

Agenda Item No 7 (e)

DERBYSHIRE COUNTY COUNCIL

CABINET

16 June 2015

Report of the Strategic Director for Children & Younger Adults

REPORT ON THE OUTCOME OF THE CONSULTATION REGARDING THE PROPOSAL TO TRANSFER THE EREWASH KEY STAGE 3 PUPIL REFERRAL UNIT FROM BREADSALL TO ILKESTON AND TO TRANSFER BREADSALL CE PRIMARY SCHOOL TO A NEW SITE - (CHILDREN AND YOUNG PEOPLE)

1. Purpose of Report

To advise Cabinet of the responses to the Authority's statutory consultation on a proposal to Transfer the Erewash Key Stage 3 Pupil Referral Unit from Breadsall to Ilkeston and to transfer Breadsall CE Primary School to a new site.

2. Information and Analysis

On 10 February 2015, Cabinet gave approval for a statutory consultation to be undertaken on the proposal to transfer the Erewash Key Stage 3 Pupil Referral Unit (PRU) from Breadsall to Ilkeston and to transfer Breadsall CE Primary School to a new site.

The consultation was held from Monday 23 February to Friday 17 April 2015. Statutory Notices were published in the local press, on the PRU and school web sites and displayed outside the existing and proposed sites for the PRU. A consultation paper was published on both the Derbyshire County Council, PRU and School web sites and pupils, parents and staff of both the PRU and School were informed through the regular PRU and School newsletters. The consultation document was also sent to other local schools, libraries and local elected members and bodies.

During the consultation period, a total of 4 responses were received. Of these responses, 2 were in favour of the proposal and 2 were opposed. The two responses in favour were from Breadsall Parish Council and the Elected Member for Breadsall & West Hallam. Breadsall Parish Council has no objections to the proposals in principle but has

requested clarification of particular aspects of the proposals relating to Breadsall village.

The two responses opposed to the proposals are from DCC employees currently working at the PRU on Brookside Road Breadsall and who also live in Breadsall village. The objections are both due to the proposed change in location of their regular place of work and the increased travelling time involved.

Support for the proposal

Breadsall Parish Council said that they have no objections in principle and fully support the proposals but asked for clarification of the following points: the access from Brookside Road through the bungalow garden to the area proposed for sale and the probable end use of this land; a request for access to the top part of the Memorial Hall playing fields; the amount of car parking provision on the school site for teaching staff and for parents dropping off children; concerns about congestion on Brookside Road and the future use of the old primary school site if the school vacate the premises.

Authority's comment

The access to the land from Brookside Road proposed for sale is shown in the consultation document as being through the bungalow garden which is land owned by DCC. Ideally, access to this area would be along the existing adjoining farmers track with the agreement of the land owner, not through the bungalow garden. This would be explored with the land owner at a later date.

The potential capital receipt from the sale of land will provide a significant contribution towards the cost of establishing the primary school on this new site. The exact nature of the development of the land proposed for disposal would be a matter for a developer to agree with Erewash Borough Council (EBC).

Public access through the new school site to the top of the Memorial Hall playing fields would not be provided as this would compromise the security of the children and the site and contravene current thinking on safeguarding children. It might be possible, however, for future access to be gained through the area of land proposed for sale and this would be a matter for the developer and EBC.

During the design process, discussions will be held with both Derbyshire County Council Highways and Planners as regard to the traffic impact on the area and any necessary mitigating measures that

may be necessary. Sufficient car parking will be provided on the site for all staff and visitors. As part of the formal planning submission, a Traffic Plan will be prepared which analyses how all staff and pupils will reach the site and what measures need to be adopted in order to make these journeys as safe as possible and minimise the use of private cars.

The existing primary school site is covered by a 'Reverter Clause' which means that if the building ceases to be used for educational purposes the proceeds of the disposal will revert to the original estate without financial gain to Derby Diocese, Derbyshire County Council or Breadsall Primary School.

Opposition to the proposal

The two responses opposed to the proposals are from DCC employees currently working at the PRU on Brookside Road Breadsall and who also live in Breadsall village. The objections are both due to the proposed change in location of their regular place of work and the increased travelling time involved.

Authority's comment

The position in relation to this objection is covered in the Human Resources considerations.

Next steps

Officers will now engage in detailed design work to remodel & refurbish one of the blocks on the Bennerley Site, Ilkeston for the PRU and the site at Brookside Road, Breadsall for the primary school.

Officers will proceed with the submission to the DfE for the disposal of the footprint of the vacated buildings on the Bennerley Avenue site.

3. Financial Considerations

The summary table below shows the headline budget figures. For this project to proceed, a capital allocation of up to £1.7m will be required. This will be subject to a further report to Cabinet when a tender price is received for the remodelling & refurbishment work on the Bennerley site.

	Expenditure £		Income £	
Breadsall DSC site	Remodel & refurbish the PRU into new primary school.	1.75m	Sale of partial site for capital receipt.	2-2.5m
Bennerley Site (ex IOEA)	Remodel & refurbish one block for PRU + 2 other services.	2.5-3m	Sale of partial site for capital receipt	1.05m
	Total	4.25-4.75		3.05-3.55

In addition, there may also be additional staff transport costs as a result of the HR considerations set out in Section 4 below.

4. Human Resources Considerations

This relocation will require changes to work base for the staff and agreement for this relocation will be sought through voluntary means. Annex A. shows the job titles and full time equivalent (FTE) status of the 19 individuals. In the event that a change of work base results in an employee moving more than 5 miles away from their current work base and is further from their home, then excess travel time allowance and expenses will be paid for up to three years. In the interests of best practice and subject to approval, there will be consultation with staff and trade unions as soon as possible. If agreement cannot be reached for this move of base then redundancy processes may need to be applied.

5. Legal Considerations

The consent of the Secretary of State to dispose of land at the Bennerley site has been sought but not yet received, and any decision to approve the transfers is subject to receipt of it. The statutory process requires a decision to be made within 2 months of the end of the representation/consultation period. The consultation period ended on 17 April so a decision needs to be made by 17 June. If this matter is not decided by the Authority by that date, the decision defaults to the Schools Adjudicator.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered:- prevention of crime & disorder, equality of opportunity, environmental, health, property, economic regeneration and transport considerations.

- 7. Is it necessary for the call-in period to be waived in respect of the decisions being proposed in the report?** Yes. The legal considerations are clear that a decision is required by 17th June so it is necessary for call-in to be waived. In order to achieve this it has been necessary to request that Cllr Diane Charles, Chair of the Improvement and Scrutiny Committee - People, considers the proposed waiving of call-in in respect of this report. Councillor Charles has agreed that both the decision proposed is reasonable and that it be treated as a matter of urgency in order to ensure that a decision can commence as soon as possible.

8. Background Papers

These are held on file in the CAYA Development Section.

- 9. Key Decision** No

- 10. Officer Recommendation** That Cabinet approves:-

The transfer of the Erewash Key Stage 3 Pupil Referral Unit from Breadsall to Bennerley, Ilkeston

The transfer of Breadsall Primary School from the site on Moor Road to the new site on Brookside Road

The use of capital receipts from the disposal of the land on the Brookside Road, Breadsall site and the disposal of the land on the Bennerley Avenue, Ilkeston site towards the cost of remodelling and refurbishing work on both sites

The preparation of a further report to confirm the budget and the tender price for the first phase of the works at the Bennerley site

Ian Johnson, Strategic Director for Children & Younger Adults

Annex A.

Erewash KS3 Pupil Referral Unit staff structure.

PAYROLL NUMBER	ROLE	FTE
D8458233	Specialist Teaching & Learning Assistant	1
D8450794	Teacher	1
38451294	Business Services Assistant	0.8
D8450389	Senior Head of Centre	1
A2735507	Business Services Assistant	0.7
D8450327	Teacher	1
D8451232	Business Services Assistant	1
D8450375	Head of Provision	1
D8019059	Specialist Teaching & Learning Assistant	1
38451059	Business Services Assistant	1
D8450545	Specialist Teacher	1
38458250	Specialist Teaching & Learning Assistant	1
71034688	Teacher	1
71002357	Specialist Teaching & Learning Assistant	1
38450610	Teacher	1
D8458063	Specialist Teaching & Learning Assistant	1
33280025	Teacher	0.4
D8451106	Business Services Officer	1
71002599	Business Services Assistant	0.6
New employee - not started yet		0.4