



## **FORWARD PLAN OF DECISIONS**

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

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

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

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

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

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

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

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

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

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

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



**NEW**

**NOT BEFORE 23 DECEMBER 2020**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Education and Skills</p> <p><b>Reference No:</b> N/A.</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>20/00112 - Changes to the KCC local funding formula for schools</b></p> <p><b>The Decision needed:</b> <u>Proposed Decision</u></p> <p>To approve changes to the Kent County Council local funding formula for schools that is used to calculate school budgets from 1 April 2021.</p> <p>Delegate authority to the Corporate Director of Children, Young People and Education to make any necessary changes to the Local Funding Formula rates once final affordability is known in January 2021 after provisional school budgets have been calculated</p> <p><u>Reason for the decision</u></p> <ul style="list-style-type: none"><li>• In response to the Government confirming the additional funding for schools, Kent County Council is set to receive approximately £36m additional funding in 2021-22 for primary and secondary school budgets and approximately £20m for high needs related services. Funding for Early years providers is yet to be confirmed. This decision will confirm how this additional funding will be distributed in line with Government guidelines.</li><li>• Background: The Government has confirmed the Council continues to be responsible for operating a local funding formula for Kent maintained schools (and this formula is also used by the Education and Skills Funding Agency for calculating Kent academy budgets) during 2021-22 and legislation dictates that any changes to that formula is subject to an all school consultation. The consultation will focus on how we allocate any additional funding and a request to transfer a further 1% from the schools to the high needs block to support inclusive practices in schools (the latter is also subject to Secretary of State approval).</li><li>• Options: the options considered are outlined in the consultation</li></ul>

document to schools. Proposed changes to the primary and secondary schools funding formula have been limited to avoid any excessive deviation from the National Funding Formula (NFF) used by Government to allocate school funding to local authorities for distribution to schools. This is in line with previous recommendations from both schools & the Schools Funding Forum who have supported the general principle that “our Local Funding Formula should move towards the NFF, but at the same time continue to utilise local flexibility to address areas of local concern”. Mandatory factors and rates prescribed by Government have also limited proposed options.

- The decision is linked to achieving the objective “the Children and young people in Kent get the best start in life” within the ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before December 2020

### **Reason if Key Decision**

An equalities impact assessment has been completed and is included as part of the consultation documentation. There were no adverse impacts identified. The EQIA will be reviewed in light of consultation response and final proposals to both the Schools Funding Forum and Cabinet Member for 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**

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

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

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

### **Support documents**

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

**Reference No:** The procurement process has been followed in accordance with Public Contracting Regulations 2015.

Data Protection implications:

A DPIA was required and has been completed.

**Key** Yes

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

**Title:**  
**20/00109 - Community Based Wellbeing Service Contract Award - Phase 1**

**The Decision needed:**

Proposed decision –

AWARD contracts for the provision of Community Based Wellbeing Services for a period of three years with the option to extend for further single year periods of up to two years;  
DELEGATE authority to the Corporate Director of Adult Social Care and Health, after consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director Finance, to agree the relevant contract extensions as required; and  
DELEGATE authority to the Corporate Director of Adult Social Care and Health to take other relevant actions, including but not limited to finalising the terms of and entering into required contracts or other legal agreements, as necessary to implement the decision.

Reason for the decision:

Adult Social Care has historic grant arrangements in place with voluntary and community sector providers across the county. These grants provide a contribution towards the costs of services that support older people, people living with dementia, people with a physical disability and people with sensory impairments.

There are issues related to use of historic grant arrangements including an inconsistency in the type of support and services funded across the county, lack of correlation between spend and demographic factors, limitations in the ability to monitor the performance of services and therefore to understand the impact that services have on people.

A phased procurement process was commenced early in 2020 to award a number of contracts to replace the historic grant arrangements. The three contracts to be awarded in Phase One will be for services to support older people (55+) in West Kent, support older people in Thanet and South Kent Coast, and support people with sensory impairments across the county.

This decision supports KCC's Strategic Statement through supporting key providers that deliver services to older and vulnerable residents that will ensure they are safe and supported with choices to live independently. This decision relates to the proposal within the Strategic Delivery Plan of moving organisations from grants to contracts.

This decision supports the Strategic Reset programme by implementing Asset Based Commissioning.

The contracts will enable the Council to meet its duties under the Care Act 2014 by promoting wellbeing for individuals and their Carers, through the provision of information and advice that enables people to make choices about their care, by preventing or delaying people deteriorating to the point where they require health or social care support and through supporting market sustainability.

## **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 December 2020

### **Reason if Key Decision**

An EqlA has been carried out. Potential for adverse impact on some groups with protected characteristics as a result of this project were identified. Actions have been identified to mitigate these effects, including a contractual performance framework that will ensure outcomes of the contract are monitored and delivered for all groups of people with protected characteristics.

An Equality Analysis/Impact Assessment (EqlA) will be included in the decision paperwork.

### **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**



<p><b>Consultees</b></p> <p>The proposed decision will be discussed at the Adult Social Care Cabinet Committee meeting on 25 November 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> It is anticipated that the total value of the Phase 1 contracts will be £16.4m over the full possible lifetime of the contracts (5 years).</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> New services joining the contract will be assessed in line with current Public Contract Regulations 2015 and therefore there is a low risk of legal challenge.</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>20/00108 - Residential Care Home Services Contract For People With Learning Disability, Physical Disability And Mental Health Needs - Opening Of The Dynamic Purchasing System</b></p> <p><b>The Decision needed:</b> Proposed decision: To approve the use of the Dynamic Purchasing System to enable new services to join the Residential Care Home Services Contract 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.</p> <p>Reason for the decision: The Dynamic Purchasing System is a procurement method designed to be opened periodically to enable new entrants to join, to meet our needs and demand and forms part of the process for the commissioning of Residential Care Home Services for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. Contracts for these services were awarded under decision number 18/00030, however, provision was not made in that decision to allow new</p>

services to join the contract. This decision seeks authority to use the Dynamic Purchasing System on a regular basis to ensure the appropriate mechanism is in place to award contracts to new services joining the Residential Care Home Services Contract.

Care homes form part of the services to meet statutory requirement for provision of services across Kent for People with a Learning Disability, People with a Physical Disability and People with Mental Health Needs. This provision relates to Strategic Outcome 2 and 3.

- Focus on improving lives by ensuring that every penny spent in Kent is delivering better outcomes for Kent's residents, communities and businesses
- Older and vulnerable residents are safe and supported with choices to live independently
- Those with long term conditions are supported to manage their conditions through access to good quality care and support

## **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 December 2020

### **Reason if Key Decision**

The Equality Impact Assessment has been updated with the changes proposed and can be fully considered.

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

Cabinet Committee consultation planned: The proposed decision will be discussed at the Adult Social Care Cabinet Committee meeting on 25 November 2020.

Has any public consultation been undertaken or is any planned?

Market and stakeholder engagement was undertaken around shaping the new contracts.

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

### **Consultees**

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

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

The Dynamic Purchasing System is a procurement method to allow new

entrants to join the contract. It is estimated that costs for services joining the Residential Care Home Services Contract through the Dynamic Purchasing System will be the same as previously reported and in line with the current overall value of the contract. Current contract arrangements are for a minimum of 4 years with 2 x 2year extensions. The total value of the 4-year contract is approximately £412m.

**Support documents**

**NOT BEFORE 2 DECEMBER 2020**

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

**Reference No:** The local authority has a statutory obligation to complete assessments (EHCPs) in a 20-week timeframe. As an authority we are, in a number of cases, failing in this duty impacted by the capacity of the EP Service. Establishing a contract seeks to address this.

In 2019 Ofsted and the CQC undertook a joint inspection of Kent's SEND offer and how this is implemented across the county. The inspection identified the following

- The Fragmented system means that too many children and young people with SEND do not get the support they need
- Families experience a high level of confusion about what support is available. Resulting in the belief that an EHCP is essential to ensure their child's needs are met.
- Kent does not yet successfully prioritise the needs of children and young people with SEND.
- Children and young people with SEND experience unacceptable inequality when accessing services 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:**  
**20/00107 - Educational Psychology - increased capacity of assessments**

**The Decision needed:**

Proposed Decision:

The Cabinet Member for Integrated Children's Services proposes to award a contract (or contracts) in order to deliver Educational Psychology

Assessments on behalf of Kent County Council to support the reduction of waiting times for the service.

Guidance notes:

SEND services in Kent are subject to a Written Statement of Action (WSOA) following an inspection of services in January 2019 identified weaknesses in nine key areas. One of those areas was the ability of the service to deliver Education, Health and Care Plans (EHCPs) in a timely manner and to an agreed quality. The most recent figures indicate that only 29% of EHCPs were delivered in line with statutory timescales. One of the key reasons for this failure has been the exponential increase in numbers of requests over recent years linked to the inability of the Education Psychology Service (EPS) to provide enough assessments in a timely manner

The Council is seeking the provision of high-quality locum support to complete statutory assessments in accordance with the template provided by the local authority and within designated time scales. Ongoing support to the service will be provided, through the award of a contract to a third party provider, to significantly reduce the likelihood of a future backlog

Options (other options considered but discarded):

There is a national shortage of qualified Educational Psychologists and potentially a low level of capacity in the market to provide the service. Whilst there are locums available, they may not necessarily be in Kent and a digital offer will need to be considered.

In order to avoid the replication of the current backlog situation, commissioners have discussed with the service how their future needs can be best met by developing the design of the service and what impact this could have on the preventions of waiting lists. This may include but is not limited to the development of a portfolio of locums that would be available to take on ad-hoc work as the peaks and troughs of referrals dictates.

**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 December 2020

**Reason if Key Decision**

An EqlA has been completed and identified no high negative impacts and the following positive impacts were identified:

-An increase in the total number of assessments available to meet the needs of young people who are in need of an Educational Psychology assessment who may/may not be SEN; A reduced wait to access support

which may be dependent on the completion of an assessment; Young people and their families will be supported to achieve and will have their wellbeing positively impacted as a result of receiving an assessment service in a more timely manner.

Whilst by its nature the service will exclude those who do not fulfil these criteria, the choice of these restrictions is justified, and any other protected groups are not affected as demonstrated 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**

Cabinet Committee consultation planned:

The decision will be considered by the Children's and Young People Cabinet Committee on 18 November 2020.

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

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

The contract is dependent on demand and foresee the spend range to be between £500k and £1.5m per annum. The contract is for one year with an option to extend for a further year.

**Support documents**

PROD - 20-00107

Decision Report 20-00107

EqIA

**NOT BEFORE 25 NOVEMBER 2020**

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

**Reference No:** Legal advice has been obtained and is being incorporated into the procurement documentation.

**Key** Yes

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

**Title:**

## **20/00104 - Kent Transport Model Support & Development Commission**

### **The Decision needed:**

Proposed decision – Following the completion of a procurement process, authority is sought by the Director of Highways, Transport & Waste for delegated powers to award a commission to a transport modelling consultancy to maintain and develop the Kent Strategic Transport Model and to operate a scenario testing service on behalf of the County Council.

Reason for the decision – A procurement process will lead to the award of a strategic transport modelling commission to a transport modelling consultancy. Authority is being sought by the Director of Highways, Transport & Waste for delegated powers to make an award subject to the outcome of this process.

Background – A Multimodal Strategic Transport Model is under construction for Kent County Council as part of the Highways preparations for transition and to improve our network planning and resilience in the longer term. The model will be completed during 2020 and the associated commission will run until 31 March 2021. Once built, it is intended that the model will be used as the basis for future transport modelling in Kent, replacing our current bespoke commissioning processes. The model will be used for a range of work such as land use option testing and providing the evidence base for Local Plans and to feed into business cases for transport infrastructure scheme bids. The successful consultant will operate a scenario testing service for the County Council, for the districts and for developers and income generated from developers will be used to keep the model up to date and to reinvest in its future development.

Options – An assessment of our options for maintaining and operating the Kent Transport Model have been undertaken in a detailed Business Case. Our recommended approach is to procure a specialist transport modelling consultancy for a long-term commission (of up to 10 years including a break clause at year 5). This approach, where we will have a strategic relationship with a single supplier, provides the best return in terms of process efficiencies, effective transport and land use planning, value for money and potential for generating income for reinvesting in the model development.

How the proposed decision meets the objectives of ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’ – The model will be used to inform and improve our recommendations on development options within Local Plans as well as the application of transport policies, it will help us identify and ‘test’ schemes and to provide inputs to business cases to support bids for much needed investment in Kent’s transport infrastructure. It is intended that the scenario testing service will generate income to be reinvested in the model to develop ‘near real time’ functionality to improve the resilience of our transport network.

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

**Who is taking the Decision**

Cabinet Member for Highways and Transport

**Date:**

Not before November 2020

**Reason if Key Decision**

An EqlA has been produced and it has been confirmed there are no equalities implications from awarding this commission.

**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?**

A transport model is simply a tool to provide evidence for a policy decision or to identify and help justify a scheme which would then be subject to our normal consultation procedures.

**Cabinet Committee consultation planned:**

It is proposed to provide a presentation at E&TCC of the outputs from the Kent Transport Model as part of Member's consideration of the report. This same presentation can be provided for CMM in advance of E&TCC should Members require it.

**Which Divisions / Local Members are particularly affected:**

None.

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

This is not necessary for the reasons outlined above.

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

The contract value sought is £15.6m over a period of 10 years to give sufficient commissioning capacity to avoid the need to keep undertaking re-procurements and incurring model hand over costs and inefficiencies.

**Support documents**

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

**Reference No:** KCC has discussed with BEIS various options. We have an existing BEIS contract which still lists Thurrock as an eligible area. Therefore, Thurrock companies are still technically able to receive recycled RGF Funds but the current Key Decision (Decision 16/00107) for the KMBF programme does not have the provision to allow access for Thurrock companies. BEIS has confirmed that funds cannot be transferred directly to Thurrock Council as Thurrock does not have an existing contract in place with BEIS. If KCC does not facilitate access to the existing KMBF programme these funds will not be committed and may be returned to BEIS at the end of the current contract after March 2023. The loans will be awarded using the same decision-making structures, procedures, and safeguards as the current KMBF loans. Contracts will be signed using the same format as those for Kent and Medway companies and debt recovery will operate in the same way.

**Key** Yes

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

**Title:**

**20/00103 - Regional Growth Fund Administrative Changes**

**The Decision needed:**

**Proposed decision –**

Kent County Council to allow Thurrock Companies to access loans from the Regional Growth Fund (RGF) funded Kent and Medway Business Fund (KMBF). These loans will be financed from recycled loan repayments previously obtained from Thurrock companies that received funds via the former RGF Tiger programme. These loans shall be subject to the same rules, criteria and administrative charges as loans that are allocated under the existing KMBF to Kent and Medway companies.

**Reason for the decision -**

Kent County Council (KCC) administers under government contracts (Department for Business, Energy & Industrial Strategy - BEIS) the Regional Growth Fund (RGF) which offers investments to eligible businesses and receives repayment on these investments. Until January 2016 via the former RGF Tiger programme, companies in Thurrock were eligible to receive investment funding.

The Kent and Medway Business Fund (KMBF) was established in 2017 and replaced the former RGF Tiger programme, and the decision was made at that time to restrict access to the KMBF scheme only to Kent and Medway companies (Decision 16/00107) and draw up alternative arrangements for the transfer of funds to the former eligible areas outside Kent and Medway.

Please note, the underlying government contract with BEIS covering North Kent and Medway still includes Thurrock as an eligible area.

2019 KCC agreed to transfer the recovered loan repayments obtained from



Thurrock companies back to Thurrock Council in line with a similar arrangement agreed with East Sussex County Council (Decision 19/00019). A KCC Key Decision was published to facilitate the Thurrock transfer (Decision 19/00041). The plan was for Thurrock Council to receive and oversee the use of these funds to support local small and medium sized enterprises in their local authority area. It has not proved possible to transfer these funds to Thurrock Council as this local authority does not have in place the required contract with BEIS.

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

The preferred KCC option was to transfer the funds to Thurrock Council but this was not legally possible due to the lack of an existing contract with BEIS. The only way remaining to fulfil our current BEIS contract is for KCC to distribute funds directly to Thurrock companies via a small loan programme on behalf of Thurrock Council, covering the costs of the appraisal, decision-making and monitoring from an administrative charge levied on all loans to Thurrock companies (the same charge is currently levied on Kent and Medway companies).

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

The decision supports the outcome “All Kent’s communities benefit from economic growth and lower levels of deprivation” as it will allow KCC to maintain its contractual obligations to Thurrock Council and BEIS as part of the delivery of the Kent and Medway Business Fund which is seeking to deliver business investment, create new jobs and safeguard existing jobs in the 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 November 2020

**Reason if Key Decision**

An EqlA was prepared for the KMBF in 2017. A revised version is being prepared.

**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?**

After discussions with the KCC Engagement and Consultation Development Officer it was agreed that public consultation would not be required.

**Which Divisions / Local Members are particularly affected:**

Please note, there is no loss of funds to Kent based companies from this Decision. If the funds sourced from recycled loan repayments from Thurrock companies cannot be re-allocated to Thurrock companies, these funds will be ring-fenced in the KCC accounts and possibly returned uncommitted to BEIS after March 2023. The former Tiger RGF programme covered the Dartford, Gravesham, Swale districts:

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

We have not sort views from KCC local Members as this time because this Decision does lead to the transfer of funds away from Kent companies. However, should they be required we confirm that they will be sought and included in any report to Cabinet Committee / Cabinet Member and the record of decision if requested by the Local Members.

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

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

The Capital costs are the potential value of the recycled RGF loans repayments from Thurrock companies, currently KCC has recovered £212,456 in RGF loan repayments. A further £100,290 may be recovered from another Thurrock company in administration. The Revenue costs of this activity will be funded from an administrative charge levied on all Thurrock companies receiving loans. KCC Budget Book, the capital entry for the KMBF, row ref 26.

**Support documents**

**NOT BEFORE 10 OCTOBER 2020**

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

**Reference No:** Activities and services undertaken are covered under the Children Act 1989, and the new provision will be fully compliant with Statutory Duties included within this legislation.

**Key** Yes

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

**Title:**

**20/00102 - Community Support Services for Disabled Children & Young People**

**The Decision needed:**

**Proposed decision –**

The Cabinet Member for Integrated Children's Services is asked to agree that community support services for disabled children and young people (currently spot purchased) be included in the procurement exercise for the upcoming extension to the Adults Care and Support in the Home contract with future buying taking place through this provision for the duration of this contract.

**Further Information –**

There is currently a mixed economy of home care/community support services for disabled children, young people, and their families across Kent, secured via externally sourced providers under spot-purchase arrangements.

These arrangements do not facilitate a holistic approach to the market across the county. They generate a wide range of locally agreed rates and costs which are difficult to manage and administer. Information and intervention regarding effectiveness and performance is difficult within disparate working arrangements and inconsistent contractual arrangements.

It is our ambition to find a better commissioning solution to the provision of home care/community support services for the support for disabled children and young people.

Adults Social Care faced similar challenges and have recently procured a Care and Support in the Home Framework which contains a common set of terms and conditions, performance and reporting criteria as well as the opportunity to make more informed decisions about provision requirements as identified by Social Workers.

Opportunities now exist to align support to disabled children, young people and their families with this framework. Analysis suggests strong alignment of at least 80% between providers of spot purchased for support to children & young people and those included in the Adult's Care and Support in the Home Framework.

**Options -**

1. Do Nothing – this option would allow the continuance of local spot purchasing of community support for disabled children and all of the current risks (financial and otherwise) that are inherent in this approach. This option has been discounted for this reason.
2. Procure new Framework ringfenced to Disabled Children (0-25) – this option is viable and would provide commonality of terms and conditions alongside the opportunity to manage performance, costs and provision in

a more holistic fashion.

Our proposal is to utilise the Care and Support in the Home Framework recently let by the Adult's Commissioning Unit to include provision for children and young people (0-25). The Framework already provides support to individuals 18+ and given the high correlation of suppliers to current arrangements there should be minimal disruption to the market in taking this approach.

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

This service is purchased to meet the KCC Strategic Outcome of 'Children and young individuals in Kent get the best start to life'.

The main supporting outcomes of the above are:

- Kent communities are resilient and provide strong and safe environments to successfully raise children & young individuals
- We keep vulnerable families out of crisis and more children and young individuals out of KCC care
- Children and young individuals have better physical and mental health

**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 November 2020

**Reason if Key Decision**

EqIA has been undertaken as part of the Care & Support in the Home contract provision last year. Additional scoping has confirmed that this is adequate for children's activity.

**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?**

Market consultation discussions taken place through Summer 2020.

**Cabinet Committee consultation planned:**

A report will be taken to the Children's, Young People and Education Cabinet Committee on the 18 November 2020.

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

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

The current budget for Care Support Services is £1.3m. The contract for Care and Support in the Home is due to expire on 31/03/24, with potential for extension for a further 36 months. The financial implication of this decision is therefore circa £3.9m followed by a potential further circa £3.9m should extensions be put in place. This subject to budget setting decisions and fluctuations in need. It is envisaged that the recommended option will generate minor savings through rationalisation of currently disparate rates and alignment with similar activities undertaken through the adults framework, but importantly will provide many intangible benefits related to performance and provision management and more constructive use of Social Worker time.

**Support documents**

**NOT BEFORE 5 NOVEMBER 2020**

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

**Reference No:** The Council has selected Rimini Street through the Government's Digital Marketplace ("G-Cloud"). General Counsel is satisfied that the appropriate terms are in place with Rimini Street and have been reviewed by external lawyers (Burgess Salmon).

The proposed contract with Rimini Street contains the appropriate provisions for compliance with the General Data Protection Regulations as they apply in the UK, tailored by the Data Protection Act 2018. Rimini Street will not have access to or collect information about individuals as a result of this contract.

**Key** Yes

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

**Title:**

**20/00101 - Oracle E-Business Suite Support**

**The Decision needed:**

**Reason for the decision:**

The Council's support from Oracle for its E-Business Suite (EBS) expires on 5 April 2021. EBS is used for critical business processes in finance, human resources and procurement, including payroll and accounts payable. Oracle will stop providing its "Premier Support" for the version of

EBS the Council uses in December 2021. Should the Council wish to retain this support from Oracle it would have to make a long-term commitment to them and undertake a programme of expensive and disruptive upgrades. Third-party support in terms of service levels is directly comparable to that from Oracle, but significantly lower cost.

**Background: Provide brief additional context**

Rimini Street is a well-established and proven provider of support for Oracle EBS (including the Local Government sector). Contracting for support from Rimini Street will secure service continuity for the foreseeable future and a significant financial saving. It will also give the Council time to consider its requirements for replacing EBS in the context of its strategic reset and financial constraints if that is necessary.

The Council's EBS is hosted "on-premise" in the data centre at Sessions House. Arrangements for the close and migration of the data centre are being considered separately and are not affected by the provision of EBS support and vice versa. Third-party support can be provided if EBS is hosted on an Infrastructure-as-a-Services (IaaS) solution for example, without incurring additional cost relative to on-premise.

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

Three options were considered. The first and preferred option is to procure third-party support as a direct replacement of the support provided by Oracle. A critical difference to support from Oracle is that it removes the option to upgrade to future versions of EBS without purchasing new licenses from Oracle, but does nonetheless provide the important updates for security, tax regulations etc.

Continuing with Oracle's Premier Support for an "on-premise" instance beyond December 2021 requires the Council to upgrade to a new version (12.2.8). This is the last significant upgrade of EBS planned by Oracle. This option was discounted because it requires a fundamental and costly change in middleware (the software that lies between the operating system and the applications running on it), with limited opportunity to achieve functional and feature improvement. Ongoing costs will be significantly higher than those for third-party support.

Adopting a new Software-as-a-Service (SaaS) alternative to EBS was also considered; often referred to as a "cloud-based solution". Transition to cloud, even an Oracle Cloud, is a substantial undertaking. The Council would be forced to "adopt" different business processes because SaaS offer little opportunity to "adapt" the software to the way the Council works. Whilst this may be desirable in the longer-term it is considered too disruptive in the near term. The associated implementation costs will run to millions of pounds and the ongoing costs are higher than those for third-party support. Given the context of the Council's strategic reset and financial constraints this option was rejected but will be revisited as the strategic reset progresses.

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

**Who is taking the Decision**

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

**Date:**

Not before November 2020

**Reason if Key Decision**

None given no change to the EBS system or impact on staff.

**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 Policy and Resources Cabinet Committee considered and noted the preferred option to use third-party support as an Exempt Item (no. 230) on 29 July 2020 (link below).

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CIId=750&MIId=8527>

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

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

The term of the contract will be November 2020 to April 2021 with options to extend for up to two further years in one-year increments. The value of the contract is £491,207 with the options to extend priced at £515,767 and £541,555 respectively (£1,548,529 in total).

In the 2020/21 finance year the cost of Oracle support for EBS was £1,285,745. This compares to the cost of £491,207 with Rimini Street. This amount is though payable to Rimini Street in the 2020 calendar year representing an additional cost in the 2020/21 financial year (it is budgeted). In the 2021/22 financial year the Council will not incur any support costs for EBS; effectively making a saving of at least £1,285,745 relative to what it would have expected to pay based on the cost of Oracle Support in 20/21.

**Support documents**

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

**Reference No:** Contracting for KCC framework building contractors. These proposals will help to secure our ambition “to ensure that every child will go to a good school where they make good progress and can fair access to school places” as set out in the Kent Commissioning Plan.

**Key** Yes

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

**Title:**

**20/00100 - Proposal to Expand Mayfield Grammar School from 180 places to 210 places in September 2021 (Allocation of Funding)**

**The Decision needed:**

**Reason for the decision:**

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 2020-24 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 found using this link:

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision>

**Background:**

Forecasts indicate a growing demand for Year 7 places in Gravesham from the start of the 2020-21 academic year. The Gravesham and Longfield Selective Planning Group is forecast to have a deficit of 62 places (2FE) for the 2021-22 intake and increases again to 99 places (3.3FE) by 2023/24.

As part of the measures being taken to address the capacity issues illustrated above, KCC is proposing that Mayfield Grammar School increase their PAN to 210 from September 2021.

To expand Mayfield Grammar School, KCC are proposing the removal of the old wooden block and building a new block at the school, together with other infill and enhancement work to social spaces. This work would be completed before the September 2021 intake. This build would enable the school to offer 210 Year 7 places for September 2021.



**Options:**

Mayfield Grammar School is a popular school that was judged Outstanding in every area by Ofsted in 2013.

The school site lends itself to expansion for a number of reasons including the age and sustainability of existing structures, proximity to local demand and sympathetic leadership and governance.

The school is the only girl's grammar school in the Gravesham and Longfield Selective Planning Group, so is therefore the only option.

If no action is taken, Kent County Council will find it extremely difficult to provide sufficient local selective secondary school places in Gravesham borough.

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

The 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**

Cabinet Member for Education and Skills

**Date:**

Not before October 2020

**Reason if Key Decision**

An Equality Impact Assessment has been completed and identified no negative impacts with the following positive impacts being identified:

- i. The proposal will increase in total number of places available to meet the needs of students with disabilities and/or SEN.
- ii. More families will be able to access good and outstanding school places.
- iii. School places available to students with and without faith.

The full assessment can be viewed here :

[https://kccconsultations.inconsult.uk/gf2.ti/f/1112290/62300517.1/DOCX/-/Mayfield\\_EqIA.docx](https://kccconsultations.inconsult.uk/gf2.ti/f/1112290/62300517.1/DOCX/-/Mayfield_EqIA.docx)

**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?**

The Academy Trust held a consultation from 27 January 2020 to 28 February 2020, with a drop-in event for stakeholders to raise issues and concerns on 11 February 2020. The Academy Trust have considered the response received from the consultation and have confirmed that they will proceed with the expansion proposal.

The consultation details can be found here:

<https://kccconsultations.inconsult.uk/consult.ti/Mayfield/consultationHome>

### **Cabinet Committee consultation planned:**

The Children, Young People and Education Cabinet Committee considered the proposal at its meeting on 11 March 2020. At the meeting, the Committee RESOLVED to endorse decision 20-00021 - Proposal to expand Mayfield Grammar School, Pelham Road, Gravesend, Kent DA11 0JE from 180 places to 210 places for Year 7 entry in September 2021.

Due to the urgency of the decision and the scheduled cabinet committee dates, this will not be considered by the Children's, Young People and Education Cabinet Committee before the decision is taken. However, a PROD will be published to all members for comments and questions before the decision is made, as per the KCC governance process. The record of decision will be noted at the next Children's, Young People and Education Cabinet Committee meeting.

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

Local Members were contacted, and Dr Sullivan is a Member of the Children's, Young People and Education Cabinet Committee and was present when the decision was discussed on 11 March 2020.

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

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

A feasibility study was carried out which estimated the cost to the KCC school's basic need capital budget. The amount estimated was £3.7m. The planning process has now been completed and the estimate was accurate in that the cost to the basic need budget remains £3.7m. The total project cost is £5.8m, with £2.1m being provided by the DfE through PSBP funding. This funding is specifically to remove an old building on the school site. In addition, an allowance of up to £2500 may be payable to outfit the teaching room with appropriate ICT equipment, such as touch screens or projection equipment. 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. The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum.

## Support documents

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

**Reference No:** There are no legal implications.

**Key** Yes

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

**Title:**

#### **20/00099 - Cloud Back up and Recovery Contract award**

**The Decision needed:**

**Background:**

KCC currently use a data back-up system managed by Cantium Business Solutions to ensure all systems and associated data is backed up at regular intervals. As KCC move more data and software systems into a cloud-based infrastructure there is a requirement to manage backups in a different way, i.e. KCC need a solution that will provide a secure environment in which back-ups are stored 'off site' and constantly available for business recovery.

**Proposal:**

KCC need a data back-up solution that:

- a) is designed to function within a cloud infrastructure;
- b) provides full segregation of data from live production environment (i.e. a definitive 'air gap' that keeps the back-up data completely secure from any corruptive forces e.g. malware or ransomware (destructive code); and
- c) is managed within a robust SLA with clear and auditable recovery schedules

To achieve these aims it is proposed that KCC enter into a new 3-year contract for the supply of a managed Back up as a Service (BaaS)

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

*Renew existing solution* - The current solution is designed to function in an environment where data is predominantly stored in a physical data centre situated 'on prem'. It is operated by Cantium Business Solutions on KCC behalf, and is not suitable for cloud infrastructure, utilises near end of life

hardware, and does not provide back up storage that is completely segregated from live production systems.

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

By having a robust managed back up solution KCC can provide a high degree of confidence in their ability to recover from a disruptive event that puts critical service delivery at risk.

**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 October 2020

**Reason if Key Decision**

A DPIA has not yet been completed. Any data protection implications will be addressed as part of the procurement process and a DPIA completed as 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**

**Has any public consultation been undertaken or is any planned?**

None.

**Cabinet Committee consultation planned:**

Policy and Resources Cabinet Committee – November 2020

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

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

The contract costs will be offset in part by the current budgets that are available and along with the allocation identified in the ICT Reserve.

**Support documents**

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

**Reference No:** Under the Health and Social Care Act 2012 [8], Directors of Public Health (DPH) in upper tier (UTLA) and unitary (ULA) local authorities have a specific duty to protect the population's health. All grant funded activities will be conducted in accordance with the relevant COVID-19 legislation and guidance throughout the lifetime of the grant programme.

**Key** Yes

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

**Title:**

**20/0095 - Local Authority Test and Trace Service support grant and associated outbreak management**

**The Decision needed:**

**Proposed Decision Updated** – 3 November 2020 to include Kent Contract Tracing Service via Agilisys as part of the main decision.

Updated decision wording and details in PROD and Report.

Original content maintained below:

**Proposed decision**

As Cabinet Member for Adult Social Care and Public Health, I agree:

- i. To accept the Local authority test and trace service support grant (£6,311,401) under the Department of Health and Social Care's (DoHSC) terms and conditions.  
<https://www.gov.uk/government/publications/local-authority-test-and-trace-service-support-grant/local-authority-test-and-trace-service-support-grant-conditions>;
- ii. The funding will be used for expenditure incurred or to be incurred in relation to the mitigation against and management of local outbreaks of COVID-19, including the following categories of work:
  1. Enhance the national response
  2. Enhance local activities
  3. Support population level approaches to managing outbreaks
  4. Overheads of administering the grant

The provision and related grant funding will be flexibly deployed to be responsive to local outbreaks and need. A funding framework will be used by the Test and Trace Grant Monitoring Group to ensure consistency of decision making and alignment to grant terms, including appropriate funding to allow districts to deliver the relevant activity.

**Reason for decision**

The government has allocated £6,311,401 to Kent County Council from a new

national funding package totalling £300 million. The purpose of the grant is to 'provide support to local authorities in England towards expenditure lawfully incurred or to be incurred in relation to the mitigation against and management of local outbreaks of COVID-19'.

This funding will be used to support KCC's statutory obligation to protect and improve the health of the local population as set out in the Health and Social Care Act 2012, contribute towards the delivery of the Kent and Medway Local Outbreak Plan ([https://www.kent.gov.uk/\\_data/assets/pdf\\_file/0010/110224/Local-Outbreak-COVID-19-Control-Plan.pdf](https://www.kent.gov.uk/_data/assets/pdf_file/0010/110224/Local-Outbreak-COVID-19-Control-Plan.pdf)) and adhere to the DoHSC COVID-19 Contain Framework (<https://www.gov.uk/government/publications/containing-and-managing-local-coronavirus-covid-19-outbreaks/covid-19-contain-framework-a-guide-for-local-decision-makers#annex-2>).

### **Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)**

Strategic outcome - *Kent communities feel the benefits of economic growth by being in-work, healthy and enjoying a good quality of life.* The planned activity which the decision concerns, will support Kent residents to take responsibility for their own health and wellbeing. Also, any successful prevention of COVID 19 outbreaks will support local economic growth, social opportunities, and quality of life for Kent residents.

### **Options**

The following options have been considered and discounted:

- Reject the funding - As with any grant there is an option to accept or reject the funding. The funding will support the local response to the COVID 19 pandemic, KCC's statutory requirements and activity which is planned to or already taking place, therefore it was felt that rejecting the grant would not be in the public's interest.
- Outsource the management of the grant – The management of the grant could be outsourced either in full or in part to a third party. Outsourcing the management of the grant was discounted to ensure that KCC could closely control and monitor the grant and ensure flexible application to emerging need.
- Allocate all the grant to the district councils - The grant in its totality could be disseminated to the Kent district and borough councils. However, it was felt that this would not support economies of scale, e.g. the development and roll out of a countywide campaign, and therefore this option has been discounted.

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

<p><b>Who is taking the Decision</b> Cabinet Member for Adult Social Care and Public Health</p> <p><b>Date:</b> Not before October 2020</p> <p><b>Reason if Key Decision</b> Due to the high-level nature of the decision, equality and data protection assessments will be completed at a project level. The funding framework will include a requirement for the relevant equality and data protection impact assessments to be completed in line with corporate guidelines.</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>Due to the urgency of the decision and the scheduled cabinet committee dates, this will not be considered by the Health Reform and Public Health Cabinet Committee before the decision is taken. However, a PROD will be published to all members for comments and questions before the decision is made, as per the KCC governance process. The record of decision will be noted at the next Health Reform and Public Health Cabinet Committee.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b> This decision concerns the Local authority test and trace service support grant. This grant is separate to the Public Health Grant and does not result in a cost to KCC and does not impact on existing budgets. KCC administration of the grant and relevant staff resource will be charged to the grant allocation. The total fund allocated by the government to KCC is £6,311,401. If an authority fails to comply with any of the conditions and requirements above, the Minister of State may either:</p> <ul style="list-style-type: none"> <li>a) reduce, suspend or withhold grant</li> <li>b) by notification in writing to the authority, require the repayment of the whole or any part of the grant</li> </ul> <p>Any sum notified by the Minister of State under point b shall immediately become repayable to the Minister.</p> <p><b>Support documents</b></p>

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

**Reference No:** The Kent Commissioning Plan for Education enables KCC to meet its Statutory responsibility to ensure that every child receives appropriate educational provision.

**Key** Yes

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

**Title:**  
**20/0097 - Commissioning Plan for Education Provision in Kent 2021-25**

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

The Cabinet Member for Education and Skills is asked to agree the Commissioning Plan for Education Provision 2021-25.

**Background –**

The Commissioning Plan for Education Provision in Kent (KCP) is a five-year rolling plan which is updated annually. It sets out how Kent discharges its statutory responsibility, as the Strategic Commissioner of Education Provision, to provide sufficient Early Years, SEND, Primary and Secondary places and to ensure that there are appropriate learning pathways for pupils at Post 16. It is also our responsibility to ensure that we have enough places in the right locations, to meet the demands of increased pupil numbers and parental preferences. It reflects the fact that the Local Authority’s role has changed to being the commissioner, as well as continuing to be a provider, of education provision.

**Options -**

The Education Commissioning Plan sets out the principles by which we determine proposals, and it forecasts the need for future provision. It also sets out in more detail plans to meet the commissioning needs which arise in each District in Kent, during the next two to three years.

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

Outcome 1 states that children and young people in Kent get the best start in life. The Commission Plan will ensure that there are sufficient, high quality early years, primary and secondary school places in all Districts.



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

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

Cabinet Member for Education and Skills

### **Date:**

Not before October 2020

### **Reason if Key Decision**

A full EqIA will be completed and will be presented to The CYPE Committee on 18 November 2020.

### **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 or undertaken. If planned – which meeting do you wish to attend?**

CYPECC 18 November 2020

Cabinet January 2021

### **Have views been sought from local Members? If not please confirm that they will be sought and included in any report to Cabinet Committee / Cabinet Member.**

Local Members are briefed on the key issues and commissioning intentions identified in the Commissioning Plan during the Autumn Member Briefings.

Further consultation is undertaken at the CYPECC meeting on 18 November 2020.

The views of Local Members on individual school consultations in their Divisions will be sought as they come forward.

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

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

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

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

The Local Authority as Strategic Commissioner of Education Provision has a key role in securing funding to provide sufficient education provision in the County, particularly in schools, in order to meet its statutory responsibilities. The cost of providing additional school places is met from Government Basic

Need Grant, supported borrowing by KCC and developer contribution monies. The forecast capital outlay needed to fulfil the need identified in the Commission Plan 2021-25 will be provided in the report to CYPE Cabinet Committee on 18 November 2020 for comment, prior to full sign off by Cabinet in January 2021.

**Support documents**

**NOT BEFORE 28 AUGUST 2020**

**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 Economic Development 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

<p><b>Date:</b> Not before August 2020</p> <p><b>Reason if Key Decision</b> 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.</p> <p>No Data Protection implications</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>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.</p> <p>The proposed decision was considered and endorsed by the Growth, Economic Development and Communities Cabinet Committee on 25 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> 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.</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>
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**Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.**

**Title:**  
**20/00079 - Road Asset Renewal Contract 2021**

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

The Cabinet Member for Highways and Transport agrees to 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.

**Background information:**

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.

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.

**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 EqIA has been drafted. No adverse impacts have identified at this stage.

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

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The decision was considered and 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></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>

**NOT BEFORE 21 APRIL**

<p><b>Responsible Cabinet Member - Cabinet Member for Highways and Transport</b></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>
<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>20/00028 - 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</li> </ul>

under increasing pressure from committed and future developments in 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**

plan
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<b>Consultees</b>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b>  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 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> <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>20/00007 - 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</p>

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)

**Proposed decision –**

To expand Pilgrims Way Primary School by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2021.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before January 2020

**Reason if Key Decision**

An Equality Impact Assessment has been produced as part of the proposal and will be considered as part of the decision making process.

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

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

**Consultees**

A public consultation 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.

The report to the CYPE CC to approve the proposal will be presented at the 10 January 2019 cabinet committee meeting.

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.

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

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

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.

**Support documents**

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

**Responsible Cabinet Member -**

**Reference No:**

None Known

**Key** Yes

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

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

**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&R Committee on 12th May (*estimated*).**

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

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

None Stated

**Support documents**

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

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

**Reference No:** 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.

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.

KCC would maintain responsibility for monitoring repayments from the successful borrower.

**Key** Yes

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

**Title:**

**19/00095 - Discovery Park: Growing Places Fund**

**The Decision needed:**

Proposed Decision:

- *Kent County Council be the administration and funding decision authority for the £5.3m allocation from SELEP’s Growing Places Fund;*
- *KCC draws down capital funds of £5.3m from the Growing Places Fund;*
- *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**

<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 Key Decision will be discussed at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b></p> <p>The 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.</p> <p><b>Support documents</b></p>

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

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Education and Skills</p> <p><b>Reference No:</b> Contracting for KCC framework building contractors.</p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b></p> <p><b>19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020</b></p> <p><b>The Decision needed:</b></p> <p><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>

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

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

**Proposed Decision:**

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

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

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

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

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

**Consultees**

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

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

This matter will be considered at the CYPE Cabinet Committee meeting on 15<sup>th</sup> November 2019 – Ian Watts will be in attendance.

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

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

**Capital:**

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

**Revenue Funding:**

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

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

**Pupil Growth Funding**

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

**Support documents**

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

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

**Reference No:** 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.

**Key** Yes

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

**Title:**

**19/00058 - Strategic Acquisition & Disposal, Maidstone East**

**The Decision needed:**

**Proposed decision:**

To consider the Maidstone East redevelopment and the next steps in the delivery of the comprehensive development of the site and delegate authority to the Director of Infrastructure in consultation with the Cabinet Member for Corporate and Democratic Services, the Corporate Director

for Finance and the Cabinet Member for Finance to finalise terms and enter into the necessary documentation to complete the transactions in line with the Councils Decision.

**Background:**

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

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

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

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2019

**Reason if Key Decision**

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

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

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

**Consultees**

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

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

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

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

minimum, recoup their level of investment to date upon completion.

### **Support documents**

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

**Reference No:** 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.

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.

**Key** Yes

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

**Title:**

**19/00064 - Kent County Council and Kent Community Health NHS Foundation Trust collaborative partnership - delivery and 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**

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

**Reference No:** 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.

**Key** Yes

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

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

**The Decision needed:**

**Proposed Decision:**

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

**Background:**

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

The priorities for the Gypsy and Traveller service are to:

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

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

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before July 2019

**Reason if Key Decision**

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

**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

**Key** Yes

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

**Title:**

**19/0055 - Contract for Post Mortem Facilities at Mid Kent and Medway Coroner Area**

**The Decision needed:**

To award a 4 year contract to Maidstone & Tunbridge Wells NHS Trust (MTW) for the provision of post mortem (PM) facilities at Tunbridge Wells Hospital, Pembury for the Mid Kent & Medway coroner area.

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

**Who is taking the Decision**

Cabinet Member for Community and Regulatory Services

**Date:**

Not before July 2019

**Reason if Key Decision**

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.

**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 16 July 2019.

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

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

Based on 2018-19 activity levels the estimated cost for the 4 years is £676,000

**Support documents**

**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 assess what, if any accommodation will need to be needed to enable the increase in the designated number.

### **Support documents**

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

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

**Key No**

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

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

**The Decision needed:**

**Background:**

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

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

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

**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**

<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>The matter does not need to be considered by the Infrastructure Commissioning Board as the proposal is outside of the terms of reference.</p> <p>Consultation on the proposal to open a new school would be a matter for Tenax Trust and the DfE.</p>
<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 ESFA has allocated funding for the build costs of the school (circa £8.35 million) and this will be secured within a Development Agreement prior to KCC entering any Construction Contract. There will be no capital funding requirements from KCC in relation to the scheme and therefore no impact on the County Council’s MTFP.</p> <p><b>Support documents</b></p>

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

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Children, Young People and Education</p> <p><b>Reference No:</b> N/A.</p> <p><b>Key No</b></p>
<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>19/00028 - Expansion of Palmarsh Primary School</b></p> <p><b>The Decision needed:</b>  Background Information:</p> <p>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.</p>

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**



<p><b>Consultees</b></p> <p>This matter will be considered by the Infrastructure Commissioning Board on 30 April 2019 or 24 May 2019.</p> <p>A consultation on expanding to 1FE was undertaken in 2016, as there is no change to this decision further consultation is not required.</p> <p>The report will be submitted to the Children's, Young People and Education Cabinet Committee meeting on 28 March 2019.</p> <p>The view of the local member will be sought prior to the Cabinet Committee meeting.</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>  £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.</p> <p><b>Support documents</b></p>

**NOT BEFORE JANUARY 2018 BY CABINET MEMBER**

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance and Traded Services</p> <p><b>Reference No:</b> Provision of this service is a statutory responsibility. The market was tested to establish levels of interest.</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>17/00125 - Healthwatch Kent interim contract</b></p> <p><b>The Decision needed:</b>  Proposed decision: To agree:-</p>

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

How the decision relates to Corporate Objectives

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

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

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

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

Deputy Leader and Cabinet Member for Finance and Traded Services

#### **Date:**

Not before January 2018

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

No equalities implications – whole Kent provision.

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

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

#### **Consultees**

The proposed incorporation of the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract was discussed by the Adult Social Care Cabinet Committee on 23 November 2017.

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

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

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

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

**Support documents**

**NOT BEFORE OCTOBER 2017 BY CABINET MEMBER**

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

**Reference No:** None

**Key** Yes

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

**Title:**

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

**The Decision needed:**

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

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

**Who is taking the Decision**

Cabinet Member for Corporate and Democratic Services

**Date:**

Not before October 2017

**Reason if Key Decision**

None

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

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

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

**Consultees**

Property decisions to be discussed at the Property Sub Committee.

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

**Your name, Your Service, Your phone number and email address:**  
Property holding costs will cease upon sale.

**Support documents**

## LONG TERM

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

**Lawn Primary School, Gravesend - New Playing Field**

**The Decision needed:**

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 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

<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 Cabinet Member decision will be considered by the Property Sub-Committee at its meeting scheduled 27 March 2015</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: Kahren Knott – Estates Surveyor, Property &amp; Infrastructure Support  03000 416356  kahren.knott@kent.gov.uk  Lead Director: Rebecca Spore – Director of Property &amp; Infrastructure Support  03000 416716  Rebecca.spore@kent.gov.uk</p> <p><b>Support documents</b></p>

<b>Responsible Cabinet Member - Cabinet Member for Children, Young People and Education</b>
<b>Reference No:</b> 16/00101
<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>16/00101 - Proposal to expand Marden Primary School</b></p> <p><b>The Decision needed:</b>  The Cabinet Member for Children, Young People and Education will be asked to agree to:</p> <ol style="list-style-type: none"> <li>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</li> <li>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)</li> </ol>

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

**Reference No:** 13/00095

**Key** Yes

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

**Title:**

**Disposal - Residential Land adjoining Great Clayne Lane Farm, Gravesend.**

**The Decision needed:**

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.

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

**Who is taking the Decision**

<p>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>
<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>Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.</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> Lead officer: Rebecca Spore Director of Property &amp; Infrastructure Support Tel: 01622 - 221151 E-Mail: rebecca.spore@kent.gov.uk</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate &amp; Democratic Services</p> <p><b>Reference No:</b> 14.00022</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>Former Shepway Resource Centre, Folkestone - Disposal</b></p> <p><b>The Decision needed:</b> <b>LATEST UPDATE:</b> 19/05/2014 - Decision due date changed from 18/02/2014 to 01/08/2014. <b>REASON:</b> 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</p>



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**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate &amp; Democratic Services</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>Sandwich Highways Depot</b></p> <p><b>The Decision needed:</b> <b>Update 09/03/2015:</b> <b>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.</b></p> <p>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.</p> <p>-----</p> <p>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.</p> <p>To seek approval to identify and progress with the acquisition of a new site for the service.</p> <p>The Director of Property and Infrastructure Support will be authorised to finalise terms for both the disposal and acquisition of a new site.</p> <p>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.</p> <ul style="list-style-type: none"><li>• 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.</li><li>• 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.</li><li>• 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.</li></ul> <p>The impact of the decision is that full assessment of the potential disposal of the site</p>

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**