

KENT COUNTY COUNCIL

POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 24 March 2022

PRESENT: Mr R J Thomas (Chair), Mr N Baker (Substitute for Vacancy), Mr P V Barrington-King, Mr P Bartlett, Mr A Brady, Mr N J D Chard, Mr M Dendor, Mr A J Hook, Mr R C Love, OBE, Mr J P McInroy, Mr H Rayner (Substitute for Mr T Bond), Mr P Stepto and Dr L Sullivan

ALSO PRESENT: Mr R W Gough and Mr P J Oakford

IN ATTENDANCE: Mrs A Beer (Corporate Director of People and Communications), Mr D Cockburn (Corporate Director Strategic & Corporate Services), Ms Z Cooke (Corporate Director of Finance), Mr S Dodd (Investment and Development Consultant), Ms L Gannon (Director of Technology), Mr V Godfrey (Director, Kent Holdco Ltd), Mr D Lindsay (Interim Head of Technology Commissioning and Strategy), Ms C Maynard (Head of Commissioning Portfolio - Outcome 2 and 3), Ms K Ripley (Special Projects Manager), Mr J Sanderson (Head of Property Operations), Mr M Scrivener (Corporate Risk Manager), Mrs R Spore (Director of Infrastructure), Mr B Watts (General Counsel), Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance), Mr C Wimhurst (Commissioning Standards Manager), Mr J Cook (Democratic Services Manager) and Miss T A Grayell (Democratic Services Officer)

UNRESTRICTED ITEMS

60. Apologies and Substitutes

(Item 2)

Apologies for absence had been received from Mr T Bond, Mr T Cannon, Mr G Cooke and Mr P C Cooper.

Mr N Baker was present as a substitute for Mr Cannon and Mr H Rayner as a substitute for Mr Bond.

The committee noted that Mr P Barrington-King, Mr N J D Chard and Mr A J Hook were joining the meeting remotely.

61. Declarations of Interest by Members in items on the Agenda

(Item 3)

In relation to agenda item 12, the Chair declared that, as a former pupil of the Simon Langton Grammar School for Boys, he made voluntary monthly contributions to the school's funds.

Mr N Baker declared that he was also a former pupil of the school, and that his fiancée was employed by the East Kent Hospitals University NHS Foundation Trust.

In relation to agenda items 8 and 9, Mr H Rayner declared that he held shares in the Kier group of companies.

62. Minutes of the meetings held on 19 January and 22 February 2022
(Item 4)

It was RESOLVED that the minutes of the meetings held on 19 January and 22 February 2022 are correctly recorded and they be signed by the Chair. There were no matters arising.

63. Risk Management: Strategic and Corporate Services
(Item 5)

1. The Leader of the County Council, Mr R W Gough, introduced the report and highlighted the impact of various factors, including the impact on the supply chain of the conflict in Ukraine. Mr Gough, Mr Whittle and Mr Scrivener responded to comments from the committee, including the following:-

- a) asked what proactive measures could be put in place to support the wellbeing of staff who were working with covid, Mrs Beer advise that many staff testing positive for covid were able to work effectively, remotely, if they had only mild or no symptoms. Staff were always encouraged to schedule regular breaks away from a computer screen, preferably in fresh air, as this had been proven to protect wellbeing as well as boost productivity. The onus of supporting staff's physical and mental wellbeing was on line management, who were expected to check regularly that staff were managing their workload effectively. She assured Members that staff working through covid had chosen to do so but were not expected to do so;
- b) asked how frontline staff who worked with the public, for example, in Adult Social Care roles, would be supported, Mrs Beer assured Members that such staff would not be expected to engage with the public while unwell;
- c) asked about the resilience of the Council's technology and information security, Mr Whittle undertook to provide more information on this to Members following the meeting. Mr Gough added that the Council was unable, realistically, to mitigate all risks but was proactive in doing whatever it could;
- d) a view was expressed that the largest area of risk in terms of information security was human error; and
- e) it was emphasised that many risks related to more than one directorate; the actions of one directorate would affect the work of another.

2. It was RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

64. Update from the Contract Management Review Group (CMRG)

(Item 6)

1. Mr Oakford and Mr Wimhurst introduced the report and set out the aims of the restarted review group in assuring good practice. The new contract management mechanism used by the group would help bring together and manage all commissioning activity in the future. Mr Wimhurst and Ms Maynard responded to comments and questions from the committee, including the following:-
 - a) the new register of contracts was welcomed and a request made for this to be shared with Members of the committee. Mr Wimhurst undertook to do this;
 - b) asked if re-procurement costings could be included in future reporting, Ms Maynard assured the committee that this would be done; and
 - c) the restart of the group was welcomed, and work to share more information with Members would increase accountability.
2. It was RESOLVED that the information set out in the report and given in response to comments and questions be noted, with thanks.

65. Work Programme 2022

(Item 7)

It was RESOLVED that the committee's planned work programme for 2022 be agreed.

66. Consideration of exempt content

The Chair asked the committee if they wished to refer to the exempt information included in the appendices for the following items. Members confirmed that they did not wish to and, accordingly, the discussion of items 8, 9 and 11 took place in open session.

Item 10 was discussed in closed session.

67. Implementing a new Facilities Management Model

(Item 8)

Mr H Rayner declared that he held shares in the Kier group of companies but remained in the meeting for item 8.

1. Ms Ripley introduced the report, about which there were no questions or comments.
2. It was RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to:
 - a) adopt and implement a new Facilities Management Model, with one hard facilities management services contract and series of soft services contracts, as set out within the exempt report; and

- b) 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 Model,

be endorsed.

68. Construction Partnership Framework Commission

(Item 9)

Mr Rayner left the meeting for this item, having previously declared an interest.

1. Mr Sanderson introduced the report and highlighted the new model and process for procurement. The framework would be initially for four years with a potential extension for two years and would apply to projects with a value of over £1million. He responded to comments and questions from the committee, including the following:-

- a) of the 13 organisations selected to tender, 11 were Kent-based companies or had offices within Kent;
- b) clauses within the framework contract required suppliers to actively use small and medium and local businesses, as well as taking reasonable steps to offer opportunities to supported businesses;
- c) to ensure that companies, particularly smaller ones, were able to benefit fully from being involved, the framework agreement required the supplier to ensure that payments to the supply chain were made within 30 days of receipt of application/invoice;
- d) the list of quality criteria in the report included social value low down but Members were assured that criteria were not presented in any order of priority. For example, environmental responsibility and social value was listed last but accounted for 25% of the overall quality weighting in the procurement assessment process; and
- e) contracts with a value of less than £1million were mainly delivered through the Total Facilities Management model. A new minor works partnership framework was being proposed and a separate report on this would be coming to a future meeting of the committee.

2. It was RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to:-

- a) establish the Kent Construction Partnership Framework, to replace the Kent Contractors framework; and
- b) to authorise the Director of Infrastructure to enter into the necessary legal documents to establish the framework,

be endorsed.

69. Property Accommodation Strategy - Strategic Headquarters: Update and Next Steps March 2022

(Item 11)

1. Mr Oakford introduced the report and advised that the requirement to realise the capital meant that the Council was now committed to moving forward with plans, although the timetable for the project was not yet clear. Mrs Spore presented a series of slides which set out the options and plans for the different parts of the Sessions and Invicta House buildings. These included an artist's impressions of the proposed residential and business uses of Sessions House blocks A and B, respectively, and the Gensler model proposed for use in Invicta House. The Civic Centre of Sessions House, comprising blocks C and D, would include the Council Chamber, Member areas and group offices as well as housing the Corporate Management Team, Governance, Law and Democracy and meeting space. Logistics would be a major part of the project, and it was planned that work to Invicta House would need to be completed first before Sessions House could be started. Members, staff and meetings would need to be accommodated at other locations while the work was undertaken. The current planned completion date for the project was August 2024.

2. Mr Oakford and Mrs Spore then responded to comments and questions from the committee, including the following:-

- a) the retention of a civic function at Sessions House was welcomed;
- b) most speakers were happy to note the proposals at the current time but accepted that plans may have to change in the future. Mr Oakford emphasised the long-term nature of the project and that options such as relocation or purpose-building new premises had been examined and discarded, with a confirmed wish to stay in the county town and have premises fitting of a first-tier authority. Increased remote working arising from the pandemic had changed the need for staff accommodation. Funding had been committed to get the project to RIBA stage 3, at which time the next stage could be planned; and
- c) asked at what point repairs to the current premises would cease to be cost-effective, Mr Oakford assured the committee that he would not have committed to retain part of Sessions House as a civic centre if the Council could not afford the refurbishment costs. Some parts of Sessions House needed considerable maintenance expenditure, to remain operational, and the aim was to seek the most effective option available for the Council.

3. The Chair thanked Members for the good range of views expressed and thanked Mr Oakford for being open-minded in listening to the views expressed.

4. The committee RESOLVED to note:-

- a) the progress and revised design proposal for the refurbishment of both Invicta House and Sessions House blocks C and D;

- b) the intention to review the procurement strategy for engaging a main contractor in respect of the proposed works at Invicta House and Sessions House blocks C and D; and
- c) that a procurement process will commence to explore further the co-working opportunities focusing on block B and that a marketing process will commence in respect of blocks A/E and B, to seek a development partner.

Mr A Brady and Dr L Sullivan asked that their abstentions from this resolution be recorded in the minutes.

70. Motion to exclude the press and public for exempt business

The committee RESOLVED that, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 5 of part 1 of Schedule 12A of the Act.

EXEMPT ITEMS

Open access to minutes 71, 72 and 73

Summary of minute 74
(where access to that minute remains restricted)

71. Annual Cyber Security Update

(Item 10)

1. Mr Oakford introduced Lisa Gannon, the new Head of Technology, to the committee and the Chair welcomed her to her first meeting. Ms Gannon introduced the report and, with Mr Lindsay, responded to comments and questions of detail from the committee, including the following areas:-

- a) managing the slightly higher risk associated with devices supplied by a third-party supplier, and the risk of staff printing material from home, the latter being an information governance rather than a technology issue;
- b) managing the reporting of suspicious emails, and what feedback is given to staff to encourage them to continue to report in the future;
- c) managing the issue of password strength against staff's ability to remember them, and achieving a balance between security and ease of access;
- d) asked if the figures listed in the report for the number of spam emails reported by staff included phishing emails, Mr Lindsay undertook to check and advise the speaker after the meeting; and
- e) asked how Kent County Council compared to other local authorities around the country in terms of cyber security, Ms Gannon advised that the Local Government Association collated such information from local authorities. She assured Members that Kent's systems were generally very sound.

2. Mr Watts advised that a report on Member IT issue was to be discussed shortly by the Selection and Member Services Committee, suggesting the establishment of a Member working group. Details of the group would be sent to all Members.
3. It was RESOLVED that the Council's current approach to cyber security be noted, with thanks.

72. 22/00031 - Strategic options for Langton Field, Canterbury: Land adjacent to Kent and Canterbury Hospital
(Item 12)

The Chair declared that, as a former pupil of the Simon Langton Grammar School for Boys, he made voluntary monthly contributions to the school's funds.

Mr N Baker declared that he was also a former pupil of the school, and that his fiancée was employed by the East Kent Hospitals University NHS Foundation Trust.

1. Mrs Spore and Mr Dodd introduced the report and advised that the procurement process was at an early stage and there was further consultation to be undertaken. The County Council was working closely with Canterbury City Council and the NHS to progress options. Of the three options set out in the exempt report, Option 2 was preferred as the simplest and the one on which the three parties were most likely to reach agreement.
2. In response to questions, Mrs Spore and Mr Dodd assured Members that any view expressed by the committee today would not influence any NHS plans for a new hospital development at the site but would form the basis for the County Council's future actions, if such plans should come to fruition. The process had already taken four years and was expected to take much longer.
3. The recreation and health value of open green space in Canterbury was emphasised.
4. Mr H Rayner proposed and Mr R Love seconded the recommendation set out in the exempt appendix B to the report; that, considering the analysis undertaken and advice received, Option 2 be progressed.
5. It was RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to agree that the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, progress with Option 2 (as set out in the exempt appendix B to the report), 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.

Mr A Brady and Dr L Sullivan asked that their abstentions from this resolution be recorded in the minutes.

73. 22/00032 - Works at the Turner Contemporary Gallery, Margate

(Item 13)

1. Mr Oakford, Mrs Spore and Mr Sanderson introduced the report and responded to comments and questions of detail from the committee, including the lease arrangements for the building, the expected cost of the works and how this would be covered, and the element of financial risk to the County Council.
2. The committee then agreed the recommendation set out in the exempt report and RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to agree to:
 - a) the required works at Turner Contemporary Gallery and related activity, as detailed in the exempt decision report; and
 - b) 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,

be endorsed.

74. Kent Holdco - Education Supplies

(Item 14)

1. Mr Oakford and Mr Godfrey introduced the report and responded to comments and questions of detail from the committee, including the legal requirement to comply with Public Contracts Regulations, the relationship between the County Council and the company, and accountability. The committee debated possible ways forward.
2. The committee then agreed the recommendation set out in the exempt report and RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services be endorsed.

Mr H Rayner and Mr P Bartlett did not support the recommendation and asked that their opposition to it be recorded in the minutes.

Mr A Brady and Dr L Sullivan asked that their abstentions from this resolution be recorded in the minutes.