

**MINUTES** of a meeting of **CABINET** held on 31 January 2012 at County Hall, Matlock.

**PRESENT**

Councillor A I Lewer (in the Chair)

Councillors J A Allsop, Mrs C A Hart, J P Harrison, C W Jones, B Lewis, M V Longden, K L Parkinson and S A Spencer.

Councillor S Flitter also attended.

**29/12      ISSUES RAISED BY THE MINORITY GROUPS**

Councillor S Flitter raised the following:

Agenda Item 6(a) - Part Night Lighting and Permanent Switching Off of Street Lighting – The proposals were generally welcomed although there were concerns about how the process of implementing schemes would be managed. Would the views of local Members and feedback from Parish Councils be considered when determining which schemes should proceed?

Agenda Item 6(b) – Appointment of Consultant Architect – In terms of the in-house Design Team, does the County Council receive an income or is it an in-house expense?

**30/12      MINUTES RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 10 January 2012 be confirmed as a correct record and signed by the Chairman.

**31/12      CABINET MEMBER MEETINGS RESOLVED** to receive the non-exempt minutes of Cabinet Member meetings as follows:-

- |                              |                                   |
|------------------------------|-----------------------------------|
| (a) Finance and Management   | - 30 December and 13 January 2012 |
| (b) Highways and Transport   | - 10 January 2012                 |
| (c) Regeneration             | - 10 January 2012                 |
| (d) Technology and Recycling | - 12 January 2012                 |
| (e) Leadership and Culture   | - 16 January 2012                 |
| (f) Public Health            | - 16 January 2012                 |
| (g) Young People             | - 17 January 2012                 |

**32/12      PART NIGHT LIGHTING AND PERMANENT SWITCHING OFF OF STREET LIGHTING** The Strategic Director – Environmental Services informed Cabinet of the response to the public consultation on the proposed

introduction of part night lighting and the permanent switching off of street lighting and also sought approval to implement the proposals.

At its meeting on 11 October 2011, Cabinet considered a report which identified that street lighting and energy costs for the Council's 89,000 street lights were expected to rise by 15-18% in 2011/12. The actual increase had now been confirmed at 26% between October 2011 and April 2012 which would add approximately £550,000 to the 2011/12 street lighting electricity bills. The street lighting energy bill for the year was expected to be in the region of £2.9m.

Following the preliminary consultation exercise, full public consultation on the proposals was carried out between 19 October and 6 December 2011. A total of 842 responses had been received following the consultation process, the results which showed that the majority (69%) of those people who completed the questionnaire agreed with the proposal to switch off selected street lights between midnight and 5.30am. Only 31% of respondents indicated that part night lighting would adversely affect them. 64% of respondents agreed with the permanent switching off of the street lights in some rural and non-residential areas such as rural approaches to villages and towns. 76% of respondents indicated that they only went out at midnight once a month or less with 46% indicating that they never went out at this time.

The 252 respondents who disagreed with the turning off of street lights provided 378 comments detailing the reasons why. These comments were summarised as follows:

Number of comments	Issue Identified
168	Potential for increase in crime and fear of crime
70	Community safety concerns – trips and falls
48	Suggestions on strategy / other energy reduction options
39	Increased night time accidents
36	Potential increase in anti-social behaviour
17	Driving safety

Further details of the issues identified and samples of the comments were attached at Appendix 1 to the report.

It was also noted that 2 petitions had been received from Sawley and Wilsthorpe and the second from Erewash which had been reported to the Cabinet Member – Highways and Transport on 10 January 2012.

**RESOLVED** that (1) Cabinet considered the responses to the public consultation on the proposal to introduce part night street lighting and the

permanent switching off of lighting in some rural and non-residential areas and had regard to the Equality Impact Assessment;

(2) the introduction of part night street lighting and the permanent switching off of lighting in some rural and non-residential areas be approved to assist in mitigating the impact of increasing energy prices, future carbon credit charges and to deliver carbon reduction targets in accordance with the criteria detailed in the report;

(3) the Cabinet Member - Highways and Transport be authorised to consider future reports identifying part night street lighting schemes and permanent switching off of lights in some rural and non - residential areas implementation programmes;

(4) the impact of implementing schemes on crime, anti-social behaviour and night-time road traffic accidents be monitored and appropriate reports made to Cabinet on progress; and

(5) the Strategic Director – Environmental Services inform petitioners accordingly.

**33/12      APPOINTMENT OF CONSULTANT ARCHITECTS**      Cabinet considered a joint report of the Director of Property and the Strategic Director – Adult Care which sought approval to invite tenders for the provision of Architectural Services including submission of reserved matters applications to achieve detailed planning permission on sites which had existing outline planning approval for two Community Care Centres identified for the accommodation, care and support strategy for older people in Derbyshire. The architects would be part of a Design Team comprising other design disciplines from within the Council's Corporate Property Design Services and it was the intention that the appointed architect, together with the rest of the design team, would be novated to the successful construction contractor for the Centres.

Adult Care was currently revising its accommodation, care and support strategy for older people in Derbyshire with a view to submitting a report to Cabinet on 20 February 2012 and a capital bid was also being prepared. If approved, the ongoing proposals would include the development of two Community Care Centres, using two of the existing sites which had outline planning approval.

The key drivers for the development of the Community Care Centres were quality, time and cost. The Centres would need to be taken forward as soon as practically possible and the architects would need to be in place to submit reserved matters planning applications. The architects appointed would need to have specialist knowledge of designing environments which were suitable for people with dementia and a proven track record of delivering

this type of scheme, to work alongside the remainder of the Design Team from within the Corporate Property Design Services within the revised timescales. Details of the evaluation criteria for selecting the most economically advantageous tender were presented in the report.

It was the intention that the appointed architect together with the rest of the Design Team, would be novated to the successful Design and Build contractor for the Community Care Centres subject to Cabinet approval to build the centres. The Design Team would therefore comprise of an Architect, Structural Engineer, Mechanical and Electrical Services Engineer and Landscape Architect. The novation would occur after RIBA stage D once detailed planning had been achieved and once the contractor had been appointed to carry out further detailed architectural and design services necessary for the successful completion of the projects. In addition to the Design Team, a Construction Design and Management Co-ordinator, a Clerk of Works, an Employers Agent and Quantity Surveyor would be required at the construction stage along with project management services. It was anticipated that these services would be provided by Corporate Property Design Services and retained by the Council throughout the design and construction process.

The estimated construction cost of the two centres was £9.5m each and the Design Team costs were normally 6-8% of this total. Architectural services were likely to be in the region of 3% of £19m of which 50% would be payable pre-contract and 50% post-contract as was normal for a scheme procured on the Design and Build route.

**RESOLVED** that (1) the publication of an OJEU notice inviting tenders to provide full architectural services for two Community Care Centre sites including submission of reserved matters planning approval (RIBA stage D) be approved;

(2) to note that the successful tenderer will be novated to the construction company appointed to design and build the Community Care Centre; and

(3) the professional services be provided by the County Property Design Services as outlined in the report.

**34/12 CHILDREN'S HOMES – MINOR WORKS IMPROVEMENTS**  
**2011/12** Cabinet considered a joint report of the Strategic Director – Children and Younger Adults and the Director of Property which sought approval to a capital allocation from the Corporate Capital Programme Contingency to fund minor works improvements in Children's Homes.

Until 2008/09, it was normal practice for an annual capital allocation to be approved to carry out minor works improvements in children's homes,

many of which responded to issues raised during Ofsted inspections. Since 2009/10 however, a number of traditional capital allocations including the allocation for children's homes had been retained within a Corporate Capital Contingency Budget and allocated according to need. An annual round of visits and meetings had taken place with the managers in all the Authority's children's homes and the most urgent improvement priorities had been identified along with outlined budget costs as detailed in Appendix A to the report.

It was proposed that when tenders were received for the full individual projects listed in the Appendix, orders would be placed by the Strategic Director - Children and Younger Adults in accordance with the Council's Standing Orders, provided the expenditure was within the limit of the approved estimate. The funding of £215,000 could be met from the Corporate Capital Programme Contingency Budget.

**RESOLVED** that (1) approval be granted to an allocation of £215,000 from the Corporate Capital Programme Contingency Budget to fund a programme of minor works improvements in children's homes as detailed in the Appendix to the report; and

(2) the Strategic Director – Children and Younger Adults be authorised to place orders for the individual projects as tenders were received provided the total expenditure did not exceed the allocation of £215,000.

**35/12 DALLIMORE PRIMARY SCHOOL – REPLACEMENT CLASSROOM BLOCK** Approval was sought to a capital allocation to replace a life-expired six-classroom block at Dallimore Primary School, Kirk Hallam. As a result of the recent structural survey, major decay had been identified in the structural columns of the large wooden framed teaching block at the School.

The project would also replace a very old temporary building situated next to the current block as this was also nearing the end of its life and would require substantial short-term repairs for it to be retained. A feasibility study had been undertaken and a sketch design for a replacement building had been agreed with the School. The budget costs for the new building including all external works, furniture and equipment, fees and temporary classroom hire was £1.95m.

Funding totalling £768,000 could be met from all unallocated contingencies and savings in previous CAYA Capital Programmes. The balance of funding required could be met from an unallocated contingency sum of £1.182m which remained available in the 2011/12 Capital Programme, which had been used throughout the year to address unforeseen needs such as the Dallimore project.

**RESOLVED** that approval be given for a capital allocation of £1.95m for the replacement of a life-expired teaching block at Dallimore Primary School to be funded by £768,000 from savings and unallocated contingencies in CAYA Capital Programmes and £1.182m from the unallocated contingency sum remaining in the 2011/12 Capital Programme.

**36/12      ADDITIONAL BASIC NEED FUNDING FOR 2011/12 – SHARLEY PARK PRIMARY SCHOOL AND PEAK SCHOOL** Cabinet considered a joint report of the Strategic Director – Children and Younger Adults and the Director of Property relating to an additional Basic Need Capital Grant from the Government for 2011/12 and which sought approval to capital allocations to extend Sharley Park Primary School in Clay Cross and to undertake a remodelling project at Peak School in Chinley.

In July 2011, the Government announced additional funding totalling £500m for local authorities to address Basic Need requirements in response to rising pupil numbers with Derbyshire's allocation being set at £977,184 which represented an addition to the 2011/12 CAYA capital programme.

Whilst Derbyshire was not experiencing the Basic Need pressures to provide additional school places facing some other local authorities, there were a small number of schools where new housing had created a need to consider providing additional accommodation.

Sharley Park Primary School was a relatively new school built with a net capacity for 350 pupils and it was designed to facilitate a two classroom extension at a future stage as it was acknowledged that pupil numbers would grow in view of large areas of new housing in the town. The number on roll was now 354 and this was projected to rise to 397 by 2016. It was therefore proposed to build a two classroom extension with additional toilets at a budget cost of £650,000.

In respect of Peak School, Chinley, in the 2008/10 Capital Programme, a budget of £4.4m had been approved to replace the residential accommodation at the School with a new children's home and respite care facility and to convert the existing residential accommodation into teaching accommodation. This was a Targeted Capital Fund project partly funded by a grant funding of £1.975m from the Department for Education. Phase 1 of the project, the new residential accommodation, was completed recently and Phase 2 of the project was to remodel the existing residential block to address a shortage of teaching and therapy accommodation. A sum of £260,000 remained available from the £4.4m allocation.

Design work on the Phase 2 remodelling works had been progressed whilst the new building works had been taking place. The scope and detail of these works was not known when the initial budget was approved. At the time that the project was costed, the number of pupils attending Peak School was

40. This number remained constant until 2010/11 when it rose to 50 during the course of the school year, with some of these new placements being made as a result of the anticipated new facilities at the new residential home which sought to avoid out of county placements. Further discussions between the Governors, the Head teacher and the Head of the Special Needs Service led to an agreement that the School would have a maximum number of pupils of 56, which would equate to 8 pupils per year group. From September 2012, the School roll would be 55 an increase of 15 pupils within 18 months.

To accommodate the initial increase in pupil numbers, and lacking the accommodation within the existing school, the School had been using the dining space of the original residential block as a class base but without appropriate toilets, storage and other teaching facilities. Thus, when the new build element of the project was nearing completion, a review of the refurbishment of the project was undertaken and as a result of the increasing pupil numbers, the required remodelling works were more extensive and complex than originally envisaged. The increase in the capital cost was counter-balanced by future revenue savings via a reduction in potential out of county placements.

The remodelling works would create three large teaching spaces with appropriate specialist therapy, toilet and changing, and full disabled access facilities. Staff support spaces also needed to be incorporated. The budget costs for the Phase 2 remodelling works was £660,000 leaving a short-fall of funding of £400,000.

The funding required for the projects at Sharley Park Primary School and the Peak School totalled £1,050,000 which could be met mainly from the additional £977,000 Basic Need grant funding confirmed by the Department for Education. The remaining balance of £73,000 could be met from savings in the 2010/11 Capital Programme (Basic Need).

**RESOLVED** that (1) the additional grant funding of £977,000 received from the Department for Education to supplement the 2011/12 CAYA Capital Programme be noted;

(2) approval be granted to an allocation of £650,000 to provide a two classroom extension with toilets at Sharley Park Primary School;

(3) approval be granted to an additional allocation of £400,000 to convert the former residential block at Peak School into teaching accommodation; and

(4) the additional grant funding of £977,000 be supplemented by an allocation of £84,000 from savings in the 2010/11 Capital Programme (Basic Need).

**37/12**      **EXCLUSION OF THE PUBLIC RESOLVED** to exclude the public from the meeting during the consideration of the following items to avoid the disclosure of exempt information.

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

- (1) Confirmation of the exempt minutes of the meeting of Cabinet held on 10 January 2012.
- (2) Receipt of the exempt minutes of Cabinet Member Meetings as follows:
  - (a) Finance and Management - 30 December 2011
  - (b) Regeneration - 10 January 2012
  - (c) Technology and Recycling - 12 January 2012
  - (d) Young People - 17 January 2012
- (3) Consideration of the joint report of the Strategic Director – Environmental Services, the Director of Property and the Director of Transformation on the Replacement of Vehicle Management Systems (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).
- (4) Consideration of the report of the Strategic Director – Environmental Services on Waste Management Contracts – Approval to Award a Contract for the North East Derbyshire Composting Service ES7309 (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information)
- (5) Consideration of the report of the Director of Transformation on Data Centre Storage Solution (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information)
- (6) Consideration of the report of the Director of Property on the 2011/12 Planned and Maintenance Programme (Contains information relating to the financial and business affairs of any particular person, including the Authority holding that information).
- (7) Consideration of the report of the Strategic Director – Cultural and Community Services on the Award of Public Analysts Contract and Statutory Appointments (Contains information relating to the financial or business affairs of any particular person, including the Authority holding that information).



- (8) Consideration of the report of the Strategic Director - Adult Care on Extra Care Procurement SSD10 10, Appointment of Preferred Bidder (Contains information relating to the financial affairs of any particular person, including the Authority holding that information).
- (9) Consideration of the report of the Strategic Director – Children and Younger Adults on the Review of the CAYA Senior Management Team (Contains information which is likely to reveal the identity of any individual).
- (10) Consideration of the report of the Strategic Director – Children and Younger Adults and the Strategic Director – Culture and Communities on the Development of a Derbyshire Family Literacy Framework Resulting from the Proposed Closure of Read On-Write Away! (ROWA!) (Contains information which is likely to reveal the identity of any individual).