

**Kent  
County  
Council**  

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## **FORWARD PLAN OF DECISIONS**

**20 April 2022 - 31 August 2022**

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

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

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

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

## **FORWARD PLAN OF DECISIONS**

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

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

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

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

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

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

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

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

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

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

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



**NEW**

**SEMI-URGENT DECISION - NOT BEFORE 28 APRIL 2022**

**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 the upper tier (UTLA) and unitary (ULA) local authorities have a specific duty to protect and enhance the population's health. All grant-funded activities will be conducted in accordance with the Public Contracts Regulations 2015 and will follow national guidance and best practices in relation to drug and alcohol treatment and interventions.

**Key** Yes

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

**Title:**  
**22/00041 - Supplementary Substance Misuse Treatment and Recovery Grants 2022/23 to 2024/25**

**The Decision needed:**

**Proposed decision:**

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

- i. To accept the Supplementary Substance Misuse Treatment and Recovery Grants 2022/23 to 2024/25 and the Inpatient Detoxification Grant (£7,421,560) under the Office for Health Inequalities and Disparities (OHID) terms and conditions.
- ii. DELEGATE authority to the Director of Public Health to take 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. The provision and related grant funding will be flexibly deployed to be responsive to local need as identified through both local and national indicators during the course of the grant.
- iii. DELEGATE authority to the Director of Public Health, after consultation with the Cabinet Member for Adult Social Care and Public Health and the Corporate Director of Finance, to accept and deploy further funding from OHID towards substance misuse service associated with the 10-year Harm to Hope national drug strategy.

**Reason for the decision:**

Dame Carol Black was commissioned by the Home Office and the Department of Health and Social care to undertake an independent review of drugs to inform thinking on what more can be done to tackle the harm that drugs cause. Following the review, a three-year funding

package has been announced in the National [Drug Strategy](#) to implement the recommendations outlined in the review through additional funding outside of the Public Health Grant to local authorities.

**Background:**

Under the Health and Social Care Act 2012, local authorities have the duty to reduce health inequalities and improve the health of their local population by ensuring that there are public health services aimed at reducing drug and alcohol misuse. Kent County Council receives a ring-fenced Public Health grant each year, of which a condition is to deliver services aimed at reducing drug and alcohol misuse.

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

- Reject the funding - As with any grant, there is an option to accept or reject the funding. The funding will support KCC's statutory responsibility in providing Drug and Alcohol treatment services and will support KCC's strategy in improving the quality of life of vulnerable residents. 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 in line with existing service delivery and ensure flexible application to emerging need.

**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 April 2022

**Reason if Key Decision**

Equalities impact assessments have already been completed for commissioned services. New service delivery as implemented through the life course of the grant will each have an Equality Impact Assessment undertaken to ensure protected groups are not disadvantaged.

Data Protection Implications:

Data Protection impact assessments have already been completed for commissioned services. New service delivery as implemented through the life course of the grant will each have a Data Protection Impact Assessment 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**

<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>  The total funding to be received from 2022/23 to 2024/24 is £7,421,560.  Funding values are indicative values and may be subject to change over the three-year funding allocation.</p> <p>2022/23</p> <ul style="list-style-type: none"> <li>- Supplemental funding for substance misuse treatment and recovery = £1,101,719</li> <li>- Inpatient Detoxification Grant = £167,295</li> </ul> <p>2023/24</p> <ul style="list-style-type: none"> <li>- Supplemental funding for substance misuse treatment and recovery = £2,202,556</li> <li>- Inpatient Detoxification Grant = £167,295</li> </ul> <p>2024/25</p> <ul style="list-style-type: none"> <li>- Supplemental funding for substance misuse treatment and recovery = £3,615,400</li> <li>- Inpatient Detoxification Grant = £167,295</li> </ul> <p><b>Support documents</b></p>

**SEMI-URGENT DECISION - NOT BEFORE 22 APRIL 2022**

<p><b>Responsible Cabinet Member - Leader of the Council</b></p> <p><b>Reference No:</b> Funding must be used in accordance with the guidance set by the government, and the terms and conditions of the grant. KCC will apply appropriate legal mechanisms as part of issuing or deploying any grant monies to ensure any partners or third parties in receipt of grant funding remain compliant.</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>22/00040 - Domestic Abuse Duty: 2022 to 2023 funding</b></p>

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

The Leader is asked to:

- a) accept £3,112,501 domestic abuse funding (2022/23) for delivery of domestic abuse support in safe accommodation duties as defined by the Domestic Abuse Act,
- b) continue to delegate authority to the Corporate Director of Strategic and Corporate Services, in consultation with the Corporate Director of Adult Social Care & Health and the Corporate Director for Children, Young People and Education to take other necessary actions, including but not limited to entering into contracts or other legal agreements, as required to implement this decision,
- c) delegate authority to the Corporate Director of Strategic and Corporate Services to accept future years' allocations of safe accommodation funding, providing funding is given on similar terms.

**Reason for the decision:**

£125 million is being allocated to local authorities for the delivery of their domestic abuse duties (safe accommodation) in 2022 to 2023 with £3,112,501 allocated to Kent. A decision is needed to accept the funding.

The Domestic Abuse Act 2021 placed new duties on local authorities across England to ensure that victims of domestic abuse and their children can access the right support in safe accommodation when they need it.

Within the Domestic Abuse Act definitions of safe accommodation includes refuge, dispersed accommodation (non-communal supported accommodation), sanctuary schemes (security provision within a survivor's home) and move-on accommodation where some levels of support are still required. Funding associated with the Act is to provide support services for those in these forms of accommodation.

**Options:**

The safe accommodation funding is to support compliance with the new statutory duties under the Domestic Abuse Act. The option of turning down the grant was discarded as there are many people in Kent who will benefit from this resource.

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

Leader of the Council

**Date:**

Not before April 2022

**Reason if Key Decision**

The safe accommodation funding supports the delivery of our key priorities for safe accommodation services.

The EqIA found that the strategy around safe accommodation, enabled by



accepting new burdens funding, specifically focuses on increasing access across protected groups. This decision, therefore, supports the 2010 Equality Act. We find the impact of this work to be positive across all groups.

There are no direct DP implications, a DPIA was undertaken for the 2021 needs assessment to ensure it was conducted in line with data protection regulations.

**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**

Policy & Resources Cabinet Committee consultation is planned.

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

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

The decision is to accept the £3.1m in full, and there should be no direct impact on the council's budget.

**Support documents**

**NOT BEFORE 11 MAY 2022**

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

**Reference No:** All relevant procurements will be carried out in full compliance with the mandatory rules and processes that must be complied with when spending money on behalf of the council

**Key** Yes

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

**Title:**  
**22/00039 - Pothole Programme**

**The Decision needed:**

Proposal: To approve funding for a county-wide pothole repair and patching programme.

- Reason for the decision

**Allocation of funding in excess of £1m for pothole-related works across Kent.**

- Background – Provide brief additional context

H&T has a duty to ensure the effective discharge of the Council’s statutory duties and powers as Local Transport & Highway Authority, in particular its duty of care to help ensure safe passage for all road users. DfT has reduced the highways grant to KCC by £9m impacting the budget available for asset management of all highway’s assets, including an allocation for pothole and patching work. To ensure this work can continue , Members asked officers in Highways Asset Management and Corporate Finance to consider funding options to support a 3-year pothole programme without increasing the council’s financial borrowing commitments.

- Options (other options considered but discarded)

Reduce expenditure on pothole programme

**How the proposed decision meets the priority actions of Setting the Course: Kent County Council’s Interim Strategic Plan (December 2020)**

- A well-maintained highways network supports actions to ensure Kent’s homes and communities are well-connected and infrastructure supports Kent’s long-term growth.

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

**Who is taking the Decision**

Cabinet Member for Highways and Transport

**Date:**

Not before May 2022

**Reason if Key Decision**

There are no negative equalities impacts that could be reasonably anticipated from this 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:**

- This is a 3-year programme. Funding for year 1 is £7m.
- The intention is for further investment of £7m in financial years 2023/24 and 2024/25
- Funding options for the whole programme are being finalised either through re-prioritisation or re-scheduling within the existing capital programme or a revenue growth pressure

**Support documents**

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

**Reference No:** None foreseen. The working group have taken advice from Internal Audit to ensure compliance around the holding of children's savings within a central KCC bank account. The sign off for the monthly transfer of money will be at Integrated Children's Services Director level.

**Key** Yes

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

**Title:**

**22/00038 - Pocket Money and Savings Policy for Children and young people in care - ensuring all children in care have a financial "Nest Egg" investment as part of their transition to adulthood**

**The Decision needed:**

Proposed decision – to agree the proposal and process to take the £10 per week savings at source from the foster carers/providers maintenance payment, from the period of time from the child/young person's 14th week in care and ongoing until they leave care. This is to achieve a financial "Nest Egg" investment for all children in care.

1. Introduction

1.1 Since a challenge in 2018 from our children and young people in care to give minimum amounts of pocket money and savings, it is an expectation that all foster carers /providers follow the KCC Savings and Pocket Money policy. This is to enable our young people to leave care at aged 18 years with some financial savings to use to support them moving into independence.

1.2 KCC have not previously been able to take children's savings at source due to the capabilities of the different technical systems being able to communicate with each other. Foster carers have consistently asked for the savings to be taken at source, as the current system is complicated and the review of the process, has included working with our Foster Carer Ambassadors so that they are fully informed of the proposed change.

## 2 Background

2.1 For the past year, there has been a working group exploring whether we can use information from Controc, Oracle and Liberi systems to take the £10 savings at source, pay it into a central KCC bank account and then have it transferred over to either the child's bank account if they leave care before the 12-month period or transferred to their Child Trust Fund or Junior ISA if they remain in care. The Child Trust Fund and Junior ISAs are managed by The Share Foundation and all children in local authority care for over a 12 month period, receive a £200 payment from the government into either their Child Trust Fund or Junior ISA.

2.2 The current process is that foster carers and providers who receive a maintenance payment for the care of the child, make savings on an individual basis which often results in children's savings being kept in a variety of different bank accounts. This process needs to be changed to simplify it and remove the risk of our children and young people's savings going astray or it being spent before they reach 18 years old. We therefore would like to manage the savings 'at source' and reduce the number of accounts that children/young people have. Each area has managed a number of complaints from young people who have moved between carers/providers and savings have not been made available to them. If foster carers are no longer fostering for KCC, it makes it almost impossible to get them to pass on any savings, if these have not been passed on, whilst the child is in their care.

2.3 In some cases, carers/providers do not always open the child's bank account quickly enough, they may then be reluctant to 'backpay' the £10 per week and this is challenging for social workers to have oversight of, there have been instances where children/young people have moved to alternative carers or left care and not had their savings paid, leaving them with no money to support their transition to independence and the directorate has had to cover these funds as a resolution to the complaint from the young person.

2.4 There are also income tax implications for foster carers, who must pay the £10 per week from the maintenance fee already received and if we could eradicate this it will have a small benefit on carers payments, which may positively impact recruitment and retention of foster carers and reduce resistance to introducing this change.

2.5 The first phase of this proposed change of process will apply to all children and young people placed in "in house" foster care, Independent Fostering Agencies and Residential care home provision.

2.6 The second phase will review the savings provision for young people aged 16 – 18 years living in supported accommodation, following a challenge and a number of complaints from this age group of young people, who feel they are not treated equally to those in foster care. This will be a separate workstream and a review undertaken with a timescale for completion and recommendations delivered by September 2022.

### 3. Pocket Money and Savings Policy

3.1 0-13 weeks in care - carers/providers receive as part of the maintenance payment, £10 per week settling in fee per child/young person to account for initial costs and set up Bank Account in child/young person's name to encourage them to put aside a small amount of their pocket money, that they can access at any time. The child's social worker will complete the CIC Review Pre-Meeting Report to confirm this has been done, record Bank Account details on Liberi 'Record of child/young person's Bank Account, CTF/JISA' and Independent Reviewing Officer (IRO) will check at Review (No change in policy).

3.2 From the child/young person's 14th week in care, £10 per week will be taken at source from the maintenance payment and be held in a Kent County Council Account, until either a Child Trust Fund or Junior ISA is identified by The Share Foundation, following a child/young person's 52 weeks in care.

3.3 Should the child/young person leave care before 52 weeks, the amount of savings held in the KCC Account will be paid into the Bank Account set up in the first 13 weeks by the carer/provider.

3.4 At 52 weeks, Management Information Team contact The Share Foundation to request that either a Junior ISA is set up, or the details of the Child Trust Fund are located (depending on the age of the child, as to whether they were eligible for the Child Trust Fund). The current government funded policy, pays £200 into their account with The Share Foundation, once the child has been in care for over 12 months.

3.5 The monies accrued in the KCC Account for those children/young people who have remained in care for 52 weeks will be paid into their JISA/CTF and £10 per week will continue to be paid into the JISA/CTF from the KCC Account every month for the period up until the care period ends.

Alternatives considered-

The alternative would be to continue with the current process and make no changes.

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

<p><b>Who is taking the Decision</b> Cabinet Member for Integrated Children's Services</p> <p><b>Date:</b> Not before May 2022</p> <p><b>Reason if Key Decision</b> An EQIA and DPIA have been completed.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p>
<p><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> Cost benefit to KCC as the Directorate will not need to resolve complaints, by having to pay savings shortfall where carers/providers have not met the expectation of the policy</p> <p><b>Support documents</b></p>

**URGENT DECISION – IMMEDIATE IMPLEMENTATION 5 APRIL 2022**

<p><b>Responsible Cabinet Member - Leader of the Council</b></p> <p><b>Reference No:</b> Please see above.</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>22/00037 - Urgent Decision implementation of Homes for Ukraine Scheme in Kent</b></p> <p><b>The Decision needed:</b> <b>Proposed Decision:</b></p>

To agree to:

1. accept the funding from Government required to deliver the 'Homes for Ukraine Scheme' in Kent;
2. approve the establishment of the infrastructure and other necessary arrangements required to support the implementation of the scheme;
3. authorise the Corporate Director for Finance to allocate funding in accordance with the Homes for Ukraine Scheme government guidance and implement the payments as set out by the scheme to enable delivery in Kent in accordance with the principles set out in the decision report and the proposed Funding Framework;
4. delegate authority to the Corporate Director for Finance, after consultation with the Leader to update, review and amend the distribution of funding to deliver the Homes for Ukraine Programme and/or in response to changing need;
5. delegate authority to the Corporate Director for Finance, after consultation with the Leader, to accept additional subsequent funding made available by Government where it is designed to support this and closely related Schemes, for deployment in accordance with relevant funding frameworks; and
6. delegate authority to the Corporate Director for Finance to take other appropriate actions, including but not limited to entering into contracts or other legal agreements as required to implement this decision.

**Reason(s) for decision:**

The Russian invasion of Ukraine has seen the largest humanitarian crisis since the Second World War, with approximately 4 million Ukrainian refugees leaving Ukraine to neighbouring countries to flee the conflict. The UK Government has positively responded with the development of two key pathways to enable Ukrainian refugees to enter the UK. The two key schemes which are operating are the 'Extended Family Scheme', where family members can come to the UK where they have existing family in the UK, and the 'Homes for Ukraine Scheme' which is where Ukrainian Refugees are sponsored to come to the UK by a host family or individual. Initially, individual members of the public can sponsor a guest(s) from Ukraine who meet the eligibility criteria for this scheme. In later phases, organisations and community groups will be able to sponsor multiple guests.

As part of the Homes for Ukraine Scheme, the government requires local government to undertake a number of checks and provide support to both the sponsor and Ukrainian guests. In two tier areas responsibilities fall to both County and District councils and Kent County Council (KCC) is working closely with its partners to ensure a coordinated response is provided. In addition, a number of KCC services in particular Children's and Adult Social Care, have a statutory obligation to provide necessary support. The government is funding £10,500 per guest and an ongoing

monthly “thank you” payment of £350 to sponsors to support the Homes for Ukraine Scheme. Additional funding is also being made available in respect education services and may also be made available to cover exceptional costs, which are outside of the funding allowance but are necessary to deliver the scheme and support both the Sponsors and Ukrainians coming into the UK under the Homes for Ukraine Scheme.

**Financial Implications:**

Under the Homes for Ukraine scheme, the government has confirmed it will provide funding at a rate of £10,500 per guest to Councils to enable them to provide support to refugee families, to rebuild their lives and fully integrate into communities. The £10,500 funding for supporting Ukrainian nationals is for the first year at this stage with future years to be reviewed. The £10,500 includes the initial £200 payment per guest which is payable to those accessing the scheme. This funding will be un-ringfenced, but with a number of conditions attached.

Councils are being asked to administer ‘Thank You’ payments of £350 per sponsoring household per month. Additional funding will be allocated for these payments, but councils will be expected to absorb administration costs.

The government is also providing additional funding to councils to provide education services for children from families arriving from Ukraine under this scheme. The Department for Education (DfE) will allocate funding on a per pupil basis for the three phases of education at the following annual rates:

- Early years (ages 2 to 4) - £3,000
- Primary (ages 5 -11) - £6,580
- Secondary (ages 11-18) - £8,755

These tariffs include support for children with special educational needs and disabilities (SEND).

Collaboration with key partners such as District and Borough Councils will ensure funding is allocated equitably across organisations as required and will support emerging approaches which enable the Council to respond as the Scheme develops, and the partner best placed to support the different elements of the scheme is able to put the appropriate measures in place. This may be at a District/ Borough level or at a county level should Countywide infrastructure or services be required and considered most efficient and effective. The proportion of guests and sponsors is not known at this stage and the detail of scheme and related government guidance is still emerging. There is a risk that the initial grant funding will prove to be inadequate, should this be the case, KCC will seek to recover all additional costs from Central Government.

**Legal Implications:**

The Council owes a number of existing legal duties to arriving adults and



children irrespective of their country of origin or where they may eventually reside within the County. These duties exist pursuant to a number of pieces of legislation that apply to Children and Adults. Legal advice will be sought as the Funding Framework is developed further and implemented.

It is important to note that the possibility of increasing pressure on existing service delivery. This in turn may present challenges for KCC in its ability to discharge its legal duties to existing and new service users. This will be kept under review through the mechanisms set out in this report.

The intention is to use existing contracting and commissioning processes where possible or there may be a need to put new contractual arrangements in place. Due to the urgency and fast-moving nature of the delivery of the scheme it may be necessary to make use of appropriate procurement and contractual mechanisms that enable emergency contracting.

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

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

Leader of the Council

#### **Date:**

April 2022

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

Please see the Equality Impact Assessment.

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

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

### **Consultees**

No Cabinet Committee consultation possible due to urgency process.

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

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

Please see above.

### **Support documents**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Education and Skills</p> <p><b>Reference No:</b> The Education (School Day and School Year) (England) Regulations 1999 (SI 1999 No. 3181) require schools to hold at least 380 half-day sessions (190 days) in each school year, beginning with the first term to start after July. This is consistent with the 195 days a year required by a teacher's statutory conditions of service: the additional five days are for in-service training. As KCC is responsible for community and voluntary controlled schools, it is part of our duty to set the dates.</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>22/00035 - School Term Dates 2023-24</b></p> <p><b>The Decision needed:</b> <b>Proposed decision:</b> The Cabinet Member for Education and Skills is asked to determine the School Year dates for community and voluntary controlled schools, by the local authority (LA)</p> <p><b>Background:</b> Schools are required by statute to provide schooling for 190 days. Teaching staff are required by their terms and conditions to complete 195 days including 5 development days.</p> <p>Term dates and holidays, in England, are set:</p> <ul style="list-style-type: none"><li>• for community and voluntary controlled schools, by the local authority (LA)</li><li>• for foundation, voluntary aided schools, academies and free schools by the governing body.</li></ul> <p>The government's policies to promote academies and free schools will mean that increasingly school governing bodies will be determining the school term dates for their schools.</p> <p>The proposed calendar will be considered by Children, Young People and Education Cabinet Committee and following this the Cabinet Member for Education and Skills will take the final decision. Following the consultation and approval, the agreed school term dates calendar for 2023-24 will be published.</p> <p>Setting school term dates has a relationship to one of the priorities in Delivering Vision and Priorities for Improvement 2018 – 2021. The priority states KCC will 'ensure that the maximum number of children and young people of statutory school age are enabled to attend education provision</p>

on a full-time basis.'
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Education and Skills</p> <p><b>Date:</b> Not before May 2022</p> <p><b>Reason if Key Decision</b> A full EqlA has been completed this will be updated once the consultation has finished and the full results will be presented to CYPE Cabinet Committee.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>This decision will be discussed at the CYPE Cabinet Committee on 10 May 2022.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> There are no direct cost implications arising from the decision on the school calendar. However, if individual foundation, voluntary aided schools, academies or free schools determine a different pattern of term dates, they may incur additional costs in relation to home to school transport, as the authority passes any additional costs on to the schools concerned.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Reference No:</b> External legal advisors will be appointed in consultation with General Council.</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>
<b>Title:</b>

## 22/00027 - Disposal of Saxon House, Tina Gardens, Broadstairs CT10

### The Decision needed:

#### Proposed decision:

To agree to the disposal of the property asset known as Saxon House, Broadstairs, Kent and delegate authority to:

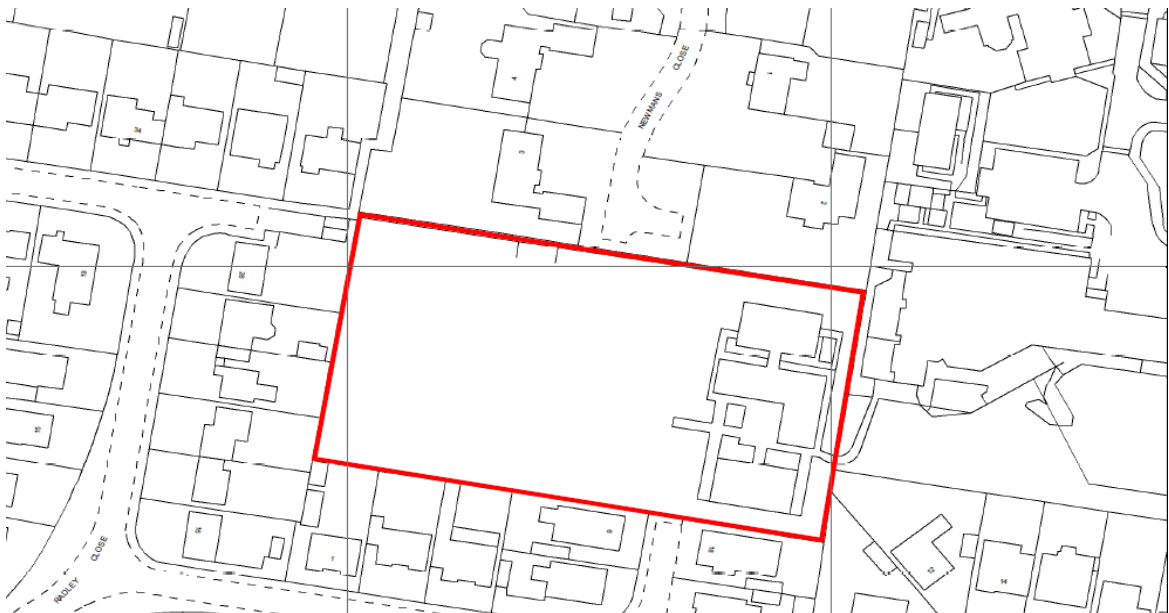
1. The **Director of Infrastructure** in consultation with the **Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**, to finalise the contractual terms of the disposal.
2. The **Director of Infrastructure** to authorise the execution of necessary contractual and land agreements required to implement the above.

### Reason for the decision:

The property is surplus to the Councils requirement with an estimated transaction value in excess of £1million and is therefore a key decision.

### Background:

The land was previously used by Kent County Council (KCC) for educational purposes until the new Foreland Fields School opened in 2017. The site is surplus to the ongoing operational requirements of the Council and is being progressed for disposal. The property comprises of a site totalling 0.59 Hectares (1.46 acres), with an existing single storey educational building of 1980/90's construction and outbuilding and a grassed open space. Saxon House is situated in Broadstairs on the Kent Coast.



A pre-marketing process was undertaken, and an advert placed in the Estates Gazette on 19 February for one week, providing notification in the mainstream property media that the site is coming forward. This resulted in several expressions of interest. Subsequently the property has been formally marketed with external agents and initial bids are to be received by 25 March 2022.

### Options:

- KCC has considered the building for its own use, but it is not required.
- Disposal of the asset.

**How the proposed decision supports the Interim Strategic Plan:**

The disposal of the site will enable the Council to secure a capital receipt to fund reinvestment the capital priorities as set out in the Medium-term Financial Plan.

**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 May 2022

**Reason if Key Decision**

There are no equality implications.

As part of this authority process and in the handling of the marketing and conveyance Data Protection is observed.

**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 decision will be discussed at The Policy and Resources Cabinet Committee.

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

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

Anticipated capital receipt over £1m, in line with Council’s s.123 best consideration obligations following an open marketing process. The sale of the property will result in a capital receipt for KCC which will be used to support the Council’s Capital Programme. Disposal of the property will produce a saving on the current holding costs.

**Support documents**

**NOT BEFORE 22 APRIL 2022**

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

**Reference No:** The procurement of new External Community Opportunities

will be undertaken in line with the Public Contract Regulations (2015) and legal advice will be sought as necessary regarding contractual terms and conditions. There will need to be resource allocated at the end point contract award for contracts to be sealed. The new contracts will be taken forward in a way which ensures the Council's statutory responsibilities are discharged accordingly.

These services support an individual with an assessed care and support need and therefore fall under the guidance laid out by the Care Act (2014).

**Key** Yes

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

**Title:**

**22/00034 - External Community Opportunities for People with Learning and Physical Disabilities**

**The Decision needed:**

**Proposed decision:**

Procurement of External Community Opportunities for People with Learning and Physical Disabilities and delegation of authority to the Corporate Director Adult Social Care and Health and the Corporate Director Children, Young People and Education to take relevant actions, including but not limited to finalising the terms of entering into required contracts of other legal agreements, as necessary to implement the decision.

**Reason for the decision:**

The current Community Day Opportunities for Individuals with Disabilities framework contract is due to expire end September 2022, new arrangements need to be in place by 1 October 2022.

The new service specification will be outcome focused, based on the Making a Difference Everyday (MADE) and Provider Services design principles (which have been part of a separate engagement process) and align with a Self-Directed Support approach of Adult Social Care. It is recognised that a traditional approach to 'day opportunities' is reducing in demand, however it is still an important provision for some individuals and their families. The support through the new Community Opportunities Offer will be a flexible, adaptable and evolving model to include traditional day opportunities and wider community support outside of traditional times and settings. The future support offer will also align with other Adult Social Care Projects such as the Micro-Enterprises development.

**Financial Implications:**

All current external Learning Disability and Physical Disability Day Opportunities are funded through the operational teams.

The total forecast spend (across Adults and Children's) for 2021-22 is £10,065,200 for service provisions (see table below for split).

	Forecast 2021/22
People with a disability (26 and over) – includes Sensory and Autism	£7,392,400
Young People (18 – 25)	£2,672,800

There are associated transport costs which are also funded through the operational teams, the table below outlines the forecast for 2021-22. Again, this is likely to be lower this year due to the pandemic.

	Forecast 2021/22
People with a disability (26 and over) – includes Sensory and Autism	£1,593,900
Young People (18 – 25)	£850,200

Due to the COVID pandemic, the forecast spend during 2021/22 is lower than the allocated budget. This has been a result of some services being closed for periods of time. Client charging has also been suspended which impacts on this commitment.

Through benchmarking other neighbouring Local Authorities, KCC pay lower day and half day rates. A risk of the new procurement will be providers submitting higher fees for support. It is proposed to mitigate some of this risk through the procurement, by requesting flexible fees depending on the activity/support delivered and to work with providers and people we support through utilising various methods of payment through a self-directed support approach, such as direct payments and individual service funds.

The Council budget was approved at County Council on 10 February 2022. It is acknowledged that there are significant pressures on the Adult Social Care and Children and Young People's budgets. As such there are identified savings for these budgets. The table below sets out the identified savings.

	Savings identified
People with a disability (26 and over) – includes Sensory and Autism	£1,000,000

The savings will be realised through the offer of support and choice available and will be tracked through a benefits realisation group, as there is a risk the spend on this type of support could move across various budget lines.

## 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:

March 2022

**Reason if Key Decision**

An Equality Impact Assessment (EqIA) has been carried out. There should be no negative impact on those with protected characteristics as the aim of this tender is to improve on an existing day opportunities contract. The EqIA will be included the decision paperwork.

Data Protection implications:

A Data Protection Impact Assessment will be required and will be completed once the specification for the contract is finalised.

**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:**

Please refer to 'Financial Implications' section.

**Support documents**

**NOT BEFORE 19 APRIL 2022**

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

**Reference No:** Please refer to 'Legal Implications' section above.

**Key** Yes

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

**Title:**

**22/00033 - Community Mental Health and Wellbeing Service Commissioning**

**The Decision needed:**

**Proposed decision:**



Commence joint commissioning activity for a Community Mental Health and Wellbeing Service and delegate authority to the Corporate Director 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:**

The current contract arrangements end on 31 March 2023. Ongoing performance and quality monitoring, service reviews and recent market engagement findings provides significant evidence that the service delivers successful outcomes in line with the original vision. The service has supported the market to increase and improve the overall offer of mental health and wellbeing interventions available in Kent.

The outcomes achieved to date for Kent residents who have used the service demonstrate the numerous benefits of the service. The service has become a vital element of Kent's mental health pathway and the service has demonstrated a clear need for such support.

Mental ill health currently represents 23% of the total burden of ill health in the UK and is the largest single cause of disability.

One in four adults in Kent experience at least one diagnosable mental health problem in any given year, and it is estimated that around 212,000 people in the county have a common or severe mental illness.

The National Community Mental Health Framework for Adults and Older Adults was published in September 2019 and sets out a plan for radical change in the design of community mental health care.

The National Community Mental Health Framework (CMHF) supports delivery of the NHS Long Term Plan vision for an accessible, person-centred and place-based comprehensive mental health offer through the alignment of Community Mental Health Teams (CMHTs) and Primary Care Networks (PCNs) and stronger relationships with Local Authority and voluntary sector services.

In order to achieve its vision all Integrated Care Systems (ICS) in England will receive their 'fair share' of central transformation funding to deliver new models of integrated primary and community mental health care for adults and older adults with severe mental health problems.

Transformation funding should be used to bring about whole system change across local health and care partnerships, enabling people with severe mental health problems to live well in their communities. Kent and Medway have now secured funding over three years to deliver this ambitious programme.

In Kent and Medway, the programme delivery team has been established, workstreams have been developed and work has begun.

The Community Mental Health and Wellbeing Service performs a pivotal role and is a key partner as part of the transformation programme.

Considering the evidenced need for community mental health and wellbeing services in Kent, the success of current provision and the clear interdependencies between the continuation of these services and the success of the Community Mental Health Transformation Programme, it is recommended Kent County Council (KCC) continue to work in collaboration with Kent and Medway Clinical Commissioning Group (K&M CCG) or its successor body and Medway Council to jointly commission the Community Mental Health and Wellbeing Service. This approach supports the aspiration for closer integration and working with Health/CCG commissioning colleagues.

The contract start date will be 1 April 2023 and will be jointly funded by Kent County Council, Kent & Medway NHS CCG and Medway Council. The Contract length will be 3 years with a 2-year extension option and delivery will be by preferred bidders identified following a competitive tendering exercise.

**Financial Implications:**

The contract length will be 3 years with a 2-year extension option. The table below outlines the costs to KCC Adult Social Care and KCC Public Health for the initial 3 years and extension option.

Table 1: Contract costs to KCC Adult Social Care and Public Health (Initial 3 years and extension options)

	KCC Public Health	KCC Adult Social Care
Initial 3-Year Contract Term	£6,757,945.50	£9,232,609.50
2 Year Optional Extension Period	£4,505,297.00	£6,155,073.00
Total (Initial 3-Year Contract Term + 2 Year Optional Extension Period)	£11,263,242.50	£15,387,682.50

The above contract values can be funded within the approved budget.

Table 2: Contract costs for Kent and Medway Clinical Commissioning Group

	Kent & Medway CCG
Initial 3-Year Contract Term	£4,466,511.00
2 Optional Extension Period	£2,977,674.00
Total (Initial 3-Year Contract Term + 2 Optional Extension Period)	£7,444,185.00

**Legal Implications:**

It is the intention to undergo a procurement exercise to identify a suitable supplier in accordance with PCR 2015 Regulation 32(2)© and Procurement Policy Note 01/20.

Section 2 of the Care Act 2014 places a general duty on local authorities to provide, arrange or otherwise identify services, facilities, and resources to prevent, delay or reduce the needs of adults for care and support. The Community Mental Health and Wellbeing Service contributes significantly to:

- Prevention
- Integrated partnership working and
- The provision of good quality services and goods

A Section 256/Memorandum of Agreement will be entered in to by all parties to provide a framework within which to work with health partners and other local authorities and includes financial protections for KCC. Given the joint nature of the contract in place, ASCH operations would support the merits of this request.

If there is a change in Strategic Partners, TUPE regulations will apply. KCC needs to be conscious to mitigate the disruptive effect that this may have on current service users.

## **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 April 2022

### **Reason if Key Decision**

An Equality Impact Assessment is in place for the commissioning of the Community Mental Health and Wellbeing Contract. No major issues were identified.

Data Protection implications: There are no anticipated data implications associated with these decisions, as there will be no change to current services, or the data collected or shared, and therefore this will be covered under existing Contract clauses. It will be necessary to get the Strategic Partners to complete a Data Protection Impact Assessment (DPIA) as they are controlling confidential data. A DPIA may be required to be completed as part of tender submissions.

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

The proposed decision was discussed at the Adult Social Care Cabinet Committee on 31 March 2022 and the recommendations were endorsed.

KCC Commissioners responsible for the management of the contract have also designed and delivered market engagement events and a public consultation was undertaken between 23 August 2021 to 3 October 2021.

## **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:**

Please refer to 'Financial Implications' section above.

**Support documents**

PROD

Decision Report

Appendix A

Appendix B

Appendix C

Appendix D

**NOT BEFORE 14 APRIL 2022**

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

**22/00032 - Works at the Turner Contemporary Gallery, Margate**

**The Decision needed:**

**Proposed decision:**

The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to:

1. The required works at Turner Contemporary Gallery and related activity, as detailed in the recommendations as set out within the decision report.
2. To delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to take necessary actions, including but not limited to entering into contracts required to deliver the works.

**Reason for the decision: The value of the works exceed £1 million and therefore a key decision is required.**

Kent County Council (KCC) constructed a purpose-built gallery which was handed over to the Turner Trust in 2011. Under the term of the lease between KCC and the Trust, KCC are obliged to repair and maintain certain elements of the building including the external rainscreen cladding.

In 2020, KCC was successful in obtaining Arts Council funding of £759,514 to allow improvements to the Gallery, in recognition of its success as a visitor attraction and to allow the Gallery to accommodate numbers in excess of original projections. The improvement works, together with the outstanding repairs were tendered and contracted to a local Kent building contractor and were completed in 2021. Whilst the building works were completed a number of works identified and are required now to be completed in line with the Council's obligations.

These works are funded within the allowances of the Medium-Term Financial Plan.

## **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 April 2022

### **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 decision will be considered by the Policy and Resources Cabinet Committee on 24 March 2022 and the outcome of discussion included in the decision paperwork.

The views of local members will be sought and reported to the Cabinet Member prior to the decision being taken.

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

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

**Support documents**

PROD

EXEMPT Executive Decision Report

**Responsible Cabinet Member** - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services**Reference No:** Legal documentation will be actioned to implement the transaction(s). An external legal advisors will be appointed in consultation with the Office of General Counsel.**Key** Yes**Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.****Title:****22/00031 - Strategic options for Langton Field, Canterbury: Land adjacent to Kent & Canterbury Hospital****The Decision needed:****Decision:**

To agree for the Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to finalise and enter into all necessary legal and other documentation with one or more parties to optimise Kent County Council's land holdings position at Langton Land, Canterbury.

**Reason for the decision:**

Proposed optimisation of the Land and Langton Lane in line with Council's s.123 best consideration obligations to protect its commercial interests.

**Background:**

c.14.28 acres of Council owned agricultural land surplus to Kent County Council (KCC) requirements, allocated for residential development under current Local Plan. Local NHS Trust, East Kent Hospital University Foundation Trust (EKHUFT) have identified part of the KCC land along with adjacent land owned by Canterbury City Council (CCC), to expand its Kent & Canterbury Hospital.

A Key Decision (No. 21/00060) was taken in August 2021 which gave authority for the land to be included in the NHS Trust's hospital procurement exercise, leading to a conditional contractual obligation to sell to the successful bidder at market value, reflecting current planning allocation within a defined timeframe (with a longstop date of July 2024 for the Trust to complete the procurement of its developer partner).

Decisions have yet to be made by the NHS as to any funding or location of any new facility. KCC are required to optimise the value of its land both as part of any hospital procurement and in the event that the hospital transaction does not proceed.

**How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes:**

Maximising the return to the Council which can be reinvested in the Council's Medium Term Financial Plan.

**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 April 2022

**Reason if Key Decision**

Not applicable.

As part of this authority process and in the handling of personal data and conveyancing Data Protection is observed.

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

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

**Consultees**

The proposed decision was discussed and endorsed by the Policy and Resources Cabinet Committee on 24 March 2022.

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

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

anticipated transaction in excess of £1m in line with Council's s.123 best consideration obligations. The optimisation of the site will enable a greater capital receipt to the Council which will be reinvested in the priorities as set out in the Medium-Term Financial Plan capital programme. The financial implications will be set out in detail in the exempt report.

**Support documents**

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

**Reference No:** The award of any contracts will be in full compliance with all

relevant procurement and governance regulations. External legal advisors who have been commissioned by the Office of General Counsel have provided advice on the establishment of the framework.

**Key** Yes

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

**Title:**  
**22/00030 - Construction Partnership Framework Commission**

**The Decision needed:**

**Proposed decision:**

The decision will result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000). Individual projects procured through the framework will be subject to their own appropriate governance and funding process.

**Background:**

On 14 January and 13 July 2021, it was presented at Policy and Resources Cabinet Committee that a replacement framework would be required to allow the Council to commission new construction schemes when the Kent Contractors framework expired in October 2021. Following a discussion at the committee a construction partnership has been progressed. The new Construction Partnership Framework will allow future schemes to be procured expediently and efficiently in line with modern best practice. A key factor in considerations is the reduction in the number and value of projects in the pipeline compared to previous years. The pipeline has reduced when compared to the previous four to six years and reflects the current Medium Term Financial Plan.

**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 April 2022

**Reason if Key Decision**

An Equalities Impact Assessment has been carried out and no implications have been identified.

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

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

**Consultees**



The decision was considered and endorsed by the Policy and Resources Cabinet Committee on 24 March 2022.

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

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

There is no workload guarantee in the framework agreement. All schemes awarded to contractors will incorporate their own contract (NEC 4 suite) and such projects will need to be taken through the appropriate governance and funding process.

The framework pricing structure will be open book which will allow the Council's Commercial Team to review rates and evaluate whether they are in accordance with market conditions. Should the proposal not be within a suitable tolerance of market prices, the Council can move to the next contractor. This will encourage price competitiveness and ensure the Council is aware of current market forces. An example of this is the current material shortage (timber, steel, cement, etc) affecting the UK market and further afield. Should the Council not be satisfied that the proposals represent VFM KCC is able to utilise an alternative procurement option.

**Support documents**

PRoD

Decision Report

Appendix B - Exempt

**NOT BEFORE 6 APRIL 2022**

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

**Reference No:** None at this stage.

**Key** Yes

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

**Title:**

**22/00026 - Heritage Conservation Strategy Adoption**

**The Decision needed:**

**Proposed decision:**

To adopt a revised Heritage Conservation Strategy.

**Background:**

A revised Heritage Conservation Strategy has been prepared following an eight-week public consultation which closed on 13 December 2021. The draft Strategy follows a report to Cabinet Committee in January 2021

where a draft vision, strategic aims and objectives were all endorsed and a report to Cabinet committee in September 2021 which agreed the consultation draft of the strategy. The draft strategy was informed and reviewed by a Member Working Group.

The revised Heritage Conservation Strategy has incorporated minor amendments based on responses received during the consultation. The public consultation received 2,660 total visits, 1,150 downloads and 277 responses. There was high overall support for the Heritage Conservation Strategy with 94% in favour of the proposed vision and similarly high percentages in favour of most of the Strategic Aims and Objectives

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

The option of not preparing a Heritage Conservation Strategy was considered but rejected due to member and senior management support.

**How the proposed decision supports the Interim Strategic Plan:**

- Working with Kent Local Planning Authorities to facilitate heritage aspects of growth and infrastructure projects and meet the requirements of the National Planning Policy Framework.
- Work with partners to deliver the strategy objectives.

**Financial Implications**

The Kent County Council Heritage Conservation Service has a base revenue budget of £223,500 for the current 2021/22 financial year. It also has a capital allocation for windmill weatherproofing of £584,000 for 2021/22 - 2023/24.

The Service generates an income of approximately £192,000 in a typical year to deliver a wide range of activities relating to the historic environment.

One of the objectives (no. 20) supporting the strategic aims is to develop a strategy to systematically review and monitor progress towards greater financial sustainability.

**Equalities implications**

An Equality Impact Assessment has informed the preparation of the draft Strategy and is included as part of the Background Documents.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before April 2022

**Reason if Key Decision**

An EqIA has been prepared; no mitigations required.

A DPIA w is not required

<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 draft vision was reported to and endorsed by the Environment and Transport Cabinet Committee in January 2021. The consultation draft was reported and endorsed in September 2021.</p> <p>The final Strategy will be discussed by members at their meeting on 17 March 2022.</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 Kent County Council Heritage Conservation Service has a base revenue budget of £223,500 for the current 2021/22 financial year. It also has a capital allocation for windmill weatherproofing of £584,000 for 2021/22 - 2023/24. The Service generates an income of approximately £192,000 in a typical year to deliver a wide range of services and activities relating to the historic environment.</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> All necessary planning consents have been granted.</p> <p>Land for the scheme is required from Harvestore, owners of the Newnham Court Shopping Village, and land for the sustainable drainage element within the Crematorium grounds from Maidstone Borough Council. Both parties are supportive and draft agreements are being progressed.</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>22/00025 - Bearsted Road Highway Improvement Scheme</b></p> <p><b>The Decision needed:</b>  <b>Proposed decision:</b>  To give approval to:</p> <ul style="list-style-type: none"> <li>i. Adopt the Bearsted Road dualling scheme shown on Drawing (Drg.) No. 70040984-SK-0086 for development control, land charge disclosures and</li> </ul>

- implementation;
- ii. Retain the current scheme for widening Bearsted Road to three lanes scheme shown on Drg. No.70040984-SK-0087;
  - iii. Delegate the decision to decide which of the two scheme options (Drg. No. 70040984-SK-0086 or Drg. No.70040984-SK-0087) is delivered to the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following the views of this Committee and after prior consultation with the Cabinet Member;
  - iv. Give authority to enter into the appropriate land, development and funding agreements and the award of the construction contract, and all other acts and consents and any subsidiary contracts required to allow the scheme to be implemented;
  - v. Delegate to the Corporate Director of Growth, Environment & Transport, under the Officer Scheme of Delegations following prior consultation with the Cabinet Member, any further or other decisions as may be appropriate to deliver the Bearsted Road scheme;
  - vi. Confirm that other decisions in Record of Decision 18/00026 remain extant.

**Reason for the decision:**

Approval of highway improvement scheme proposals and authority to award the construction contract and enter land, development, and funding agreements.

**Background:**

The A249 Bearsted Road scheme is an important infrastructure improvement which aims to address congestion in Maidstone. It has been successful in unlocking external funding from the Department for Transport under the National Productivity Investment Fund (NPIF).

The current Bearsted Road scheme involves widening Bearsted Road to three lanes (two in the eastbound and one in the westbound direction), signalling the 'Next' roundabout and enlarging and signalling the New Cut (KIMs) roundabout, together with an alternative access and service roads to the Newnham Court Shopping Village.

The main Bearsted Road part of the scheme can proceed as Permitted Development but related aspects for a new access road into Newnham Court Shopping Village and sustainable drainage measures with Maidstone Crematorium required planning consents which were granted in February 2022.

Construction tenders have been invited and a preferred contractor selected. This enabled an advance works contract to be let during 2021 for ecology works and utility trial hole investigations aimed at providing some cost certainty for one of the significant construction risks.

The current adopted scheme is therefore ready to proceed but there were several issues that needed to be resolved:

- i. a review of the scheme using KCC's new Countywide transport model has questioned some of the modelling assessments and whether theoretical junction operation reflects how traffic operates in practice;
- ii. whether travel behaviour has changed given the larger emphasis on active travel as the county emerges from the Covid pandemic and the impact of Brexit is realised, particularly as the A249 forms part of the resilience

- network;
- iii. the inter relationship with M20 junction 7, particularly in the absence of imminent improvements;
- iv. whether, as an authority, KCC have been bold enough with the scheme design bearing in mind the significance of this route for local traffic and the impact of future maintenance requirements (although the need to minimise land take still needs to be considered);
- v. buildability aspects and opportunities to minimise construction inconvenience following discussions with the appointed contractor; and
- vi. the cost and funding.

Further investigation has identified that a two-lane dualling option would provide improved capacity, better pedestrian and cycling connectivity and be easier to build with less disruption to road users. The dualling option would also make it possible for future traffic incidents or maintenance requirements following completion to be catered for under lane closures, therefore enabling a two-way flow of traffic to be maintained and minimising congestion.

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

1. Do Nothing – discarded as congestion needs to be addressed to cater for future growth in this location. Doing nothing would result in £2.27m of abortive costs and reputational risk given the planning consents have been achieved, and the capacity and active travel benefits of the preferred scheme would not be realised.
2. Do Something - To signalise the A249 Bearsted Road (Next roundabout) and enlarge and signalise the Bearsted Road/New Cut Road roundabouts and widen Bearsted Road to provide 3 lanes between the roundabouts. The estimated cost to deliver this option is £13.4m.
3. Do Optimum - To deliver the improvements in Option 2 and widen Bearsted Road between the roundabouts to provide a 4-lane dual carriageway and a shared footway/cycleway on the southern side of Bearsted Road between the crematorium and New Cut Road. For an additional £1.256m, improved capacity, better footway and cycleway facilities and a more resilient network would be achieved.
4. Do Maximum - This would deliver all of the improvements from Option 3, plus signalisation and capacity enhancements at the A249 junction with the M20 Junction 7. Improvements to M20 J7 have been a longstanding ambition and although can be funded through developer contributions, these will not be received in time to enable delivery alongside the Bearsted Road scheme. Although the developers have entered into S106 agreements, their payments are linked to key trigger dates, therefore several external funding bids have previously been submitted to Central Government. KCC will continue to develop the proposals alongside MBC and future grant and loan opportunities will be explored, but this Do Maximum option is not currently viable.

The preferred option is Option 3 as the construction will be less disruptive, it will provide improved capacity, better pedestrian and cycling connectivity and will enable future roadworks and maintenance activities to be carried out with less disruption to the travelling public.

**How the proposed decision meets the priority actions of Setting the Course: Kent County Council's Interim Strategic Plan (December 2020):**

The scheme supports Kent business and housing growth and encourages economic activity to benefit the local and wider communities by improving the highway infrastructure to reduce congestion, provide more reliable journey times and improve accessibility and public transport links.

**Financial Implications:**

Budget 21/22 – Section 5 – Capital Investment Plans by Directorate (HT&W) Row 43 Kent Medical Campus (National Productivity Investment Fund)

Table 1: Identified funding

	£	£	£	£	£	
	Total	Prior Years	21-22	22-23	23-24	Status
NPIF	9,399,000	2,274,000	133,000	6,564,000	428,000	Banked (no deadline for spend)
Harvestore	875,000			875,000		Agreed subject to written agreement
Maidstone BC	500,000			500,000		Agreed subject to written agreement
Covid recovery Fund	1,375,000			1,375,000		Secure
Lane Rental Fund	600,000			600,000		Banked
Capital reallocation (Including Preliminary design)	1,097,150		475,000		622,150	Banked
S106 (including M20 J7 design)	810,000				810,000	Banked
<b>Total Identified Funding</b>	<b>14,656,150</b>	2,274,000	608,000	9,914,000	1,860,150	

The scheme is fully funded by the National Productivity Investment Fund (NPIF), S106 contributions, other contributions and agreed sources of capital funding.

The overall estimated cost to deliver Option 4 is £13,582,000 and a risk allowance of £1,074,207 has been added to this – giving a total construction cost of £14,656,150. The construction estimate is considered robust, with the benefit of being based on tender returns, and adequate contingency has been allowed for in terms of price inflation and risk. Further synergies could be delivered if the M20 Junction 7 scheme proceeds and is fully funded, and external funding opportunities for this element will continue to be explored.

**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 2022

**Reason if Key Decision**

The current updated EQIA Assessment will be included with the Committee Report.

The main negative impacts identified in the EQIA are concerned with impacts due to disruption during the construction period. The delivery of the scheme will improve infrastructure and will be deemed to have a positive impact for most of the protected categories, in particular Age, Disability and Gender (including pregnancy and maternity).

A DPIA is not required for the scheme.

**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 report will be taken to Environment and Transport Cabinet Committee on 17<sup>th</sup> March 2022.

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

Please see above.

**Support documents**

**NOT BEFORE 1 APRIL 2022**

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

**Reference No:** None.

**Key** Yes

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

**Title:**  
**22/00022 - Active Travel Capital Funding Grant Tranche 2**

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

To give approval to proceed to consideration of alternative options for Thanet, Gravesend, and Folkestone Active Travel Schemes.

**Reason**

To inform Cabinet Members of current situation with regard to Council secured funding for the Active Travel Fund from the Department for Transport, update following the public consultation and seek approval to proceed to the next stages of consideration of alternative plans for the Thanet, Gravesend, and Folkestone Active Travel Schemes.

**Background**

The Department for Transport has awarded Kent County Council £6.098m for five named active travel schemes across the County. One of these schemes has proceeded to construction stage (Hythe), one has approval to proceed to detailed design and construction (Canterbury), and the remaining three will be discussed at the meeting of the ETCC as no formal update has yet been provided regarding the outcome of Public Consultation.

*How the proposed decision meets the challenges in the Interim Strategic Plan:* Delivery of Active Travel Schemes will directly support priority actions under the demand and environment challenges:

- Demand - Work with local communities to promote access to safe places to walk and cycle as an alternative to travelling by car
- Environment - Homes and communities need to be well-connected, both to convenient transport networks and active travel. The schemes support the delivery of reduced congestion and improving infrastructure and accessibility.

**Financial Implications**

The DfT's grant conditions state that the expenditure is for the named schemes contained in the bid, for the purpose and benefit of Active Travel and it requires Kent to carry out advanced consultation.

The funds were originally intended for expenditure by March 2021, however since the Department for Transport spent some months deliberating the grant offer; we now have an extension, and the schemes should be delivered as soon as possible, preferably before the end of March 2023. If any capital funding is left; we will seek approval from the DfT to use it for smaller active travel measures such as cycle storage and/or other measures to compliment walking and cycling in the local vicinity.

The DfT grant of £6.098m will fully cover both the capital and revenue costs associated with the scheme as per current concept designs. These costs are split as follows:

- Revenue £1.220m
- Capital £4.878m

The schemes' costs are scalable to suit the budget available and therefore present no financial risk to KCC. A proportion to allow for risk was included in the cost estimates. Independent cost consultants will be used throughout the design process to ensure cost assurance for the whole life costs of the schemes.



**Legal implications**

Nothing to report at this stage.

**Equalities implications**

Equality Impact Assessments have been completed for the individual projects. KCC will review these documents whilst keeping any affected groups informed and updated.

**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 2022

**Reason if Key Decision**

An EQIA screening has been carried out as part of the outline design and second consultation work and will be regularly updated.

Data Protection Implications: None at this stage.

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

No specific cabinet committee consultation is proposed at this stage.

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

The DfT grant of £6.098m will fully cover both the capital and revenue costs associated with the schemes as per current concept designs; the schemes' costs are scalable to suit the budget available. These costs are split as follows:

- Revenue £1.220m
- Capital £4.878m

There are no revenue implications to KCC if elements of the schemes do not proceed.

**Support documents**

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

**Reference No:** Invicta Law have previously provided advice that KCC's Constitution requires Transport for the South East to be listed in Section 19, Partnerships. The Monitoring Officer will be informed of the decision and asked to list TfSE as an Outside Body on the Council website and also asked to update the Constitution consequent to the exercise of Executive power in relation to the decision taken concerning Transport for the South East. This advice remains valid for this decision.

**Key** Yes

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

**Title:**

**22/00023 - Transport for the South East - KCC Participation**

**The Decision needed:**

**Proposed decision:**

To agree to:

1. Kent County Council continuing to participate in a non-statutory voluntary Sub National Transport Body (SNTB) for the South East, known as Transport for the South East (TfSE), at the cost, for the purposes, and with the membership, set out in the accompanying report; and
2. Delegate to the Corporate Director Growth, Environment and Transport to take, in consultation with the Cabinet Member for Highways and Transport, the actions necessary to implement the decision, subject to the Council's decision-making procedures.

**Reason(s) for decision:**

**Background**

The Cities and Local Government Devolution Act 2016 amended the Local Transport Act 2008 to allow the creation of Sub-national Transport Bodies (STBs). There are now several shadow STBs in England, with Transport for the North becoming the only statutory STB in April 2018.

Transport for the South East (TfSE) is a partnership of 16 Local Transport Authorities and five Local Enterprise Partnerships. In July 2020, TfSE's Shadow Board adopted a Transport Strategy. TfSE applied to Government to become a Statutory body in July 2020, submitting a business case following adoption of the Transport Strategy. In October 2020, TfSE was notified it would not be granted statutory status for the foreseeable future. TfSE had also embarked on a series of Area Studies and Thematic Strategies (Freight and Future Mobility) in August 2020 and which are completing in early 2022. These completed studies will enable the preparation of a Strategic Investment Programme for submission to government, following public consultation, in 2023.

**Financial Implications**

As a constituent authority, KCC contributes £58,000 per year to fund the development of TfSE. The Department for Transport (DfT) has provided funding support to TfSE, most recently to a value of £1.625m within Financial Year (FY) 2021/22. Funding for future FYs has not yet been confirmed by DfT.

**Legal Implications**

Invicta Law have previously provided advice that KCC's Constitution requires Transport for the South East to be listed in Section 19, Partnerships. The Monitoring Officer will be informed of the decision and asked to list TfSE as an Outside Body on the Council website and also asked to update the Constitution consequent to the exercise of Executive power in relation to the decision taken concerning Transport for the South East. This advice remains valid for this decision.

**Equalities implications**

An Equalities Impact Assessment has been undertaken and provided alongside the decision report to Environment and Transport Cabinet Committee for consideration. TfSE have completed an EqIA for the Transport Strategy for the South East and are undertaking further assessment as part of an Integrated Sustainability Appraisal for the Area Studies and Thematic Studies.

**Data Protection implications**

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

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

Leader of the Council

**Date:**

Not before April 2022

**Reason if Key Decision**

An Equalities Impact Screening Assessment has been undertaken and provided alongside the decision report to Environment and Transport Cabinet Committee for consideration. TfSE have completed an EqIA for the Transport Strategy for the South East and are undertaking further assessment as part of an Integrated Sustainability Appraisal for the Area Studies and Thematic Studies.

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

**Reason if this decision has been delayed/withdrawn from a previous plan****Section 3 – – Who is to be consulted, how and when, ( The Duty to**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>The proposed key decision will be taken to Environment and Transport Cabinet Committee on 17<sup>th</sup> March 2021 by the Cabinet Member for Highways and Transport.</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> As a constituent authority, KCC contributes £58,000 per year to fund the development of TfSE. The Department for Transport (DfT) has provided funding support to TfSE, most recently to a value of £1.625m within Financial Year (FY) 2021/22. Funding for future FYs has not yet been confirmed by DfT.</p> <p><b>Support documents</b></p>

**NOT BEFORE 28 MARCH 2022**

<p><b>Responsible Cabinet Member</b> - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Reference No:</b> Legal advice received supports the approach with negligible risk.</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>22/00020 - Kent Holdco Ltd, Education Supplies</b></p> <p><b>The Decision needed:</b> <b>Proposed decision:</b> Deputy Leader to approve a new trading construct for education supplies with all revenue, stock and contracts vesting with Kent Holdco (CES Holdings Ltd).</p> <p><b>Reason for the decision:</b> Material change to the trading construct for education supplies managed by Kent County Trading (KCT) on behalf of Kent County Council (KCC).</p> <p><b>Background:</b> KCT struggles to compete with private sector operators that are not bound by the Public Contract Regulations 2015 (PCRs).</p>

A simple trading construct can be implemented that allows a company owned by Kent Holdco to procure separately from KCC. This construct has been developed based on legal advice from relevant experts, with assurances of legal compliance.

This procurement flexibility will allow KCT to work directly with overseas manufacturers, cut out European distributors, and improve profit margins.

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

Continue as currently.

**How the proposed decision supports the Interim Strategic Plan:**

The interim strategic plan includes the reset of Kent County Council's Trading Companies. This is an important part of that reset.

**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 March 2022

**Reason if Key Decision**

An EqlA has been completed and there are no impacts and therefore no required mitigating actions at this stage.

DPIA is not required.

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

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

**Consultees**

The proposed decision will be considered by Policy and Resources Committee on 24 March 2022.

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

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

KCT's profits after tax are expected to improve by c.£250k in the 2022/23 financial year and c.£500k in each financial year thereafter as a result of the proposed change.

**Support documents**

NOT BEFORE 24 MARCH 2022

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

**Reference No:** The implementation of the strategy will be in line with Kent County Council's adult social care responsibilities, set out in relevant legislation such as the Care Act 2014, Mental Capacity Act 2005 and the Mental Health Act 1983.

**Key** Yes

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

**Title:**

**22/00015 - Kent Adult Carers' Strategy 2022 - 2027**

**The Decision needed:**

**Proposed decision**

To adopt the Kent Adult Carers' Strategy 2022 – 2027; delegate authority to the Corporate Director Adult Social Care and Health to refresh and/or make revisions as appropriate during the lifetime of the strategy and delegate authority to the Corporate Director Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of and entering into required contract or other legal agreements, as necessary to implement the objectives of the strategy.

**Reason for the decision**

The current Kent Adult Carers' Strategy was developed and adopted in 2009 and it is recognised that there is a need to set a new strategic direction for Adult Social Care which better responds to the changing expectations of the people we support, their carers and the operating environment.

The Kent Adult Carers' Strategy 2022 – 2027 describes our vision, approach, and priorities for how we plan to work with all our partners to make welcomed changes for supporting adult carers in Kent. This strategy does not sit in isolation. The strategy has been influenced by the '*People at the Heart of Care, White Paper 2021*' and, it is closely aligned with the '*Making a difference every day – Our strategy for Adult Social Care in Kent 2022 to 2027*'.

The strategy sets out our vision and ambitions for supporting and empowering carers to lead the lives they want to live, in a place they call home and by putting carers at the heart of everything we do.

**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 April 2022</p> <p><b>Reason if Key Decision</b> As part of the planning process for the strategy development work, an initial equalities impact assessment was developed. This will be updated to reflect comments made during the engagement events and following the consultation exercise. A final version will be drafted to support the proposed decision.</p> <p>Data Protection implications: The development of the strategy does not require a Data Protection Impact Assessment to be completed.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b> The draft Carers' Strategy has been subject to public consultation. The consultation on the strategy opened on 12 January 2022 and it closed on 22 February 2022. <a href="https://letstalk.kent.gov.uk/adult-carers-strategy">https://letstalk.kent.gov.uk/adult-carers-strategy</a></p> <p>The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 31 March 2022 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.</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><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 implementation of the new strategy will be taken forward based on the budget allocation to the Adult Social Care and Health Directorate. Service delivery arising from this strategy for future years will be determined by the approved budget and the Medium Term and Financial Plan (MTFP) requirements.</p> <p><b>Support documents</b> PROD Decision Report Appendix A Appendix B Appendix B1 Appendix C</p>

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Integrated Children's Services</p> <p><b>Reference No:</b> The Council has a statutory duty to provide suitable and safe accommodation that has the right level of support for Children in Care (including UASC) in accordance with the Children's Act 1989. The Council must provide Care Leavers (including former UASC) with support and financial support to assist in promoting their welfare, especially in relation to maintaining suitable accommodation and helping them to access education, training, and employment.</p> <p>Spending the Council's Money requires procurement to be competitive. Directly awarding the contract could be considered a suitable route under Regulation 72 of the Public Contract Regulations 2015.</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>22/00017 - Shared Accommodation and Young Persons Supported Accommodation and Floating Support Service contracts</b></p> <p><b>The Decision needed:</b> <b>Proposed decision:</b></p> <ul style="list-style-type: none"><li><b>a) DIRECTLY AWARD</b> a new contract, under the same terms and conditions to Clearsprings Ready Homes from 1 November 2022 to 31 March 2023 for Shared Accommodation services.</li><li><b>b) DIRECTLY AWARD</b> a new contract under the same terms and conditions to Look Ahead Care and Support, Sanctuary and YMCA from 1 October 2022 to 31 March 2023 for the Young Person's Supported Accommodation and Floating Support (YPSAFS) services.</li><li><b>c)</b> Delegate authority for the Corporate Director Children, Young People and Education in consultation with the Cabinet Member to award a contract following a competitive tender process and implement the Decision.</li></ul> <p><b>Background:</b> The Young People Supported Accommodation and Floating Support (YPSAFS) and Shared Accommodation contracts are due to expire on 30 September 2022 and 31 October 2022, respectively. There is no provision in either contract to extend further.</p> <p>Significant commissioning activity has taken place over the last year culminating in a business case and commissioning plan. At the beginning of December, as the reports were being prepared to recommission the</p>



services, Ofsted announced an introduction of a regulation regime for all accommodation for 16/17-year-olds that currently sits outside of regulation, of which include these services. The age range for the current provision is 16-21.

This has derailed the commissioning intentions, developed through engagement with young people, KCC staff and District and Borough Councils, and requires a full commissioning programme once the requirements of KCC and of potential providers are known.

Since the announcement in December 2021, the implementation date has already moved from April 2022 to April 2023, although the lead-in time will still be to the Autumn of 2023, with inspections commencing in April 2024. The nature of these contracts is based on relationships with landlords and establishing new short-term contracts where lease arrangements are in place would be complicated, costly and impact on the young people living in those properties.

In addition, there are changing demands for accommodation and support services. This is a result of population changes, increase in the number of adolescents entering care and an increase in the Unaccompanied Asylum-Seeking Children (UASC) population over previous years. Demand for all provisions has exceeded the anticipated forecast levels within the previous Sufficiency Strategy, which has put additional pressure on all services.

KCC has a statutory responsibility to safeguard and promote the welfare of Kent Children in Care and ensure best value for money it spends on behalf of the Kent population. It also has a statutory responsibility to ensure there is sufficient safe accommodation for Children in Care.

#### **Options considered:**

The full range of options is now currently unclear as the level of detail from Ofsted needed is still in development. The one option that would allow services to continue to the point of known introduction of regulation would be to directly award contracts, under the same terms and conditions to the incumbent providers. This would allow time to run a compliant procurement understanding better the service requirements and specifying clearly the need.

The current challenges and re-commissioning risks have been identified

- **Insufficient clarity of what the regulations may entail** - Providers costing in the risk of regulation expecting it to be as robust as regulations for residential and fostering services.
- **Current providers may not wish to become regulated** - Uncertainty that the market has enough regulated provision to meet the Councils needs/demand and the level of qualified workforce required resulting in significant staffing costs being passed onto the Council.
- **KCC commissions an accommodation service from 1 November 2022 as planned** – Unclear specification requiring unknown risk to be costed in. Challenging timescales to achieve a successful procurement. Uncertainty could mean aborting the procurement, resetting and

restarting

- **KCC commissions a supported accommodation service from 1 November 2022 for 16/17-year-olds only advertising a regulated requirement** - Providers not able to become regulated in that time. Potentially more expensive provision with 200 16- and 17-year-olds potentially having to move.
- **KCC also commissions an accommodation service from 1 November 2022 for 18+ Care Leavers which would not be subject to the regulation, up to the age of 19** - All young people that turn 18 will need to be moved to the new service for over 18's only impacting on internal resources and time. Risk that this would not be desirable for the market to bid due to reduced number of placements.
- **Not renewing the YPSAFS service placing all 16/17-year-olds including CIN into alternative accommodation which could include semi-independent spot purchased accommodation** - Increased placement costs to the Council. No contract management to ensure outcomes are achieved. More 16/17-year-olds coming into care as YPSAF currently accommodates Children in Need.

## **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 March 2022

### **Reason if Key Decision**

An Equality Impact Assessment (EqIA) was completed as part of the planned redesign and recommissioning of the Shared Accommodation and YPSAFS service.

Directly awarding contracts would pose no immediate change to the service for those young people and therefore the risk of any adverse impact is limited. A full EqIA will be completed as part of the new full commissioning activity.

A Data Protection Impact Assessment (DPIA) for the new service will be implemented following contract award.

### **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 annual value of these contracts is approximately £8.8million combined. The Shared Accommodation service element is largely funded from the Home Office grant and is the largest area of spend at £5.1m. The remainder of shared accommodation contract (£0.8m) along with the YPSAFS contract is funded from the General Fund. The YPSAFS contract is £2.4-£2.8m per year dependent on the number of children in care placed in the service. Assuming providers will accept a new contract for five/six months respectively at the same level of cost, this is already included in the revenue budget under the following budget lines: "Looked After Children- Care and Support", "Children in Need – Care and Support", "Care Leavers Service" and "Asylum".

**Support documents**

PROD  
Report

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

**Reference No:** We have a duty to review the allowances and fees paid to foster carers on an annual basis as outlined in the National Minimum Standards for Fostering Services issued by the Secretary of State under section 23 of the Children Standards Act 2000.

**Key** Yes

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

**Title:**

**22/00014 - Proposed Revision of Rates Payable and Charges Levied by Kent County Council for Children's Social Care Services in 2022-23**

**The Decision needed:**

**Proposed decision:**

- i. APPROVE the proposed changes to the rates payable and charges levied for Children's Services in 2022-23.
- ii. NOTE both the changes to the rates that are set by the Government/external agencies: Inter-agency charges and Essential Living Allowance and; any charges to other Local Authorities for use of in-house respite residential beds are to be calculated on a full cost recovery basis.
- iii. DELEGATE authority to the Corporate Director of Children, Young People and Education, or other nominated officer, to undertake the necessary actions to implement the decision.

**Background:**

This decision revises the rates payable and charges levied by this Council for Children’s Social Care Services from 1 April 2022.

The recommendation report will distinguish between those rates and charges over which Members can exercise their discretion, and those which are laid down by Parliament.

The rates payable and charges levied for Children’s Services are reviewed annually, with any revisions normally introduced from the start of the new financial year.

Some of the increases are directly linked to the published Department for Education fostering rates, which are reviewed by the Department annually.

**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 March 2022

**Reason if Key Decision**  
 An assessment will be completed and any adverse impact within these proposals to increase funding rates for children’s services will be shared with this the CYPE Cabinet Committee on 1 March 2022.

A DPIA is not required and 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**

Cabinet Committee consideration is planned for 1st March 2022.

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

**Your name, Your Service, Your phone number and email address:**  
 The uplift of Rates & Charges is included in the Draft 2022-23 Revenue Budget and the Draft 2022-25 Medium Term Financial Plan.

**Support documents**  
 Report

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

**Reference No:** Any legal implications will be identified and reported in the Children and Young People's Cabinet Committee Report.

**Key** Yes

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

**Title:**

**22/00011 - Proposal to permanently expand Borden Grammar School, Avenue of Remembrance, Sittingbourne, ME10 4DB from 120 places to 150 places for September 2022**

**The Decision needed:**

**Proposed decision:**

- i. Agree to increase the funding allocated to expand Borden Grammar School from £5.46m to £6.975m through providing £1.515m million additional funding from the Basic Need capital budget.
- ii. Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts / agreements on behalf of the County Council.
- iii. Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

**Reason for the decision:**

Additional funding of £1.515m is required for the expansion of Borden Grammar school by 1FE from September 2022. Additional costs have been identified since the decision to allocate £5,460M to this project.

The revised project cost is now £6.975m. As the revised project cost is more than the ROD of £5,460M a new ROD is required to authorise the additional funding for this project.

**Background:**

The Kent Commissioning Plan 2021-2025 identified the need for additional selective places for the Sittingbourne and Sheppey Planning group. Forecasts indicated a deficit of up to 64 Year 7 places for 2022 and a continual need through the plan period of between 1.5FE and 2.5FE of additional selective school places. Discussions have been held with both grammar schools in Sittingbourne and each school has agreed to progress a 1FE expansion, delivering a total of 60 additional places from September 2022.

It was agreed to expand Borden Grammar School by 1FE and allocate

funding of £5,460M at the Children, Young People and Education Cabinet Committee on 14 September 2021. (Descison number 21/00069)

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

There are two grammar schools in Sittingbourne, and they have both agreed to a 1FE expansion. Neighbouring planning groups, including Faversham and Canterbury Selective and Maidstone Selective planning group, have a deficit of year 7 places.

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

This proposal will help to secure our ambition “to ensure that Kent’s young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy” as set out in ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2017 - 2022)’.

The Commissioning Plan for Education Provision in Kent 2021-25 identified the need to commission additional capacity in Sittingbourne Selective Schools.

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before March 2022

**Reason if Key Decision**

An Equality Impact Assessment has been produced and the assessment identified the following positive impacts:

- Sufficient year 7 places will be provided for Grammar pupils.
- Year 7 pupils will be able attend Grammar school provisions in their locality.
- More pupils will be able to attend a good or outstanding school.

No adverse impacts were identified during the assessment.

Data Protection implications: A DPIA screening form has been completed as no risk to the rights and freedoms of individuals has been identified a full assessment will not be 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**

It is planned to take the report to the Children and Young People Cabinet Committee on the 1 March 2022.

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

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

The total capital allocation of £6.975m is to deliver a programme providing the additional general and specialist classrooms plus a new sports hall required to meet the additional pupil place need. The additional funding of £1.515m has been due to the the increase in cost of materials, the costs associated with admormals due to the site restrictions, as well as specific planning conditions and postponement of the planning application until January 2022 committee. Developer Contributions totaling £3,079,650.77 have been sought towards Grammar expansions in Sittingbourne. Of this £313,229.77 has been secured and agreed, with a total of £72,658.64 received. £2,725,561 has been requested but is currently unsecured and £40,860 has been refused.

**Support documents**

PROD  
Report

**NOT BEFORE 9 FEBRUARY 2022**

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

**Reference No:** The Specialist Teaching and Learning Service operates within a framework of national legislation and local strategies and standards.

The Children and Families Act 2014 and SEND Code of Practice 2015 set out the responsibility to improve services, life chances and choices for vulnerable children and to support families. The Act states that “where a pupil continues to make less than expected progress, despite evidence-based support and interventions that are matched to the pupil’s area of need, the school should consider involving specialists.

Schools also have a range of duties under the Equalities Act 2010, including duties relating to disability. Sensory STLS is the only service with a statutory function.

**Key** Yes

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

**Title:**

**22/00001 - Specialist Teaching and Learning Service (STLS) - Consultation outcome on service redesign and delivery**

## **options from April 2022**

### **The Decision needed:**

#### **Proposed decision to:**

1. Extend the existing STLS district Service Level Agreements (SLAs) for five months (April to August 2022, inclusive), and new flexible three-year SLAs for implementation from September 2022.
2. Improve strategic governance and monitoring of the SLAs as part of the wider Children and Young People Outcomes Framework knitting together the SEND Strategy, the priorities set out in the Countywide Approach to Inclusive Education (CATIE) and the STLS Key Performance Indicators.
3. Implement proposals for a consistent countywide tiered model of access to specialist advice, support and interventions from September 2022, including: drop-in clinics, solution focussed Local Inclusion Forum Team (LIFT) Meetings, Intensive Specialist Support to model specialist interventions and strategies, and allocation of a named Link Teacher to settings and schools, as a single point of contact.
4. Implement proposals for STLS to focus on targeted and specialist level training. This work to be linked to the development of the Kent Directory of Resources.
5. Offer the opportunity for chargeable bespoke training where a need is identified which cannot be met through the existing Kent training offer
6. Improve outcomes for children and young people with SEND by ensuring that all Specialist Teachers have access to an equitable programme of Continuous Professional Development (CPD), and that they have or be willing to work towards accredited qualifications in an area of SEND or membership of relevant national professional bodies.
7. Incorporate the voice of parents/carers as equal partners in design, development and monitoring of specialist training for parents/carers of children and young people with SEND, as well as involving them in service design, identification of gaps, evaluation and improvement.
8. Ensure greater transparency and accountability as part of annual financial audit to ensure resources are targeted and outcome driven.
9. Extend the Physical Disability and Sensory SLAs for 17 months commencing April 2022, with the intention to work through the consultation responses to plan and manage the next steps to create a fully integrated inhouse provision.
10. The Kent Association of the Blind Habilitation Service Grant to be extended in line with the Sensory STLS provision, with a review of the service in the interim period.
11. To delegate authority to the Corporate Director of Children, Young People and Education or other Officer, to undertake the necessary actions to implement the decision.

#### **Reason for the decision:**

The Specialist Teaching and Learning Service (STLS) is a specialist provision for Children and Young People (CYP) with Special Educational Needs and Disability (SEND). The service is co-ordinated via 12 Special Schools (one per district) and two countywide provisions for Sensory and Physical Disability. The expectations and quality assurance of the delivery of the service are outlined in a Service Level Agreement (SLA). These SLAs



have been subject to a one-year extension, due to expire at the end of March 2022. The reason for the previous extension was to allow a review and redesign of the service, in line with the wider SEND Strategy 2021-24, the Kent SEND Inclusion Statement and the CATIE, prior to issuing new SLAs.

The decision is required to enable a five month extension of the District level SLAs that are due to expire at the end of March 2022, to allow a period of transition and alignment of the Agreements with the academic calendar, with full implementation of new 3-year SLAs from September 2022.

For the countywide provisions for Sensory and Physical Disability STLS, the decision is required to extend the existing SLAs which are due to expire at the end of March 2022. The decision is required to extend the SLAs for 17 months with the intention to work through the consultation responses to plan and manage the next steps to create a fully integrated inhouse Sensory and PD provision from September 2023.

The annual budget for these services will remain within the existing financial envelop of £8.5M.

**Background:**

The STLS is one the main vehicles for mainstream early years settings and schools to access the specialist advice, support, training and interventions to gain the specialist skills, confidence and capacity to meet the additional needs of children and young people with SEND. The STLS was devolved from the local authority in 2012 and is managed by 12 Special Schools, one per district. There are also two countywide provisions for Sensory and Physical Disability, both managed by one Special School in Sevenoaks district.

However, there have been growing challenges on the system, with increasing numbers of requests for Education Health Care (EHC) needs assessment made by parents who have indicated a lack of confidence in their child's education provision. Additionally, children have increasingly been placed in specialist provision or special schools; with significant budgetary pressures exacerbated by the rising numbers and costs associated with independent sector placements. Over the last year the local authority has been reviewing the strategic approach to these challenges and the impact of a continuum of support and services to improve inclusivity in mainstream education settings.

Whilst the feedback to the surveys indicate a high level of satisfaction to the current service delivery model, there are some variations and inconsistencies across the county. In addition, with growing number of pupils with more complex needs, settings and schools (particularly at secondary stage) feel they need more targeted and specialist support and training to be able to meet the additional needs of learners. This should lead to a reduction in the number of requests for EHC assessments, where the support needed is universally available.

The above activities resulted in the need to publicly consult on the future

proposals for the STLS offer to support mainstream early years settings and schools across the four dimensions of need as set out in the SEND Code of Practice. The Code of Practice is currently being review with expected publishing date in the first quarter of the new calendar year January/March 2022.

The STLS redesign is interdependent on the commissioning activities arising from the CATIE and the proposed High Needs Funding (HNF) review. To accommodate any changes that may be necessitated later, flexibility will be built into the new SLAs to ensure a joined-up approach. These three elements combined provide the opportunity to consider a systemwide approach to allocate resources and support where they can have the greatest impact.

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

Discounted options include:

- Open market bids to deliver the service – whilst this option may result in savings, the focus of the STLS redesign has been to introduce greater consistency and equity
- To bring the whole provision back in house. Whilst this is the approach proposed for the countywide Sensory and PD STLS, it was discounted for the district offer.

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

This supports Outcome One of the Strategic Statement “Children and young people in Kent get the best start in life”

The Kent SEND Strategy 2021 – 2024 has been developed alongside the delivery of the Written Statement of Action and sets out how Kent will continue to improve the outcomes for children and young people into the future.

### **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 February 2022

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

An Equality Impact Assessment (EQIA) screening has been carried out. It identified a low adverse equality impact rating. A full EQIA will be undertaken as part of the new service development.

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

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

<p><b>Consultees</b></p> <p>The proposed decision will be considered at the Children’s and Young People Cabinet Committee on 11<sup>th</sup> January 2022.</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 annual budget for the STLS is £8.5m per annum. This budget is funded from the High Needs Block of the Dedicated Schools Grant.</p> <p><b>Support documents</b> Decision Report Appendix 1 Appendix 2 Appendix 3 Appendix 4</p>

**NOT BEFORE 9 DECEMBER 2021**

<p><b>Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</b></p> <p><b>Reference No:</b> The conditional contract will be legally binding and will commit KCC to the eventual sale of the land subject to the granting of a qualifying planning consent within the terms of the contract. The contract is also subject to entering into satisfactory Agreements for Lease with the 2 GP practices and approval of the Full Business Case by the Clinical Commissioning Group’s (CCG) and District Valuer.</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>21/00100 - Disposal of Land South of Steele Avenue, Greenhithe, Dartford</b></p> <p><b>The Decision needed:</b> <b>Decision:</b> to agree to authorise the disposal of the land South of Steele Avenue, Greenhithe and delegate authority to:</p> <ol style="list-style-type: none"> <li>1. The Director of Infrastructure in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to finalise the contractual terms of the disposal.</li> <li>2. The Director of Infrastructure to authorise the execution of necessary</li> </ol>

contractual and land agreements required to implement the above.

**Reason for the decision**

Proposed property disposal in line with the Council’s statutory and fiduciary duties and over £1 million which requires a key decision.

**Background**

The freehold asset “Land at Steele Avenue Greenhithe” is a site approx. 1.29 acres. It is currently vacant and last used by KCC’s Highway Department as a depot site for the widening of the adjacent dual carriageway. The asset also includes car parking towards its north end.

This site, including the car park, was declared surplus to KCC’s requirements and was subsequently identified for disposal. A comprehensive marketing exercise has been undertaken for the north end of the site where it is envisaged a medical centre could be constructed, subject to planning consent and other due diligence which would provide a valuable community healthcare facility. Bids for the north end of the site have been received and a lead bidder has emerged.

A decision is now sought to finalise the terms of the conditional sale contract and authorise disposal of the north part of the site and, once boundaries have been confirmed for the medical centre, the south end of the site will be marketed for disposal.

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

- **Securing a capital receipt to fund the capital programme.**
- **Streamline the Council’s property portfolio.**
- **Achieve financial and efficiency benefits in line with appropriate policy.**
- **Provide Greenhithe, Stone and Swanscombe with much needed modern, purpose built, primary healthcare facilities with capacity to provide GP services to the growing population up to circa 30,000 patients.**

**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 December 2021

**Reason if Key Decision**

N/A

Data Protection implications

As part of this authority process and in the handling of the marketing and conveyance Data Protection is observed.

**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?**

Not to date but it is common for medical centre developers to offer public consultation on proposals as part of the planning application process. The site has also been the subject of representations for the Local Plan and the Stone Parish Council Neighbourhood Plan

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

The Local Member has received regular updates regarding activity at this site and a meeting held with the Stone Parish Council Councillors to discuss the proposals for this site. Their current views will be sought and reported to the relevant Committee / Cabinet Member.

**Cabinet Committee consultation planned or undertaken**

The proposed decision was discussed and endorsed by the Policy and Resources Cabinet Committee on 9 November 2021.

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

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

The sale of the property will result in a capital receipt for KCC which will be used to support the Council's Capital Programme.

Revenue costs are minimised due to the structuring of a conditional contract with further consultant fees being initially borne by the developer.

**Support documents**

**NOT BEFORE 29 NOVEMBER 2021**

**Responsible Cabinet Member - Cabinet Member for Community and Regulatory 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:**  
**21/00096 - Contract for Post Mortem Facilities for the North West Kent Coroner area**

**The Decision needed:**  
**Proposed Decision:**  
To award a 12 month extension to the contract for the provision of post mortem (PM) facilities to Dartford & Gravesham NHS Trust.

**Background**  
The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention eg where a Deprivation of Liberty Safeguard Order (DoLS) is in place

In some cases the Coroner will order a PM to establish the cause of death and in such cases the deceased is taken to one of 5 NHS mortuaries across Kent and Medway located at Margate, Ashford, Dartford, Tunbridge Wells and Gillingham.

On behalf of the Senior Coroners, KCC ensures there is adequate storage capacity for coroner's bodies and that the coroners have access to PM facilities. KCC does not have its own public mortuary facility, and so like many other coroner areas across England and Wales it has no choice but to use local NHS hospitals which have the necessary facilities for this purpose; there are no private sector providers of PM facilities anywhere in England and Wales.

The contract with Dartford & Gravesham NHS Trust expired on the 30<sup>th</sup> September 2021 and it has been necessary to put a contract extension in place to secure this critical service until such time as the proposed Digital Autopsy facility at Aylesford opens for business, currently estimated for August/September 2022. The Trust is agreeable to extend the contract for 12 months as this will guarantee that all their fixed and variable costs are met, which is an understandable approach. It has therefore been agreed that the contract will be extended from 1 October 2021 to 30 September 2022 and if need be, can be terminated early by KCC serving six months' notice.

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

**Who is taking the Decision**

<p>Cabinet Member for Community and Regulatory Services</p> <p><b>Date:</b> November 2021</p> <p><b>Reason if Key Decision</b></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 undertaken with: Senior Coroner, Mid Kent &amp; Medway Senior Coroner, North West Kent Head of Coroner Service</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 contract with the Trust is based on a cost per PM, so if there are no PM's, there are no costs to KCC. This means that at the point where the DA facility opens, KCC will only have to meet the scan charge. Based on 2020 activity levels the estimated costs of the Medway contract extension is within the budgeted revenue cost for 2021-22.</p> <p><b>Support documents</b></p>

<p><b>Responsible Cabinet Member - Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</b></p> <p><b>Reference No:</b> KCC will be required to enter into one or a number of legal contracts that will be executed under seal (where £1m or greater in value) or signed by all parties (where under £1m in value). External legal advisors have been appointed who will advise on legal implications and contract drafting including any TUPE implications in relation to the change in the service delivery model.</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>21/00068 - Implementing a new Facilities Management Model</b></p>

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

1. The Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to the adoption and implementation of a new Facilities Management Model, with one Hard FM services contract and series of Soft Services Contracts.
2. To delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to finalise, agree, award and enter into contracts following the procurement process to deliver the new Facilities Management (FM) Model.

**Background**

The current Total Facilities Management (TFM) contracts with Skanska (West and East Kent) and Amey (Mid Kent) expire in October 2022. The contracts have been in place since October 2014 and have been extended by an additional one year from the initial term of seven years (five years with a two-year extension), to give a total term of eight years.

**Options**

KCC needs to procure these services to ensure that the Council can continue to safely occupy its buildings after October 2022. Other delivery options have been considered which include:

- Continuing with a TFM model split by geographic area.
- Different combinations of disaggregated contracts.
- Insourcing the provision.

These options have been explored and discussed in detail at the Policy and Resources Cabinet Committee, who endorsed the procurement of the proposed option to appoint a Hard Facilities Services provider and a series of Soft Services Facilities Management Providers.

The proposed decision will support the objectives of “Setting the Course – the Authority’s Interim Strategic Plan” from December 2020. It will do this by ensuring that the facilities management service:

- Supports services who provide accommodation for vulnerable children and adults.
- Maximises the opportunities for local businesses to provide services to Kent County Council by use of evaluation criteria that include social value.
- Provides a suitable working environment for staff delivering front line services to enable them to focus on delivering services to the residents of Kent.

The new facilities management model will include the following contracts:



- Hard Services - one countywide provider for maintenance and helpdesk services for schools and corporate estate (all property across the Council is held as part of the Corporate Landlord).
- Catering - one countywide provider for catering, hospitality, water coolers and vending for corporate estate and two countywide providers for catering for schools.
- Security - one or more countywide provider(s) for manned guarding, key holdings, patrols and vacant sites.
- Cleaning and Feminine Hygiene - one countywide provider for schools and corporate estate.
- Waste - one countywide provider for corporate estate and schools.
- Pest Control - one countywide provider for corporate landlord.
- Soft Landscaping - one countywide provider for Corporate Landlord.

The new contracts will start in November 2022, to align with the commencement of the Hard FM Services Contract. The procurement programmes will vary dependent upon the procurement route. The mobilisation periods are dependent on the complexity of the service but will generally start between May and August 2022.

### **Financial Implications**

Benchmarking and soft market testing have been carried out as part of the re-procurement process. This external assessment has highlighted that the current TFM contracts benchmarked well below market average costs.

It should be noted that the soft market testing for the estate as it currently stands, has indicated that tender costs are likely to be in excess of the current level of spending and therefore there will be a requirement for management actions to contain the costs, such as reducing the specification and/or the number of properties within the estate.

There is a recognition that KCC's requirements are likely to change as a result of the COVID-19 pandemic and the consequential estate requirements could potentially, partially mitigate any change in costs. The new contracts are structured so that they can better reflect changes in occupation over time giving greater agility and flexibility.

Current spend via the Total Facilities Management services are circ. £16m per annum revenue and an average of £2.5m per annum capital. This spend will be disaggregated as the new service model is put into place and redistributed between the client function and the hard and soft contracts. The cost of the change in service provision has been included in the Medium-Term Financial Plan.

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

<p><b>Who is taking the Decision</b> Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services</p> <p><b>Date:</b> Not before November 2021</p> <p><b>Reason if Key Decision</b> Equalities Impact Assessment (EqIA) has been drafted and will be updated throughout the procurement process. No issues have been identified at this stage for EqIA, but this will be reviewed as the project continues.</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>Reports providing an update on progress have been presented at various Policy and Resources Cabinet Committee meetings since March 2020.</p> <p>The proposed decision was discussed and endorsed by the committee on 24 March 2022.</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 information on the Financial Implications is too long to include here. However, it is set out in full as part of the 'Description'.</p> <p><b>Support documents</b></p>

**NOT BEFORE 16 NOVEMBER 2021**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Adult Social Care and Public Health</p> <p><b>Reference No:</b> The implementation of the Strategy will be in line with Kent County Council's adult social care responsibilities, set out in relevant legislation such as the Care Act 2014, Mental Capacity Act 2005 and the Mental Health Act 1983.</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>

**Title:**

**21/00091 - Making a Difference Every Day: Our Strategy for Adult Social Care in Kent, 2022 - 2027**

**The Decision needed:**

**Proposed decision:** To adopt the Making a Difference Every Day Our Strategy for Adult Social Care in Kent 2022 to 2027; delegate authority to the Corporate Director Adult Social Care and Health to refresh and/or make revisions as appropriate during the lifetime of the strategy and delegate authority to the Corporate Director Adult Social Care and Health to take relevant actions, including but not limited to finalising the terms of and entering into required contract or other legal agreements, as necessary to implement the objectives of the Strategy.

**Reason for the decision:** The existing Strategy comes to an end in December 2021 and it is recognised that there is a need to set a new strategic direction for Adult Social Care which better responds to the changing expectations of the people we support and the operating environment. This Strategy sets out the vision and ambitions for how adult social care plans to make changes, working with the people we support, their carers and our partners to develop our new Strategy as the bedrock for turning these ambitions into reality. Our person-focused vision and Strategy summarises how we plan to make changes over the coming years to put the person first, improve all the time and measure what matters.

Therefore, it is important to set a renewed strategic direction for Adult Social Care, so that staff can understand the value and reasons for continuous improvement in Kent, based on the lasting principles of Practice, Innovation and Meaningful Measures. The Strategy will help adult social care to move away from a process-driven approach to being a more personal and accessible 'new ways of working model' for the people we support, and by improving their experience of adult social care and the wider system and will provide the right environment for many people within the directorate with fantastic ideas, and the opportunity to put them into practice.

It will also help us to demonstrate our renewed commitment to addressing equality, diversity and inclusion issues in both our practice and in decision making.

**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 November 2021

**Reason if Key Decision**

As part of the planning process for the Strategy development work, an initial equalities impact assessment was developed. This has been updated to reflect comments made during the engagement events and will be updated following the consultation exercise. A final version will be drafted to support the proposed decision.

Data Protection implications: The development of the Strategy does not require a Data Protection Impact Assessment to be completed.

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

The proposed decision was considered and endorsed by Adult Social Care Cabinet Committee on 1 December 2021.

**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 by the Adult Social Care Cabinet Committee on 1 December 2021. The outcome of this discussion will be included in the decision paperwork which the Cabinet Member will be asked to sign.

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

The implementation of the new Strategy will be taken forward based on the budget allocation to the Adult Social Care and Health Directorate. Service delivery arising from this Strategy for future years will be determined by the approved budget and the Medium Term and Financial Plan (MTFP) requirements.

**Support documents**

PROD  
Report  
Appendix A  
Appendix B  
Appendix C

**NOT BEFORE 12 NOVEMBER 2021**

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

**Reference No:** The County Council has a statutory responsibility to review its Local Plan every 5 years and to prepare revised policy and guidance as necessary in accordance with the Town and Country Planning (Local

Planning) (England) Regulations 2012. Failure to have an up to date Plan risks the Secretary of State appointing others to undertake the Council's plan making function.

**Key** Yes

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

**Title:**

**21/00089 - Kent Minerals and Waste Local Plan 2013-30: 2021 Review - Public Consultation**

**The Decision needed:**

**Proposed decision**

Following a review of the 2016 Kent Minerals and Waste Local Plan, to approve and publish for public consultation (Regulation 18) proposed changes to the Kent Mineral and Waste Local Plan 2013-30 (the 2021 Review).

**Background**

The County Council has a statutory responsibility to plan for future minerals supply and waste management within Kent as set out in the National Planning Policy Framework 2021 (NPPF) and the National Planning Policy for Waste 2014 (NPPW). This responsibility is realised through the preparation of a Local Plan, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012 (The Regulations).

The Kent Minerals and Waste Local Plan 2013-30 (KMWLP) was adopted by Full Council in July 2016 and subject to an early partial review of a limited number of policies in 2020 represents the planning policy framework for minerals and waste development in Kent. The KMWLP contains a number of policies relating to strategic planning for minerals supply and waste management capacity, as well as Development Management policies against which planning applications for these types of development should be assessed. The Plan also includes a number of policies related to the safeguarding of mineral resources and waste management facilities.

The Regulations require Local Planning Authorities to review their Local Plans every 5 years. This is to ensure that the policies remain relevant, conform to national policy and guidance and satisfactorily address the needs of the local community. Policies must be both legally compliant and sound, and in order to be considered sound they should meet the tests of being positively prepared, justified, effective and compliant with national policy. The Plan was partially reviewed in 2020 in the KMWLP Early Partial Review 2020.

In accordance with plan making requirements set out in the Regulations, the Council has undertaken a 5 year review of the 2016 adopted KMWLP and identified a number of policies as outdated or no longer meeting the tests of soundness. This assessment is set out in detail in the Review of the Kent Minerals & Waste Local Plan 2021. The identified changes needed

to the 2016 Kent Mineral and Waste Local Plan form the basis for the next plan making cycle.

Revisions are proposed to the Local Plan to principally reflect changes in national policy and guidance since 2016. These include amongst others changes to the National Planning Policy Framework, government policy and guidance on the achievement of a circular economy and those concerned with climate change and protection and enhancement of the natural environment. Revised draft policy and supporting text has been prepared. To satisfy the requirements of the Plan Making Regulations, consultation is now required on the proposed revisions to the adopted Plan so as to inform and influence future local plan work and the version that the Council will ultimately submit for examination to the Planning Inspectorate.

**How the proposed decision meets the objectives of ‘Setting the Course’: Kent County Council’s Interim Strategic Statement (December 2020)**

The Kent Minerals and Waste Local Plan delivers the Council’s adopted Mineral and Waste planning strategy and policies and is important in the determination of planning applications in Kent. A local plan is in accordance with national planning policy and guidance and provides a local perspective. It supports the County Council’s corporate policies contained within the Council’s Setting the Course – Kent County Council’s Interim Strategic Plan 2020, which sets the Council’s priorities until 2022.

Kent’s mineral and waste planning policies support and facilitate sustainable growth in Kent’s economy. In addition, they support the protection and creation of a high-quality environment, with accessible local services that reflect the needs of the community. The proposed revised policy will reflect recent changes to the environmental agenda including mitigation and adaptation to climate change and Kent’s Climate Change Statement and measures to support covid recovery.

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

**Who is taking the Decision**

Cabinet Member for Environment

**Date:**

Not before November 2021

**Reason if Key Decision**

An Equalities Impact Assessment (EqIA) will be undertaken as part of the proposed changes to the adopted Local Plan. No equalities implications are anticipated to arise from the review work

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

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

**Consultees**

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

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

The costs of preparing a review of the 2016 Kent Minerals and Waste Local Plan will need to be met from existing KCC budgets.

There is a risk and likelihood that any changes proposed to the Local Plan will attract objection in response to the public consultation. These will be considered as part of the plan making process and where appropriate defended via the planning examination.

**Support documents**

**NOT BEFORE 8 OCTOBER 2021**

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

**21/00079 - Contracts for Post Mortem Facilities for the Mid Kent & Medway, North East Kent and Central & South East Kent coroner areas**

**The Decision needed:**

Proposed Decision

To award 12 month extensions to the contracts for the provision of post mortem (PM) facilities to East Kent Hospitals NHS Trust and Medway NHS Trust.

Further Information

The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;

- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention eg where a Deprivation of Liberty Safeguard Order (DoLS) is in place

In some cases the Coroner will order a PM to establish the cause of death and in such cases the deceased is taken to one of 5 NHS mortuaries across Kent and Medway located at Margate, Ashford, Dartford, Tunbridge Wells and Gillingham.

On behalf of the Senior Coroner, KCC ensures there is adequate storage capacity for Coroner's bodies and that the Coroner has access to PM facilities. KCC does not have its own public mortuary facility and so like many other coroner areas across England and Wales it has no choice but to use local NHS hospitals which have the necessary facilities for this purpose; there are no private sector providers of PM facilities anywhere in England and Wales.

The contracts with these two NHS Trusts expire on the 30<sup>th</sup> September 2021 and it is necessary to put in place contract extensions to secure this critical service until such time as the proposed Digital Autopsy facility at Aylesford opens for business, currently estimated for July 2022. Discussions have been held with each of the Trusts and whilst they are happy to extend the contracts they have insisted this must be for 12 months to guarantee that all their fixed and variable costs are met, which is an understandable approach. It has therefore been agreed that the contracts will be extended from 1 October 2021 to 30 September 2022 and if need be, can be terminated early by KCC serving six months notice.

#### Financial Implications

The contract with East Kent NHS Trust is a fixed fee regardless of activity levels and is paid in 12 equal installments. At the point where the DA facility opens, all deceased that would normally have undergone an invasive PM will be scanned, so dependent on if and when notice is served to end the contract extension, KCC could potentially be liable for both DA scanning charges and the monthly charge for PM's even though no PM's will be taking place in the East Kent area. To mitigate this scenario, the move over to DA will be phased with deaths in the East Kent area not being scanned until the contract extension comes to an end. Based on 2020 activity levels the estimated cost of the East Kent contract extension is within the budgeted revenue cost for 2021-22.

The contract with Medway NHS Trust is based on a cost per PM, so if there are no PM's, there are no costs to KCC. This means that at the point where the DA facility opens, KCC will only have to meet the scan charge. Based on 2020 activity levels the estimated costs of the Medway contract extension is within the budgeted revenue cost for 2021-22.



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**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 October 2021

**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**

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

**Reference No:** Activities and services undertaken are covered under the Children and Families Act 2014, and the new provision will be fully compliant with Statutory Duties included within this legislation.  
This procurement makes the previous activity of spot purchasing compliant with the Public Contract Regulations (2015) and Spending the Council's

Money.
<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>21/00076 - Provision of Community Support Services for Disabled Children and Young People - Outcome of Procurement Process</b></p> <p><b>The Decision needed:</b>  Proposed decision –</p> <p>Contracts to be awarded to successful providers for the provision of Community Support Services (Care and Support in the Home) for Disabled Children and Young People following a recent procurement exercise linked to the Adults Care and Support in the Home contract.</p> <p>Delegate decisions on the implementation to the Corporate Director of Children, Young People and Education, or other Officer, in consultation with the Corporate Director of Adult Social Care and Health as appropriate.</p> <p>Further information –</p> <p>Decision 20/00102 - Community Support Services for Disabled Children &amp; Young People was taken on 19 March 2020 and allowed officers to follow a competitive procurement process for children's community support services within the Adults 'Care and Support in the Home' contract.</p> <p>Following the competitive procurement process a further decision is required to award the contracts to the successful providers.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b>  Cabinet Member for Integrated Children's Services</p> <p><b>Date:</b>  Not before October 2021</p> <p><b>Reason if Key Decision</b>  An Equality Impact Assessment scoping has been undertaken as part of the Care and Support in the Home contract provision last year. Preliminary scoping has confirmed that this is adequate for Children's activity.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>

<b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b>
<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>  Each year, approximately £1.3m of Children’s Community Support Services is commissioned, the actual spend is normally less as actual services provided can vary depending on circumstances. This is fully funded through the KCC revenue base budget and reported within the within key service line Children in Need (disability) – Care and Support in the budget book.  The contract for new provision (Care and Support in the Home) is due to expire on 31 March 2024, with potential for extension for a further 36 months. Over the life of the contact, the total 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 is subject to budget setting decisions and fluctuations in need.  The contract has been designed to reduce the dependence of spot purchases</p>
<b>Support documents</b>

**NOT BEFORE 17 AUGUST 2021**

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Adult Social Care and Public Health</p> <p><b>Reference No:</b> KIDAS contributes to the council’s response to the Home Office’s ‘Call to End Violence Against Women and Girls’ Strategy, with the main themes focussing on:</p> <ul style="list-style-type: none"> <li>• prevention</li> <li>• the provision of good quality services and</li> <li>• improved partnership working</li> </ul> <p>The Domestic Abuse Act received Royal Assent on 29 April 2021 Under the new statutory duties, KCC must ensure appropriate and adequate support within safe accommodation that meets the needs of all victims.</p> <p>The Domestic Abuse Act received Royal Assent on 29 April 2021 Under the new statutory duties, KCC must ensure appropriate and adequate support within safe accommodation that meets the needs of all victims.</p>
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**Key** Yes

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

**Title:**  
**21/00063 - Kent Integrated Domestic Abuse Service (KIDAS) contract extension**

**The Decision needed:**

**Proposed decision:**

To use the first of the two, two year options to extend the Kent Integrated Domestic Abuse (KIDAS) contract to 31 March 2024 and delegate authority to the Corporate Director of Adult Social Care and Health to use the second two year option, subject to market testing and good performance, to extend the KIDAS Contract to 31 March 2026, should it be required.

**Background:**

It has not been possible to bring this decision to an earlier Cabinet Committee due to the timing of the Domestic Abuse Act legislation and accompanying guidance. Whilst Domestic Abuse Act legislation received Royal Assent in April, the guidance about the new legal obligations was not published until mid-June and the government's consultation period on this guidance does not conclude until 27 July. It is this guidance that enables the council to judge whether the existing contractual arrangements are best placed to meet its newly acquired responsibilities. With no cabinet committee date between June and September, taking the decision out of cycle gives members the most time to make any alternative recommendations, should they wish. A delay until the September committee would mean the decision could not be taken and implemented until the end of October which will leave members with little alternative but to extend.

The current term of the Kent Integrated Domestic Abuse Service (KIDAS) contract is due to expire on 31 March 2022. The contract has options to extend to 31 March 2026. The performance of the contract has been evaluated and found to be good. It is evidently delivering positive outcomes for victims of domestic abuse. The council has been allocated over £3m in new funding for 2021/22 in relation to the new statutory responsibilities under the Domestic Abuse Act.

With the guidance now published, the KIDAS contract is the ideal vehicle to use this money effectively and compliantly. It is recommended that the council exercise the option to extend the KIDAS contract contained within the contract. The first contract extension runs to 31 March 2024 at a value of £4,636,690.40. The second two-year extension available will be subsequently needed, subject to good performance and market testing. This will enable the council to respond to the future government plans for this agenda. This extension will run to 31 March 2026 and its value is £4,636,690.40.

**Reason for the decision:** The current term of the Kent Integrated Domestic Abuse Service (KIDAS) contract is due to expire on 31 March 2022. The performance of the Kent Integrated Domestic Abuse Service (KIDAS) contract has been evaluated and found to be good. The contract provides an ideal vehicle to mobilise the 2021/22 new funding allocation and effectively and compliantly to support the council in delivering its new statutory duties under the Domestic Abuse Act 2021. The contract has two options to extend. The first contract extension runs to 31 March 2024 at a value of £4,636,690.40.

The second two-year extension available will be subsequently needed, subject to good performance and market testing. This will enable the council to respond to the future government plans for this agenda. This extension will run to 31 March 2026 and its value is £4,636,690.40.

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

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

Cabinet Member for Adult Social Care and Public Health

### **Date:**

Not before August 2021

### **Reason if Key Decision**

An EQIA was completed for the commissioning of the Kent Integrated Domestic Abuse Service and is being revised as part of the Needs Assessment and Strategy work which will be published by 31 October 2021.

Data Protection implications: There are no anticipated data implications associated with these decisions, as there will not be a change to current services, or the data collected or shared, and therefore this will be covered under existing contract clauses.

### **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 cannot reasonably be deferred until the next meeting of the Adult Social Care Cabinet Committee, however all members of the Adult Social Care Cabinet Committee will have an opportunity to comment on the proposed decision and these comments will be included in the record of decision. The decision will be reported retrospectively to the Adult Social Care Cabinet Committee on 29 September 2021.

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

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

The cost to extend the Kent Integrated Domestic Abuse Service (KIDAS), until 31 March 2024, is £4,636,690.40. The second extension to run to 31 March 2026 is valued at £4,636,690.40

**Support documents**

**NOT BEFORE 13 AUGUST 2021**

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

**Reference No:** KCC will be entering into a funding agreement with Ebbsfleet Development Corporation detailing the conditions of the grant funding.

No further legal implications have been identified.

**Key** Yes

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

**Title:**

**21/00065 - Bath Street - Fastrack Infrastructure Scheme**

**The Decision needed:**

The Cabinet Member for Highways & Transport is asked to give approval to accept the capital grant from Ebbsfleet Development Company and to take the Bath Street scheme through the stages of development and delivery as indicated on the proposed decision sheet attached at Appendix A and specifically for:

- i. Approval for KCC to enter into a funding agreement with EDC subject to the approval of the Corporate Director of Finance, Corporate & Strategic Services
- ii. Approval to undertake the detailed design and surveys for the Bath Street Scheme.
- iii. Approval to progress all statutory approvals or consents required for the schemes, including any transfer of land and rights;
- iv. Approval to carry out any additional consultation required for the scheme;
- v. Approval to enter into construction contracts as necessary for the delivery and future maintenance of the scheme subject to a review of the

procurement strategy by the Capital Officers Group;

- vi. Approval for any further decisions required to allow the scheme to proceed through to delivery to be taken by the Corporate Director of Growth, Environment & Transport under the Officer Scheme of Delegations following prior consultation with the Cabinet Member.

### **Background**

This fully funded scheme proposes to implement a key Fastrack link between the Northfleet Embankment East development and Gravesham Town Centre in the form of a contraflow bus lane in Bath Street.

The scheme is part of the overall Fastrack programme, which comprises 28 individual projects across Dartford, Gravesham and Ebbsfleet. Fastrack operates via congestion-free routes across a 40km network extending from Dartford to Gravesham. It is a combination of dedicated Fastrack busways, bus priority lanes and on-street running with priority at all signalled junctions.

The purpose of the scheme is to improve journey times for Fastrack passengers and facilitate additional bus stops for existing residents and those from new developments such as Clifton Slipways, The Charter and Northfleet Embankment.

### **Options**

EDC and KCC have considered options for the scale of the Bath Street scheme within the business case for the project. The following options were considered:

- No implementation of the Fastrack A Route extension
- Extension of the Fastrack A Route with routing via Overcliffe
- (Chosen option) Extension of Fastrack Route A, including the road improvement schemes and the routing of the network via West Street and Bath Street.

The chosen option will reduce journey times for passengers and provide a short walk to access the Fastrack service for occupants and workers at the Northfleet Embankment East, Clifton Slipways and The Charter developments.

In addition to the expected journey time benefits, the appraisal exercise identified other potential beneficial effects that the scheme may generate including:

- Additional demand from new developments served by the new route.
- Operating cost savings derived from the journey time savings

### **Strategic Fit**

Implementation of the scheme will support the Council in meeting its Strategic outcome for "Kent Communities to feel the benefits of economic growth by being in work, healthy and enjoying a good quality of life". This will be achieved through the projects supporting continued operation of key transport networks in Dartford and Gravesham, as well as helping support growth by enabling new residential and commercial development.

The key priorities set out in the County Council's Integrated Transport Strategy 'Delivering Growth without Gridlock' in terms of providing additional highway capacity, improving accessibility and reducing congestion will also be supported through the delivery of the project. The scheme will set out to provide improved growth and economic prosperity through having an efficient highway and transport infrastructure.

The scheme also aligns with 'Bus Back Better' the Department for Transport's National Bus Strategy which encourages 'significant increases in bus priority' through investment in bus lanes and traffic signal priority for buses (Chapter 3, Page 46).

## **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 2021

### **Reason if Key Decision**

An initial equalities impact assessment has been carried out for the scheme.

This identified no long-term adverse impacts or discrimination against any person with a protected characteristic.

In addition, those members of the public who regularly use or rely exclusively on public transport should experience more reliable journey times by better functioning of Fastrack route junctions.

### **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**

Gravesham Joint Transport Board (JTB) were provided with a report for information at the March 2021 meeting, with a letter also sent to Cllr John Burden.

Environment and Transport Cabinet Committee endorsed the proposed decision at its meeting on 29 June 2021.

Local Members were consulted via the Fastrack advisory board.



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

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

The scheme will be fully funded through a capital grant from Ebbsfleet Development Corporation (EDC) that has been approved as a separate future year commitment to EDC by the Ministry of Housing, Communities and Local Government (MHCLG).

Ebbsfleet Development Corporation is providing KCC with a grant of £5.52m between 2020/21 and 2022/23 to deliver the scheme.

Conditions of the grant agreement include taking the Fastrack development designated S106 contributions from Northfleet Embankment East development as a contribution (circa £0.99m) but without risk to KCC if the funding does not come forward.

There is no revenue or capital exposure to KCC in the delivery of this project and the project estimate includes sufficient risk allowance. KCC Officer time required for the delivery of the programme will be capitalised.

**Support documents**

**NOT BEFORE 21 JULY 2021**

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

**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:**

**21/00058 - Updated 2021-22 and 2022-23 Admissions Arrangements for Community and Voluntary Controlled schools**

**The Decision needed:**

Proposed decision – To update the determined 2021-22 and 2022-23 admission arrangements for Kent community and voluntary controlled primary schools and Kent community and voluntary controlled secondary schools to accommodate new legal requirements in the forthcoming 2021 School Admissions Code.

**Reason for Decision:**

Admission authorities are legally required to determine admissions arrangements for their schools by 28 February each year. KCC fulfils this duty annually and following consideration at Education Cabinet Committee, the Cabinet Member for Education formally determines admission arrangements in line with the requirements of the 2014 Admissions Code.

Government consulted on a new Admissions Code in late 2020 and following consideration of responses, laid a new Admissions Code before parliament which will come into force on 1 September 2021, subject to the necessary parliamentary procedure.

The 2021 School Admissions Code requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC).

This new provision will necessitate variations to determined admission arrangements to take effect from 1 September 2021. All admission authorities will need to vary their admission arrangements for 2021/22 (which would have been determined by 15 February 2020) and their admission arrangements for 2022/23 (which would have been determined by 15 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from this date.

In the event that the 2021 School Admissions Code does not come into force on 1 September 2021 of any reason, admissions arrangements will remain unchanged from their previously determined state.

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

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

Cabinet Member for Education and Skills

### **Date:**

Not before July 2021

### **Reason if Key Decision**

Equalities implications were considered by government during their National consultation. KCC is legally required to make these changes.

### **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:**

**Support documents**

PROD

Cabinet Member Report 2021-22 and 2022-23 Admission Arrangements

Appendix A - Determined Primary Admissions Arrangements 2021

Appendix B - Determined Primary Admissions Arrangements 2022

Appendix C - Determined Secondary Admissions Arrangements 2021

Appendix D - Determined Secondary Admissions Arrangements 2022

Appendix 5\_Annex

**NOT BEFORE 24 MARCH 2021**

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

**Reference No:** A new section 75 agreement will be needed between the council and CCG that sets out the governance requirements and accountability that will cover the proposed LD&A strategic leadership body and system provider partnership.

**Key** Yes

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

**Title:**

**21/00033 - Review of Kent County Council and Kent and Medway Clinical Commissioning Group Integrated Commissioning Framework, covering health services, social care and community support for people with a learning disability and autistic people (LD&A)**

**The Decision needed:**

Proposed decision

To enter into such agreements that are necessary with the Kent and Medway Clinical Commissioning Group (CCG) and other local NHS organisations to create a new strategic planning and delivery framework for Kent's residents with a learning disability and autistic people and delegate authority to Corporate Director of Adult Social Care and Health to finalise and approve the formal agreements to establish the new framework.

## Reason for the decision

In 2015/16 Kent County Council and the seven NHS Clinical Commissioning Groups (CCG) covering Kent and Medway, agreed to establish an integrated and partner strategic planning, commissioning and delivery framework covering healthcare, council social care and other support for Kent's residents with a learning disability, and autistic residents. This framework is governed by an agreement between Kent County Council and Kent and Medway CCG, agreed in accordance with the provisions of section 75 of the NHS Act 2006. This framework includes an Alliance Partnership comprising the council's adults social care service and the two NHS provider trusts that deliver specialist community health care for people with a learning disability and autistic people. This includes Kent Community Health NHS Foundation Trust (KCHFT) and *Kent and Medway NHS and Social Care Partnership Trust (KMPT)*.

The framework covers community delivered services for people living in nursing and residential care; residents living with carers and their families and people living in their own homes or who live in specialist housing with support. The arrangement also covers specialist healthcare and support for residents with a learning disability and autistic people with highly complex needs, including Kent residents admitted to specialist hospitals located both in and outside Kent.

A review of the arrangements summarised above, commissioned by Kent County Council but jointly agreed with Kent and Medway CCG identified challenges with how the council and NHS plan together to design and deliver effective solutions that can achieve strong and improving health and well being outcomes for Kent's residents with a learning disability and autistic people.

The challenges identified:

- Kent's current Learning Disability and Autism (LD&A) governance and programme management framework is:
  - Confusing with several bodies duplicating effort and decision making and ineffectual structural relationships between each body
  - Not competent to develop and implement a whole system strategy and strategic commissioning programme
  - Not fully sighted or driven by the priorities, challenges and resource pressures of all partners and is largely reactive to short term issues and targets
  - Less than clear about how the voices of learning disabled and autistic people impact or affect key decisions, with a deficient approach to coproduction and system codesign
- Improvement is required in the effectiveness of whole system commissioning and programme management
- Significant improvement is needed in whole system accountability and performance reporting, as investment decisions lack clarity on why and how they were determined and there is a lack of effective data and narrative to demonstrate the outcomes that are being achieved
- Improvement is also needed in the alignment, commissioning and

coordination of service delivery across adults, children and young people and complex needs to ensure:

- Effective and seamless care pathways;
- Person centred and codesigned support;
- Outcome driven delivery;
- Stronger market management and micro-commissioning, to address service deficits and to support innovation to address changing needs and expectations.

Through extensive engagement and coproduction of the solutions to address the challenges above, the proposals summarised below emerged through a clear consensus of council and NHS leaders, frontline professionals and health clinicians and critically through face to face engagement and workshops with people with a learning disability, autistic people and carers supported by advocates and advocate organisations.

Summary proposals

The establishment of:

- A single senior level strategic leadership body of equal partners across the local authority, CCG, user and carer voice and system provider
- A joint LD&A strategic commissioning and programme management unit, supporting whole system planning, development and change management and the function of the strategic leadership body
- A trusted system provider based on an effective NHS and council partnership, delegated to deliver and micro commission all LDA health and social care 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 March 2021

### **Reason if Key Decision**

An equalities impact assessment has been completed. It identified significant wellbeing and health inequalities affecting the lives of Kent's residents with a learning disability and autistic people including:

- A lack of effective health checks linked to residents with a learning disability and autistic people having a substantially lower life expectancy than all other residents and significantly increased risk of death from Covid
- More Kent autistic residents and residents with a learning disability with additional mental health and behavioural needs, are in specialist hospital services in comparison to the rest of England
- This adversely affects and impacts their choice, independence and human rights
- There is a need for more effective equalities monitoring of people with a

<p>learning disability and autistic people cared for in specialist hospitals as national evidence suggests that black and black British people are 4 times more likely to be compulsorily admitted to spec</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><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 expectation is that the proposals set out will not result in any significant additional funding or investment commitment from the council.</p> <p>However, the proposals are expected to maximise the potential of council and NHS investments, to deliver significant improvements in the outcomes achieved for people with a learning disability and autistic people through more effective and focused partner planning and decision making of all LD&amp;A health, social care and other services.</p> <p><b>Support documents</b></p>

**NOT BEFORE 5 MARCH 2021**

<p><b>Responsible Cabinet Member - Cabinet Member for Education and Skills</b></p> <p><b>Reference No:</b> No legal implications have been identified currently but any legal implications will be identified in the report to the Cabinet Member for Children, Young People and Education before he takes his decision.</p> <p><b>Key</b> Yes</p>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>21/00017- Proposal to establish a 16 place Specialist Resourced Provision (SRP) for ASD at Garlinge Primary School &amp; Nursery from September 2021</b></p>

**The Decision needed:**

Proposed decision:

- (i) Issue a public notice to establish a 16 place Specialist Resourced Provision (SRP) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery from September 2021.

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

- (ii) Establish a 16 place Specialist Resourced Provision (SRP) for Autistic Spectrum Disorder (ASD) at Garlinge Primary School & Nursery from September 2021.

This decision is conditional upon planning permission being granted where required.

Reason for the decision:

The Children, Young People and Education Committee report for Garlinge SRP will inform the committee of a decision that will need to be taken by the Member for Education and Skills after the March CYPE committee but before the next CYPE committee date in June. The decision cannot wait until the June committee date because May is the latest point at which the decision can be made and allow sufficient time for the statutory process to be completed for a September 2021 opening.

The decision is required as part of the statutory process to publish the public notice enabling the establishment of the 16 place SRP at Garlinge Primary School and Nursery for September 2021.

Background:

The Local Authority is responsible for maintaining Education Health and Care Plans (EHCPs) for children and young people between the ages of 0-25 years. As of January 2020, this totalled 13,499 children and young people with an EHCP. This is an increase of 1,736 since January 2019, an increase of 14.8% compared to 10% nationally.

The number of pupils in the Thanet District with an Education, Health and Care Plan (EHCP) in January 2020 was 16,000. This was an increase of 16% from 2019. 2% of Kent's EHCP cohort live in Thanet district and as at January 2020, 5.5% of the pupils aged 5-19 years in Thanet (maintained and independent) were subject to an EHCP. Pupils with an EHCP in Kent are less likely to be educated in a maintained mainstream school than would be expected nationally. A number of students with an EHCP require a higher level of support than can be provided in mainstream schools, but their needs are not so complex that a special school placement is appropriate. For these students a range of Specialist Resourced Provisions (SRPs) which are based in mainstream schools with places reserved for students with an EHCP are established. The establishment of SRPs attached to mainstream schools is part of the continuum of provision to enable pupils to be included within mainstream settings.

Autistic Spectrum Disorder (ASD) remains the most common primary need type with 41.2% of children and young people aged 0-25 years having an EHCP with this primary need identified in Kent. This is an increase from 40.3% in January 2019. Nationally ASD is also the most common primary need, but Kent's percentage is significantly higher than the national figure of 30%

Currently we are establishing an SRP for ASD for 16 pupils at Holy Trinity and St Johns Primary School. This proposal will complement the provision at Holy Trinity and St. John's Primary School and provide additional capacity and choice for parents in the Thanet district. A 20 place Secondary SRP for ASD is also planned for the new secondary school in Thanet which will work closely with the two primary SRPs

Options:

Options regarding the establishment of SRPs have been fully investigated with the SEN team and Garlinge Primary School and Nursery was considered to be the best option (in addition to the approved SRP at Holy Trinity and St. John's primary School) for the establishment of an SRP for ASD for 16 children. The school's governing body is fully supportive of the proposals. This additional provision will enable choice for parents in Thanet with a child who requires additional support from an SRP provision.

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

This proposal will help to secure our ambition "to ensure that Kent's young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy"

The proposal also supports the 'Strategy for children and young people with Special Educational Needs 2017-19. The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.

Kent's Strategy set out an intention to provide additional places for pupils with the following need types: Autistic Spectrum Disorder (ASD), Speech Language and Communication Needs (ASD), and Social, Emotional and Mental Health (SEMH).

The Commissioning Plan for Education Provision in Kent 2021-2025 sets out our commissioning intentions to meet the need for specialist provisions across Kent. A mixture of new schools, expansion of existing and the establishment of satellites and SRPs will be commissioned across Kent to meet the need.

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



<p><b>Who is taking the Decision</b> Cabinet Member for Education and Skills</p> <p><b>Date:</b> Not before March 2021</p> <p><b>Reason if Key Decision</b> An Equality Impact Assessment has been produced as part of the consultation process for both proposals and is attached. The assessment identified the following positive impacts:</p> <ul style="list-style-type: none"> <li>• Children with ASD in the Thanet district will be able to attend provision local to their homes.</li> <li>• Children with ASD will be able to attend SRP provision in mainstream primary schools in Thanet.</li> <li>• There will be two SRPs for Primary school aged children with ASD established in the Thanet District.</li> </ul> <p>No adverse impacts were identified during the assessment. The outcome of the public consultation and community consultation will enable the Local Authority to test out these assumptions.</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><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> Capital Cost A feasibility study is currently being carried out at Garlinge School to develop the proposals for the establishment of the SRP. The high level feasibility estimates the costs to be in the region of £778,848. The SRP will have 2 classrooms, care facilities and small group rooms. The CYPE Cabinet Committee report in March and the decision paper in May will confirm the costs as the concept designs are prepared and surveys completed for the planning application.</p> <p>Revenue Costs As per KCC policy a total of £6,000 per newly provided classroom will be provided to the school from the DSG revenue budget.</p> <p>Human KCC will work closely with the senior leadership teams of the school to ensure that all appropriate accommodation and facilities are provided to enable them</p>

to deliver an effective curriculum.

**Support documents**

**NOT BEFORE 14 APRIL BY CABINET MEMBER**

**Responsible Cabinet Member - Cabinet**

**Reference No:** There are no legal implications arising from the decision.

**Key** Yes

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

**Title:**

**20/00027 - Clean Up Kent and Public Realm Improvements**

**The Decision needed:**

**Proposed Decision:**

- a) Approve a programme of works to deliver a range of projects to 'clean up' Kent and to improve the public realm across Kent
- b) Approve the proposed funding allocations and project development arrangements required to support and deliver the programme; and
- 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.

**Background:**

*Kent's Future, Our Priority* will become Kent County Council's new 5 Year Plan, to replace the previous strategic statement '*Increasing Opportunities, Improving Outcomes (2015-2020)*'. 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.'

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.

**Options:**

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 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 EqIA 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**

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

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

**Reference No:** Any legal implications will be identified in the report to the Cabinet Member for Education and Skills before he takes his decision to allocate the funding.

**Key** Yes

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

**Title:**

**20/00007 - Proposal to permanently increase the capacity at Pilgrims Way Primary School, Pilgrims Way Canterbury CT1 1XU**

**The Decision needed:**

**Background –**

The Kent Commissioning Plan for Education 2019-2023 identifies a need for additional places in the Canterbury City Planning Area from 2021 this is due to pressures from new housing developments in Canterbury City and specifically the private development on the former Howe Barracks Site. This development will produce a total of 500 new homes. In addition to this, the refurbishment of former army houses by Redbridge Council is resulting in 38 new families moving in from November 2019. To mitigate the need for places, it is proposed that Pilgrims Way will expand by 0.5 forms of entry (FE) to become a 2FE Primary school. Pilgrims Way is the nearest primary school to these developments and was named for any developer contributions linked to the development of private housing on the former barracks site. Canterbury City Council Local Plan identifies 16,000 new homes over the plan period to 2031. 8,737 are planned for the Canterbury area, with 6,533 in the Canterbury City Primary planning area where Pilgrims Way Primary School is located. Pilgrims' Way Primary School was registered as a new school on 1st May 2018 and is part of the Veritas Academy Trust. They are awaiting their first Ofsted inspection. Currently Pilgrims Way has 261 on the school roll with 31 on the nursery roll totalling 292 (May school census 2019)

**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 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

<p>borrower. KCC also collects anonymised information about protected characteristics as part of its Equalities Impact Assessment monitoring.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed Key Decision will be discussed at the Growth, Economic Development and Communities Cabinet Committee on 28 November 2019.</p>
<p><b>Section 4 – Responsible Officer – Who to contact for more information.</b></p>
<p><b>Your name, Your Service, Your phone number and email address:</b>  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>
<p><b>Section 1 – the decision needed, how it relates to the Council's Corporate Outcomes and the Costs and risks involved.</b></p>
<p><b>Title:</b>  <b>19/00084 - Proposal to Expand West Hill Primary Academy from 72 places to 90 places in September 2020</b></p> <p><b>The Decision needed:</b>  <b>Background Information:</b></p> <p>Kent County Council (KCC) as the Local Authority has a statutory duty to</p>



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

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

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

**Proposed Decision:**

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

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

**Who is taking the Decision**

Cabinet Member for Education and Skills

**Date:**

Not before November 2019

**Reason if Key Decision**

An 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 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:**

**19/00055 - 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**

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

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

<p><b>Responsible Cabinet Member - Cabinet Member for Children, Young People and Education</b></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>19/00031 - Increase in the designated number at The Elms School, Dover</b></p>

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

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

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

**Proposed decision:**

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

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

Cabinet Member for Children, Young People and Education

**Date:**

Not before April 2019

**Reason if Key Decision**

The Equality Impact Assessment is in place. No adverse impacts have been identified at this point.

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

A consultation will take place in April/May 2019.

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

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

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

The Elms School will receive the funding for the pupils in line with the funding allocated to special schools through KCC's funding formula. A feasibility

study needs to be undertaken to access what, if any accommodation will need to be needed to enable the increase in the designated number.

### **Support documents**

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

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

**Key No**

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

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

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

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

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

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

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

**Date:**  
Not before May 2019

**Reason if Key Decision**  
Tenax Trust and the Department for Education will have considered the

equality impacts of opening a new school as part of their decision making. In respect of this proposed decision, to agree KCC can enter into a contract to deliver the school building, there are no known equalities implications.

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

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

**Consultees**

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

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

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

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

The ESFA has allocated funding for the build costs of the school (circa £8.35 million) and this will be secured within a Development Agreement prior to KCC entering any Construction Contract. There will be no capital funding requirements from KCC in relation to the scheme and therefore no impact on the County Council's MTFP.

**Support documents**

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

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

**Reference No:** N/A.

**Key No**

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

**Title:**

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

**The Decision needed:**

**Background Information:**



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

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

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

Options:

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

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

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

Proposed decision:

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

<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>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>
<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>  £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>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>

<p><b>Title:</b>  <b>17/00125 - Healthwatch Kent interim contract</b></p> <p><b>The Decision needed:</b>  Proposed decision: To agree:-</p> <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</p> <p>b) To incorporate the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract</p> <p>How the decision relates to Corporate Objectives</p> <ul style="list-style-type: none"> <li>• Commissioning Framework Principle 7: Customers at the heart of our commissioning approach</li> <li>• 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</li> </ul> <p>The matter is referred to in the Business Plan/Medium Term Capital Programme.</p>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b>  Deputy Leader and Cabinet Member for Finance and Traded Services</p> <p><b>Date:</b>  Not before January 2018</p> <p><b>Reason if Key Decision</b>  No equalities implications – whole Kent provision.</p> <p><b>Reason if this decision has been delayed/withdrawn from a previous plan</b></p>
<p><b>Section 3 – – Who is to be consulted, how and when, ( The Duty to Inform/consult/Involve ) including relevant scrutiny councillors</b></p>
<p><b>Consultees</b></p> <p>The proposed incorporation of the Service User Forum and Mental health Action Groups into the Healthwatch Kent contract was discussed by the Adult Social Care Cabinet Committee on 23 November 2017.</p> <p>The interim contract will be discussed by the Health Reform and Public Health Cabinet Committee on 24 January 2018.</p>

**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**

<b>Inform/consult/Involve ) including relevant scrutiny councillors</b>
<p><b>Consultees</b></p> <p>Property decisions to be discussed at the Property Sub Committee.</p>
<b>Section 4 – Responsible Officer – Who to contact for more information.</b>
<p><b>Your name, Your Service, Your phone number and email address:</b> Property holding costs will cease upon sale.</p> <p><b>Support documents</b></p>

## LONG TERM

<p><b>Responsible Cabinet Member</b> - Cabinet Member for Corporate and Democratic Services</p> <p><b>Reference No:</b></p> <p><b>Key</b> Yes</p>
<b>Section 1 – the decision needed, how it relates to the Council’s Corporate Outcomes and the Costs and risks involved.</b>
<p><b>Title:</b> <b>Lawn Primary School, Gravesend - New Playing Field</b></p> <p><b>The Decision needed:</b> Update 01 February 2017: Officers have confirmed that the decision is still ‘live’ and that KCC continue to work with the landowner regarding use of 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.</p> <p>-----</p> <p>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.</p>
<b>Section 2 – Who is taking the final decision and when</b>
<p><b>Who is taking the Decision</b> Cabinet Member for Corporate and Democratic Services</p>

**Date:**

Before January 2018

**Reason if Key Decision**

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

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

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

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

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

03000 416356

kahren.knott@kent.gov.uk

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

03000 416716

Rebecca.spore@kent.gov.uk

**Support documents**

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

**Reference No:** 16/00101

**Key** Yes

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

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

**The Decision needed:**

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

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

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

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

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

Cabinet Member for Children, Young People and Education

### **Date:**

Not before January 2018

### **Reason if Key Decision**

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

Financial Implications: Will be set out in the report that will be considered by the Children's, Young People and Education Cabinet Committee.

Legal Implications: Any legal implications will be identified in the report that will be considered by the Children's, Young People and Education Cabinet Committee

Equality Implications: An Equality Impact Assessment has been produced and can be viewed here: [www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations) .

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

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

### **Consultees**

The Commissioning Plan for Education Provision 2016-20 identified Marden as an

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

A public consultation commenced on 23 September 2016 and closed on 21 October 2016. Further information is available on the School Consultation webpage:

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

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

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

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

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

##### **Support documents**

## **UPDATE AWAITED**

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

**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**

Cabinet Member for Corporate & Democratic Services

### **Date:**

Not before October 2015

### **Reason if Key Decision**

Financial criteria is likely to be exceeded

### **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**

Local Members Colin Caller and Jane Cribbon will be consulted before the decision is taken and all members of the council notified.

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

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

Lead officer: Rebecca Spore  
Director of Property & Infrastructure Support  
Tel: 01622 - 221151  
E-Mail: rebecca.spore@kent.gov.uk

### **Support documents**

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

**Reference No:** 14.00022

**Key** Yes

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

### **Title:**

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

**The Decision needed:**

**LATEST UPDATE:**

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

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

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

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

**Who is taking the Decision**

Cabinet Member for Corporate & Democratic Services

**Date:**

Not before October 2015

**Reason if Key Decision**

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

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

**Consultees**

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

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

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

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

## Support documents

### DEFERRED

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

**Reference No:**

**Key** Yes

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

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

**The Decision needed:**

**Update 09/03/2015:**

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

**Latest Update:**

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

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

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

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

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

- Firstly it helps deliver the "Kent Environment Strategy" by the provision of new environmentally friendly facilities (e.g. grey water) via the construction technique with the eventual adaptation of new work practices within the new depot.

- Secondly it builds relations with key business sectors across Kent as the supply chain involved in such a project provides work to businesses of all sizes.
- Thirdly by the better siting and provision of facilities for the new depot it ensures that the most robust and effective public protection arrangements are in place for road management including bad weather response.

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

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

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

Cabinet Member for Corporate & Democratic Services

**Date:**

**Reason if Key Decision**

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

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

### **Consultees**

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

The report to committee was exempt from publication and consideration of it took place in private.

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

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

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

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

**Support documents**

<p><b>Responsible Cabinet Member -</b></p> <p><b>Reference No:</b> 12/020231</p> <p><b>Key No</b></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>Eden Centre Lease</b></p> <p><b>The Decision needed:</b>  <b>LATEST UPDATE:</b>  19/05/2014 - Decision due date changed from 01/03/2014 to 01/01/2015.  <b>REASON:</b> 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.</p> <p>-----</p> <p><b>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.</b></p> <p>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.</p> <p>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.</p> <p>Risks identified are:</p> <ul style="list-style-type: none"> <li>• Reliance on the professionalism of the trustees to deliver a successful facility, agreeing with all partners a financial model for the charitable vehicle</li> <li>• Reputational damage to KCC if the charitable vehicle were to fail</li> <li>• Obtaining buy in from all community groups in occupation to form trust</li> <li>• Untried and untested model</li> <li>• Level of income generation from the centre which could go to the charitable vehicle is currently unknown as a new facility</li> <li>• Continued KCC ownership of a non-core asset</li> <li>• 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).</li> </ul>
<p><b>Section 2 – Who is taking the final decision and when</b></p>
<p><b>Who is taking the Decision</b></p> <p><b>Date:</b></p>

**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**