

KENT COUNTY COUNCIL

PROPERTY SUB-COMMITTEE

MINUTES of a meeting of the Property Sub-Committee held in the Darent Room, Sessions House, County Hall, Maidstone on Friday, 27 March 2015.

PRESENT: Mr A J King, MBE (Chairman), Miss S J Carey, Mr L B Ridings, MBE, Mr D Smyth and Mrs P A V Stockell

ALSO PRESENT: Mr G Cooke

IN ATTENDANCE: Mr D Farquharson (Interim Director of Property and Infrastructure Support), Mr T Micklewright (Contracts Manager - Pfi), Mr J Reidy (Estates Surveyor), Mr A White (Estates Surveyor), Mr J White (Capital Project Officer) and Mrs A Hunter (Principal Democratic Services Officer)

UNRESTRICTED ITEMS

37. Apologies and Substitutes
(Item)

Apologies for absence were received from Mrs Dean and Mr Latchford.

38. Declarations of Interest by Members in Items on the Agenda
(Item)

There were no declarations of interest.

39. Minutes of the meeting held on 10 December 2014
(Item A3)

Resolved that the minutes of the meeting held on 10 December 2014 are a correct record and that they be signed by the Chairman.

40. Approval to the principle of KCC acquiring a site for a new primary school at Dartford
(Item B1)

(1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which asked the Property Sub-Committee to consider and endorse, or make recommendations on a proposed decision to approve, in principle, the acquisition of a site for a new primary school in Dartford at a price to be agreed and for the Director of Property and Infrastructure Support to finalise terms and complete the transaction.

(2) In response to questions it was confirmed that the proposal for this new school needed to be considered in the context of the overall commissioning plan and that all new schools were built with a view to enabling future expansion. Mr Cooke also said he was confident that a deal could be made with the landowner.

- (3) Resolved that the proposed decision to approve, in principle, the acquisition of a site for a new primary school in Dartford at a price to be agreed and for the Director of Property and Infrastructure Support to finalise terms and complete the transaction be endorsed.

41. Approval to enter into a new lease for West Kingsdown Children's Centre

(Item B2)

The Chairman announced that this item had been withdrawn from the agenda and there was no discussion.

42. Approval to enter into new long term lease at Lawn Primary School, Northfleet

(Item B3)

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which asked the Property Sub-Committee to consider and endorse, or make recommendations on the proposed decision. Mr Cooke referred in particular to the need for a new playing field to enable Lawn Primary School to expand from 1FE to 2FE and the desirability of entering into a long term lease.
- (2) In response to concerns about the proximity of the new playing field site to a quarry he said that appropriate safety measures would be implemented.
- (3) Resolved that the proposed decision to enter into a new long lease for a new playing field at Lawn Primary School and for the Director of Property and Infrastructure Support to finalise terms and complete the transaction be endorsed.

43. Southborough Hub

(Item B4)

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which set out a proposal that Tunbridge Wells Borough Council and Southborough Town Council enter into call options on their lands with Kent County Council to enable the development of a multi-use facility that would include a library, theatre, football pavilion, town council offices, a café and possibly a medical centre. The report asked the Property Sub-Committee to consider and endorse or make recommendations to the Cabinet Member on the proposed decision.
- (2) In response to a question about the sometimes unpredictable political nature at the local level, Mr Cooke said that Southborough Town Council had formally agreed the proposal at its meeting the previous evening and the report to the sub-committee had been drafted before that. He also said that the final step in agreeing to progress this project would be a formal member decision.
- (3) Concerns were raised about the financial implications of the project for KCC particularly in relation to VAT and it was confirmed that officers were working

closely with the Finance team to monitor any potential breaches of KCC's VAT partial liability exemption.

- (4) It was also confirmed that the creation of a library trust had no implications for the future of the centre and that an apparent discrepancy between voting arrangements set out in paragraph 1.22 of the report and paragraph 8.1 of the Memorandum of Understanding had been identified and resolved.
- (5) Officers confirmed that Option 2 was the preferred option based on their best professional judgement.
- (6) Resolved that the decision proposed to be taken by the Cabinet Member for Corporate and Democratic Services to enable the Southborough Hub which has been a long term aspiration for all three tiers of local government to be brought forward and delivered be endorsed as follows:
 - (a) To enter into significant legal agreements including, but not limited to, land options and a Memorandum of Understanding with Southborough Town Council and Tunbridge Wells Borough Council.
 - (b) To permit the disposal of the Ridgeway site in Southborough and the fifty percent claw back over the adjacent land owned by Southborough Town Council, with part or all of the combined receipts being allocated to support the development of the Southborough Hub.
 - (c) To authorise the Director of Property and Infrastructure Support to finalise the purchase of the Tesco's and Lloyds Bank land as part of the Hub redevelopment.
 - (d) To authorise the Director of Property and Infrastructure Support to finalise terms for a freehold or leasehold interest of the library and football pavilion.
 - (e) To authorise the Director of Property and Infrastructure Support to finalise terms for the disposal of the Hub and the Car Park back to Southborough Town Council and Tunbridge Wells Borough Council respectively.
 - (f) To permit the project subject to KCC's VAT partial liability exemption position not being breached or in breach.

44. Exclusion of the Public *(Item)*

- (1) The Chairman said it did not consider it possible for the sub-committee to consider the report on Total Facilities Management without reference to the exempt appendices. He therefore proposed that the press and public be excluded from the meeting.
- (2) Resolved that under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of

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.

45. Total Facilities Management - Biannual Review
(Item C1)

- (1) Mr Cooke (Cabinet Member for Corporate and Democratic Services) introduced the report which provided an update on the performance of the Total Facilities Management solution following the signing of the Mid Kent contract with Amey, the West Kent contract with Skanska and the recent East Kent contract with Kier. He drew particular attention to the performance of the new contract.
- (2) In response to questions, Mr Cooke said he was meeting with the contractors regularly and acknowledged that there had been some performance issues in the early days of the contract with Amey but improvements had been seen more recently.
- (3) The importance of contract management and regular review was emphasised and examples were given of improved service particularly in relation to litter picking and cleaning of buildings.
- (4) A typographical error in the exempt appendix was identified and corrected.
- (5) Mr Cooke emphasised the importance of contract management, acknowledged the day to day work being done by the "intelligent client" team and the value that could be added to the process by Members through consideration of trends.
- (6) Resolved that:
 - (a) The performance of the Mid Kent, West Kent, and East Kent TFM contractors during this early bedding in period be noted;
 - (b) The issues which have occurred and actions to resolve these items be noted;
 - (c) The existing KCC contract governance in place to manage and monitor the performance of the Total Facilities Management contracts be noted;
 - (d) The three contractors providing the total facilities management solution be invited to the next planned biannual review on the 23 September 2015 to present an update on performance and to enable Members of the Property Sub-Committee to view the whole picture;
 - (e) The attention of other committees, particularly the Commissioning Advisory Board, be drawn to the need for regular Member reviews of performance probably every six months.