

KENT COUNTY COUNCIL

POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held online on Tuesday, 13 July 2021.

PRESENT: Mr R J Thomas (Chair), Mr P V Barrington-King, Mr P Bartlett, Mr T Bond, Mr A Brady, Mr T Cannon, Mr N J D Chard, Mr G Cooke, Mr P C Cooper, Mr M Dendor, Mr A J Hook, Mr R C Love, OBE, Mr R A Marsh, Mr J P McInroy, Mr P Stepto and Dr L Sullivan

ALSO PRESENT: Mr P J Oakford

IN ATTENDANCE: Mrs A Beer (Corporate Director of People and Communications), Ms Z Cooke (Corporate Director of Finance), Mrs R Spore (Director of Infrastructure), Mr B Watts (General Counsel), Mr R Benjamin (Internal Audit Manager), Mr R Clark (Contract and Commissioning Support Manager), Mr S Dodd (Investment and Development Consultant), Ms C Holden (Lead Commissioning Manager), Mr D Lindsay (Interim Head of Technology Commissioning and Strategy), Mr J Sanderson (Head of Property Operations), Miss T A Grayell (Democratic Services Officer) and Hayley Savage (Democratic Services Officer)

UNRESTRICTED ITEMS

2. Membership

(Item 2)

The committee noted its new membership and the Chairman welcomed new Members to their first meeting.

3. Apologies and Substitutes

(Item 3)

There were no apologies for absence.

4. Election of Vice-Chair

(Item 4)

1. The Chairman, Mr R Thomas, proposed and Mr G Cooke seconded that Mr R A Marsh be elected Vice-Chair of the Cabinet Committee. There were no other nominations.

2. It was RESOLVED that Mr R A Marsh be elected Vice-Chair of the Cabinet Committee.

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

(Item 5)

In relation to agenda item 15, the Chairman, Mr R Thomas, declared that he was a Member of Canterbury City Council so would be voting on the Local Plan in due

course, which would have an impact on the County Council land. He also paid a monthly voluntary donation to the school as a thank you as a former pupil.

6. Minutes of meetings held on 3 March 2021 and 27 May 2021

(Item 6)

It was RESOLVED that the minutes of the meetings held on 3 March 2021 and 27 May 2021 are correctly recorded and a paper copy be signed by the Chairman when this can be done safely. There were no matters arising.

7. Covid-19 Financial Monitoring

(Item 7)

1. Mr Oakford introduced the report and emphasised that the 2021/22 financial year would most likely be the last in which the County Council would receive Government grants to support its work to manage the covid pandemic. In the 2022/23 financial year, recovery work would still be going on but without the support of covid-specific grant funding. The Chairman thanked Mr Oakford, Ms Cooke and the finance team for monitoring and reporting of the complex information.

2. Mr Oakford and Ms Cooke responded to comments and questions from the committee, including the following:-

- a) asked about the underspend figures set out in paras 3.2 and 3.4 of the report and how these related to each other, Mr Oakford advised that some underspend on services which had not been taken up due to changing needs during the pandemic could be rolled forward to future years. Ms Cooke added that some underspend related to 'receipt in advance', which included centrally held funds. *She undertook to ensure that listing in the next monitoring report would, set out this increased detail to help readers to understand the fuller picture;*
- b) asked if and when there would be future funding to add to the £27m rolled forward, Mr Oakford advised that it was simply not known whether or not there would be further Government funding made available as the recovery phase unfolded. Ms Cooke added that the £27m reserve had been held separately to meet needs arising from the pandemic. Use of it was carefully monitored and the concern was that, should it be needed, it may prove to be insufficient;
- c) asked about the impact of Council Tax discounts. Ms Cooke advised that a decision had been taken by the Leader and Cabinet in 2020 to allocate additional funding to support Council Tax discounts and hardship payments for households most affected financially by the pandemic, and the outcome of that had been estimated in the report. An update on collection rates would be included in the next regular report to the committee; and
- d) asked if the overspend on school budgets would affect the County Council's own schools rather than academies, and how schools were expected to recover from this burden, Ms Cooke advised that this was an area of risk for councils nationwide. A Government review of the issue was expected but had been delayed and may be published in autumn 2021.

The Children, Young People and Education directorate was working on a plan to manage this issue locally. Mr Oakford added that the County Council and many other Local Education Authorities were lobbying Government to address this issue nationally and for advice on how they were expected to deal with it locally. Ms Cooke added that the County Council's own schools, which were the ones affected, formed a part of its overall estate. The situation would be closely monitored.

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

8. Strategic and Corporate Service Directorate Dashboard

(Item 8)

1. Ms Kennard introduced the report and, with Ms Spore and Mr Watts, responded to comments and questions from the committee, including the following:-
 - a) asked if the large number of green ratings might be an indicator that targets were set too low, and if the right things were being measured to give the best view of challenges, Ms Kennard advised that targets were reviewed every year as a matter of course. Mr Watts added that reviewing and commenting on the dashboard and the targets in it was a key part of Members' role, and Members were able to shape the dashboard to include the information they wanted to monitor;
 - b) asked if data was available on how long people waited to get help with IT issues, Ms Spore advised that IT indicators had been reviewed and that IT needs would inevitably evolve as the county recovered from the pandemic;
 - c) asked why targets had not been increased where the current performance had exceeded target, as no explanation seemed to be given in the report, Ms Kennard advised that targets had not been raised for this coming year in recognition of the impact of the pandemic on normal service delivery over the last year and the uncertainty, particularly around demand, that was likely to be associated with the upcoming period of recovery. *She undertook to send Members an explanation of the rationale outside the meeting;*
 - d) asked for clarification about what was included in the measure of the number of committee reports being published late, Mr Watts advised that the committee team worked to statutory requirements for publishing material which was to be considered at a formal meeting of the Council or a committee. Accordingly, it was to be expected that all papers would be published on time. It was sometimes necessary to send an item 'to follow' in a supplementary agenda, for example, if the information being reported had not been available when the main agenda was published, but these supplementary agendas were not included in the figure shown on the dashboard. What was important was to be able to distinguish between something sent late unavoidably and what was late due to lack of preparation. Mr Watts reminded the committee that Ms Kennard's team was small and the level of detail which they could record and report was therefore limited;

- e) asked about the range of themes of Freedom of Information (FOI) requests and how this impacted on the time taken to respond to them, Mr Watts advised that, early in the pandemic, FOI requests had been about covid-related issues and the ability to access services such as household waste sites and libraries. Similar issues re-emerged during later lockdowns. FOI requests were now much more complex and took longer to respond to. *Mr Watts undertook to set out more detail in a report on FOIs to the committee's next meeting;*
- f) concern was expressed that, in an age of digital access and online records, information required to support a timely response to an FOI request should surely be easier and quicker to locate. Late responses or shortage of information could lead to the Council being fined by the Information Commissioner's Office. Mr Watts advised that available staff resources had been directed during the pandemic to deal with frontline services, and issues such as responding to FOI requests had been given a lower priority;
- g) Mr Watts advised that the Council held some very historical documents, which existed only on paper and which would either be very difficult or costly to digitalise or which were referred to so infrequently that the cost of digitalising them would not be cost effective. Delays in responding to FOI requests were usually as a result of research time in looking through paper documents, which had the added complexity during the pandemic that staff had to access closed buildings to locate and examine them; and
- h) a view was expressed that Members needed to be able to find out in more detail about target-setting and performance monitoring so they could make an informed contribution to it. The targets and key performance indicators (KPIs) on which the dashboard was based were as important, if not more so, than the dashboard itself, and should be the subject of a separate and more detailed report, to raise their profile. Ms Kennard advised Members that they had scope to review what was measured and how this was reported. It was suggested that a small group of Members have a separate briefing meeting to discuss target setting and shape future reporting, and Members who were interested in attending this gave their names to the clerk. Mr Watts confirmed that a meeting between those Members and Ms Kennard would be set up as soon as possible.

2. It was RESOLVED that:-

- a) the performance information set out in the dashboard for Strategic and Corporate Services be noted;
- b) Members' comments on the KPIs for 2021/22, set out above, be taken into account; and
- c) a briefing meeting be arranged at which Members could have more information about target setting, KPIs and monitoring and discuss what they wished to see included in future reporting.

9. Kent Public Service Network Update

(Item 9)

1. Mr Oakford introduced the report, on which there were no questions.
2. It was RESOLVED that the information set out in the report be noted, with thanks.

10. Construction Partnership Framework Commission

(Item 10)

1. Mr Oakford introduced the report and Ms Spore set out the steps taken to develop the framework since last reporting to the committee in January 2021. Mr Oakford, Ms Spore, Mr Clark and Mr Sanderson responded to comments and questions from the committee, including the following:-
 - a) the procurement process for contractors would include a range of 6 key performance indicators and robust benchmarking against the market to ensure that contractors admitted to the framework offered best quality and value for public money. Overhead margins would be fixed at the tendering stage and would be checked to ensure that market rates were being adhered to. Contractors joining the framework were also required to commit to investing in the local economy, for example, by offering apprenticeships;
 - b) concern was expressed that limiting the framework to only four contractors might mean that the skills and expertise of other potential contractors was being missed, and doubt expressed that a limit of only four contractors would offer sufficient competition to secure best value for money. Ms Spore set out the benefits of the approach as savings in County Council administration costs and a sustained level of work and benefits to the local economy, for example, apprenticeships. It would also encourage an 'open book' approach and would support rather than limit benchmarking. Mr Clark added that the local market of contractors was no longer as large as it had once been. Ms Cooke added that Finance staff would work closely with Ms Spore's team to address social value issues; and
 - c) concern was expressed that the four main contractors would need to engage local sub-contractors who were not necessarily trained as builders. Mr Clark advised that some small and medium-sized enterprises (SMEs) may not be large enough to take on a contract alone but could work together with other SMEs to manage a large contract. Engagement of small local sub-contractors would allow those companies to grow their businesses and benefit the local economy. One aim of the framework was to encourage collaboration, but Members were assured that the price of materials would correspond to national rates to avoid over-charging and the danger of developing a cartel. If contractors overcharged for materials, they would not get work. Mr Oakford added that most County Council work was taken on by four main contractors, there were many fewer capital projects now for them to bid for and the scale of the market had therefore reduced. Ms Spore advised that if too many companies joined the

framework, there would not be sufficient work to support them all. *She undertook to send the committee the latest information on the existing framework.*

2. It was RESOLVED that the information set out in the report, and the proposed next steps, be noted, with thanks.

11. 21/00041 - Technology Refresh Programme (originally listed on agenda as Total Refresh Programme)

(Item 11)

1. Mr Oakford, Ms Spore and Mr Lindsay introduced the report and responded to comments and questions from the committee, including the following:-
 - a) the type of device issued to any member of staff would be based on their job profile and what they needed to do, for example, work in the field, which required good mobility, or intensive project work, which might require a higher spec device. Users were able to take part in trials of new technology to see what would best suit their work needs. Funding of devices was from corporate spend;
 - b) concern was expressed that the assumption that many staff could continue to work from home in the future had been based on experience during a time of national crisis and hence was atypical. Ms Spore advised that the aim was to establish technology which would allow maximum flexibility and resilience to adapt to future needs;
 - c) asked if it would be more cost effective to purchase equipment direct from manufacturers, Ms Spore advised that, taking account of the management service arrangements which also needed to be put in place, costing was complex, but that best value for money would always be the objective;
 - d) asked what would be done with devices which had exceeded their warranty period but were still perfectly serviceable, Ms Spore advised that achieving the best use of all devices was always ideal. However, co-ordinating the lifespans of devices so more could be replaced at the same time, and hence achieve economies of scale, was also a sensible aim; and
 - e) a view was expressed that, to support the increased use of devices at meetings, so they could make the best contribution to daily work, it would also be important to ensure that suitable power sources and recharging points were available in meeting rooms in County Council buildings.
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 agree the Technology Refresh Programme Strategy, approve the award of a contract for End-User Devices (Technology Refresh Programme), following a competitive process, and to delegate authority to the Director of Infrastructure, in consultation with the Deputy Leader and the Cabinet Member for Finance, Corporate and Traded Services, to enter into the necessary contractual negotiations and legal agreements, be endorsed.

12. 21/00059 - Dover Discovery Centre Community Hub Redevelopment

(Item 12)

1. Mr Oakford introduced the report and Mr Sanderson showed a series of slides which showed the current building and set out the proposed changes of use for it. There were no questions.
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 authorise the creation of a Dover Discovery Community Hub (including the following KCC services: Community Learning and Skills, Children's Social Services, a library and Good Day Programme Services), delegate authority and authorise the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to enter into a Funding Agreement setting out the funding arrangements with Dover District Council, and to enter into any contracts or property arrangements required to deliver the Community Hub, be endorsed.

13. 21/00061 - Kent County Council / Tonbridge and Malling Borough Council Internal Audit and Counter Fraud Service

(Item 13)

1. The Leader of the County Council, Mr R W Gough, introduced the report and emphasised the value of the proposal as a good basis for joint working between local authorities. There were no questions.
2. It was RESOLVED that the decision proposed to be taken by the Leader of The Council, to enter into an Inter-Authority Agreement with Tonbridge and Malling Borough Council for the provision of Internal Audit and Counter Fraud services, be approved

14. Work Programme 2021/22

(Item 14)

It was RESOLVED that the committee's planned work programme for 2021/22 be agreed.

15. 21/00060 - Disposal of Land at Langton Field, Langton Lane (off Nackington Road), Canterbury, Kent

(Item 15)

The item was considered in closed session. A summary of the exempt minute is set out in Minute 18, below.

16. 21/00064 - Property Accommodation Strategy - Strategic Headquarters

(Item 16)

The committee was asked to consider this item as urgent business as the report had been published after the main agenda and hence had not been in the public domain for the statutory length of time. This was agreed.

1. The Chairman asked Members if, in debating the subject, they wished to refer to the information included in the exempt appendix to the report. They confirmed that they did not and so the item was considered entirely in an open session.

2. Mr Oakford introduced the report, which updated Members on the further work which had been undertaken since last reporting to the Cabinet Committee in November 2020, the revised accommodation model, the ability of the Strategic Headquarters accommodation to meet the Council's needs and the preferred option. He highlighted the process by which the available options had been assessed and scored and highlighted the key aims of the programme: to achieve space for staff to return to working in an office for 2-3 days a week, and the need for space for officers and Members to meet and collaborate. He referred to the backlog of maintenance work which needed to be completed to make Sessions House fit for purpose and he and Ms Spore advised Members of the stages of the RIBA Plan of Works process by which capital projects were planned, costed and monitored. *A copy of a document setting out this process was shared with the committee after the meeting.* Mr Oakford advised that the key decisions on the way forward would be made by the Cabinet, with the first one being expected early in 2022.

3. Members' comments on the report and the proposals included the following:-

- information about the future plans needed to be relayed clearly to the public, and they should be asked what they wanted to see in the county town as the County Council's civic centre;
- the retention of a strategic headquarters in Maidstone was supported, and Mr Oakford and the officer team were thanked for their work in bringing forward the current proposals;
- changes in working practice and reduced demand for office space needed to be taken into account in future plans, however, not all staff were able to or wished to work from home in the long term;
- plans would need to identify what accommodation would be needed post-pandemic, for staff and members. Working patterns could be reviewed in 6 months' or 18 months' time to check how needs had changed;
- presenting the majority of the information about the proposals in an open rather than an exempt report was welcomed;
- the report did not make clear how block E of Sessions House was to be used;
- that the heritage of Sessions House was being recognised, and that it was to be used as a civic centre, were welcomed;
- senior officers and Members being accommodated in the same building would support good communications and working relationships;
- the Council should not reduce the space available for its own needs until it was clear what those needs were;

- the proposals would take time to come to fruition; the new accommodation strategy could take more than three years to implement;
- continued virtual working was not good for staff wellbeing, and staff were harder to keep motivated when working remotely;
- the Council could learn from private sector practice as it moved ahead to scope the options;
- staff needed to have a choice of where they worked, so it was important to be able to offer flexibility of accommodation and working practice;
- issues relating to the General Data Protection Regulation (GDPR) and the security of the wide range of sensitive and confidential information handled by Council staff would need to be protected in whatever new range of working arrangements was ultimately adopted;
- the Council could have started to address the maintenance issues at Sessions House during the previous 18 months, while staff had been working at home and the building had been empty; and
- such an important issue should be presented higher on the agenda in future, or else be the subject of a special meeting.

4. Mr Oakford, Ms Spore, Mr Watts and Ms Beer responded to questions from the committee, including the following:-

- a) asked if sufficient parts of the strategic headquarters (SHQ) could be made fit for purpose to support staff needing to work there, for example, storage units to support hot desking, Mr Oakford advised that the County Council had many regional offices and that staff would not necessarily be expected to travel to Maidstone to access office accommodation. Successive staff surveys, undertaken throughout the pandemic, had asked staff to say how they felt about working remotely and returning to an office after the pandemic;
- b) Ms Spore advised that alternative uses for parts of Sessions House had been explored as part of the proposals, to share the building with stakeholders, including Maidstone Borough Council, Her Majesty's Prison Service, heritage organisations and the local business sector;
- c) Mr Watts assured Members that all available information had been made available to the committee for it to comment on, and that the Council had complied with all its legal duties in preparing the proposals;
- d) In response to concern expressed that no sites outside Maidstone were referred to in the report, Mr Oakford advised that many locations had been reviewed, in terms of office costs and accessibility, and that the focus had settled on retaining Maidstone as the Council's headquarters; and
- e) Ms Beer acknowledged the range of comments made by Members about the importance of offering flexibility in working arrangements, listening to staff's

wishes and needs, and added the need to support staff in being able to uphold standards of service delivery.

5. Mr N J D Chard noted that the wording of recommendation c) did not agree with the wording of recommendation a) iii). He proposed and the Chairman, Mr R Thomas, seconded that a change be made to the wording of recommendation c) as follows: 'agree that the Director of Infrastructure shall work with key stakeholders to test the feasibility of future alternative uses for *blocks A, B and E* of Sessions House with detailed proposals (financially and legally assessed) to be included as part of the proposals at b) above.' Mr Watts advised that the impact of this change would mean that a separate decision would be required on the future use of blocks C and D.

6. The committee then considered the recommendations set out in the report, with the text of recommendation c) amended by Mr Chard's motion, set out above. This was agreed, with abstentions from Mr A Brady, Mr A Hook, Mr P Stepto and Dr L Sullivan.

7. 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) agree that the political priorities in any preferred option for the future of Sessions House include:

i) the retention of the County Council's strategic headquarters in Maidstone,

ii) the modernisation and expansion of Invicta House as the main staff accommodation hub for Maidstone, with office hubs located in other districts, sized accordingly; and

iii) the provision of civic accommodation in Sessions House blocks C and D (Central Core);

b) agree to allocate £2,082,000 from the capital feasibility Medium-Term Financial Plan (MTFP) allocation to enable further testing and development of a detailed financial and legal assessment and feasibility work to RIBA stage 3 for the preferred option before final detailed proposals are provided to Cabinet for a final decision to be taken; and

c) agree that the Director of Infrastructure shall work with key stakeholders to test the feasibility of future alternative uses for blocks A, B and E of Sessions House, with detailed proposals (financially and legally assessed) to be included as part of the proposals at b) above.

17. 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 paragraph 3 of part 1 of Schedule 12A of the Act.

SUMMARY OF EXEMPT BUSINESS

(where access to this minute remains restricted)

18. 21/00060 - Disposal of Land at Langton Field, Langton Lane (off Nackington Road), Canterbury, Kent *(Item 15)*

1. Mr Oakford, Ms Spore and Mr Dodd introduced the report and gave an overview of the proposed decision and the complexities arising from the land concerned being owned by a range of local authorities, the County Council's and the NHS's respective decision-making processes and the intended timetable for the project. They then responded to questions of detail from the committee.
2. Arising from concerns about those complexities, Mr R Love proposed and Mr G Cooke seconded that a recommendation be made to the Cabinet Member to include a clause in the documentation which would allow the County Council some flexibility if the project timetable was not able to proceed as planned. This was agreed by the committee and added to the recommendation set out in the report.
3. It was RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to approve the Director of Infrastructure to progress with and enter into the necessary documentation to complete the freehold disposal of the land, in consultation with the Cabinet Member for Finance, Corporate and Traded Services, be endorsed, and a recommendation be made to the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services to include a clause in the documentation which would allow the County Council some flexibility if the project timetable was not able to proceed as planned.