

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 Thursday, 9 March 2023

PRESENT: Mr R J Thomas (Chair), Mr N Baker, Mr T Bond, Mr A Brady, Mr N J D Chard, Mr P C Cooper, Mr M Dendor, Mr A J Hook, Rich Lehmann, Mr J P McInroy, Mr H Rayner and Dr L Sullivan

ALSO PRESENT: Mr R Gough and Mr P Oakford

IN ATTENDANCE: Mrs A Beer (Deputy Chief Executive), Mr B Watts (General Counsel), Mr D Whittle (Director of Strategy, Policy, Relationships and Corporate Assurance), Ms L Gannon (Director of Technology), Miss K Reynolds (Democratic Services Officer), Mr R Clark (Contract and Commissioning Support Manager), Ms C Harrington (Procurement and Commercial Manager, Strategic Commissioning), Ms L Merchant (Senior Commissioner), Mr J Sanderson (Head of Property Operations) and Mr A White (Estates Surveyor)

UNRESTRICTED ITEMS

130. Apologies and Substitutes

(Item 2)

Apologies for absence had been received from Mr Bartlett, Mr Barrington-King, Mr Cannon and Mr Cooke. Ms McArthur was present as substitute for Mr Bartlett.

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

(Item 3)

There were no declarations of interest.

132. Minutes of the meeting held on 18 January 2023

(Item 4)

It was RESOLVED that the minutes of the meeting held on 18 January 2023 are correctly recorded and they be signed by the Chair. There were no matters arising.

133. Update from the Contract Management Review Group (CMRG)

(Item 5)

1. Ms Louise Merchant introduced the item which provided and update on the work of the Contract Management Review Group (CMRG), following the previous report in July 2022, and the proposed forward plan of reviews for 2023. Mr Paul Cooper, the Chair of the CMRG, highlighted that the membership was now drawn from across the political spectrum.

2. In response to questions and comments from Members Ms Merchant said that:
 - a) There was opportunity for the learning from the contract reviews to be considered when entering into future contracts.
 - b) The CMRG's remit was limited to contract management reviews to provide assurance as to good practice in the management of KCC contracts. The CMRG were not involved in the commissioning or business plan process.
3. RESOLVED to consider this update and endorse the proposed forward plan of reviews for CMRG.

134. Risk Management: Chief Executive's and Deputy Chief Executive's Departments
(Item 6)

1. David Whittle and Mr Gough introduced the paper which presented the strategic risks relating to the Chief Executive's and Deputy Chief Executive's Departments, in addition to the risks featuring on the Corporate Risk Register that fall within the relevant Cabinet portfolios. It was said that some risk descriptions had been updated to be more relevant within the post-Covid-19 context.
2. In response to questions and comments from Members it was said that:
 - a) The target score for CRR0054 (Supply chain and market challenges) would be agreed once the commissioning re-design had been completed. Members expressed concern that the decision-making timelines under current commissioning process did not allow adequate time for Members to sufficiently consider the alternative options.
 - b) There would be ongoing training sessions offered to Members to minimise the risks related to CRR0014 (Cyber and Information Security Resilience).
 - c) With reference to CRR0058 (Recruitment and retention of the workforce) it was said that staff engagement was fundamentally important for retention. The implementation of action plans arising from latest staff survey was planned to be completed in June 2023, however, the findings had already started to influence directorate-led activities.
 - d) The scope of CRR0045 (Maintaining effective governance and decision making in a challenging financial and operating environment) would be re-evaluated in light of concerns raised by the Committee. There was ongoing work, including that undertaken in response to the Annual Governance Statement for 2021-22, which aimed to ensure that the Chief Executive Officer had a fit for purpose support and governance structure.
3. RESOLVED to consider and comment on the risks presented.

135. Minor Works Construction Partnership Framework - Update
(Item 7)

1. Mr Oakford, Mr James Sanderson and Mr Robert Clark introduced the paper which set out the benefits and challenges facing the Council and its partners for four options that were considered for the future provision of these works; the recommended option to implement a Minor Works Framework model; and the planned procurement process to select the Framework suppliers.

2. In response to questions and comments from Members it was said that:
 - a) The model would be delivered in accordance with the Public Contract Regulations (PCR 2015). These regulations restricted the selection criteria for contractors; however, this framework model was designed to assist small and medium sized enterprises (SMEs). The selected contractors would have permission to subcontract work.
 - b) This approach would reduce the time and resources required to openly tender work opportunities across a greater number of suppliers. Members requested that the estimated savings through the use of this framework be presented to the Committee ahead of the key decision which was expected to be taken in December 2023.
3. RESOLVED to note the preferred procurement option and timetable for this activity.

136. Construction Consultancy Services Framework Commission - Update
(Item 8)

1. Mr James Sanderson and Ms Carlyne Harrington introduced the report which provided an update on progress with the Construction Consultancy Services Framework procurement. It was said that since the publication of the report, the 'Selection Questionnaire Evaluation and Moderation' had been completed. It was highlighted that 77 percent of the suppliers were small and medium-sized enterprises (SMEs). In addition, 49 percent of the suppliers were Kent-based or had offices in Kent. Members were told that a key decision was expected to be taken in July 2023 to achieve contract awards to enable the framework to become operational from October 2023.
2. In response to questions and comments from Members it was said that for projects typically procured through the Major Construction Partnership, the liability for surveys would be with the contractor who has the design liability. Typically for projects procured through the proposed Minors Works Construction Framework, but using consultants to provide surveys, the liability and associated warranties would be with the consultant procured off this proposed framework.
3. RESOLVED to note progress.

137. 23/00020 - Granting of Long Lease to UK Power Networks for operation and use of Sub Station at St Edmunds Church of England Primary School, West Kingsdown.
(Item 9)

1. Mr Oakford introduced the report which outlined a proposed key decision to grant a Lease for over 20 years to UK Power Networks for occupation and use of a new Electricity Sub Station located within the grounds of St Edmunds Church of England Primary School, West Kingsdown.
2. In response to questions and comments from Members it was said that:

- a) The proposed air source heat pump system was approximately three times more efficient than the existing oil-based heating system.
 - b) Although KCC had received £250k towards the cost of upgrading to air source heat pumps at St Edmunds Church of England Primary School through the Public Sector Decarbonisation Programme, UK Power Networks would be responsible for the costs incurred in providing and maintaining the substation.
3. RESOLVED to consider and endorse or make recommendations to the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services on the proposed decision to:
- a) authorise the granting of a new lease, for a term in excess of 20 years, in order for a new electricity substation to be built within the school grounds. This will serve new operational accommodation and development within the school grounds; and
 - b) authorise the Director of Infrastructure, in consultation with the Deputy Leader and Cabinet Member for Finance, Corporate and Traded Services, to take necessary actions, included but not limited to entering into relevant contracts or other legal agreements, as required to implement this.

138. Work Programme 2023

(Item 10)

RESOLVED to consider and note the Policy and Resources Cabinet Committee planned work programme for 2023.

139. Annual Cyber Security Update

(Item 11)

1. Ms Lisa Gannon and Mr James Church introduced the report which updated the Committee on the Council's current approach to cyber security. Members were reminded of the operating environment and the cyber security activity and trends in 2022.
2. In response to questions and comments from Members it was said that:
 - a) As part of the Council's technical security roadmap, further training material would be provided to staff and Members.
 - b) It was agreed that the statistics on web blocking would be included in a future report.
3. RESOLVED to note the Council's current approach to cyber security.