

KENT COUNTY COUNCIL

PROPERTY SUB-COMMITTEE

MINUTES of a meeting of the Property Sub-Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 21 March 2017.

PRESENT: Mr A J King, MBE (Chairman), Mr N J D Chard, Mrs T Dean, MBE, Mr C P D Hoare, Mr D Smyth and Mrs P A V Stockell

UNRESTRICTED ITEMS

97. Apologies and Substitutions

Apologies were received from Mr Leyland Ridings.

98. Declarations of interest in items on the agenda

Mr Nick Chard and Mrs Paulina Stockell reported that they were members of the Kent County Council Planning Applications Committee and confirmed that although they would take part in the consideration of Item B3 they would not pre-determine the matter in order that they could further consider it on planning grounds should any application be considered by the Planning Applications Committee in the future.

99. Minutes of the meeting held on 21 February 2017

(Item A3)

The minutes of the previous meeting, held on 21 February 2017, were approved as a correct record and signed by the Chairman accordingly.

100. Appropriation of Land at Boughton Mount, Boughton Lane, Maidstone, comprising Boughton Mount Hostel, Boughton Mount Grounds and former Maidstone SEC and Special Care Unit, to override a restrictive covenant.

(Item B1)

The Committee received a report detailing proposals for the appropriation of land at Boughton Mount, Maidstone which comprised Boughton Mount Hostel, Boughton Mount Grounds and the former Maidstone SEC and Special Care Unit to override a restrictive covenant.

Mr Gary Cooke, Cabinet Member for Corporate and Democratic Services introduced the report, in particular he referred to the following:

- That the site had been gifted to KCC in 1948 with a covenant restricting the use of the property to “the education of delicate children” which was subsequently broadened to include use as a residential and training centre.
- KCC had used the site for the prescribed purposes until 2010 since which time it had remained vacant.
- The property was now considered surplus to operational requirements but it would be necessary to release the restrictive covenant in order to realise the potential development and marketability of the site.

- A legal mechanism by which this could be achieved was available and the family were supportive of the proposals so long as the net sale receipt was directed towards special educational needs, thus retaining the original nature of the gift. Mr Cooke confirmed that this was KCC's intention.

The matter was put to the Committee for discussion and the following comments were made and responses from the Cabinet Member and officers to questions put were received:

- That a feasibility exercise had been undertaken in 2013 to assess the suitability of the site for the relocation of Five Acre Wood Special Educational Needs School but owing to the size of the developable area it was not considered to be financially viable.
- That a portion of the funding for the refurbishment work at Five Acre Wood was to be sourced from the Capital Programme and that this element could benefit from the contribution of the receipt from the sale of the site.

It was RESOLVED by a vote of 6:1 that the proposed decision of the Cabinet Member be endorsed.

101. Cross-Party Security Working Group

(Item B2)

The Chairman asked Members if, in discussing this item, they wished to refer to the information contained in the exempt appendix and hence consider the matter in closed session. Members agreed that they wanted to proceed on that basis and the matter was discussed in closed session at the end of the meeting.

102. Priority School Building Programme - Local Delivery

(Item B3)

The Committee received a report setting out the details of a request received from the Education Funding Agency that KCC deliver construction projects within Kent as part of the Priority Schools Building Programme Round 2.

The Cabinet Member for Corporate and Democratic Services, Mr. Cooke, introduced the report and said that Kent County Council would receive the necessary funding for the construction project at each school and a Project Delivery Grant to cover all appropriate costs to manage the project.

Rebecca Spore, Director of Infrastructure, also spoke to the item, in particular she referred to the following:

- i. On 1 May 2014, the Minister of State for Schools had announced that the Government would fund a further phase of the Priority Schools Building Programme (PSBP), with a value of around £2 billion.
- ii. On 9 February 2015, the Secretary of State for Education and the Minister of State for Schools announced that KCC had been successful for 7 bids in addition to 6 further schools across Kent where Academies had bid directly.
- iii. The EfA had offered local authorities the opportunity to deliver schemes locally using local procurement arrangements and local supply chains. These schemes would be funded by the EfA, but the opportunity for local authorities to contribute additional funds for basic need expansion would also be

available. The Cabinet Member was proposing that two schemes proceed through this Local Delivery approach:

- a. Swadelands School, Lenham – replacement of the Science Block
 - b. Benenden C of E Primary School – relocation to and expansion on a new site
- iv. The cost of the Swadelands School, Lenham project was expected to be in the region of £2.5 to £3 million, which would be fully funded by the EfA.
 - v. The cost of the Benenden C of E Primary School project was expected to be in the region of £5.5 million, of which KCC would contribute to the additional Basic Need requirement of 35 pupils. The EfA would fund the majority of the project costs and there was also discussion to be held with the diocese as to who would benefit from the land sale. Any additional capital requirement from KCC would be allocated by agreement of the Cabinet Member for Education and Health Reform.

The matter was put to the Committee for discussion and officers answered questions relating to the financial commitments of the EfA and the potential risk to the Council.

It was RESOLVED that the proposed decision of the Cabinet Member for Corporate and Democratic Services to:

- a) Authorise the Director of Infrastructure, in consultation with the General Counsel, to enter into any necessary contracts/agreements on behalf of the County Council;
- b) Authorise the Director of Infrastructure to ensure the appropriate level of funding was received from the Education Funding Agency to cover the costs of these projects and to ensure that Kent County Council did not incur any unforeseen costs and, in consultation with the Cabinet Member for Education and Health Reform, agree apportionment of costs in excess of the £1million currently budgeted;
- c) Authorise the Director of Infrastructure to be the nominated Authority Representative within the relevant contracts/agreements and to enter into variations as envisaged under the contract terms

be ENDORSED.

Motion to exclude the press and public

It was RESOLVED that the press and public be excluded for the following business on the grounds that it was likely that exempt information, as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, would be disclosed.

(Open Access to Minutes)

103. Cross-Party Security Working Group (Item B2)

The Committee received a report providing an update on the work of the Cross-Party Security Working Group and setting out, for endorsement, a draft strategic statement and the next steps for the further enhancement of security at KCC sites.

Mr Gary Cooke, Cabinet Member for Corporate and Democratic Services, introduced the report. He reported that the Cross-Party Security Group had conducted several site visits and had been impressed with the quality of KCC staff and their awareness of, and adherence to, security measures but acknowledged that KCC had a mixed economy of buildings, some of which presented unique challenges.

Positive comments were received regarding the next steps set out in Appendix 2 of the report and the importance of communicating to staff the role of the individual in maintaining safe and secure buildings was also highlighted.

It was RESOLVED that the work undertaken by the Cross-Party Security Working Group be noted and the draft strategic statement and future works programme be endorsed.

104. Outcomes of Property Disposals - an update report on progress relating to disposals brought to the Property Sub-Committee in 2014, 2015 and 2016
(Item C1)

The Committee received an exempt report providing an update on the outcome and progress of various property disposals that had been presented to the Property Sub-Committee during 2014, 2015 and 2016, and detailing the final terms agreed, where applicable.

The Cabinet Member for Corporate and Democratic Services presented the report and he and the Director of Infrastructure answered questions relating to the twelve property disposals contained within the report.

It was RESOLVED that the information contained within the report be NOTED.