

DERBYSHIRE COUNTY COUNCIL

CABINET

8 June 2017

Report of the Chief Executive

**URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE
(Young People)**

1 Purpose of the Report

To note an urgent decision taken by the Chief Executive in accordance with the Scheme of Delegation contained in the Council's Constitution.

2 Information and Analysis

Approval was sought to allocate funds to create an enhanced resource school facility at Hilltop Primary School, Ashbourne to meet the needs of children with special educational needs.

On 21 February 2017, Cabinet received a report entitled 'Creation of an Enhanced Resource Facility for Pupils with Profound and Multiple Learning Difficulties at Hill Top Infant and Nursery School'. The report set out the outcome of an informal consultation on the creation of Enhanced Resource School ERS facility at Hilltop. No objections had been received and Cabinet agreed to the publication of a statutory notice to implement the proposal. The closing date for responses to the Statutory Notice ended on 31 March 2017. No responses were received to the Statutory Notice.

A decision on this proposal must be made by the Authority within two months of the closure of the notice period otherwise the matter reverts to the Schools Adjudicator for a decision. Cabinet has not been in a position to take a decision before now due to the combined effect of a delay in the announcement by the DfE of the annual capital allocations and the interruption to the normal meeting cycle due to the County Council elections.

A copy of the report explaining the circumstances in which the urgent decision was taken is attached to this report.

The decision was taken by the Chief Executive.

3 Legal Considerations

The Chief Executive's decision was taken in accordance with the Scheme of Delegation contained in the Council's Constitution which provides that "Notwithstanding any other provision of this Constitution, the Chief Executive shall have power, after discussion, if practicable, with the Leader of the Council or the relevant Cabinet Member or Chair, to take such action deemed to be necessary and expedient in matters requiring urgent consideration and which, because of the timescale involved, or the need to safeguard the interests of the County Council, cannot be dealt with by submission to the next following meeting of the Council, Cabinet, Cabinet Member or Committee." As a matter of good practice, Cabinet is being informed of the decision which has been taken under this provision.

4 Other Considerations

In preparing this report the relevance of the following factors has been considered - financial, human rights, human resources, equality and diversity, health, environmental, transport, property, social value and prevention of crime and disorder considerations.

5 Key Decision

No.

6 Call-in

Is it required that call-in be waived for any decision on this report?

No.

7 Officer's Recommendation

That the report be noted.

IAN STEPHENSON
Chief Executive

DERBYSHIRE COUNTY COUNCIL

URGENT DECISION TAKEN BY THE CHIEF EXECUTIVE

MAY 2017

APPROVAL OF A PROPOSAL TO CREATE AN ENHANCED RESOURCE SCHOOL FACILITY AT HILLTOP PRIMARY SCHOOL ASHBOURNE

1. Purpose of the Report

To seek approval and allocate funds to create an enhanced resource school facility at Hilltop Primary School, Ashbourne to meet the needs of children with special educational needs.

2. Information and Analysis

On 21 February 2017, Cabinet received a report entitled 'Creation of an Enhanced Resource Facility for Pupils with Profound and Multiple Learning Difficulties at Hill Top Infant and Nursery School'. The report set out the outcome of an informal consultation on the creation of Enhanced Resource School ERS facility at Hilltop. No objections had been received and Cabinet agreed to the publication of a statutory notice to implement the proposal. The closing date for responses to the Statutory Notice ended on 31 March 2017. No responses were received to the Statutory Notice.

A decision on this proposal must be made by the Authority within two months of the closure of the notice period, otherwise the matter reverts to the Schools Adjudicator for a decision. Cabinet has not been in a position to take a decision before now due to the combined effect of a delay in the announcement by the DfE of the annual capital allocations and the interruption to the normal meeting cycle due to the County Council elections.

This proposal requires the allocation of £125,000 from the Children's Services Capital Programme to allow remodelling of some space within the school to create the ERS facility. This funding can be provided by the School Capital Investment Programme which was set up by Cabinet in January 2016 to meet the needs of schemes that may require funding outside the usual annual cycle of allocations. The current balance in the scheme is £1.126m. This allocation will reduce the amount available to £1,001,000.

3. Financial Considerations

As set out above.

4. Social Value Considerations

This scheme adds social value by improving provision for pupils with special educational needs. The schools receiving these allocations will be given the option of procuring the works under their own financial regulations. If the works revert to the Authority to deliver, established procedures to secure social value will be followed in any commissioning or procurement.

5. Legal Considerations

The Council's Constitution provides that the Chief Executive shall have power, after discussion, if practicable with the Leader of the Council or the relevant Cabinet Member or Chair, to take such actions deemed to be necessary and expedient in matters requiring urgent consideration and which, because of the timescales involved, or the need to safeguard the interests of the County Council, cannot be dealt with by submission to the next following meeting of the Council, Cabinet, Cabinet Member or Committee.

6. Other Considerations

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

7. OFFICER'S RECOMMENDATION

That the Authority approves the proposal to make a significant change to Hilltop Primary School to create an ERS facility for 5 students, and to make an allocation of £125,000 for a project to remodel some space within the school to create the necessary accommodation.

Approved

