



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **Wednesday 20 November 2013**.

The decisions will come into force and may be implemented from **MONDAY 2 DECEMBER 2013** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Proposal to change the age range of Sacriston Nursery and Infant School from 3-7 to 3-11 from 1 September 2014 to create a Primary School and to discontinue the use of Sacriston Junior School from 31 August 2014 [Key Decision: CAS/05/13]

Summary

The Cabinet considered a report of the Corporate Director, Children and Adults Services seeking approval to change the age range of Sacriston Nursery and Infant School from 3-7 to 3-11 from 1 September 2014 to create a Primary School and to discontinue the use of Sacriston Junior School from 31 August 2014.

Sacriston Nursery and Infant School and Sacriston Junior School are located on the same site and the Head Teacher of Sacriston Nursery and Infant School has overseen the leadership of both schools since September 2012. Bringing the two schools together as one larger primary school will ensure a stronger and more viable establishment and will preserve primary education in Sacriston. Sacriston Nursery and Infant and Junior Schools are Community Schools and therefore any changes proposed to make an alteration to the upper and lower age limit are made by the Local Authority. Decisions on school organisation proposals such as this are also taken by the Local Authority.

The Local Authority began consultation on the proposal to change the age range of Sacriston Nursery and Infant School and to discontinue the use of Sacriston Junior School for six weeks between 3 June 2013 and 12 July 2013. After the County Council considered the views of those who responded to the consultation, a decision was taken on 18 July 2013 to proceed to the next stage in the statutory process which was to issue a Public Notice.

The Public Notice was issued on 5 September 2013 for 6 weeks, when objections and comments on the proposal could be sent to the Local Authority. A series of meetings were also held so that Governors, Staff and Parents and the local community could share their views with the Local Authority. It is clear that the large

majority of those stakeholders who responded to the consultation support the proposal to change the age range of Sacriston Nursery and Infant School from 3-7 to 3-11 to create a primary school and to discontinue the use of Sacriston Junior School. In particular they see the proposal as an opportunity to make the transition easier from Key Stage 1 to Key Stage 2 and that a Primary School will bring about a more consistent approach to educating children than a separate Infant and Junior School. A number of Governors and parents were of the view that adaptations are required to both buildings to enable them to function more effectively as a Primary School. Discussions are being held with the Head Teacher to enable a design to be produced for consideration by Governors and staff. The final design will focus on a solution that enables the primary curriculum to be delivered effectively. No objections or comments were received by the end of the 6 week statutory notice period.

In the most recent school inspection, Ofsted judged Sacriston Nursery and Infant School as 'outstanding' and Sacriston Junior School as 'satisfactory'. In light of the current 'outstanding' standard of education provided at the Nursery and Infant School, officers believe that the proposal to change the age range of Sacriston Nursery and Infant School to create a Primary School and to discontinue the use of Sacriston Junior School will have a positive effect on standards and school improvement. Pupils with Special Educational Needs (SEN) will continue to have their needs met at the proposed Primary School. This proposal will not impact on the needs of individual pupils. The proposed Primary School will be on the sites of the current Sacriston Nursery and Infant and Sacriston Junior Schools with a capacity for 447 pupils. A school of this size would be large enough to accommodate the current and future pupils we expect will attend the proposed Primary School.

Capital funding (in the region of £475,000) will be required to adapt the Infant and Junior buildings to facilitate the change to a Primary School. The cost of this work will be met from the Department for Education (DfE) grant funding which has been allocated to the Local Authority.

Decision

The Cabinet agreed:

- that the age range of Sacriston Nursery and Infant School should be extended from 3-7 to 3-11 from 1 September 2014 to create a Primary School;
- that the use of Sacriston Junior School should be discontinued from 31 August 2014.

Proposal to change the age range of Delves Lane Junior School from 7-11 to 3-11 from 1 April 2014 to create a Primary School and to discontinue the use of Delves Lane Infant School from 31 March 2014 [Key Decision: CAS/04/13]

Summary

The Cabinet considered a report of the Corporate Director, Children and Adults Services which sought approval to change the age range of Delves Lane Junior School from 7-11 to 3-11 from 1 April 2014 to create a Primary School and to discontinue the use of Delves Lane Infant School from 31 March 2014.

Delves Lane Infant and Junior Schools entered into a Federation in September 2008 under the leadership of one Head Teacher and one Governing Body. This arrangement is working well but the Chair of Governors, Head Teacher, School Business Manager and Officers of the Local Authority agreed that the best way to ensure a stronger and more viable establishment and to preserve primary education in Delves Lane was to consult on a proposal to amalgamate Delves Lane Infant and Junior Schools into one Primary School.

Delves Lane Infant and Junior Schools are Community Schools. Any proposals to the upper and lower age limit of community schools are made by the Local Authority and decisions on school organisation proposals such as this are also taken by the Local Authority.

Consultation on the proposal to change the age range of Delves Lane Junior School and to discontinue the use of Delves Lane Infant School was undertaken by the Local Authority for six weeks between 3 June 2013 and 12 July 2013. After the County Council considered the views of those who responded to the consultation, a decision was taken on 18 July 2013 to proceed to the next stage in the statutory process which was to issue a Public Notice. The Public Notice was issued on 5 September 2013 for 6 weeks, when objections and comments on the proposal could be sent to the Local Authority.

All of those stakeholders who responded to the consultation support the proposal to change the age range of Delves Lane Junior School from 7-11 to 3-11 to create a Primary School and to discontinue the use of Delves Lane Infant School. In particular they see the proposal as being beneficial to the pupils, school and local community and will ensure that pupil progress is tracked and monitored throughout the full primary age range in a single school rather than two separate schools. No objections or comments were received by the end of the 6 weeks statutory notice period.

In the most recent school inspections, Ofsted judged Delves Lane Junior School as 'good' and Delves Lane Infant School as 'requires improvement'. A subsequent monitoring visit has been carried out and found that the school is making progress to address the areas for improvement identified in the Ofsted report. In light of the current 'good' standard of education provided at the Junior School and the improvements being made by the Infant School, officers believe that the proposal to change the age range of Delves Lane Junior School to create a Primary School and to discontinue the use of Delves Lane Infant School will have a positive effect on standards and school improvement.

Pupils with Special Educational Needs (SEN) will continue to have their needs met at the proposed Primary School. This proposal will not impact on the needs of individual pupils. The proposed Primary School will be on the sites of the current Delves Lane Infant and Junior Schools with a capacity for 318 pupils. A school of this size would be large enough to accommodate the current and future pupils we expect will attend the proposed Primary School.

Capital funding (in the region of £100,000) will be required to improve the condition of the junior building and to upgrade ICT facilities. The cost of this work will be met

from the Department for Education (DfE) grant funding which has been allocated to the Local Authority.

Decision

The Cabinet agreed:

- that the age range of Delves Lane Junior School should be extended from 7-11 to 3-11 from 1 April 2014 to create a Primary School;
- that the use of Delves Lane Infant School should be discontinued from 31 March 2014.

Shildon Masterplan [Key Decision: R&ED/01/13]

Summary

The regeneration masterplan for Shildon provides a detailed programme of activity that can be undertaken in the town over the next 3-5 years to ensure future sustainability through investment and marketing of the town's key development opportunities.

The document provides the strategic context for delivery and seeks to establish key principles to co-ordinate and guide this activity. The document is one of a similar series established for all of the major towns within the County.

This masterplan articulates the County Council's desire to stimulate regeneration and economic growth and to guide investment in Shildon focussing on enhancing the environment, development opportunities and the potential of the town. The Masterplan is supported by a delivery plan.

The Masterplan aims to:

- Focus and co-ordinate the regeneration activities in Shildon and assist the delivery mechanism for the various regeneration projects;
- Input into the delivery of the emerging Local Plan and Community Infrastructure Plan and draw together the strategic and policy drivers for development and regeneration within Shildon;
- Assist in the consultation process with partners, stakeholders and the community;
- Assist in taking proposals forward with investors, developers and landowners; and,
- Raise Shildon's profile in order to stimulate further investment activity.

Consultation on the preparation of this Masterplan has been undertaken with a range of local stakeholders including the AAP and the Town Council. A summary of these discussions is available in the consultation log.

Decision

The Cabinet approved the Shildon Masterplan.

Energy Reduction Proposals for Chilton: Creation of a Social Enterprise [Key Decision: R&ED/04/13]

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development on recent progress towards creating a social enterprise group in the Chilton community for the delivery of the Green Energy Fund, and to agree to the selection, administration and governance procedures of such a group.

The building of a biomass (wood pellet) energy plant in Chilton by the Dalkia Company resulted in a commitment to pay £645,000 into a community-based "Green Fund". This was part of a Section 106 Planning Agreement which stated that the monies can only be spent in the settlement area on energy improvement works which would result in the reduction of household energy costs.

A DCC led Task & Finish group of key stakeholders was established to identify the way forward and determine the most appropriate opportunities for the Green Fund. Following discussion with Durham County Council's legal team, AAP co-ordinators and Housing Regeneration, a proposal for the formation of a social enterprise was identified as a preferred delivery model (Charitable Incorporated Organisation Social Enterprise Model).

A consultation event was held with local residents on the 23 July 2013 chaired by County Council Ward member for Chilton, Councillor Christine Potts, alongside the Member of Parliament for Sedgfield, Phil Wilson MP where County Council Officers presented the available options to deliver the Green Energy Fund.

If the Charitable Incorporated Organisation social enterprise model is agreed, it is suggested, that Charity Commission constitution documents are utilised and incorporated along with the specified membership requirements. This should ensure good governance, and produce an organisation that can demonstrate authenticity and attract additional funding to maximise the existing Green Fund.

The Task & Finish Group has established that distribution of the Green Energy Fund is dependent upon the establishment of an Energy Plan for the Chilton community which would show how Chilton can manage its energy over the next 20-30 years. This may involve one large project or more realistically, the initiation of a number of smaller projects that can be adopted to aid the reduction of household energy costs.

Subject to acceptance of the Charitable Incorporated Organisation model, those residents of Chilton who have expressed an interest in becoming part of the social enterprise would be invited to undergo further training to understand the responsibility and liabilities of would be Director Trustees. Suitably qualified 'Trustees' will then be selected to become part of the Board.

Decision

The Cabinet

- Endorsed the consultation process made in the selection of a social enterprise model for the Chilton community;

- Supported the proposed social enterprise of a Foundation model Charitable incorporated Organisation (CIO), based on a committee of Director Trustees, a technical panel of advisors and a wider community forum.
- Agreed to the recruitment and selection process for potential Director Trustees (Board members) as proposed in the report.
- Upheld the most cost effective financial management option for the Green Fund.

Street Lighting Policy Review [Key Decision: NS/21/13]

Summary

The Cabinet considered a report of the Corporate Director, Neighbourhood Services which sought approval for adoption of a revised Street Lighting policy following consultation. The Street Lighting Energy Reduction Project was agreed at the Cabinet meeting held on 12 December 2012. The project aims are as follows:

- Retrofitting of street lights with more energy efficient light sources
- Assessment of the Street Lighting provision
- Future lighting of traffic signs
- Use of Central Management System or fixed settings to facilitate dimming

A Cabinet meeting on 17 July 2013 gave approval to carry out a public consultation on a set of changes to the Council's Street Lighting Policy in order to confirm the Council's approach to its provision of street lighting across the County in line with the energy reduction project. The policy review proposed the following changes to the street lighting policy:

- Dimming of lights during certain hours
- Removal of lights in line with national guidance on provision and with clear commitment that no street lights would be removed in residential areas
- Future lighting of traffic signs

A countywide consultation was carried out and the responses show that the majority of responders are supportive of the updated policy. However, feedback received in relation to the proposed key changes was taken into account and the updated Street Lighting Policy which was attached to the report at Appendix 2 will include the following changes:

- Removals: Where there is existing street lighting that is not specifically required by the Street Lighting Policy then this will be removed, where it is safe to do so, based on a risk assessment of road safety and the fear of crime and following consultation with the local Elected Members, Town and Parish Councils where applicable.
- Dimming – to take place between 10.00pm and 12.00am – 25% downwards and between 12.00am and 5.00 am – 50% downwards.

- Illuminated signs will be replaced with reflective signs where permitted in line with the Department for Transport's traffic sign regulations.

Decision

The Cabinet approved the updated policy in line with the review and consultation feedback.

Quarter 2 2013/14 Performance Management Report

The Cabinet considered a report of the Assistant Chief Executive which presented progress against the council's corporate basket of performance indicators (PIs) and reported other significant performance issues for the second quarter of 2013/14.

This is the second quarterly corporate performance report of 2013/14 for the council highlighting performance for the period July to September 2013. The report contained information on key performance indicators, risks and Council Plan progress.

The report sets out an overview of performance and progress by Altogether priority theme. Key performance indicator progress is reported against two indicator types which comprise of:

- Key target indicators – targets are set for indicators where improvements can be measured regularly and where improvement can be actively influenced by the council and its partners; and
- Key tracker indicators – performance will be tracked but no targets are set for indicators which are long-term and/or which the council and its partners only partially influence.

The majority of council services continue to show improvement despite the challenging environment of a depressed economy, reduced resources, welfare reform, rising demand and significant deprivation.

The effects of the government's welfare reforms and a dormant economy are starting to be felt in terms of increased demand for key services and through performance issues such as increased crime levels. The council needs to work closely with partners to identify any interventions and additional support that can be provided to protect the most vulnerable in our communities.

A small number of Council Plan actions need to be amended or deleted to reflect current circumstances.

Decision

The Cabinet:

- Noted the performance of the council at quarter 2 and the actions to remedy under performance
- Agreed all changes to the Council Plan as follows:

Altogether Wealthier

- i. Completion of a Regeneration Framework for Durham City by July 2013. Revised date: April 2014.
- ii. Deliver a programme of transport capital works across the county, including Bishop Auckland rail station by September 2013. Revised date: November 2013.
- iii. Develop sustainable travel plans for the key employment sites across County Durham including improved transport links to the Hitachi site at Newton Aycliffe by September 2013. Revised date: March 2014.

Altogether Better for Children and Young People

- iv. Develop the council's Fixed Play Strategy by September 2013. Revised date: June 2014.

Altogether Safer

- v. Review and enhance the council's current emergency planning framework and plans to improve resilience by December 2013. Revised date: February 2014.
- vi. Through the Community Action Team, deliver a 19 month programme of targeted interventions around environment, health and consumer protection by December 2014. Revised date: March 2015.

Altogether Greener

- vii. Produce a new Waste Strategy for Durham County Council by September 2013. Revised date: April 2014.

Altogether Better Council

- viii. Develop a robust performance framework to capture the effectiveness of AAPs by September 2013. Revised dated: February 2014.
- ix. Implementation of a community buildings strategy by May 2014. Revised date: June 2014.
- x. Produce a Regeneration Investment Plan to maximise external funding for the council and its partners by September 2013. Revised date: December 2013.
- xi. Revise the council's Organisational Development Strategy to strengthen the approach towards workforce planning and development - September 2013. Revised date: January 2014.

Amended Actions

Altogether Healthier

- xii. The action 'Work with Clinical Commissioning Groups to ensure universal access to the Health Check Programme in County Durham by increasing the uptake of health checks from community providers' has been amended to 'Increase the proportion of people on practice registers with an estimated risk 20% or more of developing CVD in the next 10 years having an NHS health check and risk management plan'. The timescale remains the same.

Review of the Sustainable Community Strategy (SCS), Council Plan and Service Plans

Summary

The Cabinet considered a report of the Assistant Chief Executive on the development of the Sustainable Community Strategy (SCS) and Council Plan, detailing the draft objectives and outcomes for each priority theme. The report included feedback from the County Durham Partnership (CDP) Away Day and Member seminars and next steps. The SCS is the single strategic plan for the county that takes account of the needs, views and aspirations of people living and working in the county. The last SCS was developed in 2010. It is reviewed every three to four years to ensure that it remains relevant, fresh and a valuable source of information and guidance for everyone working to improve outcomes for people in County Durham.

Outcomes contained within the 2010 SCS have been amended over the last three years in line with changes in Government policy through the annual Council Plan process. The Council Plan details Durham County Council's contribution towards achieving the objectives set out in the SCS, together with its own improvement agenda. It has been amended this year to cover a three year timeframe in line with the council's Medium Term Financial Plan and sets out the corporate priorities and key actions that will be taken to support the longer term goals set out in the SCS.

Key groups and partnerships have been asked for their views on the draft objectives and outcomes for each priority theme; how partners will work together on issues which cut across a number of our priority themes and the proposed future partnership approach.

Overall it is recommended that the 5 key "altogether better" themes remain unchanged in line with the review of the Altogether Better Durham vision of the County Durham Partnership. It is also recommended that the "altogether better" council theme is retained for the Council Plan with its six key themes.

At the CDP Board Away Day on 3 September 2013 the objectives of each thematic partnership were considered. It was agreed that these are a key element of our shared plans for the future and as such need to be sufficiently forward looking to stand the test of time. The Board agreed that the draft objectives address key issues and endorsed these for further consultation and ratification by thematic partnerships. The proposed changes to the SCS and Council Plan objectives are set out in the report at Appendix 2.

The Council Plan objectives and outcomes framework was considered at a Member seminar on 22 October linked to an initial briefing on the MTFP approach this year. Feedback from both the CDP Board away day and Member seminars will form part of the considerations for the next stage of SCS and Council Plan development. The final draft SCS and Council Plan will be presented to Cabinet and Council in early 2014. Following agreement of the objectives and outcomes framework, the key milestones for completion of the SCS and Council and service plans will run in parallel.

Decision

The Cabinet:

- Noted the updated position on the development of the Sustainable Community Strategy 2014-2030 and the Council Plan 2014-17
- Agreed the draft objectives and outcomes framework set out in Appendix 2 as a basis for the development of the Sustainable Community Strategy and Council Plan.

Forecast of Revenue and Capital Outturn 2013/14 for General Fund and Housing Revenue Account – Period to 30 September 2013

Summary

The Cabinet considered a report of the Corporate Director, Resources providing a forecast of 2013/14 revenue and capital outturn for the period to 30 September 2013 for the Council's General Fund and Housing Revenue Account.

This report updates the information presented to Cabinet on 11 September showing the forecasted revenue and capital outturn based on expenditure and income up to 30 June 2013 and incorporates the recommended changes to cash limits within Service Groupings agreed at that time. The report also considered for the first time the Collection Funds' performance in respect of Council Tax and Business Rates.

Revenue

The following adjustments have been made to the Original Budget that was agreed by Full Council in February 2013:

- (i) agreed budget transfers between Service Groupings;
- (ii) additions to budget for items outside the cash limit
- (iii) planned use of or contribution to Earmarked Reserves

Capital

At Full Council on 20 February 2013 a 2013/14 General Fund (GF) capital budget of £159.462m was approved.

The 2013/14 Housing Revenue Account (HRA) capital budget of £49.271m was also approved.

The Capital Member Officer Working Group (MOWG) has since reviewed the capital programme and taken into account further developments and analysis of changes and demands on resources. The recommendations following the latest MOWG review on 14 October 2013 were included in the report.

Decision

The Cabinet:

- Noted the projected change in the Council's overall financial position for 2013/14.
- Agreed the proposed 'sums outside the cash limit' for approval.
- Agreed the revenue and capital budget adjustments
- Noted the forecast use of Earmarked Reserves.
- Noted the forecast end of year position for the Cash Limit and General Reserves position.
- Noted the position for the Housing Revenue Account, Capital Programme and the Collection Funds in respect of Council Tax and Business Rates.

Decision made in Part B of the meeting – reports containing exempt or confidential information

Assistance Given Towards Strategic Companies in County Durham

Summary

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development and Corporate Director, Resources requesting Cabinet to consider giving assistance towards strategic companies in County Durham.

Decision

The Cabinet approved the recommendations in the report.

Colette Longbottom
Head of Legal and Democratic Services
22 November 2013