

SCRUTINY COMMITTEE

MINUTES of a meeting of the Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 25 November 2025.

PRESENT: Mr R G Streatfeild, MBE (Chair), Mr A Brady (Vice-Chair), Mr W Chapman, Mr J Defriend, Mr J Eustace, Mr A J Hook, Mr M A J Hood, Mrs S Hudson, Mr T Mole, Mr T L Shonk, Dr G Sturley, Mr D Truder and Mr M Reidy

ALSO PRESENT: Mr B Collins, Mrs B Fordham, Mr M Mulvihill and Mr C Hespe

IN ATTENDANCE: Mr J Betts (Interim Corporate Director Finance), Mr C Chapman (Assistant Director - Fair Access and (Interim) SEN Processes), Mr M Cheverton (Head of Real Estate Services), Mr H D'Alton (Programme Manager (Strategic Programmes)), Mrs J Dixon-Sherreard (Policy Manager), Ms H Gillivan (Interim Director Adults and Integrated Commissioning.), Ms A Gleave (Interim Assistant Director for SEND Operations), Miss M Goldsmith (Finance Business Partner - Adult Social Care and Health), Mrs S Hammond (Corporate Director Adult Social Care and Health), Ms C McInnes (Corporate Director Children, Young People and Education), Mr C Riley (Finance Business Partner), Mr D Shipton (Head of Finance Policy, Planning and Strategy), Mrs R Spore (Director of Infrastructure), Mrs A Taylor (Assistant Democratic Services Manager (Scrutiny)), Ms J Taylor (Head of Capital), Mr B Watts (Deputy Chief Executive) and Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance)

UNRESTRICTED ITEMS

18. Apologies and Substitutes

(Item A1)

No apologies were received.

Since the publication of the agenda, Mr James Defriend had joined the membership of the Scrutiny Committee to fill a Reform UK vacancy.

19. Declarations of Interests by Members in items on the Agenda for this Meeting

(Item A2)

There was a general declaration of interest noted from all Committee Members who were also Parish, District, City or Borough Councillors in relation to item C2 on the agenda.

20. Minutes of the meeting held on 17 September and 2 October 2025

(Item A3)

1. The Chairman agreed that a representation from a Committee Member be appended onto item C2 of the minutes of the meeting held 17 September 2025.

2. The addition to the minutes, at item C2, end of paragraph 4 was as following:

“A Member posed the following:

Transparency of Public Information

Ensure that all information suitable for the public domain is published and not withheld under exempt papers.

Asset Management and Utilisation

Review the timeframe for asset sales versus purchases. Assess whether assets scheduled for disposal could instead be repurposed for service delivery, reducing the need for ‘new purchases’. Implement horizon scanning to maximize asset value and usage.

Interdepartmental Communication Disclosure

Require publication of communications between departments concerning asset disposals, operational proposals, and business cases submitted by directors. This includes cases where assets marked for disposal might have been requested for service delivery.

These proposals were not agreed by the Committee.”

3. RESOLVED that subject to the above amendment being made, the minutes of the meetings held 17 September and 02 October 2025 were a correct record and they be signed by the Chairman.

21. Call-in of 25/00057 - Property Accommodation Strategy - Strategic Headquarters (SHQ)

(Item B1)

In accordance with Section 100B 4 (b) of the Local Government Act 1972, the Chairman approved consideration of this item as agenda item B1 as a matter of urgency to avoid further delay of implementation.

1. The Chairman invited Antony Hook, one of the call-in members, to provide the reasons for the call-in. Mr Hook outlined his primary concern as the financial implications of withdrawing the sale of Sessions House and instead disposing of Invicta House. He argued that Local Government Reorganisation (LGR) was an insufficient justification for the decision and questioned the administration’s prioritisation of short- term savings in light of the long- term financial risks of retaining Sessions House as KCC’s permanent strategic headquarters. These risks included the heightened financial burden on any future strategic authority, the costs of red and amber rated repairs to Sessions House and the abortive costs arising from withdrawing the sale.
2. Alister Brady, one of the other call- in members, raised accessibility concerns for staff and visitors at Sessions House, highlighting the cost required to achieve the necessary standards possibly exceeding £2.5 million. He also emphasised the contrast between the spend required to ensure KCC meets accessibility and maintenance standards for a temporary 2-year period and the greater potential costs of ensuring Sessions House as a safe and sustainable working environment in the long term. He referred to the Bidwells survey carried out on Sessions House and requested further information to be provided on where funding would be allocated to carry out necessary repairs.
3. The Deputy Leader, Brian Collins, assured the Committee that the decision had been taken after careful consideration of both advantages and

disadvantages. He emphasised that delays in implementing the decision would result in continued holding costs for Invicta House, estimated at £700 per day. A key consideration was the uncertainty posed by LGR to long-term planning, which led to a strategic re-direction to achieve immediate savings. He also confirmed that £4 million had been allocated to address repairs required for a historic building such as Sessions House and stated that referring the decision to full Council would incur an additional cost of approximately £21,000 per month.

4. In response to questions and comments from Members, discussion covered the following:
 - a) Rebecca Spore, Director of Infrastructure, confirmed that the Bidwells condition surveys, that had independently estimated £20 million cost for red and amber repairs to Sessions House were conducted in 2023. She established many elements were subject to change and that several factors relating to day-to-day operations had influenced the figures within the report. Work to achieve these repairs would be required to go through the traditional procurement process.
 - b) Considering the uncertainty surrounding the impact of LGR and future pricing parameters, Mr Collins stressed the need for short- term decision- making pending further clarification on these issues.
 - c) According to the Bidwells survey rating system, a red rating indicated an item had failed or was in immediate danger of failing within the next year; an amber rating indicated a risk of failure if not dealt with within 3 years and a green rating posed a risk of failure outside of that time period. Mrs Spore emphasised that the actual lifespans could differ and the most accurate assessment of conditions and the £20 million estimation would require the Bidwells Survey to be brought up to date. Further granularity on the Bidwell's assessment could be provided outside of the Committee.
 - d) It was confirmed that the decision had been through all the necessary governance procedures.
 - e) Mrs Spore outlined the steps taken to address accessibility through staff consultation at Sessions House which included inviting staff to review proposed plans and provide feedback, and the engagement of officers with the Level Playing Field group throughout implementation. She also explained the accessibility adjustments that had been made to offset some of the building's historic structural limitations, including signage, door opening changes, layout plans, fire evacuation refugees and a bookable desks for staff. It was highlighted that alongside these adjustments it would be necessary for management action to be put in place. Finally, it was acknowledged that the accessibility in relation to physical measures at Sessions House would be limited by the historic nature of the building and the resources available. Engagement remains ongoing but at the date of the meeting no formal complaints had been received in relation to the adjustments that had been made.

- f) The £2.5 million referenced in the report for accessibility improvements was accounted for within the £4 million allocated to invest in condition issues and reasonable accessibility changes, for example lift upgrades.
- g) Mr Collins asserted that it was not prudent to commit to the £14 million of upgrades required at Invicta House, considering the uncertainty surrounding LGR. In response to a question regarding options that included the disposal of both Sessions House and Invicta House, Mr Collins confirmed that this was considered as part of the business cases that had been prepared but there was still an operational requirement at this time.
- h) Certain repairs had taken place since the Bidwells survey as part of decant and compliance works, examples including roof repairs, emergency lighting and fire doors.
- i) An itemised list of amber rated repairs currently requiring immediate action had not been identified at this stage but could be provided upon its availability. Work was underway to define the scope of those repairs, balancing addressing urgent issues within the building and the need to retain capital for future requirements to maintain the standard of 'warm, safe and dry' across Sessions House.
- j) Subject to the implementation of the decision, KCC staff and visitors would have access to allocated parking spaces in Albert Street and parking associated with Sessions House, but not Invicta House. However, the financial modelling included provision for alternative parking equivalent to the current capacity of Invicta House.
- k) KCC had an annual reserve across its entire capital programme to cover abortive costs, but this was not allocated to individual projects. A financial contribution was made annually to this reserve but if this was insufficient, there would be a review as part of the annual reserves review process.

5. Following the questions, the Chairman welcomed comments and views from the Committee about the call-in. These included:

- a) It was suggested the Committee formally recommend option A from the report, based on the view that the cost of the red and amber repairs to Sessions House were insufficient to justify further delay on the decision's implementation. The Member also highlighted the similar repairs required at Invicta House and the lack of new information provided at the call- in stage.
- b) A concern was raised by a Member about whether the decision's short- term approach aligned with their role as custodian of the Council's assets for Kent's taxpayers. This was informed by the assertion that Invicta House offered greater suitability for the Council's long- term operations and that LGR could not be relied upon as confirmation the Council would only remain at Sessions House for 3 years.
- c) A Member argued that some of the necessary repairs to Sessions House such as boiler upgrades, could be achieved within the Council's existing Budget.

- d) It was raised that Sessions House was not suitable to respond to seasonal changes and once the scope of the repairs was understood, retaining the building would not be financially viable.
- e) A Member stated that the 2023 survey completed by Bidwells was most reliable to inform this decision due to their independent expertise. Therefore, concern was expressed that past 2-3 years, Sessions House would become increasingly expensive to run, maintain and modernise, resulting in unnecessary expenses.
- f) A Member posed that the Committee formally recommend option C or D from the report (preferably option D), on the basis that the long- term cost of delivering repairs to Sessions House and abortive costs meant the current decision was overwhelmingly against Kent's financial interests.
- g) It was argued that the administration's short-term approach could result in losing a potential buyer for Sessions House with experience in building restoration, while Invicta House would remain unused despite its potential for housing or other usage.
- h) Members referred to the original 2023 business case and options appraisal, which identified the move to Invicta House as the preferred option, and highlighted the absence of new evidence to support an alternative conclusion.

6. The Chairman proposed and Mr Eustace seconded the motion to exclude the press and public from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the act.

7. RESOLVED that the Press and Public be excluded.

8. Upon the Committee resuming its public session, Mr Hook proposed and Mr Hood seconded the recommendation that the Scrutiny Committee '(d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council'.

9. Members voted on the motion. The motion failed.

10. Mr Hook proposed and Mrs Hudson seconded the recommendation that the Scrutiny Committee '(c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision- maker in light of the Committee's comments'.

11. Members voted on the motion. The motion failed.

12. Mr Eustace proposed and Mr Mole seconded the recommendation that the Scrutiny Committee '(a) make no comments'.

13. Members voted on the motion. The motion was carried by a majority vote.

14. RESOLVED that the Scrutiny Committee make no comments.

22. Revenue and Capital Budget Forecast Outturn Report - Quarter 2
(Item C1)

1. Mr Collins introduced the report, which set out the revenue and capital budget forecast monitoring position at the end of September 2025-26.
2. Following questions and comments from Members, discussion covered the following:
 - a) Mark Mulvihill, Deputy Cabinet Member for Adult Social Care and Public Health, reported the £50.9 million overspend inherited by the new administration in the Adult Social Care (ASC) division and outlined the further challenges ahead. He explained the immediate and longer- term actions being taken to address the overspend, including the introduction of a brokerage service to ensure patients receive the correct care and timely discharges at an appropriate cost for KCC which should yield results within weeks.
 - b) Mr Collins emphasised the need for increased central government funding for the ASC division due to rising national demand. He also confirmed the administration's intention to achieve savings and stated that ongoing discussions and reporting arrangements would depend on Quarter 3 figures and feasibility assessments on their current plans.
 - c) The following key areas of focus for the administration were outlined: procurement and contracts, ceilings and caps, training, responsibilities between organisations and seeking value on spend.
 - d) The Committee would receive written responses from officers to Members' questions, which were circulated prior to the meeting, outside the meeting and Mr Collins acknowledged an additional request for assurances on actions taken to address the unprecedented financial pressures on the ASC budget.
 - e) Members discussed whether external factors, including the extent of the inherited ASC overspend and delayed announcement of the central government budget, could impact the timeline for the administration to address the budgetary issues.
 - f) Mr Mulvihill reminded the Committee that savings required a multi- agency approach supported by central government funding, as challenges in ASC were compounded by pressures on the NHS and other community services.
3. The Chairman proposed and Mr Eustace seconded, the Scrutiny Committee note the report and the comments made during the debate. This was agreed by the Committee.
4. RESOLVED that the Committee note the report and the comments made during debate.

23. Decision 25/00004 Council Tax Collection Subsidies and Incentives
(Item C2)

1. The item was introduced by Dave Shipton, Head of Finance, Policy, Planning and Strategy, who provided an overview of the previous's administration's decision to cease the discretionary subsidies towards District Council's local Council Tax Reduction Schemes (CTRS). He also outlined the report's findings surrounding a more generous future CTRS, including the tax base assumptions for 2025-26.
2. Further to questions and comments from Members, discussion covered the following:
 - a) John Betts, Interim Corporate Director of Finance, clarified that if KCC were to reverse its decision and reinstate payments, District Councils would need to be informed promptly as they would be reviewing consultation responses as part of their upcoming decision- making processes.
 - b) District Councils were not required to disclose their tax base until 31 January, by which time it would be too late to reverse the decision. Therefore, it remained unclear if the proposed net savings of the decision would be achieved.
3. The Chairman proposed and Mr Eustace seconded, that the Scrutiny Committee note the report and that the current administration make efforts to confirm the as yet unknown impacts of the decision taken by the previous administration prior to the Budget. This was agreed by the Committee.
4. RESOLVED that the Committee note the report and that the current administration make efforts to confirm the as yet unknown impacts of the decision taken by the previous administration prior to the Budget.

24. SEND Scrutiny - Education Health and Care Plans
(Item C3)

The Chairman, in consultation with the group spokespeople suggested that this item be deferred, this was agreed by the Committee.

25. 25/00101 - Kent County Council Local Government Reorganisation: Strategic Business Case Submission to Government
(Item C4)

This item was taken after item B1.

1. The item was introduced by Christopher Hespe, Deputy Cabinet Member for Finance and Cross- Cabinet Activity, who presented KCC's Business Case for LGR in Kent and Medway. Mr Hespe outlined Option 1a as the chosen plan, which proposed a single Kent unitary authority with three area assemblies, and provided an overview of the timeline and key factors that led to this decision being proposed.
2. Following questions and comments from Members, discussion covered the following:

- a) Mr Hespe elaborated on the administration's proposal by referencing the central government's 2024 White Paper, which referenced devolution flexibly, committed to regular reviews of the devolution framework, and introduced a legal duty to respond to LGR proposals.
- b) It was highlighted that the Labour Government's intention to create a new pattern of strategic authorities opened the opportunity for local authorities without Mayors to be designated under that model. It was explained that, based on government guidance and the size of existing strategic authorities, a single Kent unitary could effectively double as a strategic Mayoral authority.
- c) Mr Hespe explained his view that the proposal did not present a hurdle to devolved powers and that in the absence of a clear Government pathway, Kent County Council would be the appropriate strategic authority leading up to LGR.
- d) Option 1a was proposed at the first meeting of the Devolution and LGR Cabinet Committee, following an initial options appraisal by officers that included a single unitary authority model as a benchmark. It was subsequently presented to Kent Leaders and confirmed at the next meeting of the Cabinet Committee as the preferred proposal. The approach aimed to deliver benefits highlighted in the internal and KPMG options appraisals whilst avoiding the disaggregation challenges of a multi- unitary option, particularly for the Special Educational Needs and Disabilities (SEND) and Adult Social Care (ASC) sectors.
- e) Ben Watts, Deputy Chief Executive, clarified that comments made by both County Council and the Devolution and LGR Cabinet Committee were documented on the proposal's Record of Decision (RoD). However, the decision did not require formal approval by County Council in order to be taken.

3. Following the questions, the Chairman welcomed comments and views from the Committee about the item. These included:

- a) A Member questioned the bureaucratic and democratic implications of Kent acting as a strategic Mayoral authority, given that existing authorities of this type had Councils layered beneath them to provide local governance, which was absent in Kent's LGR proposal.
- b) It was raised by Members that Councillors' views should have been sought on the progression of LGR and that Full Council should have been given the opportunity to vote on the proposed option. This view was informed by the approach taken by other local Councils and the likelihood that central government would reject the current proposal on the grounds of size, service delivery and future devolution pathways.
- c) A Member argued that, considering current financial constraints would not be immediately solved from devolution, the administration should be commended for their distinctive proposal that prioritises the people of Kent. The Leader of the Council also highlighted that the administration had a mandate from Kent's

electorate to think creatively, deliver savings, and make decisions in the best interests of the county.

- d) It was discussed that Members be provided with an explanation on future governance procedures, specifically regarding why Full Council had not been required to vote on the decision and why it had been placed on the Scrutiny Committee agenda. It was also emphasised that it be acknowledged that the decision had been taken and business case sent to central government on the proposed LGR option.
- e) The Chairman remarked at the end of the debate that, over the two- year LGR decision- making process, the Council would need to ensure that the potential reward of the devolution package was secured.
- f) Mr Hespe emphasised that the decision- making process had reached the stage where the choice of LGR options sat with central government and therefore any potential risks were no longer within the control of the Council. The Leader added that the option proposed was the best for Kent residents and did not preclude Kent from further devolution pathways.
- g) A Member referred to the previous LGR- related reporting at other Committees for a more detailed financial understanding of the proposal.

4. The Chairman proposed that the Scrutiny Committee note the report and the comments made during the debate. This was agreed by the Committee.
5. RESOLVED that the Committee note the report and the comments made during the debate.

26. Kent Flood Risk and Water Management Committee - Annual Report *(Item D1)*

1. The report was introduced by Wayne Chapman, Chair of the Kent Flood Risk and Water Management Committee, who provided a brief overview of the work of the Committee for the period November 2024 - November 2025.
2. Further to questions and comments from Members, discussion covered the following:
 - a) It was clarified that the Kent Flood Risk and Water Management Committee's remit was to scrutinise water management and other related bodies to ensure accountability for their work.
 - b) Mr Chapman explained that the Water Summit group was not yet formed and still in the planning phase but could be advantageous if it were to materialise.
3. The Chairman proposed the Scrutiny Committee note the report. This was agreed by the Committee.
4. RESOLVED the Committee note the report.

27. Work Programme
(Item D2)

RESOLVED to note the Work Programme.