

PUBLIC

MINUTES of a meeting of **CABINET** held on 14 September 2017 at County Hall, Matlock.

PRESENT

Councillor B Lewis (in the chair)

Councillors A Dale, A Foster, C Hart, T King, S A Spencer and J Wharmby

Also in attendance – Councillor A Western

231/17 MINORITY GROUP LEADERS' QUESTIONS

There were no Minority Group Leaders' questions.

232/17 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 20 July 2017 be confirmed as a correct record and signed by the Chairman.

233/17 CABINET MEMBER MEETINGS – MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Council Services – 18 July 2017
- (b) Highways, Transport and Infrastructure – 20 July 2017
- (c) Adult Care – 27 July and 31 August 2017
- (d) Young People – 1 August 2017
- (e) Economic Development and Regeneration – 4 August 2017
- (f) Strategic Leadership, Culture and Tourism – 31 August 2017

234/17 CORPORATE PARENTING COMMITTEE – MINUTES

RESOLVED to receive the minutes of the meeting of the Corporate Parenting Committee held on 18 July 2017.

235/17 REPORT ON THE AUTHORITY'S RESIDENTIAL CARE HOMES

The Chairman of the Improvement Scrutiny Committee – People presented the final report into the Improvement Scrutiny Review on the Authority's Residential Care Homes. The report detailed the research, meetings and evidence gathering which had informed the review and helped develop the observations and recommendations. Cabinet was asked to indicate whether it accepted some or all of the recommendations. As recommendations were implemented, progress would be monitored by the Improvement and Scrutiny

Committee through an action plan, a template of which was appended to the report.

RESOLVED to (a) agree the recommendations contained within the Improvement and Scrutiny Committee - People on its report on the Authority's Residential Care Homes; and

(b) note that, as recommendations were implemented progress would be monitored by the Improvement and Scrutiny Committee – People at strategic intervals.

236/17 COMMUNITY PRIORITIES PROGRAMME (Strategic Leadership, Culture and Tourism) The Assistant Chief Executive provided an overview of the projects supported by the Community Priorities Programme over the previous twelve months and to outline proposals to maximise spend over the remaining ten months of operation.

At its meeting on 24 May 2016, Cabinet agreed to establish a £2.271m Communities Priorities Programme using one-off resources identified from General Reserves. The Programme, which had now been in place for over twelve months, targeted and supported activity in designated geographical areas, devolving funds to a local level to support community activities, particularly those which helped communities help themselves and which supported the Council's priorities including the current work on Thriving Communities.

Since the Programme had been established, 136 Community Priorities Projects, totalling £1,303,342 had been approved, a full list of which was attached at Appendix A to the report.

Moving forward, approximately 57% of the Communities Priorities Programme total allocation had been spent in its first year operation, leaving £967,658 available for projects over the forthcoming year. A number of projects were currently in the process of being developed in localities eligible for support and this work continued to be supported by staff in the Policy and Research Division who liaised with Elected Members to ensure identified activity met eligibility criteria, involved local people in its design and was sustainable moving forward. Despite best efforts, a number of areas had been unable to fully spend their allocations.

Work to support Elected Members in identifying suitable projects would continue. However, to ensure that the programme achieved its aims and made the best use of available funding during its final year of operation, it was proposed that there be greater flexibility in the geographical areas

targeted by the Programme during this time. This would allow Elected Members to have discretion to allocate funding which had not yet been committed, to projects within their electoral division which met all other Community Priorities Programme eligibility criteria.

The Programme would run until the end of June 2018 and funds which had not been committed at this time would be returned to the General Reserve. Moving forward, it was recommended that updates on progress continue to be reported to the Cabinet Member for the Strategic Leadership, Culture and Tourism on a quarterly basis. A full evaluation of the Programme would also commence shortly to demonstrate the impact that funding had had on local people and communities and to identify lessons learnt to support the development of future programmes the Council may wish to undertake.

RESOLVED to (1) note the 136 Community Priorities Programme Projects totalling £1,303,342 that had been approved over the last twelve months; and

(2) approve proposals set out in the report to make best use of the remaining Community Priorities Programme allocation of £967,658.

237/17 DYING TO WORK CHARTER (Council Services) The Strategic Director – Corporate Resources sought approval to the adoption of the Dying to Work Charter. In 2016, the TUC launched a campaign to encourage organisations to commit to supporting and helping terminally ill workers by agreeing to sign up to the Dying to Work Charter. The Charter supported workers who were diagnosed with terminal illness and included a series of commitments from employers, further details of which were presented in the report.

RESOLVED to support the Dying to Work Campaign and sign up to the Dying to Work Charter.

238/17 TREASURY MANAGEMENT (Council Services) The Director of Finance and ICT reported on Treasury Management activities during the previous financial year 2016 – 2017 and indicated the Council's compliance with the Prudential Indicators set by full Council at its meeting on 10 February 2016, in accordance with the terms of the Prudential Code for Capital Finance in Local Authorities.

RESOLVED to note the report.

239/17 APPOINTMENT OF EXTERNAL AUDITOR (Council Services) The Director of Finance and ICT requested Cabinet to note and approve the

acceptance of the proposed appointment by Public Sector Audit Appointments Limited of Mazars LLP as the External Auditor of the Council's statement of accounts for 5 years from 2018–19.

RESOLVED to note and approve acceptance of the proposed appointment by Public Sector Audit Appointments Limited of Mazars LLP as the External Auditor of the Council's statement of accounts for five years from 2018–19.

240/17 DERBY AND DERBYSHIRE ANNUAL CASUALTY REPORT 2016 (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities reported on the Derby and Derbyshire Annual Casualty Report 2016 and sought approval for the wider publication of the report both in the electronic and printed format. A copy of the report was attached as an Appendix to the report.

RESOLVED to (1) note the current trend in road casualties as reported in the Derby and Derbyshire Annual Casualty Report 2016; and

(2) approve its wider publication both in electronic and printed format.

241/17 ACTION PLAN FOR REDUCING HARMFUL EMISSIONS: DEVELOPING A STRATEGIC APPROACH TO SUPPORTING INFRASTRUCTURE INVESTMENT AND THE USE OF LOW EMISSION VEHICLES (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities sought approval to develop a strategic approach to the development of policy and subsequent action plans to support appropriate infrastructure investment and encourage the take-up and use of low emission vehicles in Derbyshire.

The Council already had in place a sound platform for the developing and strengthening its approach to reducing harmful emissions and forming the basis for an immediate action plan through the recent Energy Briefing (August 2017), which set out priority areas including electric vehicles and air quality and energy supply. Similarly, the current Corporate Environmental Policy made the following relevant commitments:

- Transport – reducing the social and environmental impacts of road vehicles on Council business and encouraging the use of more sustainable modes of transport for all journeys.
- Environmental Education – raising awareness, educating and training employees and providing information to the public on environmental policies, practices and issues.

The Derbyshire Local Transport Plan, 2011–16, included tackling climate change, improving quality of life and promoting a healthy natural environment as two of its five strategic goals. More specifically, the current Council Plan 2017–18, made a specific commitment to explore opportunities to develop low carbon vehicle charging infrastructure across the County.

There was scope however, to ensure stronger co-ordination between policy areas to drive forward more strategic decision-making, particularly in terms of investment planning, and it was proposed that the Council's existing Environmental Sustainability Group would be an appropriate arena in which the relevant issues, opportunities and forward strategies could be discussed.

Alongside the development of a more co-ordinated approach was the delivery of specific projects in the short-term, further details of which were presented. Some targeted funding was already available to support the development of electrical charging infrastructure and it was likely that, given the Government's and the vehicle manufacturers' commitment to reducing emissions, that more funding would become available over the coming years. In this regard, the development of strategic approach to infrastructure investment and planning as detailed in the report, would help ensure that the Council could maximise opportunities to access and make use of such money.

In the short-term, it was recommended that the Council develop a proposal for submission for which capital match-funding could be provided through the Local Transport Plan Programme, starting in 2017-18, for the purposes of stimulating the take-up of low emission vehicles. It was accepted that there would be initial challenges in commencing this work, not least the availability of reserved parking spaces/site/location selection, legal and consultation processes for residential parking, but if the Council and the County was to make progress in tackling this important issue, a starting point needed to be established.

There were a number of initiatives to generate electricity from sustainable sources taking place across the County. Wind-turbines and solar farms were already in place and there was a genuine scope for the introduction of hydro-electric schemes and heat exchange from thermal waters. In addition, there were small-scale examples of electric vehicle fleet supplied by renewables. Clearly, it would be advantageous if Derbyshire could offer a good network of charging points and link these to renewable sources. Whilst initially this might need to be restricted to the identification of some pilot projects, as part of the continued development of the Council's strategic approach, it was recommended that opportunities be kept under review.

RESOLVED to (1) agree that the Council's Environmental Sustainability Group develops and brings forward recommendations to Cabinet of a new strategic approach to support infrastructure investment planning and decision-making in relation to reducing the harmful emissions of the County's transport network;

(2) agree that an action plan be developed for Cabinet approval covering the key areas for implementation as outlined in the report and that progress be subsequently monitored and reported through the Environmental Sustainability Group and the Economy Transport and Community Service Plan as appropriate;

(3) note the potential for external grant funding to be secured for the provision of charging points and approve, in principle, the submission of bids where local match-funding was available for existing budgets; and

(4) agree to host an event with key partners, manufacturers and policy makers to explore the developing market and opportunities for joint working.

242/17 KEY CYCLE NETWORK DEVELOPMENT (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities sought approval to undertake a public consultation on a draft Key Cycle Network for Derbyshire and to use the outcomes to determine future of priorities through investment. The report also sought approval to develop a draft Cycling Infrastructure Delivery Plan, further details of which were presented in the report.

RESOLVED to (1) agree in principle to the draft Key Cycle Network shown in drawing number DIIP-17-01 and to public consultation on this being arranged through Derbyshire Sport for a twelve week period running from Autumn 2017 to early 2018; and

(2) note the intention to develop a draft Cycling Infrastructure Delivery Plan, to be reported to Cabinet, having regard to the consultation response on the draft Key Cycle Network.

243/17 HOUSING INFRASTRUCTURE FUND (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Communities updated Cabinet on potential funding opportunities for infrastructure to unlock housing sites in the County and sought agreement for the Council to prepare suitable projects for submission, working in collaboration with other upper tier and district/borough authorities in the region.

The Housing Infrastructure Fund was announced by the Government during July 2017, as its ambitious £2.3bn investment programme to unlock sites and bring forward much needed housing. The target was to facilitate delivery of up to 100,000 homes across England and it was to be spent predominately in the period up to 2021. The fund would be divided into two streams: Marginal Viability Funding and Forward Funding, further details of which were presented in the report.

The timetable for both bid preparation and project delivery was challenging and Government had confirmed that all funding would need to be fully spent by March 2021, which gave either a three or four year timetable for the Marginal Viability and Forward Funding respectively, essentially implying that pipeline projects were most likely to be successful.

Although the County Council did not automatically have a role to play in for Marginal Viability Funding, much of the infrastructure linked to the sites was likely to relate to the County Council functions such as education, flood prevent or highways. On this basis, joint discussions with district and borough authorities was on-going to collate and agree appropriate examples of schemes currently under consideration being presented in the report.

The main challenge for submission to the Forward Funding Fund was ensuring projects were in a sufficient state of readiness to be deliverable between 2018 when the projects would be announced, and 2021. At present, there were a number of potential interventions within Derbyshire on the scale envisaged for Forward Funding that could form the basis of a strategic bid, primarily linked to the two HS2 growth zones in the north and south of the County, further details of which were presented in the report.

It was likely that infrastructure proposals would come forward from Nottinghamshire and Nottingham City for inclusion in a wider HS2 Growth Strategy submission. It was a requirement of Forward Fund bids that they demonstrated strong local commitment to delivery and it was anticipated that the Derby, Derbyshire, Nottinghamshire and Nottingham Local Enterprise Partnership (D2N2 LEP) would offer to co-ordinate the bid in order to make it as strong as possible. In order to assemble a strong proposals by the deadline of 28 September 2017, a significant amount of work was required to be undertaken on the costs, benefits and deliverability of individual projects within the proposed submission, and it was possible that further to this assessment, some projects might need to be omitted if they weakened rather than strengthened the overall business case.

The need to submit an expression of interest by 28 September 2017 precluded formal reports to Cabinet and it was recommended that Cabinet

authorise the Strategic Director – Economy, Transport and Communities and the Director of Finance & ICT to approve the County Council elements of a Forward Funding bid, following discussion with a Cabinet Member for Highways, Transport and Infrastructure and the Cabinet Member – Economic Development and Regeneration.

Nottinghamshire County Council had procured through existing frameworks, consultancy services to support a Forward Funding application. Any Derbyshire County Council contributions to the preparation of the Forward Fund expression of interest bid, would be met from within existing Economy and Regeneration Service Revenue budgets. Costs were not yet known, but Cabinet was requested to authorise a maximum contribution of £15k.

RESOLVED to (1) note the intentions of Derbyshire District and Borough Councils to submit proposals for Marginal Viability Funding to unlock a number of housing sites across the County and that some of these would involve infrastructure for which the Council might become responsible;

(2) approve in principle, the submission of a Forward Funding bid by the County Council and partners for a package of major infrastructure associated with the Growth Strategy for High Speed Rail in the East Midlands; and

(3) approve the engagement, jointly with Nottinghamshire County Council, of consultants to assist with the preparation of a Forward Funding bid with a maximum contribution of £15k; and

(4) authorise the Strategic Director – Economy, Transport and Communities and the Director of Finance & ICT to approve the County Council elements of a Forward Funding bid, following discussion with the Cabinet Member, Highways, Transport and Communities and the Cabinet Member – Economy, Economic Development and Regeneration.

244/17 FUNDING FROM THE HOME OFFICE: VIOLENCE AGAINST WOMEN AND GIRLS SERVICE TRANSFORMATION FUND 2017-2020

(Health and Communities) The Strategic Director – Economy, Transport and Communities reported on an urgent decision taken by the Chief Executive in relation to the acceptance of a grant of £400k from the Home Office Violence Against Women and Girls Service Transformation Fund.

RESOLVED to note the Chief Executive's decision to use his urgent powers to accept a grant of £400k from the Home Office to extend prevention activity across the County.

245/17 TIER 4 RESIDENTIAL SUBSTANCE MISUSE TREATMENT

SERVICES (Health and Communities) The Director of Public Health sought approval for the re-procurement of a framework contract for the delivery of the Substance Misuse Residential Rehabilitation Treatment Service from 1 October 2018.

At its meeting on 28 July 2015, Cabinet approved the award of two associated framework agreements for residential services for substance misusers: Inpatient Detoxification and Residential Rehabilitation treatment.

Inpatient detoxification was usually for the duration of one to two weeks and therefore needed to be easily accessible and clinically appropriate. There were currently three providers delivering services under this framework agreement whose performance had been satisfactory. Substantial cost savings per bed day were obtained at the last procurement and as the market had not shown any significant developments, there seemed to be little likelihood of achieving further savings through re-procurement at the current time.

Residential Rehabilitation treatment was usually between three and six months in duration and was usually undertaken away from a home locality. It consisted of intensive therapeutic treatment with a variety of approaches and programmes being offered. It was important that each client selected a programme which was individually suited to them to increase the likelihood of a successful outcome. It was therefore, important that the framework contained providers with a wide variety of different programmes and approaches. Having commenced with fifteen providers under this framework agreement, subsequent closures had resulted in a reduction to eleven providers within two years. This restricted the breadth of programme choice, and therefore the proposal was to re-procure this framework contract for a three plus one year period to commence 1 October 2018, with an increased maximum of twenty providers to allow capacity for any future service closures.

RESOLVED to approve the re-procurement of a framework contract for Substance Misuse Residential Rehabilitation Treatment Services as detailed in the report.

246/17 CONSULTATION ON THE CLOSURE OF HAZELWOOD CARE

HOME, COTMANHAY (Adult Care) The Strategic Director – Adult Care sought approval for the commencement of consultation on the possible

closure of Hazelwood care home, Cotmanhay, for only essential maintenance and refurbishment work to be carried out pending the outcome of the consultation and for Cabinet to receive a further report on the outcome of the consultation, along with an Equality Impact Assessment.

Hazelwood was a thirty bed care home in Skeavingtons Lane, Cotmanhay. It was constructed in 1972 having four wings with ten bedrooms on each of three of the wings. The fourth wing, which previously also had ten bedrooms, was converted into a rehabilitation day unit in 2005 for use by Derbyshire Community Health Services Foundation Trust (DCHSFT). This had since been vacated by DCHSFT and has remained empty ever since.

The prospective work programme for essential maintenance and repairs were presented in the report at a total cost of £1.695m. The estimated timescale for the work to be undertaken was two years and this would mean that at least ten of the beds at the home would need to remain vacant during this time period which would lead to an additional cost. This was estimated to be £0.489m. The total cost of the works required and the loss of income had resulted in an alternative option being considered.

It was proposed that the refurbishment and remedial work other than any urgent essential work required to keep the property safe be put on hold whilst consultation was undertaken on the possible closure of Hazelwood. The cost of the maintenance and refurbishment identified as being required, plus the loss of income during the time period of work being undertaken, was significant and did not represent the best use of resources, if it were to be decided to close the home in due course. However, the delay in carrying out these works should not be interpreted as meaning such a decision had already been made. No decision would be made as to whether the existing home would be closed until the consultation was complete and the views expressed during the consultation had been fully considered by Cabinet.

There are currently twenty-five residents living at Hazelwood. In addition, regular day care and respite care clients would also be involved in the consultation. Were a decision made to close the home any move would not take place until a comprehensive person centred assessment had been conducted in accordance with the Council's established procedure for closure of establishments set out in the "Major Change and Closure Guidance".

It was proposed that the consultation commence on 21 September 2017 and ending on 14 December 2017, further details of which were presented. Careful consideration would be given to gathering the views of all clients and carers and to ensure that they had every opportunity possible to make their views known. These would be summarised, alongside all the views of other

interested parties, and would form the centrepiece of a further report on the outcome of the consultation. This together with an Equality Impact Assessment would be prepared to enable Cabinet to make a decision on the future of Hazelwood.

RESOLVED to (1) approve the commencement of consultation on the possible closure of Hazelwood care home, Cotmanhay;

(2) approve a delay in essential maintenance and refurbishment work other than urgent work pending the outcome of the consultation; and

(3) agree to receive a further report on the outcome of the consultation along with an Equality Impact Assessment on the proposal.

247/17 RETHINK FOCUSLINE (Adult Care) The Strategic Director – Adult Care sought Cabinet approval to cease the Adult Care grant-funded financial contribution of £62,256 to Rethink Focusline from 30 November 2017

Adult Care and Derbyshire CCG's had been joint grant funding Rethink Focusline for a number of years, with Hardwick CCG currently holding the contract on behalf of all partners. The service currently operated from a base in Sutton-in-Ashfield which was also used to deliver the service commissioned by Leicester, Leicestershire and Rutland for their residents. The service was also previously funded by Lincolnshire, Nottingham City and Nottinghamshire and Derby City. However, all of these parties had ceased their funding over recent years and Leicester, Leicestershire and Rutland would cease their element of the funding at the end of September 2017. The loss of this funding to Focusline meant that the service would no longer be viable in its current format.

Discussions were held with Rethink as to the future provision of the service with two options emerging:

- Option 1 was to decommission the service and distribute any remaining funding to alternative services.
- Option 2 was consider the integration of Focusline with the NHS 111 service.

Due to other funding streams ceasing at the end of September 2017, a public consultation on the future of the Rethink Focusline service was conducted between 14 June and 26 July 2017, further details of which were presented in Appendix 2 to the report.

The most preferred Option chosen in the consultation was Option 2.

The feedback from the consultation had also been used to inform the Equality Impact Analysis, details of which were presented at Appendix 3 to the report.

RESOLVED to agree to cease the current grant funding of £62,256 to Rethink Focusline with effect from 30 November 2017.

248/17 LEARNING DISABILITY REPRESENTATION AND ENGAGEMENT (Adult Care) The Strategic Director – Adult Care sought approval for a new model to support Learning Disability Representatives on the Learning Disability Partnership County and local Boards (Reps). This was following a report agreed by the Cabinet Member on the 16 March 2017, to enable additional funding until March 2018 for the MacIntyre Project which currently supported Reps on Board.

MacIntyre was a national charity providing specialist support services for children, young people and adults with Learning Disabilities which had previously been awarded a grant to support engagement with people with learning disabilities. This was in response to the National Initiative in Valuing People in 2007 and the aim was to support and train twenty individuals to be effective members of the local and county Learning Disability Boards. The Boards provided a mechanism to share information and to consult on service developments. The change to this arrangement had come about because MacIntyre had informed the Council that they were unable to fund the 50% they currently provided to support the project.

The proposal was that from April 2018, Learning Disability Reps on the Learning Disability Local and County Partnership Boards would be supported in the role by the Adult Care Stakeholder Engagement Team. The grant that had previously been provided to MacIntyre would be used to fund three part-time employees, seconded for a two year period from the existing group of day centre staff who supported Learning Disability Reps and managed by the Stakeholder Engagement Team in Adult Care. The cost of this was approximately £20,316.

The new model had undergone a comprehensive Equalities Impact Assessment which highlighted that the proposal would provide the opportunity for people who did not attend day centres to be supported as Reps. If the new model for engagement was agreed, the grant given to MacIntyre would end in March 2018.

MacIntyre had offered to provide transition support until October 2018 which would allow time to hand over and explain previous training models and time to support and communicate the changes to Reps and other partners.

RESOLVED to approve the new model to support learning disability representatives on the Learning Disability County and local Partnership Boards to be implemented from March 2018.

249/17 INDEPENDENT SECTOR FEE RATES (Adult Care) The Strategic Director – Adult Care sought approval to:

- increase fee rates for care home placements for older people by £6.83 to cover staff training costs;
- make an additional payment of £15.54 per nursing care home placement per week to assist with sustaining the market;
- make a retainer payment to home care providers when one of their clients was admitted to hospital;
- increase home care travel rates to align travel time with national living wage
- tender for a two year contract with options to extend for up to two further years to develop community-driven social care solutions in rural parts of the County where there were difficulties in recruiting home care staff; and
- purchase up to 300 Red Bags to assist with resident transfer between care home and hospital

RESOLVED (1) from 1 October 2017, to increase fee rates for care home placements for older people by £6.86 to cover staff training costs;

(2) from 1 October 2017, to make an additional payment of £15.54 per nursing care home placement per week to assist with sustaining the market;

(3) to make a retainer payment for up to seven days to home care providers when one of their clients was admitted to hospital;

(4) to increase home care travel rates to align travel time with national living wage;

(5) to tender for a two year contract with options to extend for up to two further years to develop community-driven social care solutions in rural parts of the County where there were difficulties in recruiting home care staff; and

(6) to purchase up to 300 Red Bags to assist with resident transfer between care home and hospital.

250/17 MAINSTREAM SCHOOLS' MEMBERSHIP OF THE SCHOOLS FORUM (Young People) The Strategic Director – Children's Services sought approval to revise the membership of the School Forum.

The Schools Forums (England) Regulations 2012 (as amended) which govern the operation of the Schools Forum require that the membership of the Forum be reviewed periodically to ensure that the allocation of mainstream school places between maintained schools and academies remained broadly representative of the position within each local authority.

An analysis of the October 2016 school census data, updated to reflect the expected changes in the status of schools, resulted in the following proposed membership:

Sector	Current	Revised	Change
LA Maintained Primary - Head	6	6	0
LA Maintained Primary - Governor	6	5	-1
LA Maintained Secondary - Head	3	2	-1
LA Maintained Secondary - Governor	3	2	-1
Academy	4	7	+3
TOTAL	22	22	0

The Forum's Constitution, which defines the Membership and operation of the Forum, was a matter for the County Council. The Schools Forum was asked for its views on the changes at its meeting on 22 June 2017 and no objections were raised.

RESOLVED to approve the changes to the Forum's membership and Constitution.

251/17 NEW PRIMARY SCHOOL AT HILTON (Young People) The Strategic Director – Children's Services updated Cabinet on the progress with the new primary school at Hilton and requested authority for the project development fund.

Under the South Derbyshire District Council Local Plan, a total of 485 houses were planned for the site at The Mease, Hilton, which would generate 97 primary pupils and a new one-form entry primary school was to be built to provide the educational infrastructure for those pupils.

On 15 March 2015, Cabinet approved the George Spencer Academy Trust as the preferred trust to operate the new school at Hilton and the proposal was subsequently confirmed by the Department for Education (DfE). Following

that decision, extensive discussions had taken place with the Trust and the housing developer – St Modwen. Under the current programme, the school was due to open in September 2019. To enable the Trust to enter into a funding agreement with the DfE, the project development funding had to be agreed with the local authority. For new schools where the local authority was leading the process, it was the local authority that must provide revenue funding to allow the Academy to carry out the task as necessary before the opening of the school. The proposed funding was detailed in Appendix A to the report. At a total of £172,600, this was below the level of funding provided by the DfE for free schools under its administration. It reflected an economy of scale as the George Spencer Trust was also delivering a new school at Chellaston Fields as reported to Cabinet on 20 July 2017 (where development funding of £213,000 was approved).

Under the terms of the S106 for the development at The Mease, Hilton, the housing developer was designing and building the one-form entry school with the capacity to expand to a two-form entry school to the specification agreed by the Authority. The trigger within the S106 was the occupation of the 150th house and it was anticipated that that would be reached in May 2019.

RESOLVED to (1) note that Mease Hilton Academy was due to open in September 2019; and

(2) approve the funding of the project development funding of £172,600.

252/17 PROVISION OF A NEW PRIMARY SCHOOL TO SERVE THE HIGHFIELDS FARM DEVELOPMENT, FINDERN (Young People) The Strategic Director – Children’s Services sought approval to consult on a proposal for the establishment of a new primary school at Highfields Farm, Findern.

Under the South Derbyshire District Council Local Plan, there were 1,200 houses planned for a site at Highfields Farm, Bakeacre Lane, Findern, which would generate the need for 240 primary pupil places. In line with the Council’s ‘developer protocol’, funding for a new one-form entry primary school was secured from the developer by means of a S106 agreement that was signed in 2015. The sum was stipulated in the agreement, but with the option for the developer to either build the school to the Council’s standards or transfer the responsibility for the build to the Council. The developer was detailed in the S106 as Taylor Wimpey Developments Limited, David Wilson Homes Limited and Miller Homes Limited, although earlier this year, Miller Homes Limited notified the Council that it did not wish to carry out the build.

The site was currently in the normal area of Findern Community Primary School. The School had undergone expansion to accommodate the first tranche of children from the development, but further expansion was limited.

Other developments were taking place in this area that would add to the demand for primary places and the Authority now needed to commence the design of the new school and to carry out an initial consultation on the proposal to open a new school.

There was broad guidance from the Department for Education (DfE) on the process to be followed to establish a new school (The Free School Presumption, July 2015, DfE). The presumption arrangements required the Authority to seek proposals to establish a free school where they had identified the need for a new school in their area. Details of the key stages of the process were set out in the report.

The development at Highfields Farm was progressing quickly and the anticipated build rate was 130 houses per year. The timing of the new school would be decided based on the funding available, the rate of house building and occupation and places available in other schools in the vicinity, with a view to ensuring the best interests of the education service as a whole. There was an indication however, that the new school could be required as early as September 2019. The commitment of funding to design, the initiation of the formal sponsor selection and the opening date of the new school would all be subject to later Cabinet decisions.

The purpose of the consultation was to establish the principle of the proposal of a new school which would enable subsequent decisions to be taken in a timely way. A copy of the proposed consultation papers was attached as Appendix 1 to the report. The consultation would take place between 28 September 2017 and 2 November 2017.

RESOLVED to approve the undertaking of consultation in relation to the proposal to provide a new primary school.

253/17 CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 – S106 PROJECT ALLOCATIONS (Young People) The Strategic Director – Children's Services informed Cabinet of the receipt of recent Section 106 developer contributions and to sought approval for the allocation of those contributions to projects in line with the individual Section 106 agreements.

Appendix A to the report, detailed the S106 contributions that had been received by the Authority or were available to claim from the District/Borough Councils. South Derbyshire District Council had recently amended its

financial regulations and required confirmation that the projects had been approved by Derbyshire County Council before releasing the funds it has collected from developers, hence the inclusion of these in the report for the first time. Appendix A detailed the schools that were to benefit from the investment together with the planned projects. The total was £796,326.14.

RESOLVED to note the receipt/availability of S106 funding and to approve allocations of:

- (a) £68,394.00 towards a project to build two new classrooms at Etwall Primary School.
- (b) £70,943.90 as a contribution to a scheme that includes improvements to shared parking at Melbourne Infant School and Melbourne Junior School.
- (c) £94,591.86 towards a project to build a new classroom at Melbourne Junior School.
- (d) £150,000 for the design of a new primary school at Boulton Moor.
- (e) £349,797.38 for a project at Clowne Infant and Nursery School to provide additional teaching space and a project at Clowne Junior School to provide group/support and SEN space.
- (f) £37,299 to create nurture and support space at The Brigg Infant School.
- (g) £25,300 towards projects to build a MUGA and carry out internal remodelling at Field House Infant School and create support spaces at Hallam Fields Junior School.

254/17 EXCLUSION OF THE PUBLIC FROM THE MEETING

RESOLVED that the public be excluded from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of the kind of exempt information detailed in the following summary of proceedings.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider Minority Group Leaders' questions.

2. To confirm the Exempt Minutes of the meeting on Cabinet held on 20 July 2017.
3. To receive the Exempt Minutes of Cabinet Member meetings as follows:
 - (a) Council Services – 18 July 2017
 - (b) Highways, Transport and Infrastructure – 20 July 2017
 - (c) Young People – 1 August 2017
 - (d) Strategic Leadership, Culture and Tourism – 31 August 2017
4. To consider exempt reports as follows:-
 - (a) Contract for the supply of an internally hosted Contact Centre Telephony and Multi-Channel Solution with Associated Services – Strategic Director Economy, Transport and Communities (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Award of a contract for the servicing and maintenance of passenger and disabled lifts – Strategic Director Corporate Resources (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (c) Contract extension for the supply and maintenance of a Data Storage Solution and Associated Services – Strategic Director Corporate Resources (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (d) Supply of Commercial Fridges and Freezers – contract award – Strategic Director Corporate Resources (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (e) Arboricultural, Landscaping and Horticultural Training – contract award – Strategic Director Corporate Resources (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

- (f) Award of Passenger Transport Contracts (PTU167) - Strategic Director Economy, Transport and Communities (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (g) Award of School Bus Contracts (PTU170) – Strategic Director Economy, Transport and Environment (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (h) Ashbourne Airfield Industrial Estate Expansion – Strategic Director Economy, Transport and Communities (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (i) Urgent Decisions taken by the Chief Executive – Strategic Director Economy, Transport and Communities (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (j) Support for commissioning arrangements in relation to the Sexual Assault Referral Centre (SARC), Children and Family Independent Sexual Violence Advisors (ChISVA) and the High Risk Offenders Housing Project (ARBOR) – Strategic Director Economy, Transport and Communities (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (k) Contracts for Advisory Services in GP Practices and Family Setting – Director of Public Health (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (l) Re-procurement of the Community Based Falls Prevention Service (Strictly No Falling) – Director of Public Health (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

- (m) Health Check Programme award of contract – Director of Public Health (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (n) Contract extensions for Housing Related Support Services – Strategic Director Adult Care (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (o) Provision of Educational Psychology Services – Award of a Framework Contract – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (p) Electronic Kitchen Manager Solution – Award of a Framework Contract – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (q) The provision of Apprenticeship Sub-Contractors for the delivery of Levy-funded Apprentices for the Council – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))