

# DURHAM COUNTY COUNCIL

## Cabinet

At a Meeting of the **Cabinet** held in **Committee Room 2, County Hall, Durham** on **Wednesday 14 September 2016** at **10.05 am**

### Present

**Councillor S Henig (Leader of the Council)** in the Chair

### Cabinet Members:

Councillors J Allen, J Brown, N Foster, L Hovvels, O Johnson, A Napier, M Plews, B Stephens and E Tomlinson

### Also Present:

Councillors J Armstrong, D Bell, R Bell, J Clare, M Dixon, T Henderson, J Maitland, M Nicholls, J Rowlandson, J Shuttleworth, A Surtees and M Wilkes

Prior to the commencement of the business the Leader advised that there was an urgent item of business to consider in line with the provision at item 15 on the agenda, and that he would take this at the end of the key decisions items on the open part of the agenda.

### 1. Public Questions

There were no public questions

### 2. Minutes

The minutes of the meetings held on 13 and 20 July 2016 were confirmed as a correct record and signed by the Chairman.

### 3. Declarations of Interest

Declarations were provided in relation to item 6 by Councillor N Foster as member of the management committee of Spennymoor Youth and Community Group; Councillor J Brown as a member of the detached youth project at Consett; and Councillor S Henig as a member of Pelton Fell Community Partnership. Councillor Henig also declared a personal interest in relation to item 9.

**4. Proposal to close Startforth Morritt Memorial Church of England Primary School on 31 December 2016 [Key Decision: CAS/02/16]**

The Cabinet considered a report of the Interim Corporate Director, Children and Young People's Services which sought approval to close Startforth Morritt Memorial Church of England Primary School on 31 December 2016 (for copy see file of minutes).

Mrs Vicky Bain, the acting Head Teacher, and Mrs Sandra Moorhouse, Chair of the Governing Body spoke about the issues relating to the school, emphasising that their priority was the children, and hoped that the school would remain open, and if not delaying the closure date to enable them sufficient time to be able to make alternative provision with the possibility of federation. The Chair of Governors referred to the issue over the land and its use if it were to close, and referred to a letter that had been sent for Cabinet to consider. The Leader confirmed the letter had been received and a copy circulated to Cabinet. The Interim Corporate Director advised that they were aware of the issues raised in the letter which were about the obligations on the use of the land, and not connected with the closure of the school. She went on to advise that all legal documents had been reviewed and would not delay implementation of the decision if agreed.

A number of questions from members of the public about the closure had been received, and as they were not present to ask their questions in person, written responses would be provided. In response to questions from Councillor R Bell about the closure date, and in light of the new housing development that had been agreed for the area whether the school should be kept open to accommodate the additional children that would come into the area, Councillor Johnson advised that existing schools could accommodate the additional pupils, and of the reasons for not extending the deadline closure date.

**Resolved:**

That the recommendations in the report be approved.

**5. Consultation Feedback on the Proposal for Changes to the Charging Policy for Non-Residential Social Care Services [Key Decision: CAS/06/15]**

The Cabinet considered a joint report of the Interim Corporate Director, Resources and the Interim Corporate Director, Adult and Health Services which provided details of the results of the consultation exercise on proposals to make changes to the non-residential charging policy for recipients of social care services (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**6. Review of Youth Support [Key Decision: CAS/05/15]**

The Cabinet considered a report of the Interim Corporate Director, Children and Young People's Services which provided details of the outcome of the consultation carried out between 1 February and 27 April 2016 on the future of youth support services in County Durham. The report also made final recommendations on the future youth service delivery model (for copy see file of minutes).

In relation to a question from Councillor Wilkes about the proposed cuts to open access youth provision for his area, and whether alternative funding could be provided, he was advised of the reasons for undertaking the review, of the funding issues, and the opportunities that were being provided through the AAPs.

**Resolved:**

That the recommendations in the report be approved.

The next item of business was agreed as urgent business as detailed above.

**7. NECA- Devolution**

The Leader of the Council provided a detailed update to Cabinet on developments with the proposed devolution agreement. This included the timeline of events, the decisions taken, and the issues which lead to the NECA Leadership Board which met on 6 September 2016 to consider its position on the draft governance scheme and review, determine by a majority decision not to progress with the publication and consultation of the governance review and scheme at this stage.

He went on to advise that the Board wrote to the Secretary of State to notify him of this decision and to reiterate that each of the NECA authorities unambiguously support the principle of devolution for the North East and are keen to progress with the next stage in devolving powers and functions to the region, however at that point in time, it had not been possible to reach an agreement which all of the seven local authorities felt able to support.

In response, the government announced that it was withdrawing the devolution deal.

The Leader advised that he had kept the other group leaders on the Council informed as the process went along, and when seeking the views of those group leaders / representatives, who were present at the Cabinet meeting,

noted there was support for the action taken. The Leader advised that the Authority would continue to seek what was best for County Durham, and continue working with their neighbours in the NECA area, and in the Tees Valley area.

#### **8. Health and Wellbeing Board Annual Report 2015/16**

The Cabinet considered a joint report of the Interim Corporate Director, Adult and Health Services, the Interim Corporate Director, Children and Young People's Services and the Interim Director of Public Health County Durham which presented the Health and Wellbeing Board Annual Report 2015/16 (for copy see file of minutes).

Cabinet members spoke of the excellent work being undertaken by the Board and its partners, and asked that Board be thanked for its work.

#### **Resolved:**

That the recommendations contained in the report be approved.

#### **9. Strategy for Children and Young People with Special Educational Needs and / or disabilities 0-25**

The Cabinet considered a report of the Interim Corporate Director, Children and Young People's Services which presented the Strategy for Children and Young People with Special Educational Needs and/or Disabilities 0-25 (for copy see file of minutes).

#### **Resolved:**

That the recommendations in the report be approved.

#### **10. Quarter One 2016/17 Performance Management Report**

The Cabinet considered a report of the Director of Transformation and Partnerships which presented progress against the council's basket of performance indicators (PIs), Council Plan and Service Plan actions and reported other performance issues for the first quarter of the 2016/17 financial year, covering the period April to June 2016 (for copy see file of minutes).

#### **Resolved:**

That the recommendations in the report be approved.

**11. Forecast of Revenue and Capital Outturn 2016/17 – Period to 30 June 2016**

The Cabinet considered a report of the Interim Corporate Director, Resources which presented the forecast of 2016/17 revenue and capital outturn for the period to 30 June 2016 (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**12. Digital Durham Programme Update and Contract 1 Closure**

The Cabinet considered a joint report of the Interim Corporate Director, Resources and the Corporate Director, Regeneration and Economic Development which provided an update on the Digital Durham Programme and the outcomes for Contract 1, which has now closed (for copy see file of minutes).

Cabinet members asked that their congratulations be relayed to those involved in the programme on the excellent progress that had been made.

**Resolved:**

That the recommendations contained in the report be approved.

**13. Update on the delivery of the Medium Term Financial Plan 6**

The Cabinet considered a report of the Director of Transformation and Partnerships which provided an update on the progress made at the end of June 2016 on the delivery of the 2016/17 Medium Term Financial Plan (MTFP 6) (for copy see file of minutes).

**Resolved:**

That the report be noted.

**14. The North East Investment Fund (JEREMIE 2)**

The Cabinet considered a joint report of the Interim Corporate Director, Resources and the Corporate Director, Regeneration and Economic Development which sought approval to the Council's participation in a compliant governance structure to enable the North East Investment Fund (JEREMIE 2) project to proceed (for copy see file of minutes).

**Resolved:**

That the recommendation contained in the report be approved.

**15. Local Government Ombudsman Further Report relating to Mill House Farm, Windmill**

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development and the Interim Corporate Director, Resources which requested Cabinet to note and endorse the process for determining whether to utilise revocation, modification and discontinuance powers in respect of land at Mill House Farm, Windmill following a further report from the Local Government Ombudsman (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**16. Exclusion of the public**

That under Section 100(a)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely discussion of exempt information as defined in paragraphs 3,4, and 5 of Part 1 of Schedule 12A of the Act.

**17. Local Government Ombudsman Further Report relating to Mill House Farm, Windmill**

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development and the Interim Corporate Director, Resources on the Local Government Ombudsman Further Report relating to Mill House Farm, Windmill (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**18. County Durham Care and Support Review [Key Decision: AHS/01/16]**

The Cabinet considered a report of the Interim Corporate Director, Adult and Health Services relating to County Durham Care and Support Review (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**19. Acquisition of land adjacent to the former Stanley Bus Station Site**

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development, and the Interim Corporate Director, Resources relating to the acquisition of land adjacent to the former Stanley Bus Station Site (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.

**20. Acquisition of 3 Leazes Lane, Wolsingham**

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development and the Interim Corporate Director, Resources relating to the acquisition of 3 Leazes Lane, Wolsingham (for copy see file of minutes).

**Resolved:**

That the recommendations in the report be approved.