

**PROPERTY SUB-COMMITTEE**

**Tuesday, 12th April, 2016**

**10.00 am**

**Darent Room, Sessions House, County Hall, Maidstone**







## AGENDA

### PROPERTY SUB-COMMITTEE

**Tuesday, 12 April 2016, at 10.00 am**  
**Darent Room, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Theresa Grayell**  
Telephone: **03000 416172**

*Tea/Coffee will be available 15 minutes before the start of the meeting*

#### **Membership (7)**

Conservative (4): Mr A J King, MBE (Chairman), Miss S J Carey,  
Mr L B Ridings, MBE and Mrs P A V Stockell

UKIP (1) Mr C P D Hoare

Labour (1) Mr D Smyth

Liberal Democrat (1): Mrs T Dean, MBE

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **Webcasting Notice**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site or by any member of the public or press present. The Chairman will confirm if all or part of the meeting is to be filmed by the Council.

By entering the meeting room you are consenting to being filmed. If you do not wish to have your image captured please let the Clerk know immediately.

#### **A - Committee Business**

- A1 Apologies and Substitutes  
To receive apologies for absence and notification of any substitutes present
- A2 Declarations of Interest by Members in Items on the Agenda

In accordance with the Members' Code of Conduct, Members are requested to declare any interests at the start of the meeting. Members are reminded to specify the agenda item number to which it refers and the nature of the interest being declared

- A3 Minutes of the meeting held on 14 December 2015 (Pages 7 - 8)  
To consider and approve the minutes as a correct record

**B - Key or significant Cabinet Member Decision(s) for recommendation or endorsement**

- B1 New Ways of Working Programme - Refurbishment of Avenue of Remembrance, Sittingbourne, and St Peter's, Broadstairs (Pages 9 - 16)  
To consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision. as set out in the report.

**Motion to exclude the press and public**

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.

- B2 Approval to enter into a new lease for West Kingsdown Children's Centre (Pages 17 - 24)  
To consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision. as set out in the report.
- B3 Disposal of Swanley Technical College Playing Field, Cherry Avenue, Swanley (Pages 25 - 32)  
To consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision. as set out in the report.
- B4 Disposal of land at Dumpton Park Drive (adjacent to Holy Trinity Primary School) Broadstairs (Pages 33 - 54)  
To consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision. as set out in the report.
- B5 Approval for the County Council to take a new lease from the Kent SEN Trust School at Park Farm Road, Folkestone, for the benefit of the Disabled Children's Service (Pages 55 - 66)  
To consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision. as set out in the report.

## **C - Performance Monitoring**

C1 Total Facilities Management - Biannual Review (Pages 67 - 114)

To consider a report on the performance of the three Total Facilities Management contractors, in Mid, West and East Kent, since the last review.

Peter Sass  
Head of Democratic Services  
(01622) 694002

**Monday, 4 April 2016**

This page is intentionally left blank

**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 Monday, 14 December 2015.

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

ALSO PRESENT: Mr G Cooke

IN ATTENDANCE: Mrs R Spore (Director of Infrastructure), Mr K Hollidge (Development Consultant) and Miss T A Grayell (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**55. Apologies and Substitutes**  
*(Item A1)*

Mr M J Harrison was present in place of Mrs P A V Stockell.

**56. Declarations of Interest by Members in Items on the Agenda**  
*(Item A2)*

There were no declarations of interest.

**57. Minutes of the meeting held on 23 September 2015**  
*(Item A3)*

Resolved that the minutes of the meeting held on the 23 September 2015 are correctly recorded and they be signed by the Chairman.

**58. Motion to Exclude the Press and Public for Exempt Business**

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.

(OPEN ACCESS TO MINUTES)

**59. East Kent Property Portfolio Acquisition**  
*(Item B1)*

*Mrs R Spore, Director of Infrastructure, and Mr K Hollidge, Development Consultant, were in attendance for this item.*

1. Mrs Spore and Mr Hollidge introduced the report, which outlined a proposal to acquire a small portfolio of properties, and explained that the Sub-Committee was

being asked to comment on and either endorse or make a recommendation to the Cabinet Member for Corporate and Democratic Services on the proposed acquisition. They set out the background to and context of the current proposal and, with the Cabinet Member, responded to comments and questions from Members, explaining the following:-

- a) the sites to which the 'sale and leaseback' options applied were separate to those included in the current proposed acquisition;
- b) the sites currently proposed for acquisition would not include planning permissions, or be dependent upon any of them receiving such permissions; and
- c) the County Council had secured a current, independent market valuation of the sites proposed for acquisition from a reputable firm and officers were confident that the Council would be able to add value to the properties.

2. RESOLVED that the proposed decision by the Cabinet Member for Corporate and Democratic Services, to authorise the Director of Infrastructure, in consultation with the Corporate Director of Finance and the Cabinet Member, to:

- a) proceed with the acquisition of the East Kent Property Portfolio at an appropriate value, within the requirements of the Property Investment Fund;
- b) finalise the terms of the transaction; and
- c) enter into any necessary documents to effect the acquisition,

be endorsed.



From: **Gary Cooke, Cabinet Member for Corporate and Democratic Services**

**Rebecca Spore, Director of Infrastructure**

To: **Property Sub-Committee - 12 April 2016**

Decision No:

Subject: **New Ways of Working Programme – Refurbishment of Avenue of Remembrance, Sittingbourne, and St Peter’s House, Broadstairs**

Key decision

Classification: **Unrestricted**

Past Pathway of Paper: this is the first committee to consider this report

Future Pathway of Paper: Cabinet Member Decision

**Electoral Division:** Swale Central and Broadstairs and Sir Moses Montefiore

**Summary:** This report updates the Property Sub-Committee on the New Ways of Working Programme implementation and proposes that two building contracts to undertake the New Ways of Working Programme at the Avenue of Remembrance and St Peter’s be awarded.

**Recommendation(s):**

The Property Sub-Committee is asked to:

Consider and endorse or make a recommendation to the Cabinet Member for Corporate and Democratic Services on the proposed decision to award two building contracts to undertake the New Ways of Working Programme at the Avenue of Remembrance, Sittingbourne, and St Peter’s House, Broadstairs, and delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and enter into the necessary agreements.

**1. Introduction**

1.1 The New Ways of Working (NWW) Programme was formed during late 2013, and was derived from the previous ‘New Work Spaces’ package, this being a key Programme sitting under the ‘Doing Things Differently’ Corporate change initiative.

1.2 The NWW Programme was primarily formed to oversee, manage and deliver a number of complex and inter-related projects and supporting workstreams that

seek to provide an improved working environment within a consolidated estate profile. By including new ICT technologies, adoption of more mobile working practices and creation of supportive facilities within refurbished hub office facilities, the adoption of alternative and more efficient working practices is anticipated to be a key benefit delivery to the County Council in addition to significant property revenue savings achieved by virtue of estate consolidation.

- 1.3 The Programme commenced delivery of individual projects in the west of the County in late 2013 and has since gradually progressed towards the east of the region. During this time, several leasehold facilities have been relinquished, thus contributing to a property revenue saving of over £1m in the current financial year and an overall £5.3m saving delivery by the Programme implementation, whilst key freehold hub facilities have been refurbished and upgraded to a good standard to support Operational delivery.
- 1.4 The Programme is now entering its final phase with progression of projects in the east of the County. The immediate refurbishment projects currently being progressed are at the Avenue of Remembrance (Sittingbourne) and at St Peter's House (Broadstairs).
- 1.5 These hub office facilities in the east Kent region provide key front-line social care operational delivery to some of the most disadvantaged in the County. The buildings already contain office space for social care staff, together with client contact space and critical Case Conference space. However, the existing space is very cellular, thus preventing the open-plan office environments that are required for different work styles, and the facilities have generally suffered from minimal maintenance regimes over the last several years and currently require significant improvement to the building services infrastructure, fabric and access security to ensure that the buildings are warm, dry and safe, in addition to creating the NWW environment that the Programme seeks to deliver.
- 1.6 Feasibility studies for the development of these two buildings have previously been commissioned and the Programme now needs to deliver the refurbishment packages in a phased implementation to allow both buildings to continue to be operated by the Social Care Directorate.
- 1.7 The tendering for the building work packages is currently in progress, but unlikely to be fully concluded until the end of April 2016.

## **2. Financial Implications**

- 2.1 The Programme has an approved capital expenditure value of £34.7m and had expended £29.5m to the beginning of March 2016.
- 2.2 The costs for the refurbishment projects for Avenue of Remembrance and St Peters House are already contained within the remaining Programme budget, with an anticipated maximum project value of £1m and £1.3m respectively
- 2.3 Each of the projects will draw on the 2015/16 Modernisation of Assets (MoA) budget to offset the additional project expenditure imposed by the required infrastructure and fabric improvements necessary at each building. It is anticipated that the £1m overall project value for Avenue of Remembrance will

include c.£348k of MoA works, whilst the £1.3m overall project value for St Peters House will include c.£436k of MoA works.

### **3. The Report**

- 3.1 The Kent Contracts Framework competitive tendering process is being adopted for these two projects. This will realise a number of key benefits to the County Council and its supply chain. For example, the competitive tendering dialogue is being undertaken with contracting companies which have previously been checked and endorsed as part of a robust pre-qualification process, thereby providing assurance on their trading stability and pricing frameworks. In addition, the shortlisted main contractor has provided assurance and commitment to the use of locally-based sub-contract companies for the supply of materials, operatives and design resource, in addition to supporting Apprenticeships within its operational organisation.
- 3.2 The competitive tendering process for both projects has been concluded and a contractor has been shortlisted to undertake detailed design work and further detailed costing activity to collate the overall final project cost for each scheme.
- 3.3 The final competitive dialogue and elemental cost build-up will not be concluded until late April 2016. At the current time, it is anticipated that the project costs will be contained within the estimated budget values.
- 3.4 The commitment to the contract award for both projects is required by end of April 2016 in order to ensure completion of delivery and full occupation by the end of 2016.
- 3.5 There are no legal implications stemming from the requested Delegated Authority or project delivery.
- 3.6 Full Equality Impact Assessments and any remedial activity will form part of the detailed project planning and delivery.
- 3.7 There are no Public Health implications stemming from the suggested Delegated Authority or project delivery
- 3.8 The progression of these two projects aligns with the remainder of the delivery of the NWW Programme and will result in an improved estate profile and efficiencies.
- 3.9 The Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, will be responsible for the Delegated Authority in awarding the required Design & Build contracts for these two schemes.

### **4. Conclusions**

- 4.1 The progression of two office refurbishment projects in East Kent, namely Avenue of Remembrance in Sittingbourne and St Peter's House in Broadstairs, form a key part of the remaining elements of the New Ways of Working Programme

4.2 Both projects are budgeted for in the NWW Programme, but the anticipated costs of both schemes is in excess of £1m.

#### **5. Recommendation(s):**

The Property Sub-Committee is asked to:

Consider and endorse or make a recommendation to the Cabinet Member for Corporate and Democratic Services on the proposed decision to award two building contracts to undertake the New Ways of Working Programme at the Avenue of Remembrance, Sittingbourne, and St Peter's House, Broadstairs, and delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and enter into the necessary agreements.

#### **6. Contact details**

Report Author:  
Bob Appleby, NWW Programme Manager  
+443000 415784  
Bob.Appleby@kent.gov.uk

Relevant Director:  
Rebecca Spore  
Director of Infrastructure  
+443000 416716  
Rebecca.Spore@kent.gov.uk

**Background documents:** none

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Gary Cooke, Cabinet Member for Corporate and Democratic Services**

**DECISION NO:**

(TBC)

**For publication**

**Key decision\***

Expenditure or savings of > £1m

**Subject: New Ways of Working Programme Strategy and refurbishment of Avenue of Remembrance, Sittingbourne**

**Decision:**

As the Cabinet Member for Corporate and Democratic Services, I propose to agree to award the building contract to undertake the New Ways of Working Programme at the Avenue of Remembrance and delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and enter into the necessary agreements.

**Reason(s) for decision:**

To deliver the final elements of the accommodation strategy for East Kent as set out in the New Ways of Working Programme

**Cabinet Committee recommendations and other consultation:**

The proposed decision will be considered by the Property Sub-Committee and any comments and recommendations will be included here after the meeting and considered by the Cabinet Member for Corporate and Democratic Services when taking the decision.

**Any alternatives considered:**

As set out in the report

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

To be added when the decision is made

.....  
signed

.....  
date

This page is intentionally left blank

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Gary Cooke, Cabinet Member for Corporate and Democratic Services

**DECISION NO:**

(TBC)

**For publication****Key decision\***

Expenditure or savings of > £1m

**Subject: New Ways of Working Programme Strategy and refurbishment of St Peter's House, Broadstairs**

**Decision:**

As the Cabinet Member for Corporate and Democratic Services I propose to agree to award the building contract to undertake the New Ways of Working Programme at St Peter's House and delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and enter into the necessary agreements.

**Reason(s) for decision:**

To deliver the final elements of the accommodation strategy for East Kent as set out in the New Ways of Working Programme

**Cabinet Committee recommendations and other consultation:**

The proposed decision will be considered by the Property Sub-Committee and any comments and recommendations will be included here after the meeting and considered by the Cabinet Member for Corporate and Democratic Services when taking the decision.

**Any alternatives considered:**

As set out in the report

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

To be added when the decision is made

.....  
signed

.....  
date

This page is intentionally left blank



From: **Gary Cooke – Cabinet Member for Corporate and Democratic Services**

**Rebecca Spore – Director of Infrastructure**

To: **Property Sub-Committee – 12 April 2016**

Decision No:

Subject: **Approval to enter into new lease for West Kingsdown Children’s Centre**

**Classification: Unrestricted**

**Past Pathway of Paper:** this is the first committee to consider this report.

**Future Pathway of Paper:** Cabinet Member Decision

**Electoral Division:** Sevenoaks

**Summary:** This report seeks approval to enter into a lease for premises at West Kingsdown Church of England Primary School.

**Recommendation(s):**

The Property Sub-Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to enter into a new lease the West Kingsdown Children’s Centre, and for the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and complete the transaction.

**1. Introduction**

- 1.1 Kent County Council is obliged under legislation to transfer the freehold of the buildings and tar-paved areas of a Church of England Primary School to the relevant Diocesan Board. The school buildings at West Kingsdown are partly occupied by a County Council service other than the school, and that occupation must be protected.
- 1.2 The Board has agreed that they will grant a long lease to the County Council and principal terms have been agreed.

**2. Financial Implications**

- 2.1 The County Council has agreed to pay a rent of a peppercorn per annum, if demanded, throughout the term of the proposed lease.
- 2.2 The County Council has agreed to bear the Diocesan Board’s legal costs upon completion of the lease; these are to be capped at £1,750 plus VAT.

### **3. Bold Steps for Kent and Policy Framework**

3.1 The taking of the lease will enable the service to remain operational and within the County Council's control, with the following benefits:-

- ensure all pupils meet their full potential,
- shape Education and skills provision around the needs of the Kent economy,
- improve services for the most vulnerable people in Kent,
- support families with complex needs and increase the use of community budgets.

3.2 The proposed decision does not relate to a plan or strategy set out in the Council's Policy Framework.

### **5. Conclusions**

Kent County Council is obliged to transfer the freehold of the buildings. Therefore this lease is essential to safeguard the future operation of an important County Council service.

### **6. Recommendation(s)**

#### **Recommendation(s):**

The Property Sub-Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to enter into a new lease the West Kingsdown Children's Centre, and for the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and complete the transaction.

### **7. Contact details**

Report Author

- Elizabeth Luxton, Operational Portfolio Manager
- 03000 416407
- Elizabeth.luxton@kent.gov.uk

Relevant Director:

- Rebecca Spore, Director of Infrastructure
- 03000 416716
- rebecca.spore@kent.gov.uk

**8. Background documents:** none

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Gary Cooke – Cabinet Member for Corporate and Democratic Services**

**DECISION NO:**

**For publication or exempt – please state**

**Subject: West Kingsdown Children’s Centre – Taking of a long lease from Rochester Diocesan Board of Education**

**Decision:**

As Cabinet Member for Corporate and Democratic Services, I propose to agree to the County Council taking a 99 year lease of West Kingsdown Children’s Centre, on terms to be finalised by the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services.

**Reason(s) for decision:**

To protect the future provision of the children’s centre service in West Kingsdown.

**Cabinet Committee recommendations and other consultation:**

The proposed decision will be considered by the Property Sub-Committee and the outcome of that meeting will be included in the decision paperwork and considered by the Cabinet Member when taking the decision.

**Any alternatives considered:**

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

From: Gary Cooke, Cabinet Member for Corporate and Democratic Services  
Rebecca Spore, Director of Infrastructure

To: Property Sub-Committee - 12 April 2016

Decision No. 16/00009

Subject: Disposal of Swanley Technical College Playing Field, Cherry Avenue, Swanley

Classification: Unrestricted

Past Pathway of Paper: this is the first committee to consider this report

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Swanley

**Summary:** The report considers the proposed disposal of Swanley Technical College Playing Field, Swanley

**Recommendation :** The Property Sub-Committee is asked to consider and either endorse or make recommendations to the Cabinet Member on the proposed decision to sell the property and to delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise the selected purchaser, from those listed in the exempt appendix to this report, and terms of the proposed sale.

## 1. Introduction

**1.1** The property comprises a level site of approximately 1.57 hectares (3.88 acres) situated in the South Western part of Swanley and was previously a playing field for the School/ Technical College. Following the school's relocation and subsequent sale of the former school property for residential development, the playing field was designated as the scheme's Open Space requirement through a Section 106 agreement preventing its future development.

**1.2** KCC has been in negotiation with Sevenoaks District Council for this land to be released from its designation and this has been achieved subject to 0.5 hectares (1.23 acres) remaining as Open Space. A replacement Section 106 agreement now records this change.

**1.3** The net result is that this property can be released for residential development following its allocation for this use within the Allocations and Development Management Plan recently adopted by Sevenoaks District Council.

## **2. Marketing**

**2.1** A full marketing campaign was undertaken by appointed agents in January 2016 culminating in offers being requested from interested parties by the end of February on either a conditional or unconditional basis.

**2.2** Considerable interest was shown during the marketing and 8 offers were received by the due date. Further discussions have been held with some of the parties to enable detailed comparison and consideration of these offers and these are continuing.

## **3. Bold Steps for Kent and Policy Framework**

**3.1** This decision relates to the Bold Steps for Kent in securing a capital receipt to fund the Capital programme and to streamline the Council's property portfolio to achieve financial and efficiency benefits in line with appropriate property policy.

## **4. Consultations**

**4.1** Local Member consultations were undertaken prior to the marketing and no comments were received.

## **5. Recommendation**

**Recommendation** : The Property Sub-Committee is asked to consider and either endorse or make recommendations to the Cabinet Member on the proposed decision to sell the property and to delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise the selected purchaser, from those listed in the exempt appendix to this report, and terms of the proposed sale.

## **6. Background Documents**

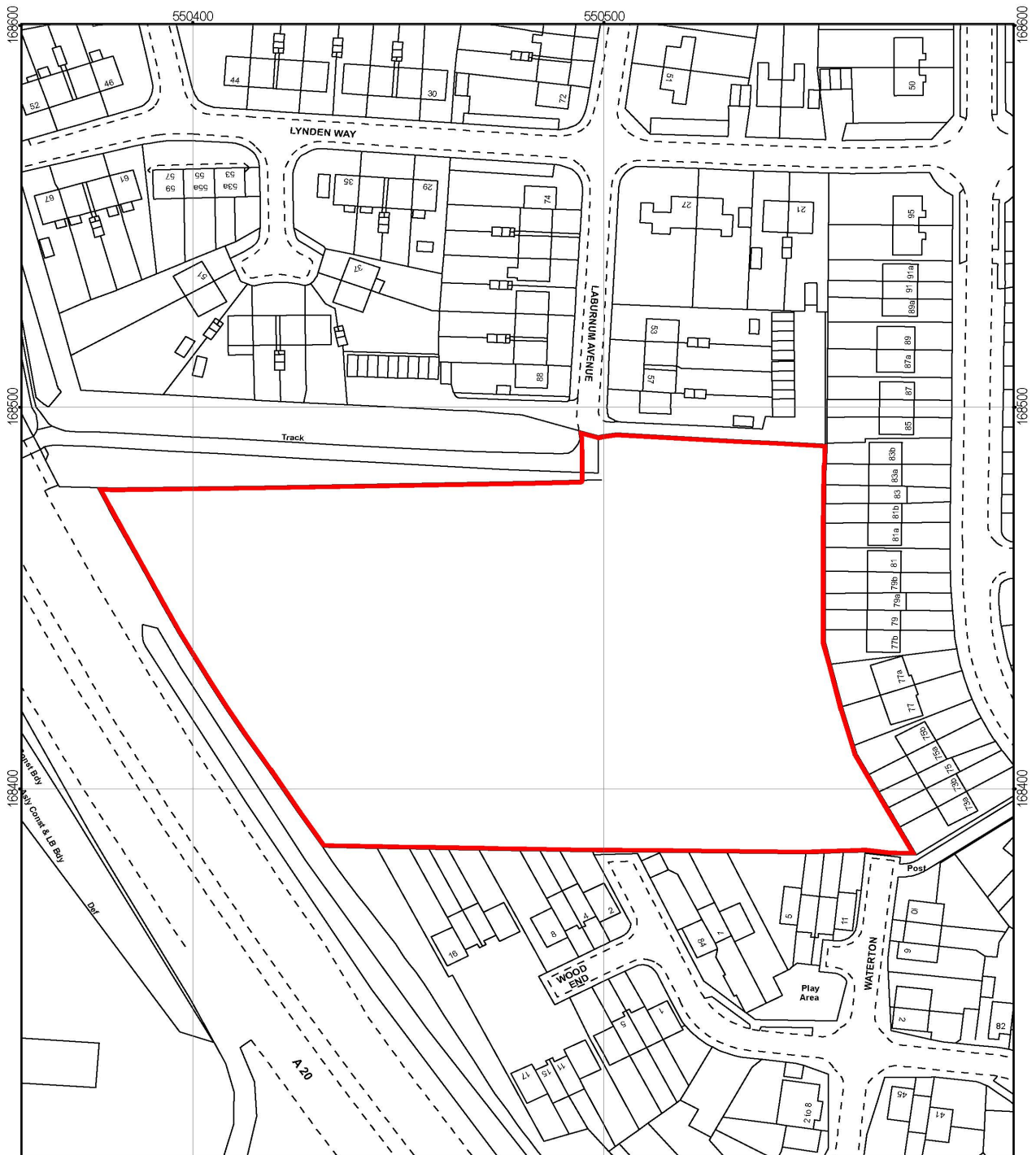
Site plan attached.


## **7. Contact details –**

Rebecca Spore, Director of Infrastructure  
03000 416716  
Rebecca.spore@kent.gov.uk



# Site Plan for Swanley Technical College Playing Field, Swanley




  
 Based upon the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office. (C) Crown Copyright & database right 2011. Ordnance Survey 100019238. Additional information copyright Kent County Council

**SWANLEY TECHNOLOGY COLLEGE**  
**DETACHED PLAYING FIELD**  
**CHERRY AVENUE**  
**SWANLEY**  
**BR8 7DU**

MasterMap **UPRN 76450300**

Drawing No. **TQ5068/2P**

Scale: 0 5 10 20 30 40 50 60 Meters  
**1:1250**

@ A4



**PROPERTY AND INFRASTRUCTURE SUPPORT**  
 County Hall, Maidstone  
 Kent ME14 1XQ  
 Tel:08458 247247

This page is intentionally left blank

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Gary Cooke, Cabinet Member for Corporate and Democratic Services**

**DECISION NO:**

**16/00009**

**For publication**

**Key decision**

Decisions which should be regarded as Key decisions because they are likely to have a significant effect either in financial terms or on the Council's services to the community include:

(a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan.

**Subject:**

**Disposal of Swanley Technical College Playing Field, Cherry Avenue, Swanley**

**Decision:**

As Cabinet Member for Corporate and Democratic Services, I propose to agree to the sale of Swanley Technical College Playing Field, on the terms set out in the Exempt appendix to the report, and to delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise the selected purchaser and terms of the proposed sale.

**Reason(s) for decision:**

The disposal will secure a capital receipt to fund the Capital programme and streamline the property portfolio to achieve financial and efficiency benefits in line with appropriate property policy

**Cabinet Committee recommendations and other consultation:**

The Property Sub-Committee will consider the proposed decision at its meeting on 12<sup>th</sup> April 2016, and the outcome of this will be recorded in the paperwork the Cabinet Member will be asked to sign when taking the decision.

Local Members were consulted in line with the Property Management Protocol. No comments were received

**Any alternatives considered:**

None

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

From: Gary Cooke, Cabinet Member for Corporate and Democratic Services;  
Rebecca Spore, Director of Infrastructure

To: Property Sub-Committee – 12 April 2016

Decision No: 14/00068b

Subject: Disposal of Land at Dumpton Park Drive (adjacent to Holy Trinity Primary School), Broadstairs

Key decision – *Affects more than 2 Electoral Divisions (Ramsgate & Broadstairs)*  
*Disposal of land with an anticipated capital receipt over £1m*

Classification: Unrestricted

Past Pathway of Paper: this is the first committee to consider this report

Future Pathway of Paper: Cabinet Member Decision

Electoral Divisions: Broadstairs & Ramsgate

**Summary:** The report considers the proposed disposal of Land at Dumpton Park Drive (adjacent to Holy Trinity Primary School), Broadstairs, Kent, for housing development.

**Recommendation(s):**

The Property Sub-Committee is asked to consider and either endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to sell the property, in line with the heads of terms agreed with a preferred bidder.

In the event of the deal with the preferred bidder proving abortive, for any reason, to delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to select a new purchaser from the underbidders and agree terms of the proposed sale in line with S.123 requirements.

**1. Introduction & Overview**

1.1 The site, as shown outline in red on the attached plan, is 10,711sqm (circa 2.65 acres) in extent of vacant overgrown shrub land situated on the edge of the town adjacent to a housing estate; Holy Trinity Primary School; and a leisure area consisting of tennis courts, outdoor bowling and some informal public open space which has recently been awarded Village Green status. The site is secured with fencing with no public access and held freehold by KCC.

- 1.2 Initially it was proposed by KCC Education to use this land to extend Holy Trinity Primary School (owned by The Diocese) from 1FE to 2FE to meet growing pupil demand in the area. However, despite several years of discussions with the school's governors, the school were not prepared to extend the school.
- 1.3 KCC Education was therefore required to meet pupil demand in the area elsewhere by expanding Newington Primary School and subsequently from the construction of the new Ramsgate Freeschool. As a result, KCC Education formerly declared the site surplus in line with its estates strategy. A signed PIP12 form dated 20<sup>th</sup> January 2014 and the AEO's Statement supporting the disposal of this site are attached.
- 1.4 Options were considered by Disposals in respect of the proposed disposal with the recommended option to secure outline planning for housing in line with planning policy and market demand, whilst securing a developer buyer through open marketing. This was endorsed by the Director of Infrastructure.
- 1.5 Following a competitive open market and informal tender process, a preferred purchaser has now been selected, the commercially sensitive details of which are available in the Exempt report. A planning decision is due to be made by Thanet District Council's planning committee on 20<sup>th</sup> April 2016 following two deferrals to date due to minor administrative errors made by Thanet District Council in terms of its statutory consultation process.

## **2 Planning**

- 2.1 Thanet's Strategic Housing Land Availability Assessment (2010) identified the site as having potential for housing development. According to this document, the site was scored as having 3 out of 4 for suitability, availability and achievability indicating its strength as a developable site. It has been estimated that the site is able to deliver 33 residential units comprised of houses or bungalows.
- 2.2 Kent County Council Housing Information Audit (2012/13), states that Thanet's five year housing supply was at 5.88 years. However, on further investigation in a recent appeal decision in June 2014 (ref: AAP/Z2260/A/13/2210854), the Planning Inspector stated Thanet's current position as falling short of their five year supply.
- 2.3 Notwithstanding the five year supply issues, the site is deemed a suitable windfall site which makes best use of underused, vacant land in the urban area and would constitute sustainable development in accordance with the National Planning Policy Framework, for which there is a presumption in favour.
- 2.4 As the site is considered potentially suitable for housing development, Disposals commissioned DHA Planning to prepare a suitable scheme for pre-app which was held with Thanet District Council on 22<sup>nd</sup> Oct 2014.



- 2.5 Thanet's formal response following pre-app was supportive of housing development, showing a preference towards the lower density 28 unit schemes, suggesting some minor amendments to its indicative layout such as the spacing between units.
- 2.6 Specialist residential land agents (RPC) have been consulted throughout the feasibility process on the proposed mix, density and scheme layout, to optimise the site's value and market appeal.

### **3. Marketing & Disposal**

- 3.1 Simultaneously to the outline planning application being submitted to Thanet District Council the site was placed on the open market with RPC Land & New Homes. A copy of the marketing particulars is attached. A private treaty informal tender process was opted as the preferred disposal route seeking offers subject to the outline planning application being approved.
- 3.2 Considerable interest was shown during the marketing and 7 offers were received. The top three bidders were then interviewed and invited to make their "best & final" bids, clearly setting out any conditions along with proof of track record and funds to support their ability to perform.
- 3.3 A summary of all the bids and details of the preferred bid being recommended and the top tier underbidders are included within the Exempt report.

### **4. Conclusions**

- 4.1 Following continued consultation and support from both KCC Education and the County Council's Asset Review Board, the site has been prepared for disposal and a planning application progressed.
- 4.2 The proposed disposal will generate a significant capital receipt to fund the Council's Capital programme and to streamline the Council's property portfolio to achieve financial and efficiency benefits in line with appropriate property policy.
- 4.4 Local Member (Mr Alan Terry & Mrs Zita Wiltshire) consultations were undertaken prior to submitting the planning application and commencement of marketing. No comments were received.

### **5. Recommendations:**

The Property Sub-Committee is asked to consider and either endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to sell the property, in line with the heads of terms agreed with a preferred bidder.

In the event of the deal with the preferred bidder proving abortive, for any reason, to delegate authority to the Director of Infrastructure, in consultation with the Cabinet

Member for Corporate and Democratic Services, to select a new purchaser from the underbidders and agree terms of the proposed sale in line with S.123 requirements.

## **6. Background Documents**

6.1 Background documents that were relied on to a material extent in preparing the report:

- Site Plan
- Proposed scheme layout for 28, 3 to 5-bed houses (including 8 affordable homes) as submitted for outline planning consent
- Planning portal link to view full outline application is:  
<https://planning.thanet.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NV4PFKQEG9600>

## **8. Contact details**

Report Author:

Simon Dodd - Disposal, Acquisition & Development Surveyor

Tel: 03000 416032

Email: [simon.dodd@kent.gov.uk](mailto:simon.dodd@kent.gov.uk)

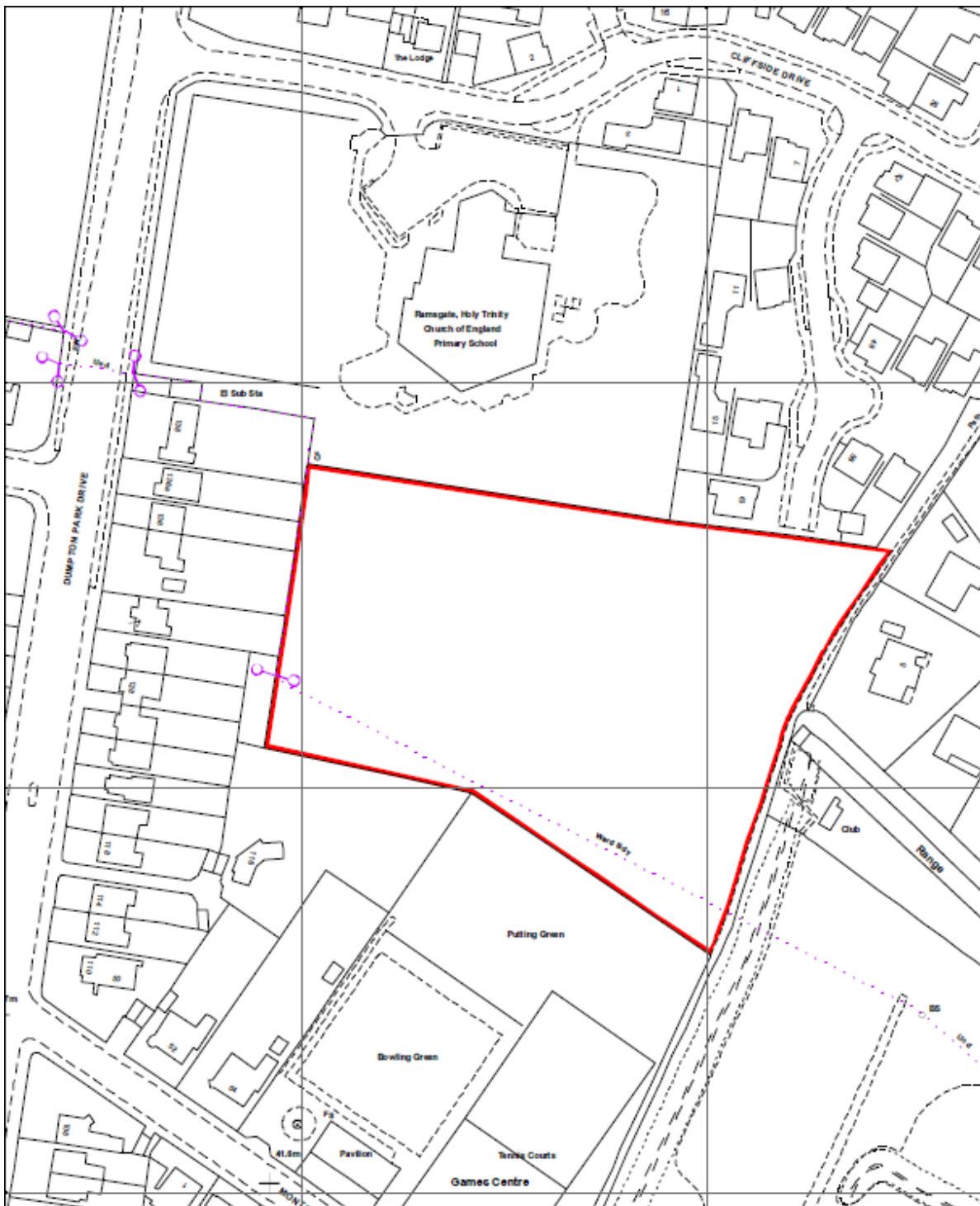
Relevant Director:


Rebecca Spore – Director of Infrastructure

Tel: 03000 416716

Email: [rebecca.spore@kent.gov.uk](mailto:rebecca.spore@kent.gov.uk)

# Site Plan



  
 Based upon the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office. (C) Crown Copyright & database right 2011. Ordnance Survey 100019235. Additional information copyright Kent County Council

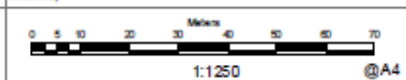
**LAND AT DUMPTON PARK DRIVE  
 DETLING AVENUE  
 BROADSTAIR  
 CT10 1RR**  
 KCC FREEHOLD - UPRN 76640200



**PROPERTY AND  
 INFRASTRUCTURE SUPPORT**  
 County Hall, Maidstone  
 Kent ME14 1XQ  
 Tel: 08458 247247

Drawn By  
**JTN**

Date  
**MAR 2012**



Drawing No.  
**TR3986/7G**

This page is intentionally left blank

original to  
R Jones  
Disposal  
4/3/14



Reference: PIP12-1164633

# PIP12 - Notification of change in property status

v1

This form should be used in conjunction with the Property Information Procedures Document  
Select all that apply\*

- Change in main asset type
- Change in directorate
- Vacating a property
- Declaring a property surplus
- Vacant property re-occupied
- Declaring highway land surplus

## Current premise details

Please enter the UPRN of the premise into the field below and then click 'Populate premise details'. Fill in each section that follows accordingly.

UPRN*	76640200
Premise*	Land At Dumpton Park Drive
Street	Detling Avenue
Locality	
Town	Broadstairs
Postcode	CT10 1S
Directorate	Business Strategy & Support
Site Area m <sup>2</sup>	

Does this change affect the whole of the property as described above?\*

Whole property  
 Part of property

Upload a site plan\* Plan of land at Dumpton Park Drive

Property Type	Currently Unused by KCC
Status (tenure)	Freehold
Current Asset Type	Non-Operational

## Surplus declaration

Date declared surplus*	20/ 01/ 14
Description / size*	Site is 10,711 square meters of unused land adjacement to Ramsgate Holy Trinity CE Primary School
Any other information / service delivery implications Capital allocated (agreed with Strategic Finance)?	None

## Property Contacts

Please review the contacts below and flag for deletion any that are no longer relevant.

Contact	
Email address	
Telephone No.	(01622) 696200
Flag contact for deletion?	<input checked="" type="checkbox"/>

Contact	- Marie Wilkins - Principal Portfolio Surveyor
Email address	



Telephone No.  
Flag contact for deletion?

(01622) 221921

Do you need to add any additional contacts? Yes

**Enter any new Contacts below. Click 'Add another contact' to add more.**

Contact name & role	Richard Jones, Estates Disposals Manager
Email address	richard.jones@kent.gov.uk
Telephone No.	01622 221133
Contact name & role	Alyson McKenna Assistant Surveyor
Email address	alyson.mckenna@kent.gov.uk
Telephone No.	01622 696032
Current keyholder (from the list above)*	yson McKenna

## Tenancy details

**Please review the existing tenancy records shown below. These are the tenancies at the premise which are currently listed as active. You must inform the relevant Estates Surveyor of any other tenancies currently at the property.**

Please provide details if any of the tenancy information listed here is known to be incorrect. None in place



## Completed by

Your name\* Sue Barlow  
Completed date 27 Jan 2014  
Contact Telephone No. 01622 694799  
Contact Email Address\* sue.barlow@kent.gov.uk  
Please arrange for this form to be signed by all the parties shown in the sections below

## Accepted by Property & Infrastructure Support

Signed   
Print Name ROGER GOUGH Date 25/2/14  
Contact Telephone No. 01622 696276

## Director (of directorate)

Signed   
Print Name PATRICK LEESON Date 20-02-14  
Contact Telephone No. 01622 696550

## Cabinet Member / designated delegate

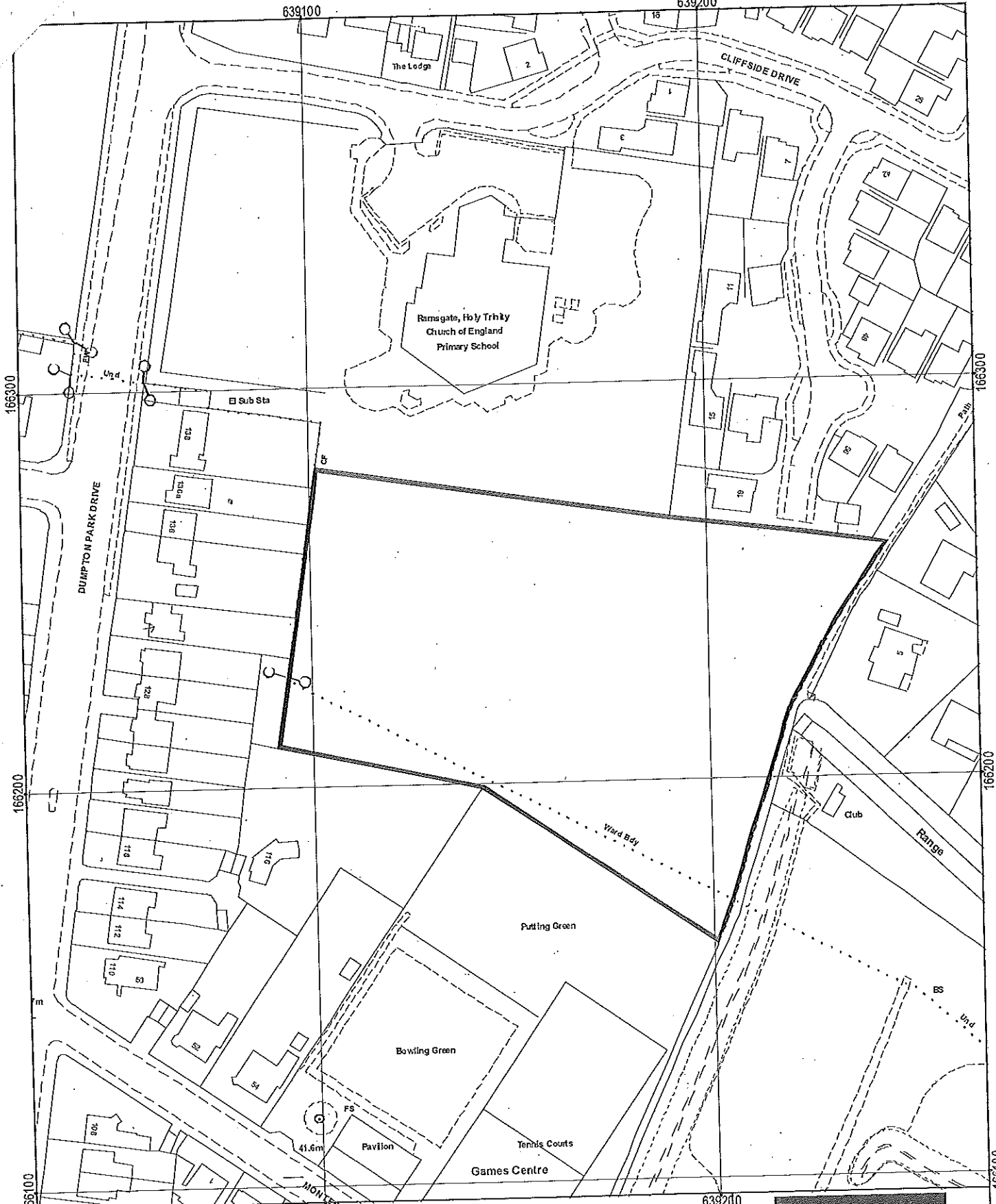
Signed \_\_\_\_\_ Date \_\_\_\_\_  
Print Name \_\_\_\_\_ Contact Telephone No. \_\_\_\_\_

Once the form has been signed by all the above parties, please distribute as follows -

- >Alyson McKenna, Property & Infrastructure Support [Site Inspection] and [Update Enterprise Disposal Monitor]
- >Relevant Estate Surveyor, Property and Infrastructure Support
- >Relevant BSO, Estate Management Team, Property & Infrastructure Support [Business Ratings and Surplus Property Schedule]
- >Disposals BSO, Property & Infrastructure Support [Update Enterprise Disposal Monitor]
- >Glyn Parham, Property & Infrastructure Support [Update Enterprise]
- >Ann Fido - FM Contracts Management team - Property & Infrastructure Support
- >Bev Palmer - FM Contracts Management team - Property & Infrastructure Support
- >Justin Hills - FM Contracts Management team - Property & Infrastructure Support
- >Terrier Team, Property and Infrastructure Support [Update tenancy details]
- >Terrier Team, Property and Infrastructure Support [Update Enterprise Main Asset subtype]
- >Tracey Hook, Property and Infrastructure Support [Update Oracle re rent]
- >Shane Jermy, BSS FP - Insurance

639100

639200



Based upon the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office. (C) Crown Copyright & database right 2011. Ordnance Survey 100019238. Additional information copyright Kent County Council

LAND AT DUMPTON PARK DRIVE  
 DETLING AVENUE  
 BROADSTAIR  
 CT10 1RR

KCC FREEHOLD - UPRN 76640200

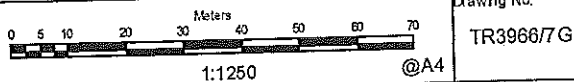


PROPERTY AND  
 INFRASTRUCTURE SUPPORT  
 County Hall, Maidstone  
 Kent ME14 1XQ  
 Tel:08458 247247

Drawn By  
 JTN

Date  
 MAR 2012

MasterMap





## Education Statement – Land adjacent to Holy Trinity Primary School

January 2016

The rising birth-rate in Thanet and increasing inward migration of families resulted in a deficit of primary school places in Ramsgate and across Thanet for Year R entry in September 2012.

One of the solutions considered was the expansion of Ramsgate Holy Trinity CE Primary School utilising the KCC owned land adjacent to the school, this was the preferred option for providing the additional places at this time. KCC Education requested that the piece of land be removed from the disposals list and at this point the possibility of expansion was discussed with the school management team and governing body. The school made it clear - after lengthy discussion had taken place, with the senior leadership team, Chair of Governors and full governing body – that the unanimous response from the school was that they did not think it appropriate, at that time, to consider any expansion.

As Holy Trinity is a Canterbury Diocesan Voluntary Aided School, the Diocese also wrote to the school to emphasise their support for expansion and to ask that they re-consider their decision. The school confirmed that they did not wish to expand.

With the Holy Trinity option to provide the urgently needed additional primary school places no longer available, other options had to be explored and funds raised to facilitate the additional Primary School places urgently required in Thanet.

The Headteacher and governing body of Newington Primary School and Nursery were willing expand. This expansion was agreed, following consultation, with additional accommodation provided on the current site at a cost of £1.2m. (Newington Primary School and Nursery is now a thriving 3FE primary school, judged good by Ofsted.)

Along with a new 2 FE primary school provision at St Georges CE Secondary School planned to open for September 2016 and the opening of the Ramsgate Free School, Bromstone Primary School has taken an additional four forms of entry for a temporary period and building work to provide them with the accommodation to deal with the children they have already taken will shortly commence on site. With these investments, <sup>1</sup>projections indicate that there will be sufficient primary school places in the locality to serve the current and projected pupil population (based on birth data and patterns of inward migration over the preceding 3 years), apart from that generated from large housing developments which generate their own need for a school such as Westwood Cross, Manston Green and developments proposed at Birchington and Westgate-on-Sea - all of which have been included in KCC's response to the draft Thanet Local Plan to 2031. Funding from the disposal of this surplus land is integral to the current Education strategy and required as part of the forward funding KCC has had to undertake to meet the existing need, following the Holy Trinity decision not to expand. Should this capital receipt not be realised, developments proposed within the current Kent Commissioning Plan for Education 2016-2022 will be impacted and have to be removed or delayed.

---

<sup>1</sup> Kent Commissioning Plan for Education 2016-2020

Further primary provision will need to be commissioned as housing development in Thanet brings forward additional need. The proposed new Schools at Westwood and Manston Green are some distance (3 miles) from this site and their pupil places are already allocated to mitigate their own housing needs along with other locally consented sites. The location of Holy Trinity CE PS therefore will not serve any of this new housing. As Thanet Local Plan objectively assessed need is 15,660 new homes, of which 4400 are already consented, there will be further Primary requirement to provide places as set out in KCC's response to the draft Thanet Local Plan with timely delivery of Primary places to meet increased need reflecting location and development timescales for the delivery of the new homes.

We would confirm, following submission of this planning application for housing on the site at Dumpton Park Lane, Ramsgate Holy Trinity CE Primary School did approach the Area Education Officer (AEO) in 2015 to say that their position had not changed with regard to expansion, but that they would have liked the land to be available for the school to establish a junior football pitch. The AEO explained that this could not be an option for both financial reasons (KCC had already committed to alternative expansion projects predicated upon the funds released from the disposal of this site), and should the school (at any future date) agree to consider expansion, and the site was being used for sports, this would cause issues with Sport England that could prevent expansion going ahead in any event.

KCC Education carefully evaluated a strategy to include the capital receipt from this land to mitigate the shortfall in primary places, informed by the Governing Body's decision at Holy Trinity. They have already expended £1.2m at Newington PS based upon the Holy Trinity decision, and are now progressing with the new £6m 2 Form Entry Primary School (having obtained planning consent recently) at St George's, opening in Sept 2016 and with the Education Funding Agency also investing capital funding in the building being provided for the new Ramsgate Free School.

KCC owns land opposite the school. Should expansion on this site be required at any point in the future, this could be utilised to facilitate this. The land is currently leased to a Sports Club but they are open to 'dual usage' in the future.

M. White.

21/3/16

Area Education Officer (Page 44) East Kent.



On the instructions of Kent County Council



# c. 1 ha (c. 2.47 acre) Residential Development Site

Planning Application being Determined for a Scheme comprising 28 no. Units



Page 45



**Land at**  
Cliffside Drive  
Broadstairs  
Kent, CT10 1RX

**For Sale**

## Location

The site is located approximately 1.6 miles from Broadstairs town centre which offers a good range of local shops and services. A wider range of shopping and leisure facilities can be found at in the towns of Margate to the north and Ramsgate to the south. In addition, the Westwood Cross shopping complex is approximately 2.5 miles to the west.

The site is around half a mile from Dumpton Park station which offers regular services to London St Pancras and London Victoria with a journey time of around 1 hour 30 minutes and 1 hour 50 minutes respectively.

The site is close to the cliffs offering sea views and is around half a mile from the popular local beach, Dumpton Gap



## Site Description

The site extends to c. 1 ha (c. 2.47 acres) in size and is generally regular in shape. There is a slight slope down from west to east across the site. Historically, the site has had no previous planning applications and no previous use. Kent County Council discussed extending the adjacent Holy Trinity School in 2012, but at the time the Governing Body agreed unanimously that this was not appropriate. The site is therefore available for development.

The site is overgrown with mature trees and hedgerows to the borders. It is accessed from Cliffside Drive, a small cul-de-sac providing a mixture of predominantly 2 storey detached dwellings. To the north is Cliffside Drive and the Holy Trinity School and to the south is the Montefiore Bowls and Tennis club. To the west are the rear of private gardens of properties fronting Dumpton Park Drive and the east is a public right of way providing access to King George VI Memorial Park and the cliffs.

## Planning & Proposed Scheme

A recent Strategic Housing Land Availability Assessment has suggested the site is suitable for residential development with a capacity of 33 no. dwellings. Following this Kent County Council has sought pre-app advice from Thanet District Council and held a local public consultation.

An Outline Planning Application has now been submitted to Thanet District Council for a scheme of 28 no. units and it is expected this will be registered imminently. The proposed layout shows a mix of detached and semi-detached houses comprising 9 no. 3 beds, 13 no. 4 beds and 6 no. 5 beds. In order to comply with local Affordable Housing policy 30% (8 no.) of the proposed units are designated as affordable.

## Further Information

Full details including plans and drawings can be downloaded at [www.rpclangandnewhomes.co.uk](http://www.rpclangandnewhomes.co.uk).

## Tenure

The site is to be sold on a freehold basis with vacant possession upon completion.

## Services

Interested parties are advised to make their own enquiries with the relevant statutory authorities to ensure availability and sufficient capacity at the site in order to service the proposed development.

## VAT

It is understood that VAT will not be applied to this transaction.

## Viewing Arrangements

The site can be viewed from the public highway in daylight hours. Should you require a more detailed inspection of the site or the existing property, prior arrangement will need to be made through the agent.

## Offers

Offers are sought subject only to the Outline Planning Application being granted. It is anticipated that a sale will be agreed and all legal work completed to enable an exchange of contracts shortly after the planning permission is issued.

All offers must be in writing and must include a complete description of any on site due diligence that will be required prior to an exchange of contracts as well as evidence to demonstrate that funds are available to complete the transaction.

The closing date for offers is 12 noon on **Wednesday 4<sup>th</sup> November 2015**

The vendor is not obligated to accept the highest or any bid made.

## Agents Details

For further information please contact the agents:

### Graeme Dowd

RPC Land & New Homes

155 High Street

Rochester

Kent, ME1 1EL

[www.rpclangandnewhomes.co.uk](http://www.rpclangandnewhomes.co.uk)

Tel: 01634 835900

Mob: 07904 372142

Email: [g.dowd@rpclang.co.uk](mailto:g.dowd@rpclang.co.uk)



# Misrepresentation Clause

RPC Land & New Homes for themselves and for the vendors of this property for whom they act, give notice that:

These particulars are prepared only for the guidance of prospective purchasers. They are intended to give a fair overall description of the property but do not constitute the whole or any part of an offer or contract. RPC Land & New Homes undertake to comply with the terms of all relevant Consumer Protection Regulations but prospective purchasers must satisfy themselves as to the accuracy of the contents of these particulars, and RPC Land & New Homes will not be liable in negligence for any loss arising from the use of these particulars.

Any information contained herein (whether in the text, plans or photographs) is given in good faith but RPC Land & New Homes cannot guarantee the accuracy of any description, dimensions, references to condition, necessary permissions for use and occupation or any other details contained therein, nor should any information contained herein be relied upon as a statement or representation of fact. Prospective purchasers or tenants must satisfy themselves as to the accuracy of all information contained in these particulars.

Prices and rents quoted in these particulars may be subject to VAT in addition.

Nothing in these particulars shall be deemed to be a statement that the property is in good condition or otherwise, and reference to any plant, machinery, equipment, services, fixtures or fittings at the property shall not constitute a representation as to its state or condition or that it is capable of fulfilling its intended function. Prospective purchasers should satisfy themselves as to the fitness of such items for their requirements.

The photographs appearing in this brochure show only certain parts and aspects of the property. Certain aspects of the property may have changed since the photographs were taken and it should not be assumed that the property remains precisely as displayed in the photographs. It should not be assumed that everything shown in the photographs is included in the sale of the property. Furthermore no assumptions should be made in respect of parts of the property which are not shown in the photographs.

Any reference in these particulars to the fact that alterations have been carried out or that a particular use is made of any part of the property is not intended to be a statement that any necessary planning, building regulations or other consents have been obtained and these matters must be verified by any intending purchaser.

No employee of RPC Land & New Homes has any authority to make or give any representation or warranty whatsoever in relation to the property.



# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Gary Cooke, Cabinet Member for Corporate and Democratic Services**

**DECISION NO:**

**14/00068b**

**For publication**

**Key decision**

Decisions which should be regarded as Key decisions because they are likely to have a significant effect either in financial terms or on the Council's services to the community include:  
(a) Decisions about expenditure or savings over £1,000,000 which are not provided for within the approved budget or Medium Term Financial Plan.

**Subject:**

**Disposal of Land at Dumpton Park Drive (adjacent to Holy Trinity Primary School), Broadstairs**

**Decision:**

As Cabinet Member for Corporate and Democratic Services, I propose to agree to the sale of Land at Dumpton Park Drive (adjacent to Holy Trinity Primary School), Broadstairs, on the terms set out in the Exempt Report and to give authority to the Director of Infrastructure to finalise the terms of the proposed sale.

**Reason(s) for decision:**

The disposal will secure a capital receipt to fund the Capital Programme and streamline the property portfolio to achieve financial and efficiency benefits in line with appropriate property policy

**Cabinet Committee recommendations and other consultation:**

The Property Sub-Committee will consider the proposed decision at its meeting on 12<sup>th</sup> April 2016, and the outcome of this will be included in the paperwork which the Cabinet Member will be asked to sign when taking the decision.

Local Members were consulted in line with the Property Management Protocol. No comments were received.

**Any alternatives considered:**

To continue to land bank the site for potential future expansion of the adjoining Holy Trinity Primary School.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

.....  
signed

.....  
date

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

From: Gary Cooke, Cabinet Member for Corporate and Democratic Services  
Rebecca Spore - Director of Infrastructure

To: Property Sub-Committee – 12 April 2016

Decision No.

Subject: Approval for the County Council to take a new lease from the Kent SEN Trust School, at Park Farm Road, Folkestone for the benefit of the Disabled Children's Service

Classification: Unrestricted

Past Pathway of Paper: this is the first committee to consider this report

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Folkestone North East

**Summary:** This report seeks approval to enter into a new long lease with the Governing Body of the Kent SEN Trust, Maidstone.

**Recommendation :**

The Property Sub-Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to enter into a new lease at the Foxwood & Highview SEN School on Park Farm Road, Folkestone, and for the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and complete the transaction.

**1. Introduction**

**1.1** Construction of the new Foxwood & Highview SEN School at Park Farm Road, Folkestone, commenced in 2015 and is due to complete in July 2016. The new school is being constructed on a new site, the location of which was agreed by the County Council and the former governors of the Federation of Foxwood & Highview Schools. It will be an operational Special Education Needs School.

**1.2** Within the main school building, the governors of the new school, the County Council and the Health Authority agreed to the design and provision of purpose built facilities for both KCC's Disabled Children's Service and the Health Authority, to continue their combined support to the children and families of those attending the school. The new Foxwood & Highview school site is currently owned by the County Council but is the subject to a freehold transfer agreement.

**1.3** The former Federation of Foxwood & Highview Schools obtained Charitable Trust status on 1<sup>st</sup> January 2015. In accordance with prevailing Statute, the County Council is legally bound to transfer its freehold interest in land and

buildings held for or used by the School to its Governing Body. In this case, the County Council agreed with the Kent SEN Trust to an exchange of the obsolete school sites at Foxwood (Hythe) and Highview (Folkestone) for the single site and a brand new facility at Park Farm Road Folkestone, when construction completed.

**1.4** Terms for the freehold transfer to the Governing Body have been agreed and the transfer is scheduled to take place in July 2016 the exact timing being determined by practical completion of the construction work and the necessary paperwork. The transfer is being progressed between both parties respective Solicitors.

**1.5** The current co-location of the Disabled Children's Services and the Health Authority at the Seabrook Lodge site allows the delivery of essential services to children attending this school. Seabrook Lodge Hythe, being a County Council property, enabled Disabled Children's Services to occupy and operate from various rooms in the buildings on the site alongside the school. The Health Authority occupied space under the terms of a long lease granted to it by the County Council. Management and payment of services provided was under local arrangement with the site staff and the school.

**1.6** In order for the County Council and the Health Authority to continue providing their respective services following the freehold transfer of the new Foxwood & Highview SEN School at Park Farm Folkestone to the Kent SEN Trust, both the County Council and the Health Authority need to enter into long lease agreements with the Trust to regularise and secure their future occupation on the site. The outline terms of both the County Council head lease and Health Authority underlease have been agreed in principle between the parties but remain open to further negotiation. The details are set out in the exempt report. (

**1.7** Securing a long lease will enable the Disabled Children's Service Centre to remain operational upon completion of the transfer. A long lease is desired, to ensure the County Council's funding used to create the new shared facility, prior to the school's change in status is safe guarded and, to remove the possible need to acquire or further build new facilities.

## **2. Facing the Challenge and Corporate Objectives**

**2.1** A lease taken by the County Council will enable Disabled Children's Services to remain operational and the presence of a formal lease between the parties will provide the County Council with greater certainty in respect of the property interest. The granting of the lease will also assist with the following Supporting Outcomes as part of the Strategic Outcome to ensure children and young people get the best start in life:-

- provision of a strong and safe environment to successfully raise disabled children and vulnerable young people,
- keep vulnerable people out of crisis,
- ensure children and young people have better mental health,
- that all children are engaged, thrive and achieve their potential through academic and vocational education
- ensure all pupils meet their full potential

- families with complex needs are supported and increase the use of community budgets.
- improve services for the most vulnerable people in Kent

### **3. Consultations**

**3.1** No Local Member consultations have taken place with regard to the granting of the proposed lease.

### **4. Conclusion**

Consenting to enter into a lease with the Kent SEN Trust, and the subsequent granting of an Underlease to the Health Authority, will allow Disabled Children's Services to continue to provide its services following the Foxwood & Highview Federations of Schools move from Seabrook Lodge and Highview sites to the new Park Farm Road school site, address the change of ownership and the change of the schools status to a Charitable Trust.

The granting of the lease will not compromise the operational requirements of the new Foxwood & Highview School at Park Farm, as the School, the Disabled Children's Service and the Health Authority have all been involved in the design and layout of the new facility and all have operated jointly for the last twenty years, albeit under different guises, from Seabrook Lodge, Hythe and the Highview site and all have enjoyed a good working relationship.

### **5. Recommendation**

The Property Sub-Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Corporate and Democratic Services on the proposed decision to enter into a new lease at the Foxwood & Highview SEN School on Park Farm Road, Folkestone, and for the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, to finalise terms and complete the transaction.

### **6. Contact details**

Report Author:

John Grimes Estates Surveyor  
03000 416178 / 07740 186060  
[john.grimes@kent.gov.uk](mailto:john.grimes@kent.gov.uk)

Relevant Director:

Rebecca Spore, Director of Infrastructure  
03000 416716  
[Rebecca.Spore@kent.gov.uk](mailto:Rebecca.Spore@kent.gov.uk)

**7. Background documents:** none

This page is intentionally left blank

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

## DECISION TO BE TAKEN BY:

Gary Cooke, Cabinet Member for Corporate and Democratic Services

## DECISION NO:

### For publication

**Subject: Kent County Council taking a long lease of part of the newly constructed special education needs school on Park Farm Road Folkestone Kent CT19 5DN.**

### Decision:

As Cabinet Member for Corporate and Democratic Services, I propose to agree to the County Council taking a lease of part of the new Foxwood & Highview School on Park Farm Road, Folkestone, from the Kent SEN Trust on terms to be finalised by the Director of Infrastructure, in consultation with the Cabinet Member for Corporate and Democratic Services, and to part of that space being underlet to the East Kent Hospital University Trust health authority.

### Reason(s) for decision:

In accordance with the Property Management Protocol, leases in excess of 20 years in length need to be approved by Cabinet Committee.

The decision will enable the relocation of the current Disabled Children's Service and Health Service provision from the closing Foxwood, Seabrook Lodge site at Hythe and the Highview School in Folkestone, to the new school facility on the Park Farm Road Folkestone

### Cabinet Committee recommendations and other consultation:

To be entered after the meeting and considered by the Cabinet Member when taking the decision.

### Any alternatives considered:

Consideration could have been given to the KCC and Health Authority services remaining at either Seabrook Lodge Hythe or the Highview SEN school site Folkestone but the size and age of the buildings, their layout and the degree of obsolescence combined with the level of disruption and inconvenience to the children affected in moving them between separate sites weighed heavily against this.

### Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

.....  
signed

.....  
date

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

From: Gary Cooke, Cabinet Member for Corporate and Democratic Services  
 Rebecca Spore, Director of Infrastructure

To: Property Sub-Committee – 12 April 2016

Subject: Total Facilities Management – Biannual Review

Classification: Unrestricted

**Electoral Division:** All

**Summary:** This biannual report seeks to update the Property Sub-Committee on the performance of the three Total Facilities Management (TFM) contractors since the last review. The TFM contractors and their areas are - Mid Kent with Amey, West Kent with Skanska, and East Kent with Kier.

This report includes the Performance Deductions of the Mid, West and East Kent TFM contractors since the 2<sup>nd</sup> biannual review, a summary of preference, the issues encountered by KCC services and management action taken.

This approach is in line with the commissioning cycle principles as set out in the County Council Paper on the 15<sup>th</sup> May 2014 titled 'Facing the Challenge: Towards a Strategic Commissioning Authority', with a view to providing wider scrutiny of the contracts performance.

**Recommendations:** The Property Sub-Committee is asked to:

- (1) Note the current performance of the Total Facilities Management contractors; and
- (2) Note the existing KCC contract governance in place to manage and monitor the performance of the Total Facilities Management Contracts.

## 1. Introduction

- 1.1 Following discussion, the Cabinet Member responsible for this portfolio took the decision on the 11 January 2013 (Decision No. 12/01838) to proceed with the implementation of a Total Facilities Management solution. Following a competitive procurement, contracts commenced with Amey and Skanska on 31 October 2014 and with Kier on 21 January 2015.

This report is intended to update Members on the performance of these contracts since the 2<sup>nd</sup> biannual review, and to provide Members with assurance that management and monitoring of the three TFM contracts are in place.

## **2. Financial Implications**

- 2.1 A proportion of the property services savings identified in the MTFP was dependent on the consolidation of Facilities Management Support across the building stock. This is the equivalent of £1 million revenue savings.

## **3. Bold Steps for Kent and Policy Framework**

- 3.1 The implementation of a Total Facilities Management solution directly relates to the delivery of the benefits from implementing a corporate landlord model as part of the change to keep succeeding plans, ensuring that our buildings are able to support front line service delivery and the delivery of the financial position as set out in the medium term financial plan.

## **4. The Report**

- 4.1 The principles behind the contracts are:

- The delivery of outcomes. The authority's requirements were set out in an Output Specification. Bidders provided solutions to deliver the outcomes required by the Council. Bidders took the risk on how they were to deliver the required outcomes.
- Performance in the delivery of outcomes is measured against a set of Key Performance Indicators (KPIs). This is supported by a performance regime where deduction penalties are made for poor performance. The contracts are for 5 years with an option to extend for 2 years and are designed to foster a partnering relationship.

- 4.2 As with all substantial contracts (approximately £10 million spend per annum across the three contracts) there is a need to ensure that there is a robust client function and contract management process in place to manage performance. On a day to day basis, Property has put in place a number of contract managers and support officers who will manage and monitor activity. This is supported by monthly performance review meetings with the Director of Infrastructure and a quarterly review with the Cabinet Member for Corporate and Democratic Services.

- 4.3 In order to ensure that Members have oversight as to the ongoing performance of this contract, it has been agreed that a biannual performance review is undertaken by the Property Sub Committee on behalf of the Policy and Resources Cabinet Committee. This approach is in line with the commissioning cycle principles set out in the County Council Paper on the 15 May 2014 titled 'Facing the Challenge: Towards a Strategic Commissioning Authority', with a view to providing wider scrutiny of the contracts performance.

## **5. Performance Review**

- 5.1 The current activities of the TFM contractors, the reporting they are each now able to provide us and the level of financial performance deductions over time are shown for each contractor within the following exempt Appendix 1.

5.2 The contract management teams of both KCC Property and the TFM contractors have worked hard to actively manage the contracts. Actions have included:

- Meetings arranged and attended with area managers and stakeholders from the services that have raised concern with the new service. These meetings are also used to explain the TFM services and service matrix.
- The KCC Property team being the point of escalation for service users if a request has not been actioned or is unresolved.
- The use by the TFM contractors of the County Council's Health and Safety, Incident, and complaints procedures for consistency across all three areas.
- Daily clarification to site users at meetings, by phone and email, on the scope of individual works.
- Daily contact between both teams to resolve items which require contractual clarification.
- Weekly and monthly operation and quarterly partnership meetings with contractors to review issues and services, and management and monitoring of the contracts. These include monthly contract review meetings and Monthly Performance/KPI meetings.
- Detailed analysis of Help Desk Calls to identify recurring reports of issues regarding Facilities Management services to enable a more strategic approach to Property Management.
- Implementation of Improvement plans with the contractors resulting in significantly improved performance.
- Software improvements on their CAFM systems.

## 6. Conclusions

6.1 During this six month period, the three TFM contractors have faced many challenges in providing the services to KCC which have generally been actioned and resolved, or plans agreed to help resolve these issues. KCC continues to manage robustly the three TFM providers.

## 7. Recommendation(s)

**Recommendations:** The Property Sub Committee is asked to:

- (1) Note the current performance of the Total Facilities Management contractors; and
- (2) Note the existing KCC contract governance in place to manage and monitor the performance of the Total Facilities Management Contracts.

## 8. Background Documents

8.1 Policy and Resources Cabinet Committee Report 27 September 2012

8.2 Record of Decision No: 12/01838

8.3 Attachments Exempt Appendix 1: Mid Kent Performance; East Kent Performance, West Kent Performance

## **9. Contact details**

- Rebecca Spore
- Director of Infrastructure
- 03000 416716

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank