



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

21 September 2023

**Joint Report of the Executive Director - Place and the Executive Director
– Childrens Services**

**Regeneration Pipeline Programme - South Derbyshire Growth Zone –
Infinity Park Spencer Academy Access**

(Cabinet Member for Infrastructure and Environment and Cabinet Member -
Education)

1. Divisions Affected

1.1 Aston.

2. Key Decision

2.1 This is not a Key Decision.

3. Purpose

3.1 To seek Cabinet approval to include the proposed access to the Infinity Park Spencer Academy within the scope of the South Derbyshire Growth Zone project; add the creation of the access to the capital programme; authorise the preparation and submission of a planning application including carrying out public consultation; to initiate procurement of project management, property, planning, design and construction resources; and to enter into necessary legal agreements with Derby City Council over highway adoption.

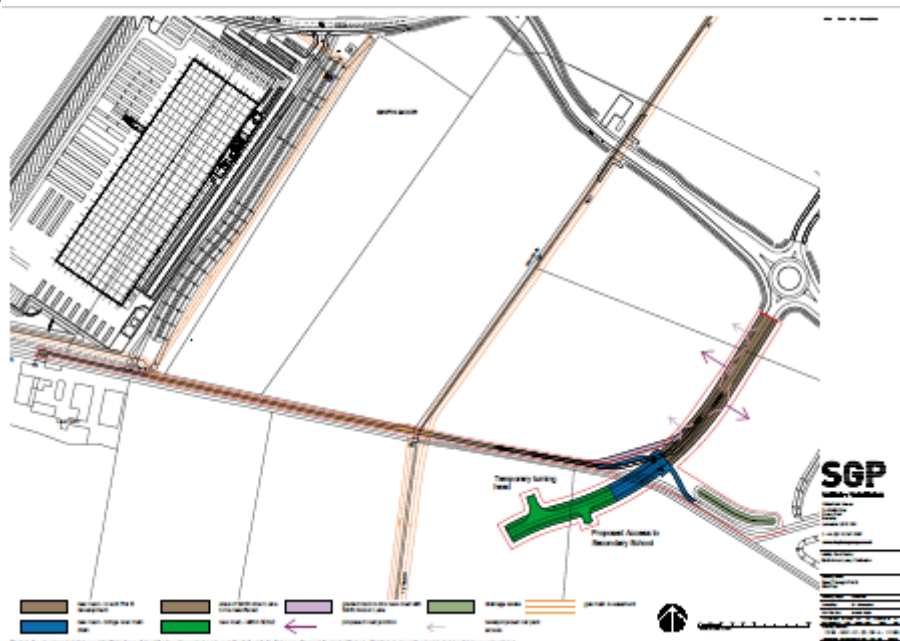
4. Information and Analysis

Background

- 4.1 Cabinet is familiar with the Southern Derbyshire Growth Zone (SDGZ) project, with the Council's role currently comprising delivery of enabling highway infrastructure for major housing and commercial development within the defined Growth Zone and Infinity Garden Village (IGV). The infrastructure comprises a new junction on the A50 Trunk Road and a link to existing roads within Infinity Park Derby (IPD). The proposed scheme has planning consent and provisional funding of £49.6 million from the Government's Levelling Up Fund. It has received Strategic Outline Business Case approval from Government, and its Outline Business Case is currently being assessed.
- 4.2 At its meeting on 27 July 2023, Cabinet approved the making of Compulsory Purchase and Side Roads Orders necessary to progress the project (Minute No. 117/23 refers).
- 4.3 Separate, but linked, to the above SDGZ project, the Council is involved in the planning of the Infinity Park Spencer Academy which will provide additional secondary education provision for the area around SDGZ/IGV. This is a collaborative project with Government (through the Department for Education) under which the Council will not take responsibility for creation of the Academy itself but will have responsibility for providing the means of access to the school, to be in place by January 2026. The cost of the access road has been estimated at £892,000. It is proposed to fund the work from the balance of the Children's Services 2018-19 Basic Need/School Condition Allocation. The Developer has agreed to reimburse the County Council 50% of the access road upon its completion and adoption which, when received, will repay the 2018-19 Basic Need/School Condition Allocation budget. Work towards land assembly is already underway, with Heads of Terms agreed with the single landowner involved.
- 4.4 The proposed means of access to the new Academy is shown in Figure 1. This links to the existing Infinity Park Way (in Derby City) and will also, in due course, form part of an east-west highway link within SDGZ. This east-west link currently falls outside the scope of the work for which the County Council takes responsibility and will mostly be delivered by private-sector partners in due course. However, there are two strong reasons for the delivery of its eastern section (coloured on Figure 1) to be managed by the Council:

- This fulfils the Council's obligations in relation to delivery of the Academy.
- It ensures that the Council is in full control of securing continued access to Lea Farm (west of the Academy site) and which is affected by the construction of the SDGZ enabling infrastructure (the north-south link between the A50 and IPD).

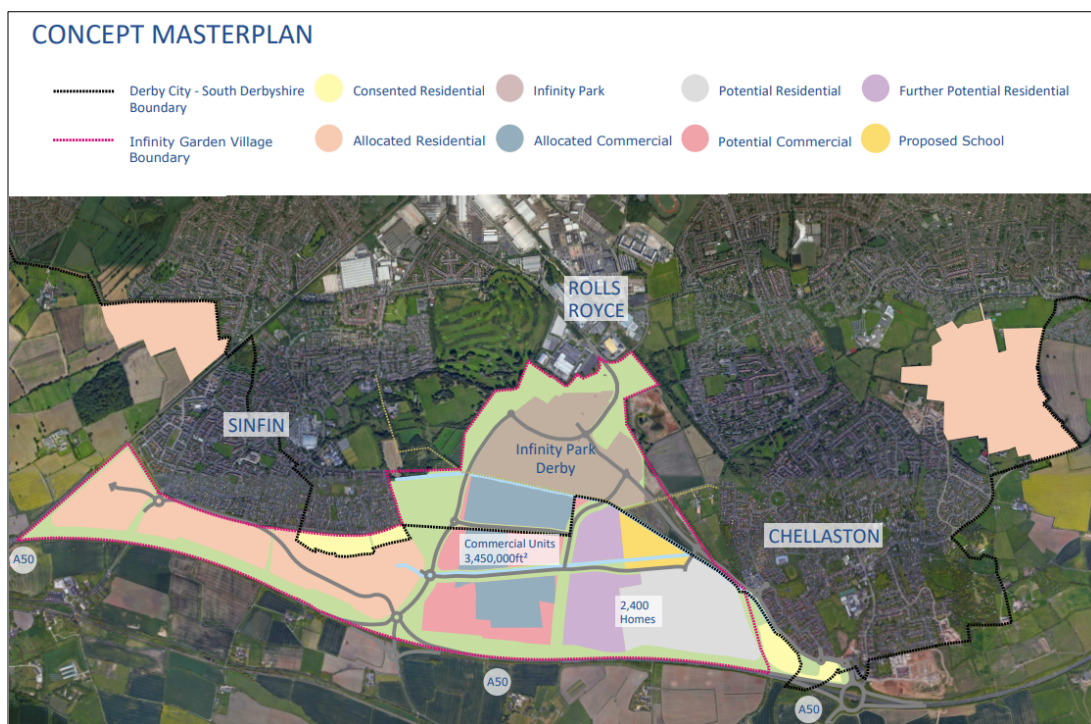
Figure 1



- 4.5 The Council is already in contract for the design and construction of SDGZ enabling infrastructure with Galliford Try and, subject to agreement with the contractor, the school access could be accommodated as a change within the agreed scope of the contract. In terms of construction programming this appears to work well, as it may be possible to mobilise delivery of the Academy access immediately on substantial completion of the A50 junction and north-south link. Clearly, though, this interface will need to be explored in detail with Galliford Try and potentially it may be necessary to secure a separate contractor. Cabinet's authorisation is sought to initiate procurement of design and construction services for the Academy access, through the framework options approved by Cabinet at its meeting of 14 January 2021 (Minute No. 07/21). Authorisation is also sought to add the Academy access to the capital programme.
- 4.6 Furthermore, successful delivery of the Academy access will require external support for the following activities; concluding land assembly; preparation and submission of a planning application; and management of the project. All of these (as with design and construction) could potentially be undertaken by existing suppliers supporting development

of the A50 junction and link road but could otherwise be secured through separate procurement. Cabinet's authorisation is sought to initiate procurement of the above activities for the Academy access.

Figure 2 SDGZ/IGV Indicative Development Masterplan



- 4.7 Further to the above, successful delivery of the Academy access will require public engagement, the making of a planning application and legal agreements with Derby City Council over the adoption of the section of the access road falling within the City's boundary. Cabinet's authorisation is sought through this report to each of these.
- 4.8 It is proposed that management of the delivery of the Academy access forms part of the wider SDGZ project within the Regeneration Programme Pipeline and is therefore reported through the Place Programme Board to the Portfolio Delivery Group in line with established governance arrangements. Cabinet will note the need for close liaison with Children's Services over project funding; it is proposed that this is addressed through expanded membership of the existing SDGZ Project Control Board.

5. Consultation

- 5.1 No direct consultation has been undertaken relating to the recommendations of this report. Cabinet should note, however, that

public engagement will take place ahead of the submission of planning applications for the Academy itself and for its access.

6. Alternative Options Considered

- 6.1 Options 1: The alternative option of delivery of the Infinity Park Spencer Academy access as a stand-alone project led by Children's Services has been considered. However, given the nature of the infrastructure involved, the existing Place-led SDGZ project and the potential advantages of coordinated preparation and delivery, this option is not judged to be the most appropriate.

7. Implications

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

8. Background Papers

- 8.1 Cabinet Report, Use of Professional Consultancy and Construction Frameworks for Highway, Transport and Environmental Services and Projects, dated 14 January 2021 (Minute No. 07/21).
- 8.2 Cabinet Report, South Derby Growth Zone Regeneration Programme Pipeline report dated 27 July 2023 (Minute No. 117/23 refers).

9. Appendices

- 9.1 Appendix 1 – Implications.

10. Recommendations

That Cabinet:

- a) Approves to include the proposed access to the new Infinity Park Spencer Academy within the scope of the South Derbyshire Growth Zone project.
- b) Approves the allocation of £892,000 from the balance of the Children's Services 2018-19 Basic Need/School Condition Allocation.
- c) Approves the preparation and submission of a planning application, including carrying out public consultation.
- d) Approves procurement of project management, property, planning, design and construction resources.

- e) Authorises the Director of Legal and Democratic Services to enter into necessary legal agreements with Derby City Council over highway adoption.

11. Reasons for Recommendations

- 11.1 In order to facilitate successful delivery of the infrastructure and alignment with related projects
- 11.2 In order to comply with Financial Regulation b.10
- 11.3 In order to obtain necessary consent to construct and to be able to demonstrate community engagement
- 11.4 In order to be able to secure the necessary technical support for successful delivery
- 11.5 In order to ensure that future maintenance of assets rests with the appropriate authority.

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

- 12.1 No.

Report Jim Seymour, Jenny Webster Contact Jim.Seymour@derbyshire.gov.uk,
Author: Webster details: Jenny.Webster@derbyshire.gov.uk

Implications

Financial

- 1.1 The funding for the access road is detailed in Section 4 (4.3) of the report.
- 1.2 The impact of the allocation on the balance of the Children's Services Capital budget will be detailed in a future report.

Legal

- 2.1 For the road forming the Academy access to be adopted as public highway, there will be a need for agreements with Derby City Council, expected to fall under Sections 8, 38 and 278 of the Highways Act 1980.

Human Resources

- 3.1 The portfolio of regeneration projects has significant implications for the workload of staff within the Economy and Regeneration Service and for supporting legal, property, finance and highways functions in particular. External support is commissioned for individual projects within their confirmed budgets, as set out in the body of the report for this project.

Information Technology

- 4.1 None.

Equalities Impact

- 5.1 Individual projects within the portfolio will be subject to equalities impact assessment at the appropriate stages of their development.

Corporate objectives and priorities for change

- 6.1 The Regeneration Portfolio addresses directly a number of objectives set out in the Council Plan.

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

Property and Asset Management

- 7.1 No direct implications arise from the recommendations of this report. However, separate arrangements are in place over land assembly.

Environmental Sustainability

- 7.2 Under the Council's Climate Change Strategy and Action Plan all infrastructure projects sponsored by the County Council will now be subject to a Climate Impact Assessment covering the whole-life carbon cycle and impacts upon resilience. This project will require such an assessment.