

KENT COUNTY COUNCIL

POLICY AND RESOURCES CABINET COMMITTEE

MINUTES of a meeting of the Policy and Resources Cabinet Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 23 November 2022

PRESENT: Mr R J Thomas (Chair), Mr N Baker (Substitute for Vacancy), Mr P V Barrington-King, Mr P Bartlett, Mr T Bond, Mr N J D Chard, Mr G Cooke, Mr M Dendor, Mr A J Hook, Rich Lehmann, Mr J P McInroy, Ms J Meade (Substitute for Mr A Brady), Mr H Rayner (Substitute for Mr P C Cooper) and Dr L Sullivan

ALSO PRESENT: Mr P J Oakford

IN ATTENDANCE: Mrs A Beer (Deputy Chief Executive), Ms Z Cooke (Corporate Director of Finance), Mr H D'Alton (Investment and Disposal Surveyor), Mr S Dodd (Investment and Development Consultant), Ms K Frearson (Head of Property Strategy, Infrastructure), Ms L McPherson, Miss K Phillips (Strategic Business Adviser - GET), Mr J Sanderson (Head of Property Operations), Mr D Shipton (Head of Finance Policy, Planning and Strategy), Mrs R Spore (Director of Infrastructure), Mr B Watts (General Counsel), Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance), Mr R Smith (Principal Auditor), Miss T A Grayell (Democratic Services Officer) and Miss K Reynolds (Democratic Services Officer)

UNRESTRICTED ITEMS

111. Membership

(Item 2)

It was noted that:

- a) Rich Lehmann had replaced Paul Stepto as the Green and Independents' representative on the committee; and
- b) following his appointment to the Cabinet, Mr R C Love had left the committee.

112. Apologies and Substitutes

(Item 3)

1. Apologies for absence had been received from Mr A Brady and Mr P C Cooper.
2. Ms J Meade was present as a substitute for Mr Brady, Mr H Rayner for Mr Cooper and Mr N Baker for the Conservative vacancy.
3. The Leader, Mr R W Gough, was unable to join the meeting for the first item as he had been called to a meeting about asylum issues.
4. The committee noted that Mr T Cannon was joining the meeting remotely.

113. Declarations of Interest by Members in items on the Agenda
(Item 4)

There were no declarations of interest.

114. Minutes of the meeting held on 11 October 2022
(Item 5)

It was RESOLVED that the minutes of the meeting held on 11 October 2022 are correctly recorded and they be signed by the Chairman. There were no matters arising.

115. Annual Equality and Diversity Report 2021-22
(Item 6)

1. Mr Whittle introduced the report and commended the great amount of work undertaken by Laura McPherson in his team in preparing the annual report. He then responded to comments and questions from the committee, including the following:
 - a) the fullness and clarity of the annual report were welcomed as it covered all the information Members required and reflected the importance of equality and diversity issues in the work of the Council;
 - b) asked to clarify the term 'ethnic minority', Mr Whittle advised that definitions of demographic groups used protected characteristics but more work could be done to look at changing demographics;
 - c) asked if the staff survey had shown evidence of any marginalisation or exclusion of Eastern European or disabled staff, as staff turnover in those groups was known to be higher, and if any reason for this higher turnover could be given, Mr Whittle agreed that the reasons behind this could be explored;
 - d) the section of the report covering young people in care in the justice system was welcomed. It was important to try to keep young people out of the system by addressing any criminal behaviour before it reached the court stage;
 - e) it would be good to be able to analyse the impact on young people of attending single-sex schools and address any unconscious bias in favour of young people who had attended such schools. Mr Whittle said this had not previously been considered but could be the subject of some further work by the Corporate Equality Group;
 - f) asked how the participation in County Council consultations of all groups could be supported, Mr Whittle advised that this could be investigated. Mrs Beer added that this was a critical part of such engagement exercises;
 - g) use of voter identification would seem to have a discriminatory effect by excluding some groups who tended to use forms of identification which

were less favoured. Mr Watts advised that, as the County Returning Officer and a member of professional body of such officers, he had been part of lobbying Central Government about the use of voter identification and to take more time to ensure that, when implemented, it was done properly and inclusively. He undertook to provide more information to the questioner outside the meeting;

- h) asked about the accessibility of health services, for example, the difficulties some people would have in accessing local services with a reduced bus service and no car if those services were to be delivered from further afield, Mr Whittle advised that the report had concentrated on County Council-specific services rather than those delivered with partners but accepted that this was something which could be considered. He undertook to liaise with Integrated Care colleagues to see how best this could be covered. Achieving good access to primary care services was a sizeable national challenge;
- i) concern was expressed about the percentage of key decisions which did not include an Equality Impact Assessment (EqIA) in their paperwork, despite the completion of an EqIA being a necessary part of the decision process, and a question asked about how this would be addressed. Mr Whittle advised that the use of EqIAs was a County Council policy decision, to demonstrate how the Council was meeting its duty to take account of equality implications in its decision making. Although some decision reports did not include an EqIA, reference was made in the report to consideration having been given to equality implications, with the conclusion that there were none to be recorded. He agreed, however, that officers approving decision paperwork should undertake mandatory training highlighting the importance of considering equalities implications and of completing an EqIA if necessary, as the quality of such assessments produced was the responsibility of managers. Concern was then expressed about how many decisions might previously have been signed off by officers who had not undertaken relevant training. Mr Watts added that EqIAs should be as detailed and accurate as possible and he advised that the key decision process would be reviewed in April 2023, in the light of the internal audit report on SEND Transport issues, to ensure the best possible quality of supporting paperwork;
- j) asked about consultation with Trade Unions in respect of achieving better Total Contribution Party (TCP) awards for part-time staff, Mr Whittle advised that all staff were considered equally when making TCP assessments. Mrs Beer added that the point about consultation with Trade Unions was well made and would be given a higher priority in future reports, and advised that DMTs monitored TCP ratings to ensure a consistent approach;
- k) asked if the Council was expected to achieve beyond Level 2 of the Government's Disability Confident standard, Mr Whittle advised that he expected Level 3 to be achievable;

- l) although the Council had a duty 'to consider and mitigate where possible any inequalities' arising from its services, financial pressures would limit the level of mitigation which could be achieved;
 - m) Mr P Bartlett advised that he was a member of the Integrated Care Partnership and undertook to raise the points made about accessibility at the Partnership's next meeting; and
 - n) with reference to Members' training, Mr Watts asked Members to express any interest in equality and diversity training via the Member Development Group.
2. It was RESOLVED that the Annual Equality and Diversity report for 2021-22 be approved.

116. Disposal of the Former Laleham Gap School, Southcliffe Parade, Broadstairs CT10 1TJ
(Item 7)

1. Mr P Oakford introduced the report and responded to comments and questions from the committee, including the following:-
- a) asked if the site could be split and some part kept for local residents' use for sport and recreation, to support local people's health and increase levels of exercise, Mr Oakford advised that, as with similar site disposals, the County Council needed to sell it to realise the capital value of the whole site and raise capital to deliver the Council's capital programme, including the provision of additional school places;
 - b) asked if the playing field part of the site was usable by local people for recreation, Mr D'Alton advised that the site was currently fenced off and was not made available to members of the public. Future redevelopment of the site would be the subject of a planning application to be determined by the Local Planning Authority;
 - c) asked if there was any other way of achieving maximum return for the Council without selling off the site, Mr D'Alton advised that the more the Council sought to do with the site, the more risks it would be entering into in terms of development, so it did not make economic sense for the Council to try to develop the site itself. Mr Oakford added that the Council needed to release the capital value of the site rather than spend money developing it. Mrs Spore advised that the Council had no resource or infrastructure to develop the site itself and had no need to retain the site for its own use, as it had been declared surplus to service requirements;
 - d) asked if the Council was committed to sell the site, even if offers received did not meet the price it wanted to achieve, and if local bodies had been made aware of the site for sale, for example, in case a local sports club might want to buy it, Mr D'Alton advised that the site would be advertised to the market as widely as possible, with the aim of allowing any and all prospective bidders to be able to put forward a bid for the site. Bids would

be assessed against the Council's adopted policies and statutory duties;
and

- e) with regard to local people possibly using the site for recreation, it was suggested that part of the hoarding could be removed to see if local people took to using it, and if the local District or Parish Council could be offered it to buy for local use, Mr Oakford reiterated that, as with similar site disposals, the Council needed to realise the capital value of the whole site and raise capital.

2. Mr G Cooke proposed and Mr H Rayner seconded the recommendation as set out in the report and this was agreed without a vote.

3. It was RESOLVED that the decision proposed to be taken by the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to agree the disposal of the property, the former Laleham Gap School and playing field, Southcliffe Parade, Broadstairs, CT10 1TJ, and delegate authority to:-

1. the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to finalise the terms of the disposal; and
2. the Director of Infrastructure, to authorise the execution of all necessary or desirable documentation required to implement the above,

be endorsed.

Rich Lehmann, Ms J Meade and Dr L Sullivan asked that their abstentions from this resolution be minuted.

117. Work Programme 2023

(Item 8)

It was RESOLVED that the committee's planned work programme for 2023 be noted.

118. Motion to exclude the press and public for exempt business

The committee RESOLVED that, under Section 100A of the Local Government Act 1972, the press and public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of part 1 of Schedule 12A of the Act.

EXEMPT ITEMS

Open access to minute 120

Summary of minute 119, where access to this minute remains restricted.

119. Property Accommodation Strategy - Strategic Headquarters Update and Next Steps

(Item 9)

1. Mr Oakford introduced the report and Mrs Spore presented a series of slides (included in the agenda pack), which set out the latest available information on the options facing the Council for the future of the Strategic Headquarters buildings. Mr Oakford and Mrs Spore responded to comments and questions from the committee about staff occupancy rates, the relationship to the prison premises, options to share the premises with other bodies, a comparison of leasehold and freehold options and timing of further information to Members before a key decision was to be taken.
2. The update was noted, with thanks, with a request that the timing issue be confirmed to Members as soon as possible.

120. Commissioning of Legal Services - verbal update

(Item 10)

1. Mr Watts gave a verbal update and presented a series of slides (not included in the agenda pack) which set out the current model of legal commissioning and the options for future models, to reframe the service and build capacity.
2. The update was noted, with a request for a fuller written report to a later meeting, setting out detail and costings for the commissioning of legal services, as well as a report about other County Council traded services.