

**S106B APPLICATION TO MODIFY/AMEND THE S106 AGREEMENT DATED 27 FEBRUARY 2017
(AS AMENDED) (PLANNING APPLICATION NUMBER 12/00400/AS)**

PINS Ref: APP/E2205/W/24/3345454

Kent County Council – Topic Paper – Schedule 16 Other KCC Services

1. Introduction

1.1 Schedule 16 of the section 106 agreement dated 27 February 2017 (as amended (“S106”)) [CD1/14-16] contains provisions requiring contributions to the funding of:

- (i) Library Services
- (ii) Youth Services
- (iii) Community Learning
- (iv) Family Social Care

Each category of contribution is addressed in turn below.

1.2 The Appellant’s position in relation to Part 1 of Schedule 16 (Library Services Contribution) needs to be understood alongside their suggested amendments to Schedule 12 (Community Hub Building) which would include library services within the Community Hub. The Appellants have provided no details showing what the library service would include (space allocation and equipment), nor do they provide details of ongoing funding for this service.

2. Overarching Policy Context

2.1 The following section sets out the legislative and policy drivers for the provision of Kent County Council’s (“KCC”) Community Services. The legislative context is relevant because it sets out the duties upon and powers available to KCC. The relevant policies are set out in national, local and KCC policy documents, plans and programmes. They are material because they represent the official position of the Government, Ashford Borough Council and KCC as service providers.

2.2 National Planning Policy Framework (NPPF) 2024 [CD5/1]

2.2.1 Section 8. Promoting healthy and safe communities

2.2.2 Paragraph 98 of the NPPF sets out that planning decision should (a) provide the “social, recreational and cultural facilities and services the community needs”. Specifically, “to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments” (b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.”

2.3 National Planning Practice Guidance [CD5/2]

2.3.1 Healthy and Safe Communities – advises that a healthy place *“is one which supports and promotes healthy behaviours and environments and a reduction in health inequalities for people of all ages. It will provide the community with opportunities to improve their physical and mental health, and support community engagement and wellbeing.*

It is a place which is inclusive and promotes social interaction. The [National Design Guide](#) [CD5/3] sets out further detail on promoting social interaction through inclusive design including guidance on tenure neutral design and spaces that can be shared by all residents.

It meets the needs of children and young people to grow and develop, as well as being adaptable to the needs of an increasingly elderly population and those with dementia and other sensory or mobility impairments.”

2.3.2 Planning Obligations

2.4 Local Planning Authority

2.4.1 The requirement for Social and Community Facilities is set out in Policy CG17 of the Chilmington Green Area Action Plan (Adopted July 2013) [CD4/6].

2.4.2 Policies COM1 (‘Meeting the Community’s Needs’) and IMP1 (‘Infrastructure Provision’) of the Ashford Local Plan 2030 (adopted February 2019) (‘Ashford Local Plan’) [CD4/1] confirm that the Borough Council will continue to seek financial contributions through the use of s106 agreements to secure the delivery of

infrastructure where it is justified to do so in line with the NPPF and The Community Infrastructure Levy Regulations 2010 (as amended). This refers to infrastructure and facilities required to meet the needs generated by new development such as education and community (including youth).

2.5 Kent County Council

2.5.1 KCC's policy for seeking s106 contributions to support new developments and ensure that the demands on services are mitigated is set out in its Developer Contributions Guide 2023 [CD4/3] and Technical Appendices [CD4/3/1 - CD4/3/18].

2.5.2 The obligations contained within Schedule 16 are consistent with the above policies. The NPPF 2024 [CD5/1] and associated guidance emphasise the importance of creating healthy and safe communities, which includes access to essential services, including libraries. Local policies, such as the Chilmington Green Area Action Plan [CD4/6] and the Ashford Local Plan [CD4/1], explicitly require the provision of community facilities and the use of s106 agreements to secure them. Furthermore, KCC's Developer Contributions Guide [CD4/3] supports the use of s106 obligations to mitigate the impact of new development on existing services, ensuring adequate provision for the needs of the growing community.

3. Grounds for Modification

3.1 Where the Appellants have cited viability as the reason for discharging an obligation, KCC deals with this in a separate Proof of Evidence.

3.2 Where the Appellants have asserted that *"contributions no longer serve a useful purpose, inasmuch as there is already ample provision"* **they have provided no evidence to support this claim.**

3.2.1 The Appellants have raised the question of local authority funding¹ for these services. Details regarding KCC's budget are published² annually. While KCC receives a significant portion of its funding through council tax, this revenue source faces increasing pressure to support essential services, particularly adult social care. This often leaves limited resources for other vital services such as libraries and youth programmes. Community Learning for example, receives a base budget from government. It is a fixed amount which does not change for inflation or population increases. Consequently, further demands arising from new

¹ CD1/12 Chilmington Green S106 Application 2 Explanatory Statement October 2022, paragraph 8.36

² www.kent.gov.uk/about-the-council/finance-and-budget/our-budget

developments dilute those services available to the existing population. The contributions set out in this Schedule would enable the expansion of services for the new residents and mitigate the demands placed on the services by the Development. Each service below demonstrates the need for the contribution and the potential form of spend to mitigate the increased demands derived from the Development.

3.2.2 A new development introduces additional residents, placing further strain on these already stretched services. S106 contributions are a mechanism to mitigate this impact. By requiring developers to contribute financially, these funds can be used to directly address the increased demand for services caused by the new population. This ensures that the community can adequately support the new residents while minimising the burden on existing taxpayers.

3.2.3 S106 contributions are not intended to replace core local authority funding but rather to supplement it and ensure that the development's impact on local services is appropriately addressed.

3.3 The Appellants' application has been amended since its original submission in October 2022. At that time, the Appellants sought complete discharge **or** modification of Schedule 16 which, deleted the Library Services Contribution and reduced the total financial contribution for Youth, Community Learning and Family Social Care Services to £350,000, paid in five equal instalments at 1500, 2650, 3500, 4500 and 5500 Occupations. The Appellants' amended application now seeks complete discharge of Schedule 16 which deletes the Library Services Contribution, Youth Services Contribution, Community Learning Contribution and Family Social Care Contribution [CD2/22].

4. Library Services Contribution

4.1 Introduction

4.1.1 The S106 [CD1/14 - CD1/16] currently obligates the Owners (as defined in the s106) to pay the Library Contribution in the sum of £900,000 (plus indexation) in four equal payments (each £225,000 (indexed)) at:

- (a) 2000 Occupations or 10th anniversary of Commencement if earlier;
- (b) 3500 Occupations or 17th anniversary of Commencement if earlier;
- (c) 5000 Occupations or 20th anniversary of Commencement if earlier; and
- (d) 5500 Occupations or 25th anniversary of Commencement if earlier.

4.1.2 The Library Services Contribution is defined as to “...*expand the library service capacity Serving the Development and in particular at the library access point in the Community Hub Building but excluding the provision of infrastructure....*”

4.1.3 By **Request No 85**, the Appellants seek to **discharge** each of the obligations and make consequential amendments to Schedules 30B (although we note that consequential changes would be required to Schedules 30A-C) [CD2/22].

4.1.4 The Appellants advance their appeal on the following two grounds:

- (a) “*A fully stocked and equipped library is included already in the Community Hub (under Schedule 12 as amended[).] This obligation is accordingly surplus to requirements, duplicative and serves no useful purpose.*”
- (b) “*... the costs here are significant (£900,000) and serving only to undermine the viability and ultimately the deliverability of the Development.*”

4.1.5 As stated above viability is dealt with in a separate proof of evidence.

4.1.6 KCC's position is that the obligation continues to serve a useful purpose and that the discharge of this obligation should be refused.

4.2 Planning Policy Context

4.2.1 KCC has a statutory duty under the Public Libraries and Museums Act 1964 to provide a comprehensive and efficient library service for everyone working, living,

or studying in the area – including the keeping of adequate stocks and encouraging both adults and children to make full use of the library service.

- 4.2.2 KCC's library policies are contained in its Framing Kent's Future, Our Council Strategy 2022-2026 [CD4/4], Technical Appendix 16 of the Developer Contributions Guide 2023 [CD3/16] and the Libraries, Registration and Archives Strategy 2019-22 [CD13/2].

4.3 **Does the Obligation Serve a Useful Purpose?**

Purpose served by the s106 Obligation

- 4.3.1 The purpose of the obligation is to prevent the development proceeding beyond the specified triggers before the payment of monies which would be used to *"expand the library service capacity Serving the Development and in particular at the library access point in the Community Hub Building but excluding the provision of infrastructure"*. The current obligation would thereby enable the provision of increased capacity in the library service (both within the Development at the Community Hub and within existing library facilities serving the Development (see paragraph 4.3.8 below)) to accommodate the new demand created by the Development (see paragraph 4.3.5 below). Increased capacity would be brought about via increases in resources and equipment (physical/digital media, IT, technology etc.), reconfiguration of existing library spaces to adapt to demand/use and a library access point within the Community Hub.

Why is that purpose useful at the current time?

- 4.3.2 The purpose of securing funds to allow for an increase in the capacity of the library service is useful because it would enable an increase in library capacity to accommodate the new demand created by the Development and deliver the services set out at paragraph 4.3.3 below which will not be funded from elsewhere. The increase in capacity would be beneficial to both future and current residents of the Development and the wider community and serve to mitigate the impact of the Development on the existing library services through increased demand on those services.

- 4.3.3 It should be noted that libraries are more than just repositories of books increasing reading and literacy levels; they are vital community hubs that offer a range of services, including:
- (a) Education and Lifelong Learning: Libraries provide access to a wealth of information and resources, enabling individuals to learn and develop new skills. E.g. Ask a Kent librarian, Summer Reading Challenge, volunteering opportunities, job seekers support;
 - (b) Digital Literacy: Libraries offer essential digital skills training, helping to bridge the digital divide. E.g. Coding clubs, access to the internet;
 - (c) Social Inclusion: Libraries provide a welcoming space for people of all ages and backgrounds to connect with their community – helping to create resilient and connected communities. E.g Book Clubs, Knit and Natter, Baby Rhyme Time;
 - (d) Cultural Enrichment: Libraries host a variety of cultural events and activities, promoting creativity and diversity. E.g. access to cultural activities, engaging with minority groups; and
 - (e) Registration, archiving and local history collection services, including civil ceremonies.
- 4.3.4 Library provision supports the NPPF's policy of promoting healthy and safe communities³ as they promote social interaction and provide places that are safe and accessible for the local community.

Development Impact

- 4.3.5 The Development will significantly increase demand upon library services. Based on its Developer Contributions Guide 2023 [CD4/3] and Technical Appendix 16 [CD4/3/16], KCC's recent assessment (Appendix 1) estimates that an additional **1,654** new library users will be created, increasing the demand for library resources. Whilst it is acknowledged that some new residents to Chilmington Green will be existing KCC library members, the calculation of new users is conservative in nature, using a rate of 0.29 new users per dwelling, which is based on historical data and represents an average across the county. It does not account for large, strategic developments which are expected to attract a high ratio of families with

³ NPPF 2024 Section 8 paragraph 96

young children⁴ who are typically more frequent borrowers⁵ and users of library services.

Need for Increased/Upgraded Infrastructure

- 4.3.6 The Appellants have claimed that the contribution is “*surplus to requirements, duplicative and serves no useful purpose*” [CD2/22]. This appears to relate solely to the argument that the payment of the Library Services Contribution could be replaced by provision of library space within the Community Hub. The Appellants have provided no details regarding space allocated, equipment and resources. Nor have they proposed an on-going revenue budget for this service.
- 4.3.7 KCC’s library service is operated on a hub and spoke model, with each district served by a main library and several sub libraries. Main libraries (Tier 1) offer the full range of services, including registration, an extensive range of books/e-books, music/film/digital resources, archiving/local history collections, plus support equipment and IT facilities. These facilities are often co-located with partner services, are fully accessible, provide accommodation for multiple group activities (e.g., book clubs, baby rhyme time, homework club etc.) and operate across the week. Lower tier libraries operate from smaller venues, with reduced operating hours. Research conducted by KCC shows that a significant number of people use more than one library, with many using multiple libraries. An easy lend/return service operates, enabling users to borrow from, and return to any library, meaning that individuals may use libraries near to their place of work or their child’s school for example⁶.
- 4.3.8 The Development is currently served by:
- (a) Ashford Gateway – Tier 1 – Public Space 780sqm - 4km from central Chilmington Green;
 - (b) Bockhanger Library– Tier 5⁷ – Public Space 35sqm -5.7km from central Chilmington Green; and

⁴ KCC’s Developer Contributions Guide 2023 paragraph 3.3.4.

⁵ Department for Culture, Media and Sport, Libraries, Information and Archives Division ‘Comprehensive, Efficient and Modern Public Libraries – Standards and Assessment’ Paragraph 2

⁶ KCC Libraries, Registration and Archives Strategy 2019-2022, Page 32

⁷ Tier 5 Libraries are typically located in smaller villages and suburban communities. They are small buildings and some may be co-located with community/village centres. Staffed opening hours are 15 hours per week.

- (c) Stanhope Library – Tier 5 – Public Space 80sqm - 2km from central Chilmington Green.

Service Capacity

4.3.9 The substantial increase in population from this Development will place considerable pressure on existing library services which are already operating over capacity, as set out below:

- (a) Analysis of book/e-book stock levels for the Ashford Borough shows that there are approximately 583 items per 1000 population. This is significantly below the National Library Standard's recommended upper threshold of 1532 items per 1000 population.
- (b) Library capacity has historically been based on Museums, Libraries and Archives (MLA) recommendation of 30sqm per 1,000 population – KCC does not currently meet this standard and has no plans to increase the number of libraries in Kent (the possible exception is the provision of new space on strategic sites/garden communities such as the access point proposed in the Development). In most cases, it will seek instead to meet the need generated by new growth by:
 - (i) Improving existing facilities;
 - (ii) Refits and reconfiguration of existing facilities (see example in Appendix 4);
 - (iii) Intensification of use – including the use of technology to increase service capacity; and
 - (iv) Library Access Point within the Development at the Community Hub.

4.3.10 Consequently, the Library Service Contribution is required to increase the resources/equipment (physical and digital media, IT, technology, fittings and fixtures) and physical capacity of library services (within the Development and the wider Ashford urban area) to meet the needs of the growing population so that the existing population is not negatively impacted. The Library Service Contribution therefore, serves a useful purpose and is not surplus to requirements.

Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?

- 4.3.11 The Appellants are seeking to discharge the obligation to pay the Library Service Contribution in its entirety and instead provide an on-site library, the details of which have not been provided.
- 4.3.12 Schedule 12 (paragraph 1.1) of the S106 [CD1/14 - CD1/16] currently provides for a 12sqm space to house a Library Access Point within the Community Hub. This would generally accommodate 2-3 No. shelves of book/music/film stock, RFID technology enabling self-services, 1No. PC and access to Wi-Fi. This service is typically unmanned and instead, relies on technology to provide the service. In KCC's service delivery model, this provision would work with existing libraries as a "spoke". It is not a fully operating library.
- 4.3.13 The Appellants have asserted that their proposed alternative provision of a *"fully stocked and equipped library"* within the Community Hub at 3250 Occupations negates the requirement to provide financial obligations. In addition to the total lack of detail provided by the Appellants, including specification and who would run the service, this is unacceptable for the following reasons:

Lack of Operational Funding:

- (a) Unsustainable Model: An additional library without ongoing operational funding is not a viable long-term solution. The Appellants' proposal creates a short-term asset with no plan for its continued existence.
- (b) Burden on Taxpayers: KCC, which is already facing budgetary constraints, would ultimately be responsible for the ongoing costs of staffing, maintenance, and service provision and therefore, could not accept the additional facility.
- (c) Lack of Integration: The Appellants' library would likely operate independently of KCC's library network, hindering access to shared resources (including skilled librarians), inter-library loans, and a consistent user experience.

Failure to Meet S106 Obligations:

- (a) Specific Purpose: The S106 [CD/114 - CD1/16] specifies the use of funds for expanding the library service capacity serving the Development. A fully

stocked building without operational funding does not fulfil this objective. It cannot be deemed therefore, that the proposal replaces or negates the need for the Library Services Contribution to be paid to KCC to fulfil its statutory function as Library Authority.

- 4.3.14 Further, the County Council's preference is to not have a physical library presence in the potential form put forward by the Appellants in the Development, in part due to its proximity to the town centre and Ashford Gateway, along with other supporting libraries, especially Stanhope (at a distance of 2km from the Development centre). Without an additional contribution, such provision would place additional pressures on existing library resources and potentially threaten their survival. A library access point was proposed for the Development to assist with ease of access (collection and drop off) by residents, in addition to accessing the full range of library services via existing provision.
- 4.3.15 Discharging the Library Services Contribution would prevent the intended purpose of enhancing library services to accommodate the Development's impact from being fulfilled by the designated statutory library service provider. This would exacerbate the existing strain on the library system, which is already operating at capacity, and ultimately disadvantage current library users.
- 4.3.16 For the reasons set out above, the proposed modification is not acceptable and would not serve the purpose equally well.

5. Youth Services Contribution

5.1 Introduction

5.1.1 The S106 [CD1/14 - CD1/16] (Schedule 16 paragraph 3) obligates the Owners (as defined in the s106 to pay the Youth Services Contribution in the sum of £239,000 (plus indexation) in three payments:

- (a) Contribution 1 - £59,750 at 499 Occupations or 4th anniversary of Commencement if earlier (invoiced by KCC and remains unpaid);
- (b) Contribution 2 - £59,750 at 1099 Occupations or 6th anniversary of Commencement if earlier; and
- (c) Contribution 3 - £119,500 at 1799 Occupations or 10th anniversary of Commencement if earlier.

5.1.2 The Youth Services Contribution is defined as: “...for the provision by the County Council or its nominees of youth services Serving the Development but excluding the provision of infrastructure....”

5.1.3 By **Request No 86**, the Appellants seek to **discharge** each of the obligations and make consequential amendments to Schedules 30A-C [CD2/22].

5.1.4 Discharge of the obligation in its entirety is sought on the basis that:

- (a) “...these contributions no longer serve a useful purpose, inasmuch as there is already ample provision. These payments accordingly amount to substantial over provision, are surplus to requirements...”. KCC note that no evidence of the alleged “ample provision” has been provided.
- (b) Viability grounds

5.1.5 As stated above viability is dealt with in a separate proof of evidence.

5.1.6 KCC's position is that the obligation continues to serve a useful purpose and that the discharge of this obligation should be refused.

5.2 Planning Policy Context

5.2.1 KCC has a statutory duty to provide Youth Services under section 507B of the Education Act 1996. This requires KCC, so far as reasonably practicable, to

secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and for those aged 20 to 25 who have additional needs.

- 5.2.2 The County Council's policy for seeking the Youth Services Contribution is set out in its Developer Contributions Guide 2023 [CD4/3] plus Technical Appendix 15 [CD4/3/15].

6. Purpose

Purpose served by the s106 Obligation

- 6.1.1 The purpose of the obligation is to prevent the Development proceeding beyond the specified triggers before the payment of monies which can be used *"...for the provision by the County Council or its nominees of youth services Serving the Development but excluding the provision of infrastructure...."* in order to ensure that the impact of the Development on Youth Services is not unacceptable. The current obligation serves to provide increased capacity in KCC's Youth Service (both within the Development and within youth facilities serving the Development) in line with the new demand created by the Development. It is to ensure that the costs of infrastructure necessary to serve the Development are met by the Development.

Why is that purpose useful at the current time

- 6.1.2 Youth Services play a critical role in reaching and supporting young people who may be experiencing significant barriers to accessing traditional support systems. This involves proactive outreach⁸ and targeted interventions to address complex challenges⁹ and promote positive youth development. Access to good quality youth services is essential to ensure equal opportunities and support for all young people across the county, preventing them from engaging in harmful behaviour and leading them towards a positive future. KCC's Youth Service works predominantly with young people between the ages of 11 to 19 (up to 25 with additional needs), but also interacts with parents and carers. Youth Services give young people access to a range of help and advice including but not limited to:

- (a) Drug and alcohol support

⁸ Including locational surveys, looking for issues and engaging with young people in their communities.

⁹ Such as: transient gang activity, county lines, anti-social behaviour, deprivation, drug and alcohol abuse

- (b) Family support
- (c) Education welfare
- (d) Sexual health advice
- (e) Career guidance
- (f) Mental health support/Resilience Programme
- (g) Volunteering and community involvement.

6.1.3 Youth Services provide young people with a place to go and socialise safely, access training and skills development support, and find opportunities to engage with their community.

6.1.4 The provision of this service supports the NPPF's policy of promoting healthy and safe communities¹⁰ By promoting good health and preventing ill-health and promoting social interaction.

Development Impact

6.1.5 Using an average household occupancy of 2.4¹¹), this Development is predicted to create an additional 3163 children and young people (0-18). Based on its Developer Contributions Guide 2023 [CD4/3] and Technical Appendix 15 [CD4/3/15], Table 1, Targeting 25% of the 0-18 year-olds, KCC's recent assessment (Appendix 1) estimates that an additional 791 clients will be created aged 0-18. **It should be noted** that since completion of the S106 in 2017, KCC has revised the way in which it seeks s106 contributions for children and young people, following the establishment of a combined Integrated Children's Services in 2023, which serves children and their carers from 0-19 years (25 where there are special educational needs). Consequently, a proportion of the 791 0-18 year olds are applicable to what was previously referred to as Youth Services (11-19 age group). This equates to an additional **288 Youth clients**¹². Please note: In its 'Statement of Case – Annex A Schedule of the County Council's responses to the proposed modifications', KCC

¹⁰ NPPF 2024 Section 8 paragraph 96 [CD5/1]

¹¹ Census 2021 'Families and households in the UK:2020

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/families/bulletins/familiesandhouseholds/2020>

¹² KCC's determination of the original Youth Services requirements used an average household occupancy of 0.2 for secondary school pupils aged 11-16.

previously advised that 403 additional Youth Services clients would be created by the Development. This was incorrect.

6.1.6 Youth Services are delivered across Kent's districts via direct delivery and commissioned services, with central Family Hubs, community buildings, outreach/mobile units, and outdoor spaces, providing a variety of ways for young people to access the support they need. For the Ashford Borough, Youth provision is currently located at:

- (a) Willow Centre Family Hub – TN23 4EY
- (b) Bockhanger Family Hub – TN24 9LS
- (c) Waterside Family Hub – TN24 0PQ
- (d) Ashford North Family Hub – TN24 8BJ
- (e) Tenterden Family Hub – TN30 6RA.

Service Capacity

6.1.7 KCC Youth Service is currently operating at full capacity in the Borough. Budgets are significantly constrained in their ability to meet the needs of the new population. As an emerging community there are no existing youth services or provision available to the residents. This contribution will enable the youth service to expand into and for the new community, providing services in the appropriate locations.

6.1.8 To expand the service, the current and proposed future focus of s106 contributions is to:

- (a) **Expand and enhance Family Hubs** to offer more specialist resources, help and advice and to provide access to more young people – this may involve internal reconfiguration of existing space, additional space provision, new equipment and learning resources.
- (b) **Expanding the Mobile and Outreach Service** (including serviced use of the Community Hub (Schedule 12)) provision to increase remote access to youth services and targeted help for more complex issues. Outreach youth work takes place on young peoples' own territory, supporting and complementing new and existing centre/project-based youth work. By taking youth work out into the community, barriers to participation are

reduced. See Appendix 5 for an example of outreach work that could be undertaken for this Development.

6.1.9 By utilising s106 contributions in this way, Youth Services can better address the increasing needs of young people, ensure equitable access to vital support services, and contribute to the well-being of the entire community.

6.1.10 The Youth Services Contribution serves a useful purpose of ensuring the well-being of young people within the community. Youth Services play a critical role in supporting young people facing challenges and promoting positive youth development. With KCC Youth Services already operating at full capacity and facing budgetary constraints, the significant increase in the youth population brought about by the Development will further strain these resources. The Youth Services Contribution will be essential to expand and enhance existing Family Hubs, providing more resources, support, and access for young people. Additionally, the contribution will enable the expansion of mobile and outreach services, bringing vital support directly to young people in their communities. By addressing the growing demand for services and ensuring equitable access for all young people, the Youth Services Contribution plays a crucial role in fostering a safe and healthy environment for the entire community. This supports the outcomes of the NPPF, Section 8 – Promoting healthy and safe communities.

6.2 **Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?**

6.2.1 No modification is proposed. The Appellants are seeking to discharge the obligation to pay £239,000 in its entirety [CD2/22]. Consequently, the useful purpose of the obligation will no longer be met. The useful purpose of preventing development at levels where it would become unacceptable for Youth Services and increasing capacity within the Youth Services will not be served at all. There will be no increase in Youth Services to meet the needs of the Development and consequently, existing resources will be stretched across a larger population, resulting in increased wait times, reduced access to vital support, equipment and resources and an overall decline in the service.

6.2.2 The potential negative consequences of discharging the obligation include:

Child Poverty and Disadvantage: Children in families struggling with poverty, unemployment, or other social challenges are often disproportionately reliant on

Family Hub services. The lack of adequate support can exacerbate existing inequalities and increase the risk of child poverty and disadvantage.

Mental Health and Well-being: Children and young people facing difficulties with mental health, emotional regulation, or social development can benefit greatly from early intervention and support provided by Family Hubs. Limited access to these services can have a detrimental impact on their well-being and future life chances.

Strain on Schools and Other Services: The absence of adequate Family Hub support can place a greater burden on schools, healthcare providers, and other community services, as they may be required to fill the gaps in support.

Community Cohesion: Discharging the obligation for youth services can have far-reaching consequences. Without adequate funding and support, young people may lack positive outlets and opportunities, increasing their vulnerability to social exclusion and engagement in negative behaviours. This could manifest in increased instances of anti-social behaviour, criminal activities, and involvement in harmful groups such as gangs and county lines operations.

- 6.2.3 As set out above the purpose of the Youth Services Contribution is useful now and therefore the purpose cannot be equally well served by discharging the obligation.

7. Community Learning Contribution

7.1 Introduction

7.1.1 The S106 [CD1/14 - CD1/16] (Schedule 16 paragraph 5) currently obligates the Owners (as defined in the s106 to pay the Community Learning Contribution in the sum of £213,000 (plus indexation) in two equal payments:

- (a) Contribution 1 - £106,500 at 1499 Occupations or 8th anniversary of Commencement if earlier; and
- (b) Contribution 2 - £106,500 at 2999 Occupations or 15th anniversary of Commencement if earlier.

7.1.2 The Community Learning Contribution is defined as: “...for the provision and subsidy of new adult learning classes Serving the Development....”

7.1.3 By **Request No 87**, the Appellants seek to **discharge** each of the obligations and make consequential amendments to Schedules 30A-C [CD2/22].

7.1.4 The Appellants are seeking to discharge the obligation in its entirety on the basis that:

- (a) “these contributions no longer serve a useful purpose, inasmuch as there is already ample provision in this regard. These payments accordingly amount to substantial over provision, are surplus to requirements and should be discharged accordingly.” KCC note that no evidence of the alleged “ample provision” has been provided.
- (b) Viability.

7.1.5 As stated above, viability is dealt with in a separate proof of evidence.

7.1.6 The County Council's stance is that the obligation continues to serve a useful purpose and that the discharge of this obligation should be refused.

7.2 Planning Policy Context

7.2.1 Community Learning and Skills (“CLS”) provision is delivered in line with in KCC’s Framing Kent’s Future, Our Council Strategy 2022-2026 (Priorities 1 and 2) [CD4/4]. Technical Appendix 2 of KCC’s Developer Contributions Guide 2023 [CD4/3/2] sets out its policy for seeking and spending s106 contributions for CLS.

7.2.2 The CLS vision¹³ is *‘to help every adult and young person in Kent to achieve their potential in life, whatever their background’*. In collaboration with other skills and education services, KCC’s CLS supports:

- (a) Adults seeking skills for employment;
- (b) Young people entering the world of work;
- (c) Organisations seeking to improve the skills and potential of their staff;
- (d) Adults learning for personal development, pleasure, and wellbeing; and
- (e) Families (especially those in Kent’s disadvantaged neighbourhoods).

7.3 Purpose

Purpose served by the s106 Obligation

7.3.1 The purpose of the obligation is to prevent the Development proceeding beyond the specified triggers before the payment of monies which can be used *“for the provision and subsidy of new adult learning classes Serving the Development”*, which serves to provide increased capacity within CLS in line with the new demand created by the Development to ensure that the impact on CLS services is not unacceptable. It is to ensure that the costs of infrastructure necessary to serve the Development are met by the Development.

7.3.2 Why is that purpose useful at the current time

CLS (often referred to as ‘adult education’) offers a diverse range of courses and programmes designed to empower individuals and strengthen communities.

7.3.3 CLS delivers various programmes which include:

- (a) Skills Development: Courses cover a wide range of subjects, from basic literacy and numeracy to digital skills, language learning, and vocational qualifications.

¹³ The Community Learning and Skills: Vision and Priorities is an internal document, setting out the vision and mission statement of the service. This document is reviewed under the five-year Ofsted Inspection Cycle and is mapped against Ofsted’s Education Inspection Framework.

- (b) Personal Development: Programmes focus on personal growth, such as mindfulness, well-being, and creative arts.
- (c) Social Inclusion: Community learning fosters social interaction and a sense of belonging, particularly for isolated individuals.
- (d) Community Engagement: Many programmes involve community projects and volunteering, strengthening local ties and addressing social issues.
- (e) Employment Opportunities: Courses can lead to improved job prospects and career advancement.

7.3.4 The CLS services have many benefits to the community¹⁴ which include:

- (a) Increased Social Mobility: By acquiring new skills and qualifications, individuals can improve their employment opportunities and earning potential.
- (b) Enhanced Well-being: Learning can boost self-esteem, reduce stress, and improve mental health.
- (c) Stronger Communities: Community learning fosters social cohesion, reduces isolation, and encourages active citizenship.
- (d) Economic Growth: A skilled workforce is essential for a thriving economy. Community learning contributes to the development of a skilled workforce.
- (e) Reduced Inequality: By providing accessible learning opportunities, community learning can help to address inequalities and promote social justice.

7.3.5 CLS supports the NPPF's policy on healthy and inclusive communities¹⁵ by promoting social interaction and enabling and supporting healthy lives by reducing inequalities.

Development Impact

¹⁴ Learning for Life: the role of adult community education in developing thriving local communities- A handbook for councillors. Local Government Association 27 October 2020.

¹⁵ NPPF 2024, Section 8 [CD5/1].

- 7.3.6 Chilmington Green will significantly increase demand upon community learning services. Based on its Developer Contributions Guide 2023 -Technical Appendix 2 [CD4/3/2], KCC's recent assessment (Appendix 1) estimates that an additional 285 new users will be created by the Development, which cannot be accommodated in the existing provision without increasing capacity or negatively impacting existing users.

Need for Increased/Upgraded Infrastructure

- 7.3.7 CLS operates across the district, with primary centres located at Ashford Gateway and Homewood School in Tenterden. Appendix 3 details the range of outreach venues utilised in 2022 to expand the capacity of the existing service. User access to courses is influenced by factors such as location, class times, and course type, meaning that individuals may not always attend the nearest centre.
- 7.3.8 Many practical courses necessitate specialised, non-portable equipment (e.g., pottery wheels, kilns, stained glass equipment), which are generally housed within the hubs. While there is currently physical capacity within the hubs, increased enrolment for these courses from the Development will necessitate investments in IT infrastructure, learning technologies, and other specialist, essential equipment.
- 7.3.9 Core courses such as modern foreign languages, mathematics, English, and ESOL are currently operating at capacity within these primary centres and cannot accommodate new users from the Development. To expand access, CLS has adopted an outreach programme approach to deliver services directly within communities. To increase outreach provision further to cater for this Development, S106 Contributions would be used towards the capital equipment and resources necessary to run additional classes, as well as the rental cost of facilities, including those on the Development.
- 7.3.10 The Community Learning Contribution continues to serve a useful purpose. Demand created by the Development for Community Learning Services is expected to increase significantly. Existing services are already operating at capacity, and the development will further strain resources. The obligation will fund essential investments, such as specialised equipment, IT infrastructure, and the expansion of outreach programmes, enabling CLS to meet the increased demand and continue providing high-quality education and training opportunities to residents of the Development and the wider community.

Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?

- 7.3.11 No modification is proposed. The Appellants are seeking to discharge the obligation to pay £213,000 in its entirety [CD2/22]. Consequently, the useful purpose served by the obligation will no longer be met and the ability for CLS to provide and subsidise new adult learning classes for residents of the Development will not be delivered. Ultimately, the costs of infrastructure necessary to serve the Development will not be met by the Development. The useful purpose of preventing development at levels where it would become unacceptable for CLS will not be delivered.
- 7.3.12 Discharging the obligation will result in additional demand on the existing service, stretching resources more thinly across the increasing population, resulting in:
- (a) reduced access to courses;
 - (b) reduced access to outreach programmes;
 - (c) inadequate infrastructure, resources, IT and equipment to run courses;
 - (d) reduced access to specialist equipment; and
 - (e) undermining of community benefits.
- 7.3.13 As set out above the purpose of the Community Learning Contribution is useful now and therefore the purpose cannot be equally well served by discharging the obligation.

8. Family Social Care Contribution

8.1 Introduction

8.1.1 The S106 [CD1/14 - CD1/16] (Schedule 16 paragraph 7) currently obligates the Owners (as defined in the s106 to pay the Family Social Care Contribution (plus indexation) and Telecare Contribution (plus indexation) as follows:

- (a) Contribution 1 - £136,000 at 1800 Occupations or 10th anniversary of Commencement if earlier;
- (b) Contribution 2 - £136,000 at 3050 Occupations or 15th anniversary of Commencement if earlier; and
- (c) Telecare Contribution - £26,450 at 500 Occupations or 4th anniversary of Commencement if earlier (unpaid).

8.1.2 Family Social Care Contribution states that two equal payments of £136,000 shall be made and "Family Social Care Contribution 1" and "Family Social Care Contribution 2" shall be construed accordingly.

8.1.3 The Telecare Contribution is defined as: “....for the provision of assistive technology to enable people on the Site to live at home independently with technical aids at hand.”

8.1.4 By **Request No 88** the Appellants seek to **discharge** each of the obligations and make consequential amendments to Schedules 30A-C [CD2/22].

8.1.5 The Appellants are seeking to discharge the obligation in its entirety on the following basis:

- (a) “...these contributions no longer serve a useful purpose, in as much as there is already ample provision in this regard. These payments accordingly amount to substantial over provision, are surplus to requirements and should be discharged accordingly.” KCC notes that no evidence of the alleged “ample provision” has been provided.
- (b) Viability grounds

8.1.6 As stated above, viability will be dealt with in a separate proof of evidence.

- 8.1.7 KCC's position is that the obligation continues to serve a useful purpose and that the discharge of this obligation should be refused.

8.2 Planning Policy Context

- 8.2.1 KCC has statutory responsibilities to provide Adult Social Care services under:

- (a) Care Act 2014
- (b) Mental Health Act 1983
- (c) Mental Capacity Act 2005
- (d) Equalities Act 2010
- (e) Human Rights Act 1998.

- 8.2.2 The overarching Care Act 2014 adds new and extends existing responsibilities, including:

- (a) Promoting wellbeing
- (b) Protecting (safeguarding) adults at risk of abuse or neglect
- (c) Preventing the need for care and support
- (d) Promoting integration of care and support with health services.

- 8.2.3 Making a difference every day – Our strategy for Adult Social Care 2022 to 2027 (April 2022) [CD13/5] sets out KCC's Adult Social Care (ASC) strategy, in conjunction with Framing Kent's Future – Our Council Strategy 2022-2026 [CD4/4], Priority 4: New Models of Care and Support sets out the County Council's key priority in enabling residents to live safely and independently in their own communities for as long as possible.

- 8.2.4 KCC's current policy for seeking s106 contributions for Adult Social Care is set out in its Developer Contributions Guide 2023 [CD4/3] plus Technical Appendix 1 Adult Social Care [CD4/3/1].

- 8.2.5 Under the statutory guidance 'Working Together to Safeguard Children'¹⁶ [CD13/4], KCC is also required to safeguard and promote the welfare of children, assess their

¹⁶ www.gov.uk/government/publications/working-together-to-safeguard-children--2

needs and provide help through inter-agency working from pre-birth to 19 years (or up to 25 years for young people with additional needs).

- 8.2.6 KCC's policy for seeking s106 contributions for Children's Social Care is set out in its Developer Contributions Guide 2023 [CD4/3] plus Technical Appendix 15 Integrated Children's Services [CD4/3/15].

8.3 Purpose

Purpose served by the s106 Obligation

- 8.3.1 The purpose of the obligation is to prevent the Development proceeding beyond the specified triggers before the payment of monies which can be used for the provision of Family Social Care services and Telecare which serves to provide increased capacity within Family Social Care (adults and children) in line with the new demand created by the Development to ensure that the impact on this service is not unacceptable. It is to ensure that the costs of infrastructure necessary to serve the Development are met by the Development. This would include for example, technology and equipment to enable individuals to remain living in their own homes, activities for children aged 0-5 (parent and baby/toddler groups), parenting courses or an extension of the Changing Places¹⁷ network across the Ashford borough.

Why is that purpose useful at the current time

- 8.3.2 The UK is an ageing society: 25% of the population people will be over 65 by 2050, up from 19% in 2019¹⁸. Disability among working-age adults has also increased to 19%, up from 15% in 2010/11¹⁹. This means more people with complex needs requiring support from the health and social care system. This includes young people with learning and physical disabilities who are moving from Children's to Adult Services, often with significant support requirements.
- 8.3.3 A key priority for KCC Adult Social Care (ASC) is to enable residents to live safely and independently in their own communities for as long as possible. The Family Social Care Contribution and Telecare Contribution from this Development will deliver projects to support this priority for its residents.

¹⁷ www.changing-places.org

¹⁸ 'Meeting housing demand' House of Lords, Built Environment Committee 1st Report of Session 2021-2022.

¹⁹ Key facts and figures about adult social care, The King's Fund 2 July 2021.

8.3.4 For children's social care, this service is catered for within Family Hubs (formerly Children's Centres) which provide a range of community play and health services to support the early health and educational development of babies and children, offering parenting advice and guidance through a range of activities including parenting programmes. Services are offered in partnership with public health services including health visiting services. Parents in new and developing communities can experience social isolation that can impact their emotional wellbeing²⁰. Therefore, ensuring outreach services for support is a critical part of the offer. Family Hub services include outreach provision to communities who cannot easily access existing services and where there is a defined community need for parents to be, and children up to the age of 11 years. The service will advise and guide on a range of topics including:

- (a) Parenting support
- (b) Child Development
- (c) Financial and debt advice
- (d) Work, employment, and training advice
- (e) Mental health and other health services
- (f) Local services for parents and children

Domestic Abuse.

8.3.5 The provision of Family Social Care Services supports the NPPF's [CD5/1] policy of promoting healthy and safe communities.

Development Impact

8.3.6 The Development will significantly increase demand upon social services. Based upon its Developer Contributions Guide 2023 [CD4/3] and Technical Appendix 1 Adult Social Care [CD4/3/1], KCC's recent assessment (Appendix 2) estimates that an additional **531** adult social care clients will be created by this Development.

8.3.7 For Children's services, client numbers are set out in Appendix 1 (under Integrated Children's Services). Additional client numbers are calculated according to

²⁰ www.home-start.org.uk/news/new-survey-reveals-extent-among-uk-parents

Technical Appendix 15 of KCC's Developer Contributions Guide [CD4/3/15]. Using an average occupancy of 0.55 per dwelling for 0-18 year-olds and deducting 0.2 from this average (for those aged 11-18 whom are dealt with under Youth Services – see paragraph 6.2.4 above), this equates to an additional 2,013 children (plus their parents/carers) aged 0-11 year-olds. This service targets 25%, equating to **503** additional children's social care clients and their families.

Need for Increased/Upgraded Infrastructure

- 8.3.8 **Adult Social Care** – It should be noted that KCC's high threshold for accessing Adult Social Services²¹ means that there are much larger numbers of Kent adults with appropriate needs who are nevertheless unable to access these services. Therefore, the additional 531 adult social care clients projected to arise from this Development is only the tip of the iceberg in terms of the number adults who will benefit from the Obligation. With ASC's budget **operating at capacity**, any increase in clients from new developments will create a demand which they need to mitigate.
- 8.3.9 A key priority of ASC is enabling residents to live safely and independently in their own communities for as long as possible. Infrastructure to support this within the Development and across the Borough would include for example, the expansion and provision of:
- (a) specialist housing provision, including supported living
 - (b) adaption of community facilities to enable access for all
 - (c) technology and equipment to promote independence in the home
 - (d) multi-sensory facilities
 - (e) changing places within the Borough
 - (f) occupational health and delivery of 1-2-1/groups sessions on-site
 - (g) contributions from this Development would be used accordingly.
- 8.3.10 Children's Social Services are under similar budgetary pressures and operating at capacity. Consequently, increases in provision to cater for this Development would require additional funding. Historically, services for children and their families/carers

²¹ Due primarily to budgetary constraints.

have been delivered from a static facility, now referred to as Family Hubs. To increase capacity and provide for the additional need created by this Development, much of the Children's Social Services will be provided via expanded Mobile/Outreach work. This will enable services to be delivered in (including the Community Hub) and within the vicinity of Development – increasing the likelihood of children and their parents/carers engaging with them. Expansions and enhancements of Family Hubs, including IT, equipment and resources will enable existing facilities to be used more intensively. These are currently located at:

- (a) Willow Centre Family Hub – TN23 4EY
- (b) Bockhanger Family Hub – TN24 9LS
- (c) Waterside Family Hub – TN24 0PQ
- (d) Ashford North Family Hub – TN24 8BJ
- (e) Tenterden Family Hub – TN30 6RA.

8.3.11 Infrastructure to support Children's Social Services within the Development and across the Borough could include for example, the expansion and provision of:

- (a) establishment of parent and baby/toddler groups – including staff to run these until volunteer groups are established, hire of venues and necessary equipment
- (b) midwifery/health visitor sessions and Child Health Clinics
- (c) parenting support workshops
- (d) outreach vehicles and equipment
- (e) equipment loan service.

8.3.12 The Family Social Care obligation remains crucial in the current context. The significant and ongoing increase in demand for social care services, driven by factors such as an aging population, rising disability rates, and the growing need for family intervention and preventative services, necessitates the continued provision of this obligation.

8.3.13 KCC's Adult Social Care services are currently operating at or near capacity. The proposed development will further increase the demand for these services, including

telecare, home adaptations, and community-based support, which are essential for enabling residents to live independently.

8.3.14 Similarly, the increased demand for children's social care services resulting from the development necessitates the contribution towards this area. With children's social care services also operating at or near capacity, the contribution will be used to enhance services such as outreach programmes and Family Hubs, ensuring that vital support is available to all children and families within the development.

8.3.15 By mitigating the development's impact on social care services, these contributions ensure that the needs of the growing population are met responsibly and that the development proceeds without placing an undue burden on existing services. This approach aligns with the National Planning Policy Framework's (NPPF) objective of promoting healthy and safe communities. The contributions continue to serve a useful purpose as there is not ample provision of these services and therefore the contributions continue to prevent development at levels where the impact to the service would become unacceptable.

Would the obligation serve that purpose equally well if it had effect subject to the proposed modification?

8.3.16 No modification is proposed. The Appellants are seeking to discharge the obligation to pay £298,450 in its entirety [CD2/22]. Consequently, the useful purpose served by the obligation will no longer be met.

8.3.17 Discharging the financial obligation would prevent the intended purpose and exacerbate the existing strain on Adult and Children's Social Care Services, which is already operating at capacity, and ultimately disadvantage current users.

8.3.18 As set out above, the purpose of the Family Social Care Contribution and Telecare Contribution is useful now and therefore the purpose cannot be equally well served by discharging the obligation.

9. Conclusion

9.1 The s106 Agreement's provisions for contributions towards Library Services, Youth Services, Community Learning, and Family Social Care are essential to mitigate the significant impact of the Development on existing services and ensure adequate provision for the needs of the growing community. The obligations prevent the Development proceeding to levels where the impact on these services would be unacceptable. These contributions are crucial for

supporting the well-being of residents, fostering social inclusion, and enhancing the quality of life within the Development and the wider community; all factors that enhance the placemaking qualities of the Development. Discharging these obligations would have detrimental consequences, including increased strain on existing services, reduced access to essential support, and a potential increase in social inequalities. Therefore, maintaining these contributions is crucial to ensure the success and sustainability of the Development and the well-being of its residents.

APPENDIX 1– COMMUNITIES ASSESSMENT

Communities Assessment Report Appendix 2

KCC Communities Development Contributions Assessment

| | |
|--|-------------------|
| Site Name | Chilmington Green |
| Reference No. | AS/12/00400 |
| District | Ashford |
| Assessment Date | 29/11/2024 |
| Development Size | 5,750 |
| Non-Applicable Dwellings (under 56sqm GIA) | 0 |

COMMUNITY LEARNING & SKILLS (CLS)

CLS generally operates from one central location per district owned by KCC. Many practical courses require resources (e.g., potter's wheels, kilns, stained glassing making equipment) that are not portable. Locations per district can be found on the Kent Adult Education website.

Provision of general courses (such as modern foreign languages, Maths, English and ESOL) are at capacity within these main centres. To increase capacity, CSL operates an outreach programme to bring services directly to communities: new developments will be required to contribute towards the cost of equipment and resources. There is currently physical capacity within the hubs for specialist courses. However, increased enrolments will place additional demands on IT, learning technology and other equipment. New developments will also be expected to contribute towards this.

New adult participation from this development **285 clients**

Contributions requested from this development

5750 dwellings from this proposal

£34.21 per dwelling

£196,707.50

Contributions requested towards additional equipment and resources for Adult Education Centres and outreach provision serving the development.

INTEGRATED CHILDREN'S SERVICES - YOUTH / EARLY YEARS SERVICE

Historically, services for children and young people have been delivered from a static facility, typically youth/children's centres. The level of growth planned for each district will see the majority of development taking place away from the main hubs. To increase capacity and provide for the additional need created by new developments, much of the Youth/Early Years Services will be provided via Mobile/Outreach work. This will enable services to be delivered in the vicinity of new developments, increasing the likelihood of children, young people and parent/carers engaging with them. Therefore, all development will be expected to make contributions towards equipment and resources to enable Mobile/Outreach work to take place.

For expansions and enhancements of youth hubs and children's centres, including provision of specialist equipment and resources to increase capacity, this will be determined on a case-by-case basis, to mitigate the impact of growth. District provision will be assessed, and contributions requested where there is a project.

New Youth/Early Years Service participation from this development **791 clients**

Contributions requested from this development

5750 dwellings from this proposal

£74.05 per dwelling

£425,787.50

Contributions requested towards additional resources for Integrated Children's Services to enable expansion of capacity within the hubs and provision of outreach work in the vicinity of the development.

LIBRARIES, REGISTRATIONS AND ARCHIVES (LRA)

New developments will place additional demands for both physical (hard copy) books and digital (eBooks/E-Audio) stock. The National Library Standard upper threshold recommends 1532 items per 1000 population; where stock levels are below this, contributions will be sought.

Library capacity has historically been based on Museums, Libraries and Archives (MLA) recommendation of 30sqm per 1,000 population – KCC does not currently meet this standard and has no plans to increase the number of libraries in Kent (the possible exception is the provision of new space on strategic sites/garden communities). In most cases, it will seek instead to meet the need generated by new growth by:

- Improving existing facilities
- Refits and reconfiguration
- Intensification of use

Library bookstock items per 1,000 population for Ashford (Dec 2022) **583**

Target: National Library Standard bookstock items per 1,000 population (upper threshold)

1,532

New borrowers from this development

1654 borrowers

Contributions requested from this development

5750 dwellings from this proposal

£62.63 per dwelling

£360,122.50

Towards additional resources, equipment and book stock (including reconfiguration of space) at local libraries serving the development.

Net contributions requested for KCC Communities' Services **£982,617.50**

APPENDIX 2– ADULT SOCIAL CARE ASSESSMENT

ADULT SOCIAL CARE ASSESSMENT REPORT APPENDIX 3

Development Contributions Assessment over the planning period 1/1/2019 to 31/12/2039

| | |
|------------------|-------------------|
| Site Name | Chilmington Green |
| Reference No. | AS/12/00400 |
| District | Ashford |
| Assessment Date | 29/11/2024 |
| Development Size | 5,750 |

Net Social Care contributions requested:

Social Care and Health Services

£1,040,060.00

Kent County Council has statutory* responsibilities to provide a variety of services that support and care for vulnerable adults and children across the county. In line with KCC Strategy**, the modern focus of the service is to support adults to live fulfilling and independent lives at home and in their community, ensuring adults receive the right care when they need it, and are also supported to get back on their feet when it is appropriate and possible.

To support this strategy, KCC seeks contributions toward five priority areas and may choose to apply the whole contribution to a single project, or proportionately between projects. The contribution from the development is the same. The result is greater certainty of project delivery and benefit to new communities to put together workable projects for the community and clients.

Proposed new housing development results in additional demands upon Adult Social Care (ASC) services from increases in older people and also adults with Learning, Physical and/or Mental Health Disabilities. Available care capacity is fully allocated already, with no spare capacity to meet additional demand arising from this and other new developments.

The focus of Adult Social Care is currently on the five areas listed below, offering a preventative approach to providing care. Based on an agreed set of service delivery models, an annual assessment of the impact of new and existing housing on these services has been carried out. Only the financial impacts relating to new housing are displayed.

Note: Client numbers are rounded for display purposes, but costs are based on unrounded figures

* Under the Care Act 2014, Mental Health Act 1993 and Mental Capacity Act 2005

**<https://www.kent.gov.uk/about-the-council/strategies-and-policies/adult-social-care-policies/your-life-your-wellbeing>

| | |
|--|--|
| A. ASSISTIVE TECHNOLOGY & HOME ADAPTATION EQUIPMENT | Assistive Technology systems and Home Adaptation Equipment are delivered to vulnerable adults in their own homes, enabling them to: live with the confidence that help is available when they urgently need it and to remain independent in their own homes. |
| B. ADAPTING COMMUNITY FACILITIES | Adapting Community Facilities to be accessible for those with both mental and physical disabilities means vulnerable adults can access other support services and facilities safely and comfortably. |
| C. SENSORY FACILITIES | Sensory facilities use innovative technology to provide a relaxing or stimulating environment for people of all ages with sensory impairment conditions. The facilities may be used to calm stress and anxiety, or to encourage sensory development and social engagement. |
| D. CHANGING PLACE | Changing Places have additional features than standard accessible toilets to meet the needs of people with a range of disabilities and their carers. These toilets are usually located in or near a popular public area to ensure suitable facilities are available for use by vulnerable adults when necessary. |
| E. SPECIALIST CARE HOUSING | Specialist care housing includes extra care accommodation and other care living accommodation for those clients with special requirements. These requirements include but are not limited to, the elderly and those with physical and learning requirements. |

New Social Care Clients generated from this development:

District (up to 2039)

531 client(s)

1,865 clients

Contributions requested from this development

£1,040,060.00

Contributions requested towards Specialist Housing in the District, Assistive Technology & Home Adaptation Equipment, Adapting Community Facilities, Sensory Facilities and Changing Places in the vicinity of the development.

Note: These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

APPENDIX 3– COMMUNITY LEARNING AND SKILLS – OUTREACH VENUES

| District | Venue Name | Address | Postcode |
|----------|---------------------------------------|--|----------|
| Ashford | Ashford Volunteer Centre | 8 Elwick Road, Ashford, Kent | TN23 1PD |
| Ashford | Assembly Rooms | New Romney Town Council, Town Hall, High Street, New Romney, Kent | TN28 8BT |
| Ashford | Chilmington Green Primary | Jemmett Road, Ashford, Kent | TN23 4QL |
| Ashford | East Stour Primary School | Earlsworth Road, South Willesborough, Ashford, Kent | TN24 0DW |
| Ashford | Finberry Primary School | Avocet Way, Finberry, Sevington, Ashford, Kent, | TN25 7GS |
| Ashford | Homewood School | Ashford Road, Tenterden, Kent | TN30 6LT |
| Ashford | Kingsnorth CEP School | Church Hill, Kingsnorth, Ashford, Kent | TN23 3EF |
| Ashford | Lady Joanna Thornhill Primary School | Bridge Street, Wye, Ashford, Kent | TN25 5EA |
| Ashford | New Romney Children's Centre | Craythorne Lane, New Romney, Kent | TN28 8BL |
| Ashford | Ray Allen Sure Start Childrens Centre | Stanhope Road, Ashford, Kent | TN23 5RN |
| Ashford | Romney Resource Centre | Units 4 and 12A, Mountfield Road Industrial Estate, New Romney, Kent | TN28 8LH |
| Ashford | St Mary's C of E Primary School | Western Avenue, Ashford, Kent | TN23 1ND |
| Ashford | St Nicholas CEP (sch) | FairField Road, New Romney, Kent | TN28 8BP |
| Ashford | Sure Start Willow Centre | The Willow Centre, 28 Brookfield Road, Ashford, Kent | TN23 4EY |
| Ashford | Sure Steps Children's Centre | Belmont Road, Kennington, Ashford, Kent | TN24 9LS |
| Ashford | The North School | Essella Road, Ashford, Kent | TN24 8AL |
| Ashford | Victoria Road Primary School | Victoria Road , Ashford , Kent | TN23 7HQ |
| Ashford | Waterside Children's Centre | Turner Close, Willesborough, Ashford, Kent | TN24 0PQ |
| Ashford | Waterside Sure Start | The Swan Centre, Turner Close, Willeborough, Ashford, Kent | TN24 0PQ |
| Ashford | Woodchurch CE Primary School | Front Road, Woodchurch, Ashford, Kent | TN26 3QJ |
| Ashford | Wyvern School | Great Chart Bypass, Ashford, Kent , , Room - Conference Room, | TN23 4ER |

APPENDIX 4

Margate library is situated within Margate town centre in the Gateway building sharing facilities with district council services. The project expanded the footprint of the children's library, improved furniture & facilities including new carpets & seating.





APPENDIX 1 APPENDIX 5

Adolescent Response Team (ART)

The Adolescent Response Team (ART) is a flexible workforce, delivering services to children and families on evenings, weekends, and holidays to support KCC's approach to contextual safeguarding.

The model was developed and implemented in recognition of the links between contextual harm and family breakdown, learning from other high performing local authorities and learning from our partnerships with the University of Bedfordshire and the London Borough of Waltham Forest.

The ART service is uniquely creative and solutions-focussed in enabling a swift, flexible, and intensive response to meet the needs of children. The ART approach:

- provides evening and weekend non-case holding support at times of crisis for adolescents and their families, where contextual risks threaten family or placement breakdown
- works in an integrated way with wider adolescent services (Family Hub Work, Social Work, Early Help and Youth Justice) and multi-agency partners, through the District Contextual Safeguarding Meetings, to assess and respond to identified locations and spaces of contextual concern

Work with individual children and families

The referral inbox is monitored from 9am – 5pm. The referring case holder is responded to within 1 hour with details of allocation to an Adolescent Response Practitioner ("Responders") or to discuss the request further. Responders can visit children and families 7 days a week (including holidays) up to 8pm.

Responders adopt a model of support which is relevant to the child, approaching each child/family as an independent source and offer support 'in the moment' to prevent, de-escalate and stabilise the situation. This approach builds familial resilience and prevents children coming into care.

Responders are trauma informed and many are Dialectical Behaviour Therapy (DBT) trained. They appreciate and understand the complexity of adolescents and the impact this can have on a family in crisis. Senior staff are available to support and guide responders in addition to the support of lone working and staff supervision practices and development opportunities.

Community Contextual Safeguarding Work

The ART Service is fully cognisant of the growing evidence of child criminal exploitation in Kent and work closely with the Gangs & County Lines Police Team and Violence Reduction Unit. This collaboration aims to identify children who are

being exploited, to disrupt exploitation activity, and support children to identify and actively withdraw from those causing them harm. It is evident that increasing the intensity of support to these individuals is crucial in disrupting grooming activity, alongside offering, promoting, and often joining children to engage in alternative pro-social activities.

ART support the community multi-agency team to undertake location assessments aimed at understanding the context of the harm.

These assessments are a foundation for developing a collaborative multi-agency plan to support positive change for not only the children present in those spaces but also the broader local community.

In 2023/24, in Northfleet, these sessions were strategically implemented in response to locations and spaces identified during District Contextual Safeguarding Meetings (DCSM) as posing a potential risk of harm to children. These include 'hotspot' areas and urban locations, parks, abandoned premises, private businesses, and housing estates.