2017%20Free%20School%20Presumptions%20Ebbsfleet%20RG%20and%20PL%20app>

ultation page on kent.gov:

[/kccconsultations.inconsult.uk/gf2.ti/f/925602/36856837.1/DOCX/-community\\_consultation\\_Dartford\\_Primary\\_School.docx](https://kccconsultations.inconsult.uk/gf2.ti/f/925602/36856837.1/DOCX/-community_consultation_Dartford_Primary_School.docx)

et Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?

Cabinet Committee – 30<sup>th</sup> July 2020.

ews of the local members were sought at the time of the original decision. Their views will be sought on the required increased capital allocation.

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

**Committees**

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

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

and is provided, serviced and remediated, by the developer at no cost to KCC. Officers have determined that the total project is £9m. Of this, the developer will pay £4.6m Developer Contributions under the extant section 106 agreement. This has already been agreed by the Cabinet Member following the original passing of this proposal on 17 October 2019. There is a shortfall of £1.9m, which would need to be funded by the CYPE Basic Need Capital Budget. The School will receive £6,000 per new learning space, which can be used 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 learning room with appropriate ICT equipment, such as touch screens or projection equipment. The school will receive funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum.

**Support documents**

**NOT BEFORE 6 AUGUST 2020**

**Responsible Cabinet Member** - Cabinet Member for Adult Social Care and Public Health

**Reference No:** This technology will assist in freeing capacity in our workforce, whilst maintaining support in a new way to our existing service users. The use of this technology supports Care Act 2014 compliance in driving person centred practice where our service users can be self-determining.

As outlined above, this contract will be let using the G-Cloud 11 Framework

standard contract.

**Key** Yes

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

**Title:**

**20/00066 - Adult Social Care Digital Implementation Support Services**

**The Decision needed:**

**Reason for the decision:**

Following the implementation of the new Adult Social Care and Health (ASCH) case management system, Mosaic, in 2019, ASCH has been seeking ways to make improvements to its functionality. The next phase of Mosaic implementation includes the following workstreams:

- a) **Payments and Charging**
- b) **Mosaic Citizen and Professional portal**
- c) **Operational Business Processes**
- d) **Data Quality**

To implement these workstreams a year 1 investment of between £770,000 and £939,000 will be required.

The main benefits that will be achieved are increased consistency and more efficient processes across the directorate; the release of capacity within Adult Social Care and Health teams to create efficiencies and to improve the user experience (for staff, public and providers)

In 2018, Adult Social Care signed a contract with InterQuest, a delivery partner to assist with the implementation of Mosaic. This provider was secured through the G-Cloud Framework, the governments digital marketplace of pre-approved suppliers. All public sector organisations, including agencies and arm's length bodies, can use the Digital Marketplace to find cloud technology and specialist services for digital projects.

This Digital Implementation contract will be let through the G-Cloud 11 Framework with the competition being conducted through July, ready for a contract to be awarded by Cabinet Member decision in August.

**Background:**

Mosaic was implemented in October 2019, with the initial focus on implementing existing business processes from the previous Adult Social Care organisational structure. As a result, not all the advantages and technological capabilities of Mosaic are being fully utilised and are inconsistent across the Directorate. A range of improvements will be made to Mosaic that enable more efficient case recording, thus freeing up time for staff and improving the flow of cases through the system. To ensure providers are able to deliver care to the most vulnerable, we need to ensure timely and accurate updating of care packages to ensure more accurate payments to

providers for the care delivered. Mosaic needs to provide system led payments to create efficiencies, address late payment issues and improve the financial forecasting and monitoring process. Data Quality also needs to be improved throughout the system to support an improved reporting capability and business insights. This will ensure the application remains robust and resilient, and that accurate and timely reporting is readily available to KCC teams and managers to make informed decisions. An assessment on first point of contact into Adult Social Care and KCC's contact centre was conducted in 2019 which identified the need to make better use of an online platform to promote self-service for people who would prefer to access services and information in this way. This will free up capacity within teams, improve reporting capabilities for KCC and improve the experience for staff, public and providers.

## **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 August 2020

### **Reason if Key Decision**

An Equality Impact Assessment has been undertaken to ensure potential negative impact on protected characteristics can be minimised. Analysis suggests that there is a low risk of negative impact, particularly around digital inclusion, to the following protected characteristic groups - age, disability, gender and race.

### **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 was discussed at the Adult Cabinet Committee on 14 July 2020.

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

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

A year one investment of between £770,000 to £939,000 is required to fund external and internal resource, solution investment and system maintenance costs. There will also be an ongoing annual system maintenance cost of £31,000 for the Portals. Note: these costs are in addition to the current Mosaic costs.

### **Support documents**

NOT BEFORE 1 JULY 2020

**Responsible Cabinet Member** - Cabinet Member for Economic Development

**Reference No:** The extension to the existing inward investment services contract with Locate in Kent from 1 August 2020 to 31 July 2021 is consistent with the Public Contract Regulations 2015 and with Procurement Policy Note 1-20 (Response to Covid19).

**Key** Yes

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

**Title:**

**20/00033 - UPDATED - Inward Investment Services**

**The Decision needed:**

**Background:**

Kent County Council is seeking to extend the existing Inward Investment Services contract with Locate in Kent for the period 1 August 2020 to 31 July 2021. The current contract with Locate in Kent commenced in August 2016 and runs until 8 August 2020.

The existing contract was originally awarded for 3 years to August 2019 with an option to extend for a further 12 months. That extension has already been taken. The overall value of the current contract to August 2020 is £4,262,488.

The Inward Investment Service will deliver, alongside Kent County Council and Medway Council, specific outcomes that contribute to economic development in Kent and Medway. These are:

- More investment opportunities from overseas markets
- Increased supply chain benefits for local businesses
- More inward investment in Kent and Medway
- Raised profile as a destination for inward and foreign direct investment.

The purpose of the service will be to promote and raise the profile of Kent and Medway as an attractive business investment location for UK and foreign-owned businesses relocating and expanding within and into the county, and to create jobs from successful company investments.

Since August 2016, the Inward Investment Service has been funded by Kent County Council, Medway Council and the European Structural and Investment Funds (ESIF) Growth Programme, which is administered by the Ministry for Housing, Communities and Local Government (MHCLG). In March 2020, MHCLG approved an application by Kent County Council for continued ESIF funding to support the Inward Investment Service for

Kent and Medway to March 2023. Both KCC and Medway Council have already confirmed funding to March 2023.

A key condition of ESIF funding is that all service contracts are procured in accordance with the requirements of the Public Contracts Regulations (PCR) 2015. This means that the inward investment service would need to be re-procured so that a new contract could commence in August 2020.

The procurement process had already commenced in January 2020 with the publication of the Prior Information Notice. The intended procurement timeline for the new contract is set out below:

Stage	Timescale
Prior Information Notice	January 2020
Specification Development	October 2019 – February 2020
Tender and Contract Documentation	
OJEU Advert Placed	March 2020
Call for Competition and Selection Questionnaire	March 2020
Tender Issue	April 2020
Tender Return	May 2020
Tender Evaluation and Negotiations	May 2020
Contract Award	June 2020
Contract Mobilisation	June – July 2020
Contract Commences	August 2020

Following the Call for Competition in March 2020, we received three expressions of interest from prospective providers. The Invitation to Tender was due to be issued in the first week of April, However, the Covid19 emergency has meant that KCC's procurement resources have been diverted towards supporting the procurement of health services and supplies associated with the pandemic. This has resulted in significant delays to the procurement process for the inward investment service, which has yet to resume.

The likelihood that procurement of the inward investment service would not be completed until much later in the year was brought to the attention of MHCLG in March 2020. At the request of MHCLG, the County Council commissioned Invicta Law to provide a legal opinion as to whether an extension to the current contract with Locate in Kent would be consistent with Regulation 72(1) of PCR 2015 and with Procurement Policy Note 1-20 (Response to Covid19) issued by the Cabinet Office in March 2020. Following the advice given by Invicta Law, on 30 April 2020 MHCLG agreed to allow an extension of 12 months to the current contract with Locate in Kent.

**The extended inward investment services contract will be to 31 July 2021 and will cost £1,060,000. The contract will be funded by KCC, Medway Council and the ESIF Growth Programme.**

The service will aim to promote and raise the profile of Kent and Medway as a

business location with the aim of attracting new investment from Kent, UK and overseas businesses, creating jobs and economic prosperity. Contracted outputs for the period 1 August 2020 to 31 July 2021 will be 1,400 new jobs from SMEs and non-SMEs and 50 successful projects. There will be specific outputs for the ESIF-funded part of the project to provide consultancy support to SMEs and to create new jobs, which are included within the overall 1,400 target.

#### **Options considered:**

Two options were considered in addition to a Do Nothing option:

- **Doing nothing.** This would mean having no further external service commission after the cessation of the current contract with Locate in Kent, and no in-house provision within KCC. This would provide significant financial savings to KCC. However, because there is currently no comparable business support service in Kent and Medway, this would result in a failure to capitalise on opportunities for growth in the local economy and job creation. It would also result in loss of funding support from Medway Council and the ESIF Growth Programme.
- **Option 1 – Do minimum.** This would mean establishing for the first time a bespoke, outward-facing business support service based in KCC. Although currently KCC does not have the expertise in-house to provide the specialised, face-to-face support that businesses want, this would potentially deliver cost savings to the County Council. However, it is unlikely to attract financial support from Medway Council, the ESIF programme and the private sector. There would also be TUPE implications of transferring staff from the current supplier to KCC.
- **Option 2 – Preferred option.** This is to extend the contract for 12 months from 1 August in line with PCR 2015 Regulation 72(1), ceasing the current procurement process until early 2021 and allowing up to six months to re-tender with adequate mobilisation periods should the existing supplier change. Prospective suppliers who have submitted Selection Questionnaires will be formally notified by KCC's Strategic Commissioning team about the halt in the procurement process due to the Covid19 pandemic. They will be advised as to the revised indicative procurement timescales and contacted when the new advert is published. The award of a new contract for the period August 2021 to March 2023 will require a Key Decision.

#### **How does the proposed decision meet the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'?**

The project supports KCC's Strategic Outcome 2 (Kent communities feel the benefits of economic growth by being in work, healthy and enjoying a

good quality of life). It also supports the following themes that influence the achievement of Outcome 2 (Planning for Growth, Investing in our Infrastructure, Standing up for Kent and Smart Places).

The project is consistent with the emerging draft of Kent's Economic Recovery Plan, which recognises the need to support businesses in the return to growth including through focussed efforts on place marketing, sector specific support and supply chain development and support for innovation.

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

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

Cabinet Member for Economic Development

#### **Date:**

Not before July 2020

### **Reason if Key Decision**

Equalities implications:

An Equalities Impact Assessment has been undertaken for the service. No issues have been identified.

Data Protection implications:

An early stage Data Protection Impact Assessment has been undertaken for the service. No issues have been identified although this will be kept under review 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**

Is any public consultation planned or has already been undertaken? No.

Cabinet Committee consultation planned or undertaken. The proposed contract was considered by Growth, Economic Development and Communities Cabinet Committee on 13 September 2019.

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

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

The expected total revenue cost of the contract from 1 August 2020 to 31 July 2021 is £1,060,000. There are no capital costs. This would be funded by KCC (£510,000), Medway Council (£70,000) and ESIF (£480,000). KCC's financial contribution for 2020-1 is included within the GET Revenue Budget for 2020-21 (row 79) as agreed by County Council (February 2020). Medway Council's financial contribution has already been confirmed for the period 2020-23.



ESIF funding to March 2023 was confirmed on 26 March 2020.

**Support documents**

**NOT BEFORE 17 JUNE 2020**

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

**Reference No:** KCC will enter into a Conditional Agreement with the TFM providers by way of a Contract Change Notice. This agreement is outside of the current delegated authority envisaged under the original decision No 12/01838.

**Key** Yes

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

**Title:**  
**20/00054 - Extension of TFM contract**

**The Decision needed:**

Background

The current TFM (Total Facilities Management) contracts with Amey and Skanska expire in October 2021. Prior to March the Council was at the initial market testing stages of finalising the scope and approach for the procurement of new facilities management services when the existing contracts came to an end. To meet this timetable the competition was due to start in June/July, COVID-19 has had a significant impact on the wider market and whilst there remains a strong interest from the market, in order to ensure that the Council has the strongest position, it is prudent to delay the start of the re-procurement to allow the market position to stabilise.

Reason for the decision

The decision is needed to ensure that KCC properties continue to receive Facilities Management Services, including for example, maintenance, cleaning, security and statutory compliance. The cost of the extension will exceed £1million and is outside of the original delegated authority envisaged under the original contracts.

**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

<p>Services</p> <p><b>Date:</b> Not before June 2020</p> <p><b>Reason if Key Decision</b> No EqlA impacts are envisaged as there is no change from the current contract, an EqlA assessment has been completed.</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>No requirement for public consultation.</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 financial implication is approximately £20 million per annum which split between revenue and capital and are provided for within the current infrastructure budgets. The overall cost depends on the length of the extension which will not be known until a later date but will be adjusted in line with the contract indexation provisions.</p> <p><b>Support documents</b></p>

**NOT BEFORE 3 JUNE 2020**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> Any legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision.</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>20/0047 - Proposal to establish two 16 place Specialist Resourced Provisions (SRPs) for ASD in Thanet District at Garlinge Primary School &amp; Nursery and Holy Trinity and St John's CE Primary schools from January 2021</b></p>

**The Decision needed:**

**Background:** Around 3% of the total school population for which the Local Authority is responsible for have an Education, Health and Care Plan (EHCP). The number of pupils in the Thanet District with an Education, Health and Care Plan (EHCP) in January 2019 was 1,369. This was an increase of 12.8% from 2018. This was higher than the national increase of 11%. As at January 2019, 4.8% of the pupils aged 5-19 years in Thanet (maintained and independent) were subject to an EHCP. Pupils with an EHCP in Kent are less likely to be educated in a maintained mainstream school than would be expected nationally. The establishment of SRPs attached to mainstream schools is part of the continuum of provision to enable pupils to be included within mainstream settings.

A number of students with an EHCP require higher level of support than can be provided in mainstream schools, but their needs are not so complex that a special school placement is appropriate. For these students we maintain a range of Specialist Resourced Provisions (SRPs) which are based in mainstream schools with places reserved for students with an EHCP.

Autistic Spectrum Disorder (ASD) remains the most common primary need type with 40% of children and young people aged 0-25 years having an EHCP with this primary need identified. This is significantly higher than the national figure of 29%

Currently there are no SRPs in the Thanet district for primary aged children for ASD.

**Options:** Options regarding the establishment of SRPs has been fully investigated with the SEN team and Garlinge Primary School & Nursery and Holy Trinity and St Johns Primary School were considered to be the best options to create an SRP for ASD for 16 children at each school. Both school's governing bodies are fully in support of the proposals and creating two provisions will enable choice for parents in Thanet with a child who requires additional support from an SRP provision.

**Proposed decision:** The Cabinet Member for Education and Skills is asked to:

- (i) Issue two public notices to establish two 16 place Specialist Resourced Provisions (SRPs) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery and Holy Trinity and St John's CE Primary School from January 2021.

And, subject to no objections being received to the public notices

- (ii) Establish two 16 place Specialist Resourced Provisions (SRPs) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery and Holy Trinity and St John's CE Primary School from January 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 June 2020

### **Reason if Key Decision**

An Equality Impact Assessment has been produced as part of the consultation process for both proposals and is attached. The assessment identified the following positive impacts:

- Children with ASD in the Thanet district will be able to attend provision local to their homes.
- Children with ASD will be able to attend SRP provision in mainstream primary schools in Thanet.
- There will be two SRPs for Primary school aged children with ASD established in the in the Thanet District.

No adverse impacts were identified during the assessment. The outcome of the public consultation and community consultation will enable the Local Authority to test out these assumptions.

### **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 for both proposals is taking place from 11 March 2020 to 6 May 2020. A drop-in information session was arranged for 21 April at Garlinge Primary School and 28 March at Holy Trinity and St Johns CE Primary School. However due to the current Covid-19, social distancing and the closure of schools to all but keyworker and vulnerable children, the drop-in sessions have been cancelled. Consultation documentation can be found at

<https://www.kent.gov.uk/education-and-children/schools/school-consultations>

A report is planned to be submitted to the Children's, Young People and Education Cabinet Committee meeting on 26 June 2020.

Views will be sort from the Local Members during the consultation period and will be included in the report submitted to Children's, Young People and Education Cabinet Committee on 26 June 2020.

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

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

Feasibility studies have been carried out at both schools to develop the

proposals for the establishment of the SRPs. Garlinge Primary and Nursery School: The feasibility estimates the costs for this proposal to be £895,627. The proposal is for a new two classroom extension with care facilities and small group rooms. The CYPE Cabinet Committee report will confirm the costs as the concept designs are prepared and surveys completed for the planning application. Holy Trinity and St Johns CE Primary School: The feasibility estimates the costs for this proposal to be £532,644. The proposal is to refurbish a building which is currently used for SEN interventions and was once the on-site nursery. It will include two classrooms with care facilities and small group intervention rooms. The CYPE Cabinet Committee report will confirm the costs as the concept designs are prepared and surveys completed for the planning application.

**Support documents**

**NOT BEFORE 21 APRIL**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Highways and Transport</p> <p><b>Reference No:</b> Heads of Terms have been drafted for the sale of the required third-party land and are to be communicated to the landowner in due course. It is not anticipated that this process will be delayed, and negotiations continue with the landowners representative who attends the Project Steering Group Meetings.</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>20/00028 - A20 London Road Aylesford Junction Improvement</b></p> <p><b>The Decision needed:</b>  <b>Background:</b></p> <ul style="list-style-type: none"> <li>• The scheme involves the removal of the existing signalisation and provision of an elongated roundabout at the crossroads junction of A20 London Road with Hall Road and Mills Road.</li> <li>• The A20 is a key route into Maidstone and to M20 J5 from the west. Mills Road serves the Quarry Wood industrial and retail estate that serves over eighty firms including a supermarket. The existing junction is at capacity with regular congestion at peak periods and it will come under increasing pressure from committed and future developments in</li> </ul>

the area. Although the junction is located within Tonbridge & Malling Borough area the scheme is complementary to the proposed Maidstone Integrated Transport Programme of schemes.

- The objective of the scheme is to improve the efficiency of the junction and provide additional capacity together with dedicated signal-controlled pedestrian crossings and rationalised bus layby locations.

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

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

Cabinet Member for Highways and Transport

### **Date:**

Not before April 2020

### **Reason if Key Decision**

An Equality Impact Assessment has been completed for this project, see background documents. This has concluded that none of the Protected Characteristics are affected by the proposed scheme and therefore KCC will periodically review this document whilst keeping all the relevant groups informed and updated.

### **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 was considered and endorsed at the Environment and Transport Cabinet Committee on 17 July 2020..

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

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

The estimated cost of the A20 London Road Ayelsford roundabout scheme is £3.5m; the allocation from the Local Growth Fund is £2.2m and Developer Contribution of £1.3m. Costs of developing the scheme are included within the estimate. Feasibility design work was funded via a previously endorsed SELEP Business Case.

### **Support documents**

**NOT BEFORE 14 APRIL BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet</b></p> <p><b>Reference No:</b> There are no legal implications arising from the decision.</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>20/00027 - Clean Up Kent and Public Realm Improvements</b></p> <p><b>The Decision needed:</b> <b><u>Proposed Decision:</u></b></p> <ul style="list-style-type: none"><li>a) Approve a programme of works to deliver a range of projects to ‘clean up’ Kent and to improve the public realm across Kent</li><li>b) Approve the proposed funding allocations and project development arrangements required to support and deliver the programme; and</li><li>c) Delegate authority to the Corporate Director for Growth Environment and Transport to take relevant actions, including but not limited to, entering into relevant contracts, legal arrangements or other arrangements, as necessary to implement this decision.</li></ul> <p><b><u>Background:</u></b></p> <p><i>Kent’s Future, Our Priority</i> will become Kent County Council’s new 5 Year Plan, to replace the previous strategic statement <i>‘Increasing Opportunities, Improving Outcomes (2015-2020)’</i>. The Plan is structured around seven outcomes which reflect the key things that residents and businesses said were essential to a good quality of life in Kent. One of the seven outcomes is, ‘A cleaner and greener Kent.’</p> <p>A key message from the recent public consultation was that residents care about the places they live in, they are proud of where they live, and want to protect these places by looking after the quality, maintenance and cleanliness of our physical environment, especially town centres, local streets, beaches, public rights of way and green spaces.</p> <p><b><u>Options:</u></b></p> <p>It was also clear from the public consultation that residents wanted the County to be clear how it will deliver the plan. This detail is contained within the 5-Year Plan objectives including working with partners to improve the quality of Kent’s public realm. It is intended that a range of physical improvements will be developed, in conjunction with local stakeholders to reflect different</p>

priorities but will be targeted at cleaning up and improving the quality and appearance of the public realm.

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

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

Cabinet

#### **Date:**

Not before April 2020

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

- Equalities implications  
Equalities Implications:  
There are no equality implications directly arising from the decision. An EqlA will be undertaken for individual projects as they are developed.  
  
Data Protection implications  
No personal data will be collected, therefore 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 decision is based on consultation feedback from the 5 Year Plan. Consultation included targeted workshops and a public consultation. Members were also involved via a cross-party Member workshop and political group briefings. The Leader also wrote personally to key partners to welcome their views in the consultation.

The proposed decision will be discussed at the Environment and Transport Cabinet Committee on 31 March and final decision will be taken at Cabinet on 27 April 2020.

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

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

An allocation for funding has been made from the Growth for Strategic Statement Priorities revenue budget line. There is also potential for Districts and Boroughs to match fund.

### **Support documents**



<p><b>Responsible Cabinet Member - Cabinet Member for Environment</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>20/00025 - Kent County Council adoption of Kent Nature Partnership Biodiversity Strategy 2020-2045</b></p> <p><b>The Decision needed:</b> <b>Background:</b></p> <p>The Kent Nature Partnership Biodiversity Strategy (the Strategy) sets out the contribution the county of Kent can make to the Government’s ambition to “leave our environment in a better state than we found it” and the further aspirations set out in its 25 Year Environment Plan, A Green Future (2018). The Kent Biodiversity Strategy aims to help steer the collective action of conservationists, government, business and individuals to work in partnership so that the county’s natural landscape can be restored, and threatened species can be saved.</p> <p>The Strategy aims to deliver, over a 25-year period, the maintenance, restoration and creation of habitats that are thriving with wildlife and plants, ensuring the county’s terrestrial, freshwater, intertidal and marine environments regain and retain good health. It looks to protect and recover threatened species and enhance the wildlife habitats that are particularly important in Kent. It also aims to provide a natural environment that inspires citizen engagement and is well used and appreciated, so that the mental and physical health benefits of such a connection can be realised by the people of Kent.</p> <p>These aims will be achieved through the delivery of the following goals in Kent for 2045:</p> <ul style="list-style-type: none"><li>• A rich and growing terrestrial biodiversity, underpinned by more resilient and coherent ecological networks and healthy, well-functioning ecosystems.</li><li>• Clean, plentiful and biologically diverse freshwater and intertidal ecosystems underpinned by implementation of a catchment-based approach.</li><li>• A reverse in the loss of marine biodiversity and delivering clean, productive and biologically diverse oceans and seas through good management.</li><li>• The widest possible range of ages and backgrounds will be benefiting</li></ul>

from the mental and physical health benefits of the natural environment; and we will have inspired the next generation to take on guardianship of the county's biodiversity.

Action is steered by a broad spectrum of ambitious objectives. In addition, the Strategy includes priority habitats and species, the restoration of which, can play a significant part. The Strategy also looks to further work addressing overarching considerations affecting biodiversity recovery including wilding, climate change, natural solutions, soil health and invasive species.

The Strategy was prepared for the Kent Nature Partnership by Kent County Council and the Kent Wildlife Trust under the guidance of a Task and Finish Group, comprising members of the Kent Nature Partnership.

Following stakeholder engagement and a formal consultation process in 2019, the Strategy was approved by the Kent Nature Partnership on 28th February 2020. It is now with the Kent Nature Partnership's partners for adoption or endorsement.

The Strategy supports the Council's Strategic Outcome of "Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life" by helping to support a physical and natural environment that is protected, enhanced and can be enjoyed. The Strategy will also contribute to a good quality of life and, through local plans, will help steer well planned housing growth. The review is backed by an Equality Impact Assessment.

It is considered that the Kent Biodiversity Strategy can be adopted by KCC. It is not anticipated that the Strategy will place any new financial burdens on the authority in terms of its implementation. Rather it will influence the way it delivers its services and capital works, and, potentially, where it may direct resources and investment in the future.

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

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

Cabinet Member for Environment

### **Date:**

Not before April 2020

### **Reason if Key Decision**

The Strategy supports the Council's Strategic Outcome of "Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life" by helping to support a physical and natural environment that is protected, enhanced and can be enjoyed. The Strategy will also contribute to a good quality of life and, through local plans, will help steer well planned housing growth. The review is backed by an Equality Impact Assessment.

### **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>
<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>  It is considered that the Kent Biodiversity Strategy can be adopted by KCC. It is not anticipated that the Strategy will place any new financial burdens on the authority in terms of its implementation. Rather it will influence the way it delivers its services and capital works, and, potentially, where it may direct resources and investment in the future.</p> <p><b>Support documents</b></p>

**NOT BEFORE 24 MARCH 2020 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Reference No:</b> KCC will obtain all necessary consents from the LL.</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>20/00019 - Dartford Youth Centre</b></p> <p><b>The Decision needed:</b>  <b>Background:</b></p> <p>Kent County Council (KCC) has a long ground lease interest in a site known at Dartford Youth Centre (DYC). The land is located in the Temple Hill area of Dartford. The land upon which DYC is built; is owned by Dartford Borough Council (DBC) who is landlord to the County Council.</p> <p>The centre requires complete refurbishment to bring it into reasonable repair. Most of the property has been occupied by a private gym operator who wishes to take a long lease of the entire property. The present operator wishes to take a long lease to enable it raise funds for refurbishment.</p>

<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Date:</b> Not before June 2020</p> <p><b>Reason if Key Decision</b> The proposed sublease will provide an opportunity for the club to invest in the building; providing an enhanced community facility; which in turn will help to improve the health and well being for the community.</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>Cabinet Committee Members were engaged informally via email in advance of this proposed decision being published and all comments received were duly considered by the Cabinet Member.</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> Peppercorn rent per annum throughout the term of the sublease. Each party to bear their own legal costs. In return for a peppercorn rent, the gym provider will be required to put the building and grounds into a good state of repair within an agreed timeframe.</p> <p><b>Support documents</b></p>

**NOT BEFORE 18 JANUARY 2020 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> Any legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision to allocate the funding.</p>
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<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>20/00007 - Proposal to permanently increase the capacity at Pilgrims Way Primary School, Pilgrims Way Canterbury CT1 1XU</b></p> <p><b>The Decision needed:</b>  <b>Background –</b></p> <p>The Kent Commissioning Plan for Education 2019-2023 identifies a need for additional places in the Canterbury City Planning Area from 2021 this is due to pressures from new housing developments in Canterbury City and specifically the private development on the former Howe Barracks Site. This development will produce a total of 500 new homes. In addition to this, the refurbishment of former army houses by Redbridge Council is resulting in 38 new families moving in from November 2019. To mitigate the need for places, it is proposed that Pilgrims Way will expand by 0.5 forms of entry (FE) to become a 2FE Primary school. Pilgrims Way is the nearest primary school to these developments and was named for any developer contributions linked to the development of private housing on the former barracks site. Canterbury City Council Local Plan identifies 16,000 new homes over the plan period to 2031. 8,737 are planned for the Canterbury area, with 6,533 in the Canterbury City Primary planning area where Pilgrims Way Primary School is located. Pilgrims' Way Primary School was registered as a new school on 1st May 2018 and is part of the Veritas Academy Trust. They are awaiting their first Ofsted inspection. Currently Pilgrims Way has 261 on the school roll with 31 on the nursery roll totalling 292 (May school census 2019)</p> <p><b>Proposed decision –</b></p> <p>To expand Pilgrims Way Primary School by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2021.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b>  Cabinet Member for Education and Skills</p> <p><b>Date:</b>  Not before January 2020</p> <p><b>Reason if Key Decision</b>  An Equality Impact Assessment has been produced as part of the proposal and will be considered as part of the decision making process.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous</b></p>

<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>A public consultation was held between 4 October 2019 and 22 November 2019 and the feedback from this will be included in CYPE Cabinet Committee report. During this period a pre planning consultation event was held at the school on Monday 18 November 2019.</p> <p>The report to the CYPE CC to approve the proposal will be presented at the 10 January 2019 cabinet committee meeting.</p> <p>The local member has been informed of the proposal and their views have been sought during the public consultation period. Their view will be included in the CYPE Cabinet Committee report.</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 feasibility estimates the costs for this proposal to be £1.9m and the CYPE Cabinet Committee report will update costs as the concept designs are prepared and surveys completed for the planning application. Up to £2,500 is provided for each newly provided learning space for ICT equipment from the Capital budget. Totalling £10,000 for this project. £81,473.63 in developer contributions has been collected by Canterbury City Council towards the 0.5FE expansion of Pilgrims Way Primary School. A further £843,560 is expected but not received and £4,986 has been requested but not agreed. A total of £930,019.63 is therefore expected from developer contributions towards the expansion. As per KCC policy a total of £6,000 per new learning space will be provided to the school from the DSG revenue budget. For this proposal, costs will be £24,000.</p> <p><b>Support documents</b></p>

**NOT BEFORE 10 JANUARY 2020 BY CABINET MEMBER**

<b>Responsible Cabinet Member -</b>
<p><b>Reference No:</b> None Known</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's</b>

## **Corporate Outcomes and the Costs and risks involved.**

### **Title:**

### **19/00096 - KCC's Civil Society Strategy**

### **The Decision needed:**

The Civil Society strategy (working title) will replace KCC's existing VCS policy and set out the future relationship with civil society and the 'social sector', voluntary, community and social enterprise sector (VCSE), as a core part of that. The strategy will also set out the objectives and intentions for KCC's future offer of support to the VCSE. How this will be delivered will be set out in a subsequent action plan, which will include the financial implications and commitments.

The strategy will include the grant framework for the council, which was developed in 2015 and has been updated based on feedback from the past 4 years of operation. This is intended to create consistency and clarity in the way we award grants to the VCSE across the Council.

The strategy will also replace the Kent Partners Compact, which was last revised in 2012 and will set out the principles of how we will engage and work with the VCSE in the future.

This will be a supporting strategy to the new Strategic Statement for the Council, to be agreed in early 2020 and will support a number of key objectives.

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

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

### **Date:**

### **Reason if Key Decision**

An Equalities Impact Assessment screening has been undertaken.

### **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**

**Early engagement has taken place through VCSE networks and representative bodies. Formal consultation will open in February (estimated) and will be for a 6-8-week period.**

<p><b>Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend?</b></p> <p><b>A draft proposal to go out to consultation in the new year and with a high-level outline of the strategy structure was taken to Policy and Resources Cabinet Committee on 8<sup>th</sup> November. The final draft of the strategy informed by the consultation will go back to P&amp;R Committee on 12th May (<i>estimated</i>).</b></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>None Stated</p> <p><b>Support documents</b></p>

**NOT BEFORE 18 DECEMBER BY 2019 CABINET / CABINET MEMBER**

<p><b>Responsible Cabinet Member - Cabinet Member for Economic Development</b></p> <p><b>Reference No:</b> A legal agreement will need to be drawn up between KCC and Essex County Council to effect the transfer of Growing Places Fund monies to KCC.</p> <p>A legal agreement will need to be drawn up between KCC and the borrower to transfer the Growing Places Fund monies to the borrower. The loan agreement would incur a charge being taken against the assets of the borrower.</p> <p>KCC would maintain responsibility for monitoring repayments from the successful borrower.</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>19/00095 - Discovery Park: Growing Places Fund</b></p> <p><b>The Decision needed:</b> Proposed Decision:</p> <ul style="list-style-type: none"> <li>• <i>Kent County Council be the administration and funding decision authority for the £5.3m allocation from SELEP’s Growing Places Fund;</i></li> <li>• <i>KCC draws down capital funds of £5.3m from the Growing Places Fund;</i></li> </ul>



- *KCC makes available loan finance of up to £5.3m from the Growing Places Fund to support works at Discovery Park to build a spine road and associated infrastructure to enable the building of 500 new residential homes;*
- *Authority be delegated to the Director of Economic Development to take appropriate actions, including but not limited to, entering into legal agreements as necessary to implement this decision.*

*Provided that:*

1. *Kent County Council is able to agree a satisfactory loan agreement from Essex County Council as the accountable body for SELEP's Growing Places Fund; and*
2. *The receipt of a satisfactory application for loan finance for the works at Discovery Park subject to the rules of the Growing places Fund and the findings of an independent financial appraisal.*

***Background:***

KCC shall invite applications for loan finance of up to £5.3m for infrastructure at Discovery Park. This £5.3m will be obtained from the Growing Places Fund (GPF), which is administered by the South East Local Enterprise Partnership (SELEP). Applications will then be appraised and considered through the same process as that which is currently used to determine applications for loans from the Kent and Medway Business Fund (KMBF). This means that any application will be required to submit a full business plan, be subject to independent appraisal and be considered by the KMBF Investment Advisory board before a decision is made by KCC. The owners of the Discovery Park site are aware of this proposed process and we anticipate that an application will be forthcoming when the process is launched. In parallel with this process, KCC shall seek to enter into a loan agreement with Essex County Council (the Accountable Body for GPF). These terms have been discussed with Essex County Council and have received an in-principle agreement. However, they will need to be formalised when an agreement to lend to a borrower have been reached.

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

The alternative would be for Kent County Council not to act as an agent for SELEP for the £5.3m Growing Places Fund loan. There is no evidence that this would be a more effective way of achieving the outcome of securing investment in Discovery Park, and there is a risk if the funding allocation is returned to SELEP that it is no longer ring-fenced for investment in Discovery Park or the wider Kent area.

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

**Who is taking the Decision**

Cabinet Member for Economic Development

**Date:**

Not before December 2019

**Reason if Key Decision**

Equalities implications – An Equalities Impact Assessment will be undertaken should a loan application be received.

Data Protection implications – To enable KCC to administer the Kent and Medway Business Fund, it is required to hold personal details about the borrower. KCC also collects anonymised information about protected characteristics as part of its Equalities Impact Assessment monitoring.

**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 Key Decision will be discussed 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:**

The loan of £5.3m will be capital funding allocated from non KCC funding sources (that is, the SELEP Growing Places Fund). KCC estimates that there will be revenue costs associated with application processing, appraisal, valuation and legal costs: these can be confirmed at the application stage. There will also be an ongoing administrative cost to KCC related to monitoring over the period of the loan, which would be covered by an administration charge levied on the borrower.

**Support documents**

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

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

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

<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>19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020</b></p> <p><b>The Decision needed:</b>  <b>Background Information:</b></p> <p>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: <a href="http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision">http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision</a>.</p> <p>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.</p> <p>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.</p> <p><b>Proposed Decision:</b></p> <p>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.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<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 EqIA has been completed. There are no issues identified, but officers will continue to monitor.</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</b>

## **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**

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

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

<p>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>
<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>19/00058 - Strategic Acquisition &amp; Disposal, Maidstone East</b></p> <p><b>The Decision needed:</b>  <u><b>Proposed decision:</b></u></p> <p>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.</p> <p><b><u>Background:</u></b></p> <p>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.</p> <p>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.</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 Corporate and Democratic Services</p> <p><b>Date:</b>  Not before October 2019</p> <p><b>Reason if Key Decision</b>  N/A, although will be taken fully into account in the planning phase.</p>

<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 considered at the Policy and Resources Cabinet Committee on 20 September 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>  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.</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</b></p>

## **transformation of Public Health services**

### **The Decision needed:**

#### **Proposed Decision:**

To agree the extension of collaborative partnership arrangement with Kent Community Health NHS Foundation Trust (KCHFT) until at least March 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 30 JULY 2019 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Community and Regulatory Services</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 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.</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>19/00052 - Gypsy and Traveller Pitch Allocation Policy</b></p> <p><b>The Decision needed:</b> Proposed Decision:</p> <p>To revise and update Kent County Council’s (KCC) Gypsy and Traveller Service Allocations Policy for managed sites.</p> <p><b>Background:</b></p> <p>This review work is part of ongoing, council-wide activity to update and improve our processes, policies and practices.</p> <p>The priorities for the Gypsy and Traveller service are to:</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• 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.</li></ul>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b></p>

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.

**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 discussed at the Environment and Transport Cabinet Committee on 16 July 2019.

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

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

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.

Increased, consistent vetting of tenants will ensure that affordability of pitches is checked prior to licences to occupy being issued.

Recovery of 100% of rent costs for all tenants is critical to enable the ongoing quality, sustainable management of the sites in the future.

**Support documents**

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

**Reference No:** 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

<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>19/00055 - 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>
<b>Section 2 – Who is taking the final decision and when</b>
<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>
<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 was considered and endorsed 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>  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**

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

**Reference No:** N/A

**Key** Yes

**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 access 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**

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

Cabinet Member for Children, Young People and Education

### **Date:**

Not before May 2019

### **Reason if Key Decision**

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.

### **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 does not need to be considered by the Infrastructure Commissioning Board as the proposal is outside of the terms of reference.

Consultation on the proposal to open a new school would be a matter for Tenax Trust and the DfE.

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

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

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.

### **Support documents**

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

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

**Reference No:** N/A.

**Key No**

**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.

<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 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.</p> <p>The interim contract will be discussed by the Health Reform and Public Health Cabinet Committee on 24 January 2018.</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> The value of the proposed interim contract is up to £1.46M (£730k pa) for the period 1 April 2018 to 31 March 2020.</p> <p><b>Support documents</b></p>

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b> None</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>17/00094 - Disposal of Land East of Great Chart Primary School, Singleton</b></p> <p><b>The Decision needed:</b> 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.</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 and Democratic Services</p> <p><b>Date:</b> Not before October 2017</p> <p><b>Reason if Key Decision</b> None</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b> 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>
<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>Property decisions to be discussed at the Property Sub Committee.</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> Property holding costs will cease upon sale.</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>
<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>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**

