

MINUTES of a meeting of **CABINET** held on 26 April 2018 at County Hall, Matlock.

PRESENT

Councillor S A Spencer (in the Chair)

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

Also in attendance: Councillors S Bull and A Western.

Apologies for absence were submitted on behalf of Councillor B Lewis.

Declaration of Interest

Mr S Hobbs, Deputy Director of Legal Services, declared a personal interest in agenda item 7(f) – Children’s Services – Outcome of the Consultation on the future of Primary Education in Wirksworth as a School Governor in Wirksworth.

117/18 MINORITY GROUP LEADERS’ QUESTIONS

Councillor A Western asked the following questions in relation to agenda item 7(f) – Children’s Services – Outcome of the Consultation on the future of Primary Education in Wirksworth:

1. The preferred Middle Peak Quarry school site off Middleton Road is a larger area than that off Cromford Road thereby permitting a 3-form entry Primary School building. Has this been chosen because of constraints about the building of a 2 storey primary school?
2. Part of the Cromford Road site is designated in Derbyshire Dales District Council Local Plan as a 2ha. area for employment purposes. What influence if any did this have on the decision to recommend the Middle Peak Quarry site?
3. Can you confirm that until housing development begins on the Middle Peak Quarry site no new Wirksworth Primary School building is likely to commence but give assurance that the community will have a say in the final decision and that the future of Primary Education in Wirksworth with one school on one site will be paramount?

Councillor A Dale, Cabinet Member for Young People responded that the evaluation of the site capacities of the various sites was based on the Department for Education guidance on site areas for schools as set out in Building Bulletin 103 (BB103). A three form entry school required a larger site than a two form entry because of the need for additional playing fields, other outdoor areas, additional parking etc. No speculation around whether the school would be single storey was involved.

The consultation included a full set of scoring criteria and listed the factors that had been considered in the scoring of each site, which in itself was only intended to be a guide for consultation respondents. The current planning status of the site was not a consideration within the scoring. The view of the land owner was considered and this may have been influenced by the current planning status of the site.

The Middle Peak location could potentially be developed independently from housing on that site but this would be very unlikely, so, in all probability, a new primary school building on this site would be linked to this housing development.

This paper was concerned with securing a site for a possible future reorganisation of primary schooling in Wirksworth. Councillor Dale confirmed that the Council were absolutely committed to further consultation with the community and other interested parties preceding any reorganisation proposal. He could not confirm now what would be 'paramount' in any future consultation, particularly as responses to the current consultation were divided on whether 'one school on one site' was the best option for the town. It was also worth reiterating the point made in the paper that, given the mixed opinions within the community, the Council were continuing to look for alternative sites that would satisfy more of the wishes of local people living in Wirksworth.

118/18 MINUTES RESOLVED that the non-exempt minutes of the meeting of Cabinet held on 5 April 2018 be confirmed as a correct record and signed by the Chairman.

119/18 CABINET MEMBER MEETINGS – MINUTES RESOLVED to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- (a) Young People – 3 April 2018
- (b) Highways, Transport and Infrastructure – 5 April 2018
- (c) Council Services – 12 April 2018

120/18 CORPORATE PARENTING COMMITTEE - MINUTES RESOLVED to receive the non-exempt minutes of the Corporate Parenting Committee held on 20 February 2018.

121/18 IMPROVEMENT AND SCRUTINY REVIEW OF EMERGENCY PLANNING Councillor S Bull, Chairman of the Improvement and Scrutiny Committee – Places, presented the final report of the review of Emergency Planning, a copy of which was appended to the report.

RESOLVED to (1) receive the final report of the review of Emergency Planning and accept all its recommendations; and

(2) note that, as recommendations were implemented, progress would be monitored by the Improvement and Scrutiny Committee - Places at strategic intervals according to a completed action plan to be provided to the Committee within two months of the date of this report.

122/18 CAPITAL BUDGET MONITORING TO MONTH 9 2017-2018 (Strategic Leadership, Culture and Tourism) The Director of Finance and ICT informed Cabinet of the latest budget monitoring position for open capital schemes.

The report reflected those schemes that were currently under way and had previous Cabinet approval. Each scheme had a nominated budget holder who was responsible for ensuring the scheme stayed within budget, and who verified the projected spend against their allocated schemes. The report contained some schemes that were open at 1 April 2017 but had been completed and closed in year.

The current budget for open schemes was approximately £701m, with the latest monitoring showing a forecast overspend over the life of the projects of £1.618m. The position statement by department was attached as Appendix 1 to the report.

RESOLVED to note the current position on the monitoring of capital schemes.

123/18 FAIR FUNDING REVIEW (Strategic Leadership, Culture and Tourism) The Director of Finance and ICT provided Cabinet with details of the Fair Funding Review technical document.

On 19 December 2017, the Government issued the latest consultation document 'Fair Funding Review: a review of relative needs and resources: Technical consultation on relative need'. Funding baselines for local authorities, as determined by the local government finance settlement, were based on an assessment of a local authority's relative needs and resources. The methodology behind this assessment was introduced over ten years ago, and had not been updated since the introduction of the 50% business rates retention system in 2013-14.

Since that time, demographic pressures had affected local areas in different ways, as had the cost of providing particular services. In recognition of these pressures, the Government last year announced a review to address concerns about the fairness of current funding distributions. The outcome of this review would enable the Government to reconsider how the relative needs and resources of local authorities should be assessed under a 100% business rates retention system.

RESOLVED to note the details of the consultation and the Council's response.

124/18 A515 ASHBOURNE TRANSPORT STUDY (Highways, Transport and Infrastructure) The Strategic Director – Economy, Transport and Environment advised Cabinet of the findings of recent studies into transport issues around Ashbourne and their potential solutions, and to sought authorisation to undertake Stage 2 work.

At its meeting of 29 June 2017, Cabinet agreed for detailed investigations, surveys and preparatory work to be undertaken to explore and develop strategic solutions to the range of traffic issues being experienced within the unique historic

core of Ashbourne. This particularly related to north-south movements along the A515 which connected the Peak District National Park to the national strategic road network (via the A50 trunk road) and passed through Ashbourne town centre. The work included procuring consultants to carry out Stage 1 activity (detailed surveys, site analysis and the development of strategic options) and to initiate a programme of local stakeholder engagement, including local businesses, residents and Members of Parliament.

Following consideration of the findings of Stage 1, a further Stage 2 report was recommended, constituting further appraisal of options in line with Government guidance on the preparation of major transport projects. The work to explore strategic solutions to the traffic issues in and around Ashbourne was prioritised in the current Council Plan 2018 – 2021 approved by Council on 11 April 2018.

Aecom, the Council's principal consultant on highways and transport matters, had completed Stage 1 work and provided initial reports in relation to baseline conditions, forecasting and options. This work was undertaken based upon a 'fixed fee' basis at a cost of £20k. The headline findings of the various reports were summarised in the report.

To ensure progress and pace were maintained in bringing this priority area of work to a conclusion, it was proposed that the Strategic Director – Economy, Transport and Environment be authorised, in discussion with the Cabinet Member for Highways, Transport and Infrastructure, to approve final versions of the Stage 1 reports. Aecom had been requested, in parallel, to prepare a firm proposal for Stage 2 work to carry out further appraisal in accordance with Government guidance and develop a 'preferred option' for a suitable scheme. The work would also include traffic management arrangements in Ashbourne associated with any new route. This would involve confirming a methodology suitable to support a business case for external grant funding, likely to involve the creation of a traffic model able to test options, and also public consultation on the proposal. Cabinet was requested to approve the commissioning of this Stage 2 work. Given that this constituted progression of 'further appraisal' work on western bypass options, it was recommended that any County Council acquisition or disposal of property relevant to these be suspended pending the approval of a preferred option which would be recommended for protection against any competing development.

RESOLVED to (1) note the Stage 1 work carried out to date on strategic transport options for Ashbourne, as summarised in the report, and to authorise the Strategic Director – Economy, Transport and Environment to approve final versions of the report;

(2) note the progress made on related developments in and around Ashbourne;

(3) agree to "further appraisal" work being carried out at Stage 2 and that it be funded from existing budgets;

(4) approve the suspension of land transactions involving County Council property relevant to the development of potential western bypass options; and

(5) note that a further report would be submitted to Cabinet following completion of the Stage 2 work.

125/18 CHILDREN'S SERVICES CAPITAL PROGRAMME 2017-18 JOINT FUNDING INITIATIVE FOR SCHOOLS – FURTHER ALLOCATIONS (Young

People) The Strategic Director -Children's Services sought approval to a schedule of joint-funded projects submitted by schools as a charge on the budget approved in the 2017-18 Children's Services Capital Programme.

On 20 July 2017, as part of the 2017-18 Children's Services Capital Programme, Cabinet agreed to allocate £500k to continue with the Joint Funding Initiative introduced in 2012-13. This initiative enabled schools to bid for 50% funding support from the Authority to undertake priority schemes which would improve the condition of their school site/buildings and also to improve the safeguarding of children, or to help with the creation of school places utilising existing accommodation. This initiative helped to reduce the backlog of school condition improvement works which was a national and local priority for capital investment.

The Joint Funding Initiative had proved to be very popular with schools, with 309 projects approved to date. Last year, the maximum project amount that schools could bid for was reduced from £50k to £30k (maximum school contribution £15k), so that more schools would benefit from the funding available.

The Authority had received new bids for projects from ten schools, details of which were set out in the Appendix to this report, with the Authority contribution required for all projects being £88,050.

RESOLVED to approve the joint-funded projects as detailed in the Appendix to the report, with funding being split equally between the schools and the Authority, resulting in a charge of £88,050 against the Children's Services Capital Programme.

126/18 CHILDREN'S SERVICES – OUTCOME OF THE CONSULTATION ON THE FUTURE OF PRIMARY EDUCATION IN WIRKSWORTH (Young People) The Strategic Director – Children's Services advised Cabinet of the responses to the Authority's consultation into the future of primary education in Wirksworth.

On 26 October 2017, Cabinet gave approval for an informal consultation to consider the future of primary education in Wirksworth. The Derbyshire Dales District Council Local Plan had identified two significant developments amounting to 771 houses in the town and they would potentially generate an additional 154 primary pupil places.

The consultation was held from 2 November until 17 December 2017, and subsequently extended until 20 January 2018, further details of which were presented. The consultation covered two main issues as summarised below.

Issue 1 - Should the existing infant and junior schools be replaced with a new school to serve the whole of Wirksworth OR should the existing infant and junior schools be retained and a new additional primary school be provided to serve the population increase in Wirksworth?

Issue 2 - Where would be the best location for a new school whether it was a replacement school for existing pupils and pupils generated by the new development, or a new stand-alone school to address population increase through the growth of Wirksworth?

The three sites proposed were Cromford Road, Middle Peak Quarry site (SE corner) or Middle Peak Quarry site (adjacent to the main road with access off Middleton Road)

The Authority acknowledged the demand for further consultation on whether to locate all the primary education in the town on to one site or retain the existing provision and build a new school to serve the housing development when it takes place. Whilst there was strong support for retaining the notified site on Cromford Road (even though the view was that it was not well sited to serve all the existing housing), the site was too small to deliver a single primary school to serve the town. Retention of the Cromford Road site would therefore limit the options under consideration. In addition, the housing that was proposed at the Cromford Road site would not generate a need for a new school as the pupils could be accommodated in the existing schools with some adjustments to capacity at the Junior School. The site would therefore remain dormant until the Middle Peak development took place.

Releasing the notified site at Cromford Road and replacing it with a notified site at Middle Peak Quarry (adjacent to the main road), would allow the Cromford Road development to take place, but secure an alternative site large enough to accommodate up to a three form entry school, whilst the Authority continued to consult on the future of primary education in the town and also respond to the demand for a more central site to be identified. Alternative proposals would then be subject to further consultation.

RESOLVED to note the response to the consultation and approve the (1) de-notification of the Cromford Road site;

(2) notification of the Middle Peak site (adjacent to the main road with access off Middleton Road) and

(3) investigation of alternative sites for primary education in Wirksworth.

127/18 CHILDREN'S SERVICES – PROPOSED ALTERATION OF THE LOWER AGE LIMIT OF BAMFORD PRIMARY SCHOOL (Young People) The Strategic Director – Children's Services advised Cabinet of the outcome of an initial consultation carried out by Bamford Primary School on a proposal to alter the school's

lower age limit from four years to three years so that it could offer nursery provision and sought approval of the publication by the Local Authority of a formal statutory proposal to lower the school's age limit, as detailed in the report.

RESOLVED to note the response to the informal consultation carried out by Bamford Primary School and approves the publication by the Authority of a formal statutory proposal to lower the school's age limit from four years to three years in order that it could offer nursery provision.

128/18 PROCUREMENT OF THE DESIGN TEAM FOR A NEW CARE HOME DEVELOPMENT ON THE SITE AT BENNERLEY AVENUE, COTMANHAY (Adult Care) The Strategic Director – Adult Care sought approval to undertake a procurement exercise for the provision of architectural and cost consultancy services for a new Council run Care Home for Older People in the Cotmanhay area with a view to obtaining planning approval and securing capital investment for the scheme.

On 22 February 2018, Cabinet were advised of the outcome of the consultation and Equality Impact Analysis on the proposed closure of Hazelwood Home for Older People in Cotmanhay, Ilkeston, and gave approval for the home to remain open until a new Derbyshire County Council home was opened in the Cotmanhay area.

A potential site which was in Council ownership had now been identified at Bennerley Avenue, Cotmanhay and an initial feasibility study had confirmed that it had the capacity to accommodate Adult Care's requirements for a forty bedroom home to provide a mix of care and nursing in accordance with Stirling University dementia design standards. The site had potential for additional accommodation for complimentary strategic uses if required, and could potentially accommodate a larger care home facility if the need arose at a future date, further details of which were presented at Appendix 1 to the report.

It was therefore requested that authority be granted to procure a design team to work on a design for a forty bedroomed care home, with an option to design other additional elements on the Bennerley site at a future date if the need arises. Any further development at the site would be the subject of a further Cabinet report and subject to the outcome of appropriate consultation.

Architectural design and cost consultancy services were now needed to progress the scheme with a view to obtaining planning approval and securing capital investment. If successful, it was envisaged that these key appointments would continue through construction to completion of the new facility. The architects appointed would need to have both specialist knowledge of designing environments which were suitable for people with dementia, and a proven track record of delivering this type of scheme. Details of the evaluation criteria for selecting the most economically advantageous tender were presented in the report.

Approval was therefore sought to procure architectural and cost consultancy services via Official Journal of the European Union (OJEU) compliant procurements in respect of the proposed scheme at Bennerley Avenue.

RESOLVED to (1) approve that a procurement exercise be undertaken for the provision of Architectural and cost consultancy services for a new Council run care home for older people in the Cotmanhay area, with a view to obtaining planning approval and securing capital investment for the scheme;

(2) approve that the procurement of the design team, including an option to design additional elements for inclusion on the Bennerley site if the need arises during the planning application process;

(3) approve that any new development be the subject to further engagement with residents and their relatives at Hazelwood, Home for Older People; and

(4) delegate approval to award the contracts for architectural and cost consultancy services to Strategic Director for Adult Care due to the need to comply with the key milestones as set out in the report.

129/18 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 (if any).
2. To confirm the Exempt Minutes of the meeting of Cabinet held on 5 April 2018.
3. To receive the Exempt Minutes of Cabinet Member meetings as follows:-
 - (a) Council Services – 12 April 2018
4. To consider exempt reports as follows:-
 - (a) Data Centre Equipment Refresh – Strategic Director Commissioning, Communities and Policy (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
 - (b) Provision of Liquid Fuels - Framework – Strategic Director Commissioning, Communities and Policy (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))

- (c) Acceptance of Grant Awards – Strategic Director Commissioning, Communities and Policy (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (d) Road Marking and Studding Works – Contract Award – 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))
- (e) Highways Division Restructure – Construction Services – Strategic Director Economy, Transport and Environment (contains information relating to labour relations matters)
- (f) Procurement of DACES Management Information System – use of Non-DCC Framework – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (g) Leaving Care Support Service – Contract Extension – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
- (h) Review of Services for Children Aged 0-5 – Strategic Director Children’s Services (contains information which is likely to reveal the identity of an individual)
- (i) Early Help Services for Children, Young People and their Families – Strategic Director Children’s Services (contains information which is likely to reveal the identity of an individual)
- (j) Services for Teenagers – Strategic Director Children’s Services (contains information relating to labour relations matters)
- (k) Supply and Delivery of Pre-Packaged Filled Bread Products for Schools – Contract Award – Strategic Director Children’s Services (contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))