

19 June 2019

## Report from the Cabinet



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### Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 3 April and 15 May 2019 to enable Members to ask related questions.

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**1. Proposal to change the Age Range of Cotsford Junior School from 7-11 to 4-11 from 1 September 2019 to create a Primary School and to close Cotsford Infant School as a Registered School on 31 August 2019 [Key Decision: CYPS/02/2018]  
Cabinet Portfolio Holder – Councillor Olwyn Gunn  
Contact – Graeme Plews 03000 265777**

We have considered a report of the Corporate Director of Children and Young People's Services which sought approval to change the age range of Cotsford Junior School from 7-11 to 4-11 from 1 September 2019 to create a primary school and to close Cotsford Infant School as a registered school on 31 August 2019.

The Cabinet agreed at its meeting on 14 November 2018 the outcomes to be taken that would lead to an amalgamation of Cotsford Infant and Junior Schools. Initial non-statutory consultation on a proposal to amalgamate Cotsford Infant and Junior Schools was carried out between 19 November and 30 December 2018. Five responses were received to this consultation, all of which were in support of the proposal.

In a report dated 7 January 2019, the Corporate Director, Children and Young People's Services used delegated powers to approve the issuing of a statutory notice proposing to change the age range of Cotsford Junior School from 7-11 to 4-11 from 1 September 2019 to create a primary school and to close Cotsford Infant School on 31 August 2019. The proposed primary school would be located in Cotsford Junior School and part of Horden One Point building which is next to the junior school. Any person wishing to object or make comments on the proposal had four weeks from that date to do so. No comments were received to the proposal.

Amalgamating Cotsford Infant and Junior Schools into one primary school will provide a more viable establishment for the long term and will provide educational benefits that separate infant and junior schools do not. In the view of the Council, amalgamating infant and junior schools is in the best interests of children and their families. Primary Schools have more opportunity through daily contact, for those working within the school to work together in the best interests of pupils. They benefit from the consistency that working under the leadership of one Head Teacher and one Governing Body brings. A single primary school can reduce the potential for disruption, which some children experience, when they transfer from infant to junior school.

Although there was limited response to the consultation and statutory notice, the responses received were all in favour of the proposal. The

views expressed at the consultation meetings were also positive. The lack of objections from Governors, parents and the community together with the rationale put forward by the Council for the proposed reorganisation illustrates that an amalgamation of Cotsford Infant and Junior Schools is the correct strategy to preserve and enhance education in Horden and the surrounding area.

## **Decision**

We have agreed:

- (a) that the age range of Cotsford Junior School be changed from 7-11 to 4-11 from 1 September 2019 to create a primary school using the existing Junior School building and part of Horden One Point; and
- (b) that Cotsford Infant School should close as a registered school on 31 August 2019.

## **2. Annual Enforcement Programme Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003 Cabinet Portfolio Holder – Councillor Brian Stephens Contact – Joanne Waller 03000 260924**

We have considered a report of the Corporate Director of Regeneration and Local Services which reviewed enforcement activities under the Children and Young Persons (Protection from Tobacco) Act 1991, the Anti-Social Behaviour Act 2003 and the Licensing Act 2003 for the period April 2018 to March 2019 and sought approval of a new enforcement programme for 2019/20.

The County Council has statutory responsibility for enforcement of age restricted products, namely tobacco, nicotine inhaling products, spray paint containers, alcohol, videos and DVDs, cigarette lighter refills, fireworks and the proxy sale of tobacco products and supply of nicotine inhaling products to under 18s. The Authority has also elected to enforce the age-restricted sales of solvents and glue, knives, access to gaming establishments and access to sunbed premises.

The report provided details of enforcement activity during 2018 / 2019, in relation to age restricted products and tackling supplies of illicit tobacco. Information was provided in relation to complaints, test purchase and seizure activity for this period. Details of the outcomes of enforcement action were also provided.

The proposed enforcement programme for 2019/2020 was detailed in the report which consists of the following activities:

- (a) An intelligence led approach to under age sales enforcement and tobacco. This will continue to develop the intelligence from the “Keep it Out Campaign” to deliver enforcement action where possible. Continue to develop sources of community intelligence through partnership working and publicity activity.
- (b) Working in partnership with the Police and other enforcement agencies to identify and disrupt the involvement of organised criminality in the illicit tobacco supply chain.
- (c) Investigation of all consumer and trader complaints.
- (d) Undertaking market surveillance project activity in relation to age restricted products
- (e) Continuation of joint working with the Police Harm Reduction Unit and other agencies to adopt a holistic approach to solving problems associated with the accessibility and misuse of age restricted products.
- (f) Hold events to raise public awareness of the harms associated with illicit tobacco, to publicise the work of the service and encourage reporting of this criminal activity.
- (g) Continuation of the ‘Do You Pass’ retailer training as a way of assisting business.
- (h) Continuation of work in partnership with the police, HMRC and other agencies to tackle sales from private premises to children, particularly in relation to alcohol and tobacco.
- (i) Working with the County Durham Tobacco Alliance partners, provide guidance to traders on the legal requirements surrounding E Cigarettes / Vaping equipment and products and access of their customers to advice on smoking cessation support.
- (j) Continuation with a practice of reviewing premises when appropriate.
- (k) Continuation of work to tackle health inequalities and antisocial behaviour associated with the misuse and illegal supply of age-restricted products, in particular alcohol and tobacco.
- (l) Deliver business advice on and carry out enforcement of new legislation for which we may be statutorily responsible including all new legislation, which may emerge in relation to knife sales and corrosive substances.

## **Decision**

We have approved the proposed enforcement programme for 2019/2020.

**3. Bishop Auckland Regeneration - Town Centre  
Masterplan and Heritage Action Zone  
Cabinet Portfolio Holder – Councillor Carl Marshall  
Contact – Stuart Timmiss 03000 266334**

We have considered a report of the Corporate Director of Regeneration and Local Services which provided an update on regeneration activity in Bishop Auckland. The report sought approval of the final town centre masterplan and provided an update of activity in the Bishop Auckland Heritage Action Zone.

The masterplan is an ambitious long-term strategic framework for the town centre which balances the needs of resident, business, visitor and investor alike, to enable the town and its community to capitalise on the opportunity presented by current and emerging developments. The masterplan aligns closely with the Council's Towns and Villages programme in actively seeking and supporting the re-use of town centre premises in the face of significant pressures on the traditional high street. Bishop Auckland's Heritage Action Zone has been established to help revitalise the town's historic centre and to help realise its potential to be a vibrant market town for both locals and visitors.

Working in partnership, Durham County Council, Historic England and the Brighter Bishop Auckland Regeneration Partnership Board are seeking to strengthen the town's economic, social and cultural regeneration through a toolbox of measures including grant aid, specialist support, guidance, public engagement and the improvement to essential infrastructure such as coach and car parking and town centre wifi.

The Heritage Action Zone will tackle heritage at risk, including the conservation area, and will look at buildings that have suffered from years of retail decline. A range of other projects are planned to help bring neglected buildings back in to use, rejuvenate public spaces, involve local people and deliver stronger planning. A programme of research, repair and regeneration is coordinated by the Heritage Action Zone Project Manager. The Project Manager will work with the partnership and local community to deliver around 50 projects.

The masterplan sets a clear strategic direction for the future of the town centre. The projects contained in the masterplan will be delivered over the next 10-15 years. Funding bids to support the delivery of the masterplan have already commenced, such as the bid recently submitted to the Government's Future High Streets Fund focussed on developing coach and car parking capacity to meet the needs of both resident and visitor populations. The masterplan has been developed

with a high level of engagement with the local community throughout its preparation.

Whilst the Heritage Action Zone was only established in May last year, it has made significant progress in implementing its Delivery Plan. Work is currently being undertaken to gain more understanding of key buildings within the centre. This increased understanding of buildings should enable the Heritage Action Zone to develop a new funding package for building owners and tenants to improve the appearance of their property. Work is underway to restore the West Mural Tower which will bring this Grade 1 listed building back into use and remove it from the Historic England at risk register.

### **Decision**

We have:

- (a) Approved the Bishop Auckland Town Centre Masterplan
- (b) Noted progress being made on the Bishop Auckland Heritage Action Zone

#### **4. SEND Strategy Refresh Cabinet Portfolio Holder – Councillor Olwyn Gunn Contact – Martyn Stenton 03000 268067**

We have considered a report of the Corporate Director of Children and Young People's Services which presented the refreshed strategy for supporting work across local partners for children, young people and young adults with Special Educational Needs and Disabilities (SEND). The refreshed strategy replaces the existing SEND Strategy for Children and Young People with Special Educational Needs and/or Disabilities 0-25.

This report provided an update on the joint strategic approach to SEND in County Durham across the 0-25 age range involving Health, Social Care, Education and other partners. The report reflected the work undertaken by multi-agency planning groups, including engagement with stakeholders such as Making Changes Together (the recognised parent and carer partnership for SEND provision) and the eXtreme group (a group of young people with SEND who help to inform services of their experiences of life with SEND in County Durham).

The strategy is aligned to the new Children and Young People's Strategy which was recently approved at Cabinet in February 2019. It updated the strategic direction and action of the local area partnership against the key SEND priorities and provided an update of progress of

actions taken in response to the Ofsted and CQC local area inspection in late 2017.

The implementation of the SEND strategy vision is guided through a working strategic action plan, which is monitored and updated as required through the work of the Integrated Steering Group for Children and the updated governance structures for SEND.

## **Decision**

We have:

- (a) Approved the refreshed SEND Strategy;
- (b) Noted that the SEND Strategy will be updated later in 2019/20 following completion of an in-depth health needs analysis which is currently underway.

## **5. Bishop Auckland Town Hall: Invest to Save Cultural Development** **Cabinet Portfolio Holder – Councillor Joy Allen** **Contact – Su Lewis 03000 262776**

We have considered a report of the Corporate Director of Regeneration and Local Services which sought endorsement of the approach to refurbish and fully redefine Bishop Auckland Town Hall (BATH) into a thriving cultural hub, to grow participation in the arts and support the regeneration of Bishop Auckland and the town centre whilst returning a saving to the revenue cost for the facility.

The report outlined the intended capital works and proposed a level of borrowing in addition to the capital already available to ensure the project is truly transformational and ensures the longer-term sustainability of the venue. On this basis, the project is presented as an “invest to save” project.

Bishop Auckland Town Hall is a Grade 2 listed building which has long been established as a civic building within Bishop Auckland. The building currently functions as both a library and civic venue, incorporating a small gallery, theatre space and café. The library has poor usage, arts programming is limited by the facilities available and hires have been ad-hoc. With a 2018/19 net revenue budget of £472,426 made up from £141,953 income and £614,379 expenditure this makes the venue one of the Council’s most heavily subsidised leisure buildings.

Bishop Auckland is experiencing a significant period of change, mainly as a result of the activities of the Auckland Project; most of which

(Auckland Castle, Spanish Gallery, Mining Art Gallery and Tower) are developing within the immediate vicinity of BATH.

The report proposed investment to refurbish the facilities, creating a more vibrant cultural offer. This will be delivered through a capital scheme to refit the theatre space with new more comfortable seating, introducing quality screening facilities, moving the café to street level and repositioning and modernising the library and gallery spaces, whilst at the same time facilitating a small retail space for let. This will facilitate a change in the nature and scope of the programme and usage, driving revenue spend and allowing for more efficient operational costs. The report set out a business case for an investment of £1,525,950.

### **Decision**

We have approved:

- (a) The approach to the redevelopment of Bishop Auckland Town Hall.
- (b) The proposed scope of refurbishment to Bishop Auckland Town Hall, the case for delivery, and, that the capital scheme is developed utilising the current capital budget of £1,194,359 with an additional £331,591 financed on an “invest to save” basis from the additional income generated.
- (c) That existing and local user views are built into future programming of the facility.

### **6. Schools 20 mph Part-Time Speed Limits Project – Update Report Cabinet Portfolio Holders – Councillors Brian Stephens and Lucy Hovvels Contact – John Reed 03000 267454**

We have considered a joint report of the Corporate Director of Regeneration and the Corporate Director of Adult and Health Services which provided a final update on the Schools 20 mph part-time speed limits project.

On 17 December 2014 Cabinet approved the Schools 20 mph Part-Time Speed Limits Project. This involved introducing 20 mph part-time speed limits or zones on main and distributor roads around 33 schools with the highest accident rates. The project was funded by a one-off Public Health Grant of £952,850 and was complemented by a revenue budget to help deliver road safety education and social marketing.

As the project was progressing under budget on 11 May 2016 Cabinet approved using the underspend to expand its scope to include a further 33 schools. In addition, a further 12 schools in close proximity to those prioritised for funding have been included where it was practical to do so. This brings the total number of schools funded by Public Health Grant to 78.

These schemes have now been successfully introduced both on time and under budget. There is an underspend of £106,000 and Cabinet were asked to recommend that it be used to expand the scope of the project further to include the next six schools on the prioritisation list, namely

1. Shotton Primary School, Shotton Colliery;
2. St. Helen Auckland Community Primary School, St Helen, Auckland;
3. St. Margaret's C of E Primary School, Durham;
4. Benfieldside Primary School, Consett;
5. St. Patrick's RCVA Primary School, Langley Moor; and
6. Brandon Community Primary School, Brandon.

The prioritisation list was produced in 2016 and was used to select the additional 33 schools using criteria developed in consultation with the Scrutiny 20mph Working Group. The Council has made clear that further schemes can be added to the project where fully funded by local Councillors, Area Action Partnerships, Schools and Town/Parish Councils. 31 schemes have been completed to date through these funding sources and a further 15 are in development.

## **Decision**

We have:

- (a) Noted the contents of the report
- (b) Approved that the underspend of £106,000 be used to fund schemes at the next six schools on the prioritisation list in 2019/20 which were identified in the report.

## **7. North Pennines Area of Outstanding Natural Beauty (AONB) Management Plan 2019-24 Cabinet Portfolio Holder – Councillor Andrea Patterson Contact – Oliver Sherratt 03000 269529**

We have considered a report of the Corporate Director of Regeneration and Local Services which sought Cabinet approval for the formal

adoption of the North Pennines Area of Outstanding National Beauty (AONB) Management Plan 2019-24.

The North Pennines AONB covers part of County Durham, Northumberland and Cumbria and is one of 46 areas in England, Wales and Northern Ireland designated under the National Parks and Access to the Countryside Act (1949) for the conservation and enhancement of natural beauty of the landscape, its biodiversity and cultural heritage.

Under Section 89 of the Countryside and Rights of Way (CRoW) Act (2000), Durham County Council, and the other four relevant authorities (Carlisle, Eden, Northumberland, and Cumbria) have a statutory duty to act jointly to prepare, and every five years re-issue, a management plan for the North Pennines Area of Outstanding Natural Beauty (AONB).

The AONB Management Plan is a plan for the area, and many organisations, individuals and communities will have a role in implementing it. It focuses on landscape, biodiversity, geodiversity and cultural heritage, articulating why the area is special and presenting a series of actions and desired outcomes. Its functions include providing some of the evidence required to support policies in local development plans and other strategic documents and assisting with securing funding for project implementation. It does not include policies, but rather it informs and guides local authority (and other) policy in relation to the AONB.

The first statutory Management Plan for the North Pennines was published in 2004 and reviewed and reissued in both 2009 and 2014. It was recognised that the period ahead, (2019-24) may bring with it considerable change not just from the proposed Brexit, and its impact on agriculture, but also the Government's 25 Year Environment Plan, and the current national Protected Landscapes review. A review of the Plan is therefore timely.

A Draft Plan 2019-24 was prepared by the AONB team and approved by the AONB Partnership for release as a consultation version in December 2018. The AONB Partnership comprises a wide range of public, private and community organisations, including Durham County Council Portfolio Holder representation.

There was extensive consultation on this draft plan, with a wide variety of organisations invited to make comment as well as press and social media announcements and encouragement to complete online surveys. There was very strong support overall and from approximately 800 comments 234 revisions were made; these amendments were subsequently endorsed by the AONB Partnership in late February 2019, to move to formal consideration by the partner Councils. For Durham

County Council, feedback was given to ensure full alignment with the emerging County Durham Plan, and the consultative draft was amended to achieve this.

**Decision**

We have approved the adoption of the North Pennines Area of Outstanding Natural Beauty (AONB) Management Plan 2019-24.

**Councillor S Henig  
Leader of the County Council**

11 June 2019