



## RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **WEDNESDAY 19 NOVEMBER 2014**.

The decisions will come into force and may be implemented from **MONDAY 1 DECEMBER 2014** 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 Leadgate Junior School from 7-11 to 3-11 from 1 April 2015 to create a Primary School and to close Leadgate Infant and Nursery School as a separate school on 31 March 2015 - Key Decision CAS/03/14**

### Summary

The Cabinet considered a report of the Corporate Director, Children and Adults Services to seek Cabinet approval to change the age range of Leadgate Junior School from 7-11 to 3-11 from 1 April 2015 to create a Primary School and to close Leadgate Infant and Nursery School as a separate school on 31 March 2015 taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient places, and to secure good outcomes for all children and young people in their local area.

The long term viability of separate Infant and Junior schools is uncertain due to changes in school funding which will come about as a result of the introduction of the National Funding Formula in 2015. Combining separate Infant and Junior Schools is in the best interests of children and their families. The benefits of "all through" Primary Schools were included in the consultation document in Appendix 2 of the report to Cabinet.

Discussions with Leadgate Infant and Junior schools about a possible amalgamation began in May 2014. Following these initial discussions, using delegated powers, the Corporate Director, Children and Adults Services approved the commencement of consultation on the proposal to change the age range of Leadgate Junior School from 7-11 to 3-11 from 1 April 2015 to create a Primary School and to close Leadgate Infant and Nursery School as a separate school on 31 March 2015. The delegated decision report was included in the Cabinet report at Appendix 2.

Consultation documents were distributed and a series of meetings were held between 9-11 June 2014 so that Governors, staff, Parish Councils, parents, pupils and the local community could share their views with the Local Authority. Consultation was undertaken between 9 June and 18 July 2014. The responses to the consultation were received and considered by officers in the County Council. The large majority were in support of the proposal and only one was not in support of it. A summary of the responses was included in the Cabinet report.

After full consideration of all the responses to the consultation, the Corporate Director, Children and Adults Services used delegated powers to agree to publish proposals to change the age range of Leadgate Junior School from 7-11 to 3-11 from 1 April 2015 to create a Primary School and to close Leadgate Infant and Nursery School as a separate school on 31 March 2015. A statutory notice was published on 4 September 2014. A statutory 4 week representation period followed during which comments on the proposal were made. The representation period was the final opportunity for people and organisations to express their views about the proposal and ensure that they were taken into account by the Decision Maker (in this case the County Council's Cabinet). No objections or comments were received by the end of the 4 week statutory notice period.

The Cabinet were advised that the proposed Primary School would be on the sites of the current Leadgate Infant and Nursery School and Leadgate Junior School with a capacity for 210 pupils. Consequently there would be no increases to travel or journey time and no changes to the current accessibility of both schools. A school of this size would be large enough to accommodate the current and future pupils expected to attend the proposed Primary School. The maximum number of pupils anticipated to be at the school up to 2020 is 196 therefore no pupils would be displaced by the proposal. The proposed number of pupils to be admitted to Reception of the proposed Primary School in September 2015 is 30. An equality impact assessment was carried out on the proposal and it found no potential impact in relation to age, gender, disability and race/ethnicity for pupils and parents/carers.

Capital funding in the region of £20,000 will be required to upgrade the ICT provision and provide appropriate signage. The School Capital Maintenance Grant allocated to the LA from the DfE would provide this funding.

## **Decision**

The Cabinet agreed:

- (i) that the age range of Leadgate Junior School should be changed from 7-11 to 3-11 from 1 April 2015 to create a Primary School; and
- (ii) that Leadgate Infant and Nursery School should close as a school on 31 March 2015.

## **Proposal to enlarge Greenfield Community College from 1 January 2015 and close Sunnysdale Community College as a separate school on 31 December 2014 [Key Decision: CAS/04/14]**

### **Summary**

The Cabinet considered a report of the Corporate Director, Children and Adults Services which sought Cabinet approval to enlarge Greenfield Community College from 1 January 2015 and close Sunnysdale Community College as a separate school on 31 December 2014, taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient places, and to secure good outcomes for all children and young people in their local area.

Both schools provide education for pupils age 11-16. Greenfield has the capacity to accommodate 800 pupils (currently there are 658 pupils on roll at the school) and Sunnysdale has the capacity to accommodate 954 students (currently there are 402 pupils on roll at the school). Greenfield Community College was inspected by Ofsted in October 2012. The overall effectiveness of the school was judged to be Good. Sunnysdale Community College was inspected by Ofsted in April 2014. The overall effectiveness of the school was judged to be Inadequate.

Due to the 'Inadequate' Ofsted judgement about Sunnysdale, the Local Authority and Governing Body were required to take action to address the key issues that were highlighted in the Ofsted report. Officers believe that students in this area of the county will have wider opportunities for educational improvement if Sunnysdale was to amalgamate with Greenfield which is a Good school.

The Corporate Director, Children and Adults Services approved that consultation could begin on a proposal to enlarge Greenfield Community College from 1 January 2015 and to close Sunnysdale Community College as a separate school from 31 December 2014. This would result in the schools being amalgamated into a single school. Consultation documents were distributed widely and meetings were held between 23 June and 16 July 2014 with Governors, staff, parents, pupils and members of the local community.

The report proposed that the single Greenfield School would become a split site school making use of accommodation on both sites, to enhance curriculum provision. Some investment will be required to address condition issues on some of the buildings on the Sunnysdale site. The level of funding has yet to be agreed but would be met from the DfE grant allocation. Initially, the single school would have the combined capacity of both schools. There would continue to be surplus places in the single school but as the use of accommodation is reviewed, there is inevitably likely to be changes in the way buildings across both sites are used. Once this review is carried out, appropriate investment could be made to improve accommodation, where necessary. A re-assessment of the overall capacity of the school would then be carried out.

From 1 September 2014 the Headteacher of Greenfield took up post as acting Executive Headteacher across both schools. This was agreed by the Governing Body.

After full consideration of all the responses to the consultation, the Corporate Director, Children and Adults Services used delegated powers to agree to publish proposals to enlarge Greenfield Community College from 1 January 2015 and close Sunnysdale

Community College as a separate school on 31 December 2014. A statutory notice was published on 4 September 2014. There then followed a statutory 4 week representation period during which comments on the proposal could be made. No objections or comments were received by the end of the 4 week statutory notice period.

In making its decision, Cabinet was reminded that the principle reason for amalgamating Greenfield (Newton Aycliffe) and Sunnydale (Shildon) is to address the issue of educational underperformance at Sunnydale. Some parents in the local community in Newton Aycliffe were concerned that amalgamating with an 'inadequate' school would impact on standards at Greenfield, they were reassured that the model of Governance, Leadership and Staffing across the two schools would ensure that there would not be a detrimental impact on the quality of provision at Greenfield.

An equality impact assessment was carried out on this proposal which found no potential impacts in relation to age, gender, disability and race/ethnicity for pupils and parents/carers. The proposed single school will be on the sites of the current Sunnydale and Greenfield schools. Consequently there will be no increases to travel or journey time and no changes to the current accessibility of both schools.

The Local Authority submitted an application to the DfE for capital funding to improve buildings on the Sunnydale site via the National Priority School Building Programme. If this is not successful there may be in the region of £1-£2m required to improve the buildings. This would be met from future allocations of DfE School Capital Maintenance Grant funding allocated to all Local Authorities on an annual basis.

## **Decision**

The Cabinet agreed:

- (i) to enlarge Greenfield Community College from 1 January 2015; and
- (ii) to close Sunnydale Community College as a separate school on 31<sup>st</sup> December 2014

## **Forecast of Revenue and Capital Outturn 2014/15 for General Fund and Housing Revenue Account – Period to 30 September 2014**

### **Summary**

The Cabinet considered a report of the Corporate Director, Resources which provided Cabinet with a forecast of 2014/15 revenue and capital outturn, based on the period to 30 September 2014 for the Council's General Fund and Housing Revenue Account. The report also includes the updated forecasts for the Collection Funds (Council Tax and Business Rates).

The report updated the information presented to Cabinet on 10 September showing the forecasted revenue and capital outturn based on expenditure and income up to 30 June 2014 and incorporates the recommended changes to cash limits within Service Groupings agreed at that time, updates to the forecasts previously reported and revised forecast balances on general and earmarked reserves at 31 March 2015.

The report also provided an update on the Collection Fund in terms of Council Tax and Business Rates forecast outturn.

## **Revenue**

The following adjustments have been made to the Original Budget that was agreed by Full Council in February 2014:

- (i) agreed budget transfers between Service Groupings;
- (ii) additions to budget for items outside the cash limit (for Cabinet approval);
- (iii) planned use of or contribution to Earmarked Reserves (referred to in Appendix 4 of the report).

## **Capital**

The General Fund (GF) capital budget for 2014/15 was set at £166.292m by Council on 26 February 2014. Re-profiling from the 2013/14 capital programme outturn into 2014/15, amounting to £22.341m, was reported to Cabinet on 16 July 2014.

The 2014/15 Housing Revenue Account (HRA) Capital budget of £50.489m was also approved by Council on 26 February 2014.

The Council's Member Officer Working Group (MOWG), which closely monitors the capital programme, has since recommended approval to Cabinet of further revisions to the capital programme, taking into account additional resources received by the authority and further requests for re-profiling as Service Management Teams continue to monitor and review their capital schemes. Since the 2014/15 budget was approved at Council on 26 February 2014, the MOWG have approved a number of variations to the capital programme and significant variations were detailed in the report.

## **Decision**

The Cabinet:

- Noted the projected change in the Council's overall financial position for 2014/15
- 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
- Noted the creation of the PDF Reserve
- Agreed that Schools be advised of the need to have minimum and maximum balances at 31 March
- Noted the position for the Housing Revenue Account, Capital Programme and the Collection Funds in respect of Council Tax and Business Rates

## **Mid-Year Report for the Period to 30 September 2014 on Treasury Management Service**

### **Summary**

The Cabinet considered a report of the Corporate Director, Resources which provided for the revisions to the regulatory framework of treasury management that had introduced a requirement that the Council receives a mid-year treasury review, in addition to the forward looking annual treasury strategy and backward looking annual treasury report required previously.

As well as meeting the above requirement this report also incorporated the needs of the 'Prudential Code', which can be regarded as being best operational practice, to ensure adequate monitoring of our capital expenditure plans and the Council's prudential indicators (PIs). The treasury strategy and PIs were previously reported to Council as part of the Medium Term Financial Plan 2014/15 – 2016/17 on 26 February 2014.

The report also supports the objective in the revised CIPFA Code of Practice on Treasury Management and the Communities and Local Government Investment Guidance. These state that Members should receive and scrutinise the treasury management service.

### **Decision**

The Cabinet:

- Noted the contents of the mid-year review report and agreed to report further to Full Council.
- Agreed the proposed rating changes to remove the "standalone" ratings from Fitch (Viability) and Moody's (Financial Strength) as a selection criteria for approved counterparties.

## **Children's Services Update**

### **Summary**

The Cabinet considered a report of the Corporate Director, Children's Services which provided an update on the national and local developments in relation to Children's Services.

Children's social care continues to be a high profile area of public service, with local authority decisions under constant scrutiny from regulators and the public. A number of recent child death reviews have highlighted the complex social circumstances in which social workers and partners have to work, and have often been critical of social work practice.

The report identified the next steps for transforming Children's Services which include:

- To continue to develop social work reform and new ways of working.
- To develop regional Child Sexual Exploitation protocols and to implement the Durham and Darlington Child Sexual Exploitation Action Plan.
- To identify cases of neglect earlier and to divert more families from statutory social services.
- To build on opportunities to work with the third sector to support our work
- Seek support from the Department for Education – children’s social care innovation fund (awaiting decision on progression to the 2<sup>nd</sup> stage of the application process).

## **Decision**

The Cabinet noted the contents of the report and agreed to receive further updates in relation to the transformation of Children’s Services on a six monthly basis.

## **The Manufacturing Sector in County Durham**

### **Summary**

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which reported upon the importance and value of the engineering and manufacturing sector to the economy of County Durham, and outlined opportunities to retain and create jobs, generating economic prosperity in line with the Council’s Altogether Wealthier objective.

The manufacturing sector forms a major part of the County’s economy. While County Durham’s manufacturing sector is doing relatively well, the private sector in County Durham is currently too small: there is an opportunity to increase economic activity in the County in a highly valuable section of the private sector. As the recovery continues, there will be increasing opportunities to attract more manufacturing into the County and to capture these opportunities there is a need to be better positioned nationally and internationally as a place for manufacturing. The engineering and manufacturing sector in County Durham is demonstrably strong and vital to the economy of County Durham, and there are already a range of activities being undertaken to sustain the sector. To extend the supply chain, to win new companies, to help existing companies to stay and grow, to create new jobs and to position County Durham nationally and internationally as a place for manufacturing will require an increase the levels of activity.

In order to maximise the opportunities for County Durham’s economy from the manufacturing sector, the report recommended that a short term, time limited task and finish group be established.

The group would:

- Explore and verify the challenges and opportunities for the manufacturing sector in investment, skills and market access
- Develop a plan, outlining short, medium and long term actions which would maximise the economic impact of both existing companies and of attracting new inward investors
- Develop a framework for prioritising actions in terms of return on investment

- Highlight those actions with most impact in the short, medium and long term
- Consider any resource implications for prioritised actions and suggest potential funding routes
- Consider and recommend which organisation should lead on which actions
- Present a summary of recommendations, rationale, expected results, and lead organisations to Cabinet.

Representation on the Task and Finish Group was proposed as follows:

- The Cabinet Member for Economic Regeneration would be asked to chair the group, on a similar basis to the recent successful approach taken to the Social Value Task Force
- A senior business person from the manufacturing sector would be asked to Deputy Chair for the group
- Appropriate representation from manufacturing networks would be considered and selected, e.g., the EEF and/or the Engineering Fora
- Appropriate representation from the NELEP and/or BIS (Local) would be considered to ensure alignment with policy opportunities
- The relevant Skills Council (SEMTA) would be invited to ensure the skills agenda is taken into account
- Five senior business leaders from manufacturing companies within County Durham would be selected, ensuring a balance of industry sectors,
- Secretariat support would be provided by Business Durham.

The timescale of the group's work was suggested to be over three to four months, starting from January 2015 and reporting back in spring 2015.

## **Decision**

The Cabinet agreed to the establishment of a Manufacturing Opportunities Task and Finish Group which will commence its work in January and report back in late Spring 2015.

## **Supporting the Private Rented Housing Sector**

### **Summary**

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which provided an overview of how resources are currently being targeted to contribute to improvements in the private rented housing sector. It also proposed the introduction of a Landlord Accreditation Scheme in the County.

There has been significant growth in the private rented sector in the last ten years since the previous census in 2001. The number of private rented homes in the County has increased by 78% between 2001 and 2011, from 15,825 to 28,142 households. Apart from the concentration of private rented housing in Durham City serving its student population, private rented housing in County Durham tends to be concentrated in areas of relative deprivation, where the housing market is weak.



Private rented housing is often older types of housing stock, in poor condition and failing to meet the Decent Homes Standard.

The majority of landlords operating in the County provide good quality homes and are aware of their responsibilities. However, a small number of landlords operate poor management practices and allow tenants to live in unsatisfactory housing conditions. This can have a negative impact both on neighbours and the neighbourhood and also the tenants' health and wellbeing.

In working to address these issues, the Council set itself three objectives with respect to improving standards in the Private Rented Sector:-

- Improving access to good quality information and advice
- Improving management standards
- Improving property conditions

One approach that has been used within County Durham to date is selective licensing. The Housing Act 2004 gave local authorities the power to licence private sector landlords in areas in an attempt to tackle low demand and anti-social behaviour associated with the designated area. The Council currently operates three selective licensing schemes in Dean Bank, Ferryhill, Chilton West and Wembley in Easington.

In reviewing the designations and agreeing to renew them for a further 5 year period, the Council's Cabinet agreed that selective licensing was making a positive contribution to sustaining the three communities in question. Whilst selective licensing can be an effective tool, it is also very resource intensive and the three schemes in Durham are not self-financing. In the current context of reducing funding for Council services, further extension of selective licensing in the County would only be considered if additional external funding could be identified to financially support their introduction.

A landlord accreditation scheme could be an alternative to selective licensing and this is currently being piloted within the County. Landlord accreditation schemes have been developed over the last 15 years and are used as a quality mark to demonstrate that accredited landlords meet agreed standards and that this has been checked and verified by the accrediting body. Landlord accreditation schemes are voluntary and are designed to improve both management standards and property standards.

It is proposed as part of the development of the private rented sector in the County, that the County Council launches its own landlord accreditation scheme, encouraging all Durham private landlords to become members. The Durham Landlord Accreditation Scheme would:-

- Offer landlords the option of advertising their properties through the Council's letting scheme, Durham Key Options (DKO) – this is already being piloted with a number of landlords.
- Offer all tenants housed in private rented accommodation through DKO support tailored to their needs, provided by the Council's floating support provider, Stonham Housing.

- Enable landlords to request a reference for tenants who have come to them through DKO, supporting them in providing better management services.
- Offer landlords advice and training to improve their working practices.
- Offer Landlords a single point of contact if they have issues with any tenants. This proactive service would also help to reduce illegal evictions and prevent homelessness.
- Ensure property standards are maintained and improved, with property inspections for the first property advertised by a landlord, followed by a 10% check.

The costs of providing the services of the Accreditation Scheme will be met through a fee charged to landlords to become accredited and to enjoy the benefits of the scheme. Over the next few years it is estimated that the scheme will generate sufficient funds to be self-financing. It is proposed that the accreditation scheme will go live in April 2015, however a pilot is currently in operation in South Moor and New Kyo.

On the basis of the pilot accreditation scheme, early evidence is showing that landlords are keen to access the support available and local residents in the pilot area have welcomed the introduction of a scheme that aims to improve property conditions and management practices. Whilst it would be too ambitious to expect a Landlord Accreditation Scheme to address all issues within the private rented sector, work within the pilot scheme appears to show that such an approach makes a positive contribution to this growing agenda and is deliverable across the wide and diverse geography of County Durham. It is therefore recommended that the pilot scheme be extended across County Durham from April 2015.

## **Decision**

The Cabinet noted the actions being taken under the three objectives for improving standards in the private rented sector and agreed to the introduction of a County wide Landlord Accreditation Scheme in April 2015.

## **North East Industrial Estate, Peterlee – Project Update**

### **Summary**

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which provided a summary of progress made towards facilitating the redevelopment of North East Industrial Estate, Peterlee. The report sought the support of Cabinet to the redevelopment of North East Industrial Estate through the use of compulsory purchase (“CPO”) powers in order to acquire interests in property within the redevelopment area.

The North East Industrial Estate (which was illustrated on the map at Appendix 2 of the report), was first developed in the 1950s and 1960s has been in general decline for the last 15 years or so. The area is now characterised by cleared sites and a number of remaining industrial units, generally in poor repair.

In January 2014, Cabinet considered and endorsed a Future Options and Acquisition Strategy. This recommended a series of strategic interventions by the council to encourage housing regeneration.

The site at North East Industrial Estate, which extends to 19.8 hectares of brownfield land, is identified in the local plan as having the potential to contribute 390 housing units and is shown bordered red on the plan at Appendix 3. The Council's Regeneration Statement 2012-2022 and the endorsed Peterlee Regeneration Masterplan propose a range of objectives for East Durham, including a proposed new rail halt at Horden, an improved retail, business and residential offer in the town and increased employment, focussed on the North West and South West Industrial Estates.

Outline planning permission for 390 housing was approved at committee on 2 July 2014. The decision to approve the planning application for the site is a significant step forward in creating confidence in the site's ability to be delivered as a major redevelopment scheme. Coupled with the recent demolition of the former Dewhirst Clothing complex on the site frontage by new owners and the progress made under the council's acquisition and demolition programme, significant signs have been given that the redevelopment process is firmly underway.

Whilst it remains the intention to acquire land and property by agreement, there are potential risks to the project from property owners who are unwilling to sell or unable to reach agreement as to the value of their interest to be acquired. It is a further key action to explore the level of risk in this instance and to assemble a Statement of Case, seeking the formal resolution of the Council to use its compulsory purchase powers to achieve the proper planning of the area by acquiring any land and property required to deliver comprehensive redevelopment and removing restrictive covenants in order to provide clean title. Additionally, this will enable the Council to be able to confirm to potential developers that there is an "in principle" agreement to support them in a CPO if that is what is needed to deliver the whole site. Such support to a developer would be subject to the Council's costs in a CPO (including any acquisitions) being underwritten by the developer.

## **Decision**

The Cabinet approved the principle of the Council utilising its CPO powers, subject to the preparation of a detailed Statement of Case and the consideration of a request for a formal resolution once that case is made. An approval in principle to the use of CPO powers will evidence the Council's resolve to progress the project fully.

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

**Development of Market Housing on Council Land – Project Update**

**Summary**

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development and Corporate Director, Resources which provided Cabinet with an update on the development of market housing on council land.

**Decision**

The Cabinet approved the recommendations in the report.

Colette Longbottom  
Head of Legal and Democratic Services  
21 November 2014