

Public Document Pack



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PUBLIC

To: Members of Cabinet Member - Education

Wednesday, 29 September 2021

Dear Councillor,

Please attend a meeting of the **Cabinet Member - Education** to be held at **11.00 am** on **Thursday, 7 October 2021** in The Members Room, County Hall, Matlock, the agenda for which is set out below.

Yours faithfully,

A handwritten signature in black ink that reads 'Helen E. Barrington'.

Helen Barrington
Director of Legal and Democratic Services

A G E N D A

PART I - NON-EXEMPT ITEMS

1. Declarations of Interest

 To receive declarations of interest (if any)
2. Minutes (Pages 1 - 2)

 To confirm the non-exempt minutes of the meeting of the Cabinet Member -
 Education held on 7 September 2021
3. To consider the report of the Executive Director Children's Services on

Confirmation of Nominations of School Governors (Pages 3 - 8)

4. To consider the report of the Executive Director of Children's Services on Children's Services Capital Programme 2020/21.- Further Allocations (Pages 9 - 14)
5. To consider the Joint report of the Executive Director of Children's Services and the Executive Director of Place on Home to School Transport - Route Inspection (Pages 15 - 20)
6. Exclusion of the Public

To move "That under Regulation 4 (2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting for the following items of business on the grounds that in view of the nature of the items of business, that if members of the public were present, exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 would be disclosed to them."

PART II - EXEMPT ITEMS

7. Declarations of Interest
To receive declarations of interest (if any)
8. To consider the exempt report of the Executive Director of Children's Services Closure of Café Browser at Catering Services located at Chesterfield Library (Pages 21 - 38)

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MINUTES of a meeting of the **CABINET MEMBER – EDUCATION** held on 7 September 2021.

PRESENT

Councillor A Dale

Also in attendance – Councillors R George, G Hickton and J Patten

Apologies for absence were submitted on behalf of Councillor N Gourlay

12/21 **MINUTES** **RESOLVED** to confirm that the minutes of the meeting of the Cabinet Member for Education held on 3 August 2021.

13/21 **PETITION** **RESOLVED** (1) to receive the under-mentioned petition:

Location/Subject	Signatures	Local Member
Whaley Bridge(B5470) – Request for an update of the Route Assessment and consequently for transport assistance in the form of free school student bus passes for free travel for pupils to Chapel en le Frith High School due to hazardous nature of the route	44	Ruth George

(2) that the Childrens Services Department be asked to investigate and consider the matters raised in the petition.

14/21 **PERFORMANCE AND BUDGET MONITORING FORECAST OUTFURN 2021-22 AS AT QUARTER 1** The Cabinet Member was provided with an update of the Council Plan performance position and the revenue budget position of both the Education and Childrens Services and Safeguarding portfolios for 2021-22 up to the end of June 2021 (Quarter 1).

The report presented both financial and Council Plan performance data. The performance summary set out progress on the Council Plan deliverables and measures led by the Education portfolio. The remainder of the report gave a summary and detail on the revenue budget position for the portfolio.

As an overview, the report showed that progress was "good" for the majority of the Council Plan deliverables led by the portfolio. After the use of additional Covid-19 funding, the budget forecast position for 2021-22 was an overspend of £14.768m. It was forecast that £0.411m of savings would have been achieved by

the year end. This compares to target savings of £2.050m and the value of savings initiatives, which have been identified for implementation in the current year, of £1.220m.

Details were given in the Executive Directors report of the key variances, Budget savings, growth items and one off funding, financial risk and earmarked reserves.,

Members present made a number of comments and asked questions which were duly noted or answered by officers.

RESOLVED to note the report



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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR EDUCATION

7 October 2021

Report of Executive Director for Children's Services

CONFIRMATION OF NOMINATIONS OF SCHOOL GOVERNORS

1. Divisions Affected

1.1 County wide

2. Key Decision

2.1 No.

3. Purpose

3.1 To ask the Cabinet member to confirm the nominations of persons to serve as local authority school governors.

4. Information and Analysis

4.1 Nominations to school governing boards are proposed as set out in Appendix 2 below.

The Cabinet member is asked to confirm the nominations of persons to serve on the governing boards of these schools.

Any appointments made by governing boards will be subject to the completion of a Declaration of Eligibility form, a proof of identity check and an enhanced DBS check

5. Consultation

5.1 Nominations have been considered in accordance with the normal criteria.

6. Alternative Options Considered

6.1 No alternative nominations have been made.

7. Implications

7.1 The Authority is required to ensure that it has sufficient representation on Governing Bodies.

8. Background Papers

8.1 None identified.

9. Appendices

9.1 Appendix 1 Implications.

9.2 Appendix 2 - schedule of nominations submitted for approval.

10. Recommendation(s)

That Cabinet Member confirm:

a) The nominations for persons to serve as local authority governors as set out in Appendix 2

11. Reasons for Recommendation(s)

11.1 To ensure that the Local Authority meets its LA Governors obligations.

12. Is it necessary to waive the call-in period?

12.1 No

**Jane Parfremment
Executive Director for Children's Services**

Implications

Financial

1.1 None directly arising from this report

Legal

2.1 None directly arising from this report

Human Resources

3.1 None directly arising from this report

Information Technology

4.1 None directly arising from this report

Equalities Impact

5.1 No equality impact assessment has been prepared.

Corporate objectives and priorities for change

6.1 None directly arising from this report

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising from this report

Appendix 2

The Cabinet member is asked to confirm the nominations of the following persons to serve as local authority governors.

Name	School	Nominating Councillor	Appointment
Amber Valley J Phillips	Denby Free CofE VA Primary School	T Ainsworth	New appointment
Derbyshire Dales T Eastwood	Earl Sterndal CofE Primary School	S Spencer	New appointment
J Eaton	Biggin CofE Primary School	S Spencer	New appointment
Erewash H Johns	Grange Primary School	A Griffiths	New appointment
High Peak J Lawley	Chapel-en-le-Frith Primary School	N Gourlay	New appointment
North East T Farndon	Shirland Primary School	B Lewis	Re-appointment

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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR EDUCATION

7 October 2021

Report of the Executive Director of Children's Services

**Children's Services Capital Programme 2020-21 – Further Allocations
Children's Services - Education**

1. Divisions Affected

1.1 Belper and Ashbourne

2. Key Decision

2.1 This is a key decision as it effects communities living or working in an area comprising two or more divisions/county electoral areas.

3. Purpose

3.1 To approve further allocations from the Children's Services School Condition Allocation 2020-21 to individual projects.

4. Information and Analysis

4.1 A report for consideration by Cabinet on 9 September 2021 is currently on circulation. The report confirms a balance of **£6,197,756** from the 2020-21 School Condition Allocation, **£2,690,271** from the 2021-22 School Condition Allocation and an overall unallocated balance of **£10,895,373**. The overall unallocated balance represents unallocated funds from the current 2020-21 and 2021-22 Children's Services Capital budgets together with unallocated funds from previous years.

4.2 On 30 July 2020 Cabinet approved an allocation of £70,000 to renew a defective floor structure at Mapperley Primary School. The Scheme has

been cancelled and the £70,000 returned the 2020-21 School Condition Allocation.

- 4.3 This paper seeks further approvals from the Children's Services Capital Programme 2020-21 totalling £499,000. The details of the allocations are detailed in Appendix 2. If the allocations are approved the balance of the Children's Services Capital budget will be as set out in the financial implications in Appendix 1.

5. Consultation

- 5.1 Not applicable

6. Alternative Options Considered

- 6.1 The School Condition Allocation is an annual allocation of school condition capital from the DfE. This capital grant is to improve and maintain the condition of the school estate (buildings and grounds). The grant allocation is determined by the DfE and takes into account the information collected through the Property Data Survey programme.

The funding is to ensure there is sufficient capacity at all the schools involved and that the accommodation is suitable to support the delivery of education.

The School Condition Allocation must be spent in accordance with the terms of the grant to improve and maintain the condition of the school estate and cannot be used for any alternative purposes.

7. Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

- 8.1 These are held on file in the Children's Services Development Section.

9. Appendices

- 9.1 Appendix 1- Implications.
Appendix 2- Allocations

10. Recommendation(s)

That the Cabinet Member for Young People:

a) Notes the cancellation of the flooring scheme at Mapperley CE Voluntary Controlled Primary School.

b) Approves the allocation of £475,000 from the 2020-21 School Condition Allocation for the schemes detailed in Appendix 2 of this report.

11. Reasons for Recommendation(s)

11.1 The approval of the allocations will address the most pressing maintenance issues in schools to ensure the school estate is maintained to a high level and there is sufficient capacity at schools in the County.

12. Is it necessary to waive the call in period?

12.1 No

Report Author: Jill Beacham

Contact details:

This report has been approved by the following officers:

<p>On behalf of: Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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Implications**Financial**

- 1.1 The financial considerations are as explained in section 4 of the report with details of the allocations set out in Appendix 2.
- 1.2 If the allocations set out in Appendix 2 are approved from the 2020-21 School Condition Allocation the unallocated balance of the Children's Services Capital budget will be as detailed in the table below:

Year	Type of Funding	Opening Balance £	Funding Returned	Allocations in this Report	Balance £
Pre 2020-21	*Basic Need & School Condition	2,007,346			2,007,346
2020-21	School Condition	6,197,756	70,000	475,000	5,792,756
2021-22	School Condition	2,690,271			2,690,271
Total		£10,895,373	70,000	499,000	10,490,373

* Work is in hand to provide a full breakdown of funds by years and this will be reported to Cabinet at a future date.

- 1.3 Where appropriate, it may be necessary to undertake a procurement exercise to commission services in order to undertake works associated with these schemes / budgets, and this report also seeks approval to commence this process. It should be noted that these procurement exercises would normally take the form of a competitive tender process, but should it be decided that using a Framework is the best option, a separate report will be submitted seeking approval for this.

Legal

2.1 The funding allocations are made in accordance with the local authority's financial regulations.

The LA has a duty to secure efficient primary and secondary education and further education to meet the needs of the population of their area under sections 13 and 13A of the Education Act 1996.

Human Resources

3.1 None

Information Technology

4.1 None

Equalities Impact

5.1 No impact

Corporate objectives and priorities for change

6.1 Not applicable

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 To maintain the safe condition of the school estate.

Allocations

School	Scheme	Amount £
St John's C of E Primary School & Nursery (Belper)	Expansion project – a three classroom extension has already been completed at the school as part of phased project to increase the School's capacity from 490 to 560. On 11 July 2019 Cabinet approved £50k to begin design work on phase 2 - internal remodelling. The design is now complete and section 1 of the scheme has been costed at £475k. There is a Section 106 agreement for £125,389 agreed which, when received, will reimburse the Capital Programme. £425k is required to progress the scheme.	425,000
Brailsford CE Controlled Primary School	1 classroom extension – to increase the School's capacity from 119 to 140 to meet the projected increased demand for places in the area. This initial funding is to begin design work whilst numbers in the area are monitored to ensure there will be no negative impact on neighbouring schools.	50,000
	Total from the 2020-21 SCA	475,000



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DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR EDUCATION

7 October 2021

**Joint Report of the Executive Director for Children's Services
and the Director of Economy, Transport and Environment**

HOME TO SCHOOL TRANSPORT – ROUTE INSPECTION

1. Divisions Affected

Bolsover North

2. Key Decision

This is a key decision as it may have ongoing financial consequences for the Authority which would have to be met from its Home to School Transport Budget. In each case under consideration, however, cost does not have a bearing on the question of whether a route should be regarded as unsafe.

3. Purpose

To consider a parental request that a route be considered unsafe for the purpose of establishing eligibility for free transport to Heritage High School.

3.1 Background

A parent of a pupil attending Heritage High School has raised concerns regarding route safety for the purposes of home to school transport from Bakestone Moor via Peter More Hill and Sheffield Road (A616) Creswell. This route is the shortest available route from the student's home address to the School. **NB** Sheffield Road was included in a previous inspection undertaken in 2012 from Creswell to Heritage High School where the route was determined Safe for the purposes of home

to school transport. As such, only the road crossing from Peter More Hill onto Sheffield Road has been included in this inspection.

The inspection was undertaken in accordance with the Authority's Walking Route Assessment Criteria (Appendix A of the Transport Policy for Children and Young People).

4. Information and Analysis

- 4.1 The Authority provides assistance with travel for full-time primary and secondary school pupils who do not live within walking distance of their normal area school. This distance, as defined in the 1996 Education Act, is 2 miles for children under 8 and 3 miles for children aged 8 and over measured by the nearest available route (Transport Policy for Children and Young People).

An exception may be made to these distance rules if the Authority agrees that a particular route is hazardous for a pupil, accompanied if necessary, to undertake on foot. In making such a decision, the Authority will not only consider the nature of the route or alternative routes the pupil could reasonably be expected to take, but also the age of the child and whether, due to disability, the parent is unable to accompany him or her

4.2 Walking Route Assessment Criteria

The Authority's criteria for the assessment of route safety in relation to home to school transport situations are set out below:-

- a) In assessing the safety of a particular route, consideration be given only to danger relevant to traffic/highway conditions;
- b) It is essential that each case be considered objectively on its merits;
- c) It is assumed that the child is accompanied, if necessary, by a parent or other responsible person and will be suitably clad;
- d) Where a footway or roadside strip of reasonable width and condition, public footpath or bridleway exists, this will normally be assumed to provide a safe route for that part of the journey;
- e) Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and

accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey;

f) Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility (ie sharp bends with high hedgerows or banks);

g) The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor;

h) Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and

i) Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

Where a route is deemed hazardous for any of the above highway reasons the matter should also be referred to the Cabinet Member for Highways and Transport to consider if the danger can reasonably be removed by appropriate highway management means. Granting of "hazardous route" status should be on the clear understanding that this status would cease if and when necessary highway measures are taken to remove the cause of the danger.

5. Consultation

In preparing this report the relevance of the following factors has been considered:

Prevention of Crime and Disorder, Equality of Opportunity and Environmental, Health, Legal, Personnel and Property considerations.

6. Alternative Options Considered

Not applicable in this case

7. Implications

Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

These are held on file with the Children's Services Admissions and Transport Team.

9. Appendices

Appendix 1- Financial and Legal Implications

10. Recommendation(s)

Following the Hazardous Route Panel's inspection of the route identified in 3.1 Background above on 22 July 2021, the Cabinet Member for Young People considers and approves the Panel's recommendation that this route be declared Safe for the purposes of home to school transport.

NB The Panel requested that overhanging trees and shrubs along a section of Peter More Hill be cut back. This is not a condition of the above recommendation. The request has been submitted to the relevant department within the local authority.

11. Reasons for Recommendation(s)

The Inspection did not identify any areas of concern for a student travelling along the route accompanied as necessary.

12. Is it necessary to waive the call in period?

No

Report Author: Sue Pegg/Angela Goodall
sue.pegg@derbyshire.gov.uk

Contact details:

This report has been approved by the following officers:

<p>On behalf of: Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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Implications

Financial

- 1.1 Any routes which are declared unsafe by the County Council automatically require the provision of free transport to children who have to travel along those routes if there is no alternative route under the relevant distance to the School (see 4.1 above Information and Analysis - Transport Policy for Children and Young People). Therefore, any routes so designated have ongoing financial consequences for the Authority which would have to be met from its Home to School Transport budget.
- 1.2 In each case under consideration the cost does not have a bearing on the question of whether a route should be regarded as unsafe.

Legal

- 2.1 Under section 508B and Schedule 35B of the Education 1996 the LA has to make such travel arrangements as they consider necessary and free of charge in order to secure suitable home to school travel arrangements for those children who fall within the definition of an *eligible child*, and for the purpose of facilitating the child's attendance at school.
- 2.2 Under paragraph 4 of the 35B the Education Act 1996 an 'eligible child' is defined as including those children who cannot reasonably be expected to walk because of the nature of the routes.

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