

Public Document Pack

To all Members of the

CABINET

AGENDA

Notice is given that a Meeting of the Cabinet is to be held as follows:

VENUE Room 007a and b, Civic Office Waterdale, Doncaster, DN1 3BU
DATE: Tuesday, 18th July, 2017
TIME: 10.00 am

ITEMS

1. Apologies for Absence.
2. To consider the extent, if any, to which the public and press are to be excluded from the meeting.
3. Public Questions and Statements.

(A period not exceeding 20 minutes for questions and statements from members of the public and Elected Members to the Mayor of Doncaster, Ros Jones. Questions/Statements should relate specifically to an item of business on the agenda and be limited to a maximum of 100 words. As stated within Executive Procedure Rule 3.3 each person will be allowed to submit one question/statement per meeting. A question may only be asked if notice has been given by delivering it in writing or by e-mail to the Governance Team no later than 5.00 p.m. on Thursday, 13 July, 2017. Each question or statement must give the name and address of the person submitting it. Questions/Statements should be sent to the Governance Team, Floor 2, Civic Office, Waterdale, Doncaster, DN1 3BU, or by email to Democratic.Services@doncaster.gov.uk).

4. Declarations of Interest, if any.

Jo Miller
Chief Executive

Issued on: Monday, 10 July 2017

Governance Officer for this meeting: Amber Torrington
Tel. 01302 737462

5. Decision Record Forms from the meeting held on 4th July, 2017 for noting (previously circulated).

A. Reports where the public and press may not be excluded

Key Decisions

- | | | |
|----|---|---------|
| 6. | Establishment of a new Special School for Communication and Interaction Special Educational Needs in Doncaster. | 1 - 10 |
| 7. | Community Engagement Framework: Policy. | 11 - 30 |

Rule 15 Urgent Decision

- | | | |
|----|--|---------|
| 8. | Sprinkler installation to HRA High Rise Flats.
<i>(Appendix A to the report is not for publication as it contains exempt information within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972, as amended) information relating to the financial or business affairs of any particular person (including the authority holding that information).</i> | 31 - 40 |
|----|--|---------|

Key Decision

- | | | |
|----|--|---------|
| 9. | Strategic Investments.
<i>(The Appendices to the report are not for publication, as they contain details of third party commercial interests, which are exempt information within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act, 1972, as amended) information relating to the financial or business affairs of any particular person (including the authority holding that information).</i> | 41 - 58 |
|----|--|---------|

Cabinet Members

Chair

Ros Jones, Mayor of Doncaster

Vice-Chair

Councillor Glyn Jones, Deputy Mayor
Councillor Nigel Ball
Councillor Joe Blackham
Councillor Rachael Blake
Councillor Nuala Fennelly
Councillor Chris McGuinness
Councillor Bill Mordue
Councillor Jane Nightingale

Portfolio Holder for:

Housing and Equalities
Public Health, Leisure and Culture
Highways, Street Scene and Trading Services
Adult Social Care
Children, Young People and Schools
Communities, Voluntary Sector and the Environment
Business, Skills and Economic Development
Customer and Corporate Services

To the Mayor and Members of the Cabinet

ESTABLISHMENT OF A NEW SPECIAL SCHOOL FOR COMMUNICATION AND INTERACTION SPECIAL EDUCATIONAL NEEDS IN DONCASTER

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Nuala Fennelly, Cabinet Member for Children, Young People and Schools	All	Yes

EXECUTIVE SUMMARY

1. The report provides background information regarding the Department for Education's invite to councils to establish new Special Schools in their area and the steps necessary to seek appropriate sponsors, with proven experience and impact. The successful sponsor will work alongside the Council and the Department for Education to establish new Special School for Communication and Interaction in the Borough.

EXEMPT REPORT

2. This is not an exempt report.

RECOMMENDATIONS

3. The Mayor and Members of Cabinet are asked to:
 - a) approve the proposal to establish a new Special School for Communication and Interaction in Doncaster in conjunction with the Department for Education and appropriate sponsor; and
 - b) agree to provide the successful school sponsor with a 125 year lease on a peppercorn rent for 5 acres of land currently designated for commercial use at Hungerhill Enterprise Park, Edenthorpe; and
 - c) delegate authority to the Director of People and the Chief Financial Officer in consultation with the Portfolio Holder for Children Young People and Schools to negotiate terms and enter into the lease and grant funding agreements with the Department of Education.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

4. Local council's play a key role in placing pupils with Statements of SEN or Education, Health and Care (EHC) plans and it is important that they be involved in shaping the range of provision in their area. A number of pupils currently placed in schools in Doncaster, educated other than at school or placed outside of the area would benefit from suitable provision being made available locally, within Doncaster.

BACKGROUND

5. The proposal is to establish a Special School for Communication and Interaction in the Borough. This would be a free school which would legally be an academy and so be a state funded school. Such schools are held accountable through a Funding Agreement between the Secretary of State for Education and the Academy Trust which operates the school. They differ from academies in that they are completely new schools established to meet local demand.
6. Normally anyone can apply to set them up without waiting for permission from local authorities or other schools. However, in October 2016 local councils were provided with an opportunity to identify where a new special school would benefit their area and were invited to express an interest (EOI) in commissioning a new special school by the Department for Education (DfE). The deadline for the submission was 11 November 2016.
7. The LA had previously identified a shortfall in provision within the Borough for specialist places for complex needs under Communication and Interaction (C and I) (primarily high functioning autism spectrum disorder -ASD and Asperger's) with related Social Emotional and Mental Health Needs (SEMH). Some children may also have specific learning difficulties (SPLD) as an additional need but will not have significant learning difficulties. Within the time constraints set by the DfE a bid was put forward on this basis of establishing a 100 place Special School for Communication and Interaction. The bid included provision of a site for the school by the Council on the basis of a peppercorn rent with a 125 year lease. The provision is expected to provide up to 80 places for use by Doncaster Council, as well as 20 places for usage by neighbouring LAs
8. The outcome of bids was announced in May 2017 with a requirement to submit a full specification by 2 June 2017. Doncaster was one of only 22 successful Councils to be allowed to move to the proposal stage. Following receipt of our specification, the opportunity to sponsor the school will be advertised nationally by the DfE and if a strong proposal comes forward that both the Council and the Secretary of State wish to take forward, the DfE will provide capital and start-up grant funding.
9. Within the 'Local Authority – commissioned special free schools' guidance from October 2016 it states that the capital costs for building or refurbishment will be provided by the Education and Funding Agency (EFA) to help establish the new school in the same way as schools set up through the standard central free school process. It is therefore an opportunity create additional provision in an area of identified need as part of the wider strategy to provide for pupils across the Borough and for the capital to be provided by the DfE.
10. Once the site is secured and the budget is set by the EFA, the LA will have the option to deliver the new school by submitting a short business case setting out details of our capacity, capability and experience in successfully delivering capital projects and to confirm that that any overspend would be covered. The LA would then manage the project reporting to the EFA as necessary.
11. Subject to approval, representatives of the Local Authority in its role as Commissioner would engage with potential providers with proven experience and impact, including existing special schools and MATs from inside and outside of the Borough, to secure an appropriate sponsor.

OPTIONS CONSIDERED

12. Currently a number of SEN pupils are educated outside of the Borough, are educated other than at school or are attending schools in the Borough but would benefit from specialist provision within the area. Whilst this may continue there are a number of benefits to opening a new Special School for Communication and Interaction within the area outlined within the report.

13. **Site Analysis**

In order for the proposal to go ahead to the feasibility stage with the DfE a long list of 10 possible sites were considered in light of the following criteria:-

- **Proximity To A Mainstream School**
It is intended that the school will be closely associated with another mainstream secondary school to enable pupils to easily access a mainstream curriculum where appropriate. Being on the same site or adjacent to another mainstream school would allow for pupils to interact between the two sites.
- **Planning (Site Accessibility)**
The accessibility of the sites was assessed taking into account the ability for pupils to access the school using public service routes and access into the site from the road network.
- **Ownership**
The land would be subject to a peppercorn rent and any loss of income was assessed.
- **Planning (Public Consultation)**
It was important that the chosen site had good positive relationships with its neighbours from the outset or placed within a new development. Previous experience from similar developments have led to delays and rejections of sites due to residential objections.
- **Size (4+ Acres)**
The expected size of the school required is in the region of 4 acres.
- **Central Location**
The school would address the needs of pupils for the whole of Doncaster and beyond. Sites were considered only within a central location of the Town Centre and with easy access, with the maximum distance being 3 miles from the Town.

14. The identified site scored highly in each criterion, in particular in terms of site access both for pupils and local planning constraints and its proximity to an outstanding mainstream school. Approval was sought from the Asset Board for the re-designation of 5 acres of land currently designated for commercial use at Hungerhill Business Park for educational purposes shown in Appendix 1.

REASONS FOR RECOMMENDED OPTION

15. The recommended option is to progress to the next stage with the proposal. The Council have been given an opportunity to provide high quality, appropriate provision to meet the needs of a group of SEN pupils within the Borough and to receive capital and start-up grant funding from the DfE.

16. The Council will have the opportunity to assess bids from potential sponsors in light of the Council's priorities and make a recommendation to the DfE.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

17.

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Dependent upon a successful proposal.</p>
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>A number of young people currently placed in out of authority provision will benefit from attending a local school.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>The proposal will enable a new Special School for Communication and Interaction to be provided in Doncaster.</p>
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Young people of Doncaster will be provided with high quality, appropriate provision to meet their needs within Doncaster.</p>
	<p>Council services are modern and value for money.</p>	<p>The proposal will benefit from grants from the DfE for the provision of the school.</p>
	<p>Working with our partners we will provide strong leadership and governance.</p>	<p>Dependent upon the successful proposal.</p>

RISKS AND ASSUMPTIONS

18. Should the Council not pursue to opportunity and withdraw from the process would result in a lack of appropriate provision within the Borough and pupils remaining outside of the area or attending less appropriate provision within the LA.

The Local Authority estimates that some pupils currently at Out of Authority placements will be offered places at the new school and is working closely with Partner Agencies to minimise the impact on those services of the children returning to the area.

19. A number of new school projects have been successfully delivered by local authorities since the beginning of the programme. In recognition of this – and the

key role local authorities play in local SEN provisions – we are seeking to expand the number of local authorities involved in delivering new schools through this new route. Once the site is secured and the budget set we will require local authorities that are interested in this to submit a short business case setting out details of their capacity, capability and experience in successfully delivering capital projects and to confirm that they are willing to cover any costs above the agreed budget. The local authority project manager would have complete control in delivering the project, with an EFA representative acting as a point of regular contact, reference and escalation as required.

LEGAL IMPLICATIONS

20. Part 3 of the Children and Families Act 2014 places legal duties on Local Authorities to identify and assess the special educational needs of children and young people for whom they are responsible. They must then ensure that those children and young people receive a level of support which will help them “achieve the best possible educational and other outcomes” (Section 19 (d)).

The Authority has identified the need for provision of this special school. The Department for Education has provided an opportunity for local authorities themselves to identify where a new special school would benefit their area, inform their Regional Schools Commissioner, and seek proposals for the new school they want. The department of Education will provide capital funding and start-up grants subject to value for money assessments.

It is proposed that the Council will provide the school site by way of the long lease on a peppercorn rental. Under s.123 of the Local Government Act 1972 the Secretary of State’s consent is required for the disposal of land for less than the best consideration reasonably obtainable. Under Circular 06/03 the Secretary of State has given their consent to the disposal of non-housing/HRA land by local authorities for less than the best consideration reasonably obtainable provided that

- (i) The difference between the consideration being received and full open market value does not exceed £2 Million and
- (ii) The Council is satisfied that the purpose of the disposal will contribute to the promotion or improvement of the economic, environmental or social well-being of the area.

As the value of the land is less than £2m in this case specific consent of the Secretary of State will not be required as the general consent may be relied on in this instance provided the Council is satisfied the criteria in (ii) above is met.

The Council’s Financial Procedure Rules authorise the Council’s Property Officer to arrange the disposal of land for less than best consideration where the best consideration reasonably obtainable would not exceed £250,000. If the market value of the disposal exceeds £250,000 then the approval of Cabinet is required.

Further legal advice will be required as the project progresses.

FINANCIAL IMPLICATIONS

21. Capital

The land at Hungerhill Business Park currently forms part of the Council’s disposal programme and is to be sold to generate capital receipts to fund current and future capital schemes. The area of land proposed for the free school valued at £750k

isn't currently included within the estimate for capital receipts and therefore isn't expected to impact on the capital programme.

If the Council takes up the option to deliver the new school as per the details within paragraph 9 it will need to manage the project effectively to avoid any overspends.

Revenue

Under the current funding arrangements for 2017/18, place funding of £10k per place for Special Free Schools is currently provided by the Education Funding Agency directly and not paid for directly from the LA's High Needs Dedicated Schools Grant (DSG). Only the top up element, estimated at bid stage to be around £10k per pupil, would be paid for by the LA from High Needs DSG for places in these places.

Based on average current place funding and top up element costs for pupils in a PRU (£15k), Special School (£18k), mainstream school (£18k) or Out of Authority (OOA) placement for ASD (£54k) the estimated cost is £2.07m. The cost of £10k per pupil outlined above for 80 pupils is £800k and therefore the potential saving per pupil to the DSG would be between £5k and £44k. The estimated overall cost savings when the provision is open, being fully utilised and assuming 80 places filled by Doncaster pupils, with an estimated 30 of those otherwise being placed in PRU, 30 otherwise placed in Special School or mainstream school and 20 otherwise placed OOA would be approximately £1.27m per annum.

HUMAN RESOURCES IMPLICATIONS

22. Staff employed in the new school would not be employees of the local authority but of the school itself. The school will be able to set their own terms and conditions of employment for all staff, teaching and support staff alike.

TECHNOLOGY IMPLICATIONS

23. There are no specific technology implications at this stage. However, as the proposals progress, Learning & Opportunities: CYP should engage with ICT to ensure any arising technology implications are fully considered.

EQUALITY IMPLICATIONS

24. The provision of a Special School for Communication and Interaction will allow for 100 pupils to receive suitable education within the local area.

CONSULTATION

25. Discussion have been held with colleagues within Finance, Property and Construction Services, Regeneration and Environment and Asset Board regarding the provision of a site for the school.

Various Headteacher and Governor Briefings have been held and further meetings will be arranged as the project progresses.

Following discussions with colleagues within the region the proposal includes provision for other LAs to be offered places at the school. Rotherham, Sheffield and Barnsley LAs have supported the bid and are expected to take up to 20 of the 100 places. Sheffield were also successful in their bid supported by Doncaster to undertake reciprocal arrangements as their special school has a different focus.

A New School Consultation Event will be arranged in conjunction with the Department for Education launch in due course to enable representatives of the Local Authority to meet with potential sponsors of the new Special School.

BACKGROUND PAPERS

None

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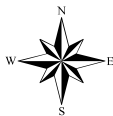
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**Damian Allen, Director of People
Learning and Opportunities: Children and Young People/Adults, Health and
Wellbeing Directorates**

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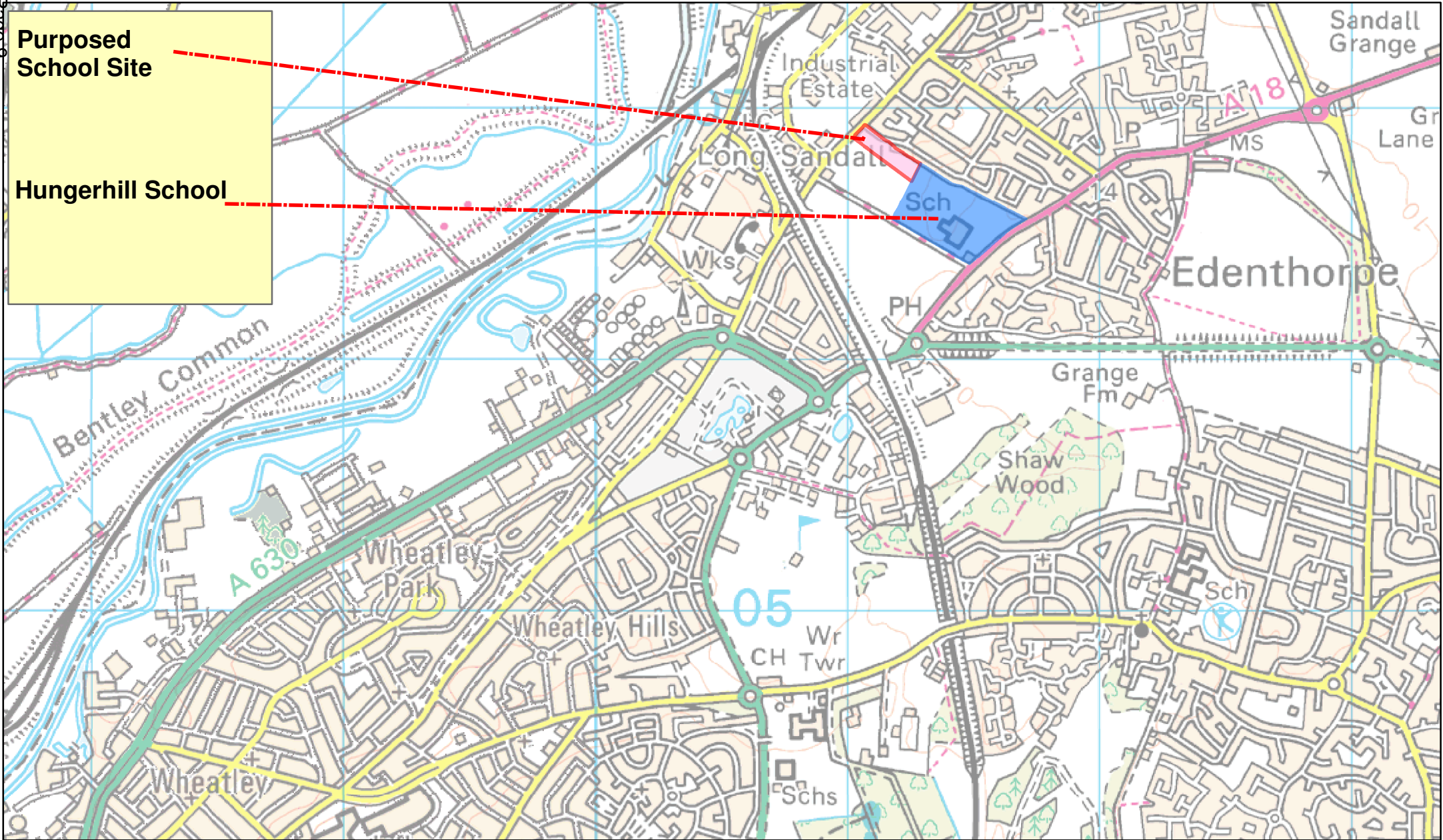
Plan referred to



Page 9

Purposed
School Site

Hungerhill School



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18 July, 2017

To the Mayor and Members of Cabinet

COMMUNITY ENAGEMENT FRAMEWORK: POLICY

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr McGuinness: Portfolio Holder for Communities, Voluntary Sector and the Environment	All	Yes

EXECUTIVE SUMMARY

1. The Council engages with residents, communities and with businesses on a regular basis. The Community Engagement framework will ensure we bring consistency to our engagement activity cross the Council by;
 - a) Developing a policy that articulates what and why community engagement is important
 - b) Developing a Strategy which details how we will achieve what is important to us (the things we will do) – consulting with people in the process
 - c) Refresh the Community Engagement Toolkit so there are clear tools and techniques available to staff.
2. This report gives the detail on the Community Engagement Policy and the outline for consultation on the Community Engagement Strategy based around four key policy statements;
 - We will Listen and Understand
 - Doncaster people will inform our Policy and we will keep people informed
 - We will be Inclusive and act with Purpose
 - We need to make the most of what already exists in communities and where possible increase Community Capacity

EXEMPT REPORT

3. N/A

RECOMMENDATIONS

4. The recommendations arising from this report are;
 1. Cabinet approve the Community Engagement Policy (Annex A).
 2. Note the Community Engagement Strategy Consultation outline (Annex B) and Due Regard Statement (Annex C).

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

5. Good quality community engagement is key part of our conversations with citizens across the borough. The community engagement policy sets out what and why community engagement is important to the Council and begins to set expectations from citizens on how they can get involved, and when they do, the quality that should be expected.

BACKGROUND

6. Good community engagement activity has and is happening in across council services but there are areas we can improve and be more consistent. This framework provides a common approach to community engagement across the Council. The aims being to improve the quality and achieve better co-ordination of community engagement activity across the work that we do.
7. The Community Engagement Framework contains three key parts, firstly the Community Engagement Policy, which answers the question what is important and why. Secondly there is the Community Engagement Strategy which will consider how we can achieve what is set out in the Policy and finally the Community Engagement Toolkit which will contain key information for staff to support the implementation of the strategy.
8. The development of the policy has had key input from across the Council to create a set of policy statements which set out what is important or the 'ends' of our work on community engagement which are outlined in the Executive Summary section of this report. Agreement of this policy is the first key step in fully realising our ambitions for a common approach to community engagement as a Council.

THE COMMUNITY ENGAGEMENT POLICY

10. The Community engagement policy is the articulation of what is important to the council over the next four years. There is a clear ladder of activity for community engagement which starts at informing people right up to individuals and communities taking decisions about their area. We are clear that it is important to get the right people involved at the right time not necessarily all people involved all of the time. The policy sets out four key statements that will guide our engagement work;
 - a) We will Listen and Understand
 - b) Doncaster people will inform our Policy and we will keep people informed
 - c) We will be Inclusive and act with Purpose
 - d) We will make the most of what already exists in communities and where possible increase Community Capacity
11. These policy statements will also direct our approach to our programmes of activity of the next four years ensuring robust and consistent ways of putting people central in the development of our policies and decisions and maximising our success. The Community Engagement Policy in full is contained in **Annex A**.

NEXT STEPS

12. Once the Policy has been agreed the work to understand what we will do differently and how we will make those changes will be developed into a Community Engagement Strategy. In developing the strategy we will build upon what we have achieved in the past and use the policy statements (as described in Para 10) as a guide to develop new activity and ideas. We also need to acknowledge where we need to improve, for example, we need a better approach to co-ordinating the Voluntary, Community Faith (VCF) sector; although we will be appointing a VCF role within the Council to support this it is an area we will cover as part of developing the strategy.
13. Furthermore the development of the strategy should allow time to consult with people across Doncaster so that they can inform the strategy and the actions that we take and we aim to undertake this consultation late summer with a Strategy being available in autumn 2017. **Annex B** lists the examples of community engagement activity already taken and some areas of focus for the Community Engagement Strategy.

OPTIONS CONSIDERED

Option 1: Do nothing

14. This option is not recommended as it will not allow the co-ordination and improvement of engagement activity consistently across the council. There will be a continuation of the current system which is not fit for purpose as we embark on ambitious programme of reform, potentially minimising what we can achieve in the long term.

Option 2: Adopt the community engagement policy presented at Annex A and proceed with consultation on the Community Engagement Strategy, outline presented at Annex B

15. This is the recommended option. It provides the council with clear way forward to improve how we engage with people and a commitment to consult with people on how we achieve this.

REASONS FOR RECOMMENDED OPTION

16. There are ambitious plans for the borough and the Council and part of that is having a modern and fit for purpose approach to engaging with local people, communities and businesses. This approach will put people at the centre of the solutions to the challenges that face the borough, and its public services. The draft Community Engagement Policy is the first step in this approach.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

17.

Outcomes	Implications
<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Community Engagement is key to the achievement of all of our key strategic priorities.</p>
<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	
<p>Council services are modern and value for money.</p>	
<p>Working with our partners we will provide strong leadership and governance.</p>	

RISKS AND ASSUMPTIONS

18. There are a number of risk and assumptions associated with the development of the Community Engagement Policy;
- The Community Engagement Policy sets out some expectations on quality and standards which effectively sets the bar for what we should achieve. If we do not meet these expectations there is a reputational risk and a future confidence risk in the work that we do.
 - The need to be able to maximise our current networks with community groups to connect to the right people at the right time. This will also encourage further networks to be made with different groups and individuals.
 - The need to provide quality information, resources and support to any engagement activity but specifically Elected Councillors as the

democratically elected representative for their local area

- Individuals and communities will need to get involved – the success of this framework will depend on people feeling that by being involved they can make a difference.

LEGAL IMPLICATIONS

19. There is no general statutory duty to consult communities, though the Council can consult where they consider it appropriate. By having a policy, the Council should ensure that it is complied with unless there are specific reasons not, to as failure to follow its own policy could make the Council vulnerable to a Judicial Review challenge.

FINANCIAL IMPLICATIONS

20. There may be financial implications arising from specific actions developed as part of the Community Engagement Strategy which will be considered as part of that report.

HUMAN RESOURCES IMPLICATIONS

21. There are no apparent HR implications as far as this report is concerned.

TECHNOLOGY IMPLICATIONS

22. There are no apparent technology implications as far as this report is concerned. Any implications that may form part of the Community Engagement Strategy will be considered as part of that report.

EQUALITY IMPLICATIONS

23. The Due Regard Statement (DRS) contained within **Annex C** contains the Equalities Implications associated with the Community Engagement Policy.

CONSULTATION

24. There have been several discussions of this approach with key Heads of Service, Directorate DLTs, Directors, OSMC, portfolio holder for Communities, Voluntary Sector and the Environment and the partnership inclusion and fairness forum.
25. As we develop the Community Engagement Strategy we will need to consult further and wider on the key things that will enable us to achieve what is set out in the Community Engagement Policy, including the public and key partners. **Annex B** lists the examples of community engagement activity already taken and some areas of focus for the Community Engagement Strategy.

BACKGROUND PAPERS

26. None.

REPORT AUTHOR & CONTRIBUTORS

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Director of Finance and Corporate Services

Community Engagement Policy

2017-2021

DRAFT

Leadership Team Sponsor (s): Lee Tillman / Karen Johnson

Cabinet Portfolio: Portfolio Holder for Communities, Voluntary Sector and the Environment

Corporate Plan Theme: All

Approval Information:

Directors: 26.06.17

Executive Board: 04.07.17

Cabinet: 18.07.17

Next Review Date: March 2021

Policy Purpose & Context

- 1.1 The Community Engagement policy sets out why engaging with the community is important and the principles that underpin good engagement with individuals, communities and local businesses across the borough.
- 1.2 Doncaster Council's policy is to ensure that key stakeholders across the borough have a voice to influence the development of policies and strategies that will affect their lives, and inform the way in which services and developments in the borough are planned and implemented.
- 1.3 Doncaster Council is committed to engaging with communities and this policy provides the strategic direction to ensure quality and consistent engagement across the work we do. This policy forms part of a proposed 'Community Engagement Framework'.

What is Community Engagement?

- 1.4 For the purposes of this framework community engagement is the conversations we have with people about decisions that may affect them. It is about providing opportunities for people to have a say in reviewing, designing, approving, influencing or commenting on the decisions, activities and services in the borough. It is also being clear that the Council cannot involve all people all of the time and will in many circumstances need to give clear information to individuals and communities.
- 1.5 The approach to engagement will need to be tailored to the type of activity taking place which includes¹:
 - **Information Giving:** Where residents, communities and businesses are informed but have no influence i.e. a road closure due to an emergency
 - **Consultation:** Where residents, communities and businesses are consulted and their views influence the outcome, but they don't necessarily have the final say in decisions i.e. we want to know about the priorities in your community
 - **Co-Creation:** We do things together and it is jointly decided i.e. we want to develop a new strategy on social care and we agree this together with users and carers of services.
 - **Supporting Citizen Power:** Individuals, communities and businesses lead and the Council stands back supporting only when invited to do so i.e. local community group want to run the local park and the council removes the barriers to making that happen

¹ New conversations: Local Government Association Guide to Engagement

The Importance of Community Engagement

- 1.6 Engaging with people is at the heart of council business. We believe that people who live and work in Doncaster have the right to influence and have a stake in the future of the Borough. Doncaster is a great place to live, learn, care and work, but over the next four years we want even more for our borough. We want residents and businesses to be central in that journey, actively working together to help achieve our strategic priorities, as set out in the Borough Strategy, and help to shape better and more efficient services.

Our Policy Statement

- 1.7 This policy sets out a compelling case for engagement that encourages a partnership of collaboration between communities and the Council, where the Council can enable Communities to do more for themselves. We need to engage the right people at the right time not necessarily all of the people all of the time.

We will Listen and Understand

- 1.8 To fulfil this policy the Council needs to have key methods to understand and listen to individuals, communities and businesses, as a basis to engagement activity whatever form that takes. Our ability to listen and understand will rely upon a variety of different channels some that are traditional methods but increasingly through digital platforms and social media. The Council needs effective strategies in each of these channels and the capability to draw all of the insight together into something that we can understand, share and use.

Doncaster People will inform our Policy and we will Keep People Informed

- 1.9 Our engagement activity will help to shape and inform the policy decisions that we make, meaning that our policies reflect the people they are for and the place they serve. This should support us to achieve our priorities, solve long standing problems and generate new ideas across the borough. This will involve more engagement that 'co-creates' and 'supports citizen power' which may involve new ways of service delivery and ideas that the Council has not considered before.
- 1.10 The council should keep people informed and support people to get involved but there is also a responsibility on residents and communities to be active and engaged in creating a thriving future for Doncaster and realise our ambitions over the next four years.

We will be Inclusive and act with Purpose

- 1.11 Our engagement activity must be inclusive and recognise that all people across the borough have a voice and an opinion of worth. Recognising the diversity across the borough it is important for an equality of opportunity for all people to be involved. This means our engagement must be accessible, use clear

language that people can understand and use the most appropriate information available.

- 1.12 Engagement needs to be clear about the purpose, scope and limitations of any activity, this clarity is fundamental to quality engagement. This will mean purposefully locating the voices of those with something at stake, via either specific communities of interest or geographic communities so that the right people at the right time are involved.

We will make the most of what already exists in communities and where possible increase Community Capacity

- 1.13 Community engagement is happening across the borough through a variety of channels, through existing voluntary community and faith groups, through elected members, through parish and town councils, our frontline staff and there are numerous others. We want to make the most of this activity, linking up the engagement within our locality areas, learning from what works and where possible increase the capacity in communities to engage and act.

The Community Engagement Framework

- 1.14 We will achieve this policy by have a community engagement framework that sets out clearly what is important, how we will do this and how we will provide adequate training and guidance for staff across the Council.



- 1.15 The community engagement strategy² will set out the specific actions and changes we will make to deliver the ambitions contained within this policy.

² The Community Engagement strategy will be agreed in autumn 2017

Annex B: DRAFT Community Engagement Consultation Outline

Questions we might want to ask?	Some of our achievements	Some areas of focus for the Strategy
<p>We will Listen and Understand</p> <p>If we were planning to change something in your community how would you like to engage with us?</p> <p>Would you be willing to sign up to access something online?</p>	<p>One Doncaster report commissioned by the strategic partnership consulted with 1,000 individuals, and took evidence from a wide range of people and organisations living and working in the borough.</p> <p>During 2016, we have revisited BME health needs across the borough which culminated in a report outlining a series of key recommendations which will be taken forward by the Health and well Being board.</p> <p>Extensive consultation on the South Yorkshire Waste Strategy (SYWS). Methods included questionnaire data and thematic analysis of qualitative data which informed the end strategy for waste across South Yorkshire.</p> <p>Through our democratic structures questions from members of the public take place at a number of meetings including Full Council and Cabinet.</p>	<ul style="list-style-type: none"> • Online space to view and take part in consultations • How can we utilise frontline staff & elected member experiences • Community Pulse – how can we measure people’s perception of their community and their quality of life over time?
<p>Doncaster People will inform our Policy and we will keep people informed</p> <p>What ideas have you had about your local community?</p>	<p>The ‘Well Denaby’ programme is delivering a social model of health. The programme is delivered with the community (doing things with people rather than to people) and seeking to address the fundamental things that underpin good health and wellbeing (housing, employment and social connections) by building on the strengths of an area.</p> <p>The Children and young People’s Plan 2017-2020 used information from the Joint Strategic Needs Assessment and engagement with children and young people to define the priorities over the next four years.</p> <p>The Doncaster Cultural Leisure Trust (DCLT) is a registered charity that was formed to run leisure facilities across the borough.</p>	<ul style="list-style-type: none"> • Learn from engagement and unleash community ideas into models of delivery • We can change the way services are delivered that result in new models of delivery that involve local communities more and the council less.

	<p>Eventually this will be with no subsidy from the Council but continues to improve the quality of leisure provision across the centres that it manages.</p> <p>The Doncaster Children's Services Trust is an independent organisation set up to deliver social care and support services to children, young people and families in Doncaster. It is an innovative way to deliver services following an agreement with national government and the local authority and was the first of our kind in the country</p>	
<p>We will be Inclusive and act with Purpose</p> <p>What are the barriers to engaging with us now?</p> <p>What can we do to remove these barriers?</p>	<p>The Healthy Living for BME Women in Doncaster service, delivered by Changing Lives, provides an opportunity for women to access health and other advice and guidance relating to the wider determinants of health which they may not otherwise be able to get. Over the year 2016/17, the service has supported 471 women, of which 123 were new to the service.</p> <p>An Inclusion and Fairness Forum was set up to help make Doncaster a fairer place to live and work. The Forum considered evidence of how inequalities have affected the lives of local people in relation to employment, mental health, obesity and social isolation. It then considered what changes and actions could be taken to tackle inequality by hosting meetings across the borough</p>	<ul style="list-style-type: none"> • We need to understand how we can engage people who normally don't engage either because there is a barrier, they don't know how or they simply don't feel motivated to get involved.
<p>We will make the most of what already exists in communities and where possible increase Community Capacity</p> <p>What are you aware of happening in your community?</p> <p>What topics would motivate you to get involved?</p>	<p>There are now 21 Community Run Libraries and 4 staffed ones, as a result, libraries are becoming community hubs and are able to respond flexibly to local need by offering different services. For example, Stainforth Community Library contains a charity shop inside, and staff have used the money raised to take disadvantaged members of the community on trips to the seaside.</p> <p>Following the withdrawal of investment at Sandall Park the Local Authority assisted in developing a Friends of Sandall Park group (FoSP) consisting of people from the local community. The Friends group evolved into a positive and vibrant group which set about curing crime, drawing investment into the park and gradually turning</p>	<ul style="list-style-type: none"> • Social Investment Fund targeted at tackling poverty, improving social mobility and achieving social growth. • What Supporting arrangements for the Voluntary, Community and Faith Sector are needed • Learning from what works in Communities

	<p>around its fortunes.</p> <p>Doncaster Youth Alliance consists of Doncaster based youth-focused organisations. The Alliance received some pump priming money to support the Council in becoming commissioner and convenor of youth activity rather than a delivery partner.</p> <p>Doncaster Council invested £500,000 into a Voluntary and Community Support Large Grant Fund to offer grants to eligible Voluntary Community and Faith sector (VCS) organisations within the borough. The fund is now fully committed and has supported 17 organisations wishing to undertake activities that deliver shared aims, supports the delivery of the priorities outlined in the corporate plan and ultimately help to ensure Doncaster and its people thrive.</p> <p>.</p>	<ul style="list-style-type: none">• More comprehensive Community Mapping exercise of assets and activities
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EQUALITY, DIVERSITY AND INCLUSION

DONCASTER METROPOLITAN BOROUGH COUNCIL

Due Regard Statement Template: Community Engagement Framework - Policy (2017-2021)

How to show due regard to the equality duty in how we develop our work and in our decision making.

Due Regard Statement

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced need to reference "Due Regard" in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

1	Name of the ‘policy’ and briefly describe the activity being considered including aims and expected outcomes. This will help to determine how relevant the ‘policy’ is to equality.	<p>Name: Community Enagagement Framework - Policy</p> <p>The Community Enagagement Policy sets out the what is important to the Council when enagaging with residents, commnuities and local businesses. It sets how, through good quality enagagement we can achieve our strategic objectives in partnership through the following policy statements;</p> <ul style="list-style-type: none"> • We will Listen and Understand • Doncaster People will inform our Policy and we will Keep People Informed • We will be Inclusive and act with Purpose • We need to make the most of what already exists in communities and where possible increase Community Capacity <p>In particular the statement on inclusivity and purpose will mean we need to ensure we involve and target the right people for that specific enagagement, going further to target hard to reach groups.</p> <p>Further work to develop a community engagement strategy which will detail how we will deliver community engagement will see this due regard statement develop further.</p> <p>The aim is to have a quality strategic approach to enagaging with residents, communities and local businesses.</p>
2	Service area responsible for completing this statement.	<p>Strategy and Performance Unit Doncaster MBC</p>
3	Summary of the information considered across the protected groups.	<p>To create the community enagagement policy there is a need to understand the wide range of demographic information available to inform it development. However it is as important to ensure the community enagagment strategy is inclusive and accessible to</p>

	<p>Service users/residents</p> <p>Doncaster Workforce</p>	<p>take account of different views.</p> <p>We will use the information on the people of the borough including ethnicity, language, religious beliefs and country of birth as well as the wider demographic descriptive information on gender and age to inform the community engagement strategy. This can be found in many strategic documents but also broken down into wards and communities here;</p> <p>http://www.teamdoncaster.org.uk/doncaster-data-observatory</p>
4	Summary of the consultation/engagement activities	<p>Initial consultation on the idea of the Community engagement policy was discussed at the Inclusion and Fairness Forum 26.04.2017. The consultation focussed on the principles of good community engagement, the difference between community engagement policy and strategy and the key things that were important to consider at the start of the development.</p> <p>Further consultation is needed to develop the strategy and is provisionally planned summer/ autumn 2017</p>
5	<p>Real Consideration:</p> <p>Summary of what the evidence shows and how has it been used</p>	<p>Full data and analysis of any consultation will form part of this due regard process as we agree the strategy.</p>
6	Decision Making	<p>A copy of the DRS will be included for the Cabinet Reports for both the Community Engagement Policy and the Community Engagement Strategy.</p>
7	Monitoring and Review	<p>The development of the community engagement Strategy will include the arrangements for monitoring and governance of any actions.</p>
8	Sign off and approval for publication	<p>This due regards statement was initiated at the inception of the Community engagement Framework and will not be signed off until the formal agreement of the Community Engagement Strategy.</p>

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To the Chair and Members of the Cabinet

Sprinkler Installation to Housing Revenue Account High Rise Flats

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Glyn Jones	all	Yes

EXECUTIVE SUMMARY

1. After the tragic events at Grenfell Tower in London, local authorities across the UK have had to take immediate action, such as having the cladding on high rise blocks checked and the sector as a whole has been considering some of the wider and more long-term implications for them and their communities.

1.1 It is far too early to draw firm conclusions from the horrific Grenfell fire – especially as there is going to be a public inquiry and other investigations.

1.2 It is important to assure Doncaster residents that their safety is of paramount importance. St Leger Homes carry out regular fire safety checks at all Doncaster's Housing Revenue Account (HRA) high rise properties, in addition to carrying out regular fire risk assessments.

1.3 What we do know is that the cladding system used in Doncaster is an External Wall Insulation (EWI) Render System which is not the same as was used at Grenfell Tower. Locally initiated verification checks are being carried out on this system.

1.4 It is becoming more apparent that sprinkler systems in high rise flats are an important part of fire safety and are widely supported by Fire Authorities including South Yorkshire Fire and Rescue who have quoted;

“Sprinklers are a cost effective way of making homes safer – they stop fires from spreading, put them out quickly and save lives. We are especially concerned about those people who are most at risk of fire such as those with mobility or mental health problems or people with dementia who may not know how to react, or be able to react quickly enough, if they hear a smoke alarm.

South Yorkshire Fire & Rescue has long played a key leadership role in helping people to better understand the benefits of sprinklers as part our commitment to reduce the impact of fire on people, property and the environment.”

- 1.5 High rise social housing blocks create a number of specific fire safety and firefighting challenges that do not exist in other properties. The majority of such blocks were built between 1950 and 1970 when the design and fire protection standards of that time did not require sprinkler systems to be installed.
- 1.6 It is anticipated in the housing and building press that retrospective installation of sprinkler systems will become a requirement. Fitting sprinkler systems is a proactive measure that will enhance the safety of Doncaster's tenants which is paramount irrespective of legislation requiring this action.
- 1.7 The fitting of sprinklers will be supported by ongoing fire risk assessments and regular safety reviews.
- 1.8 This initiative will enable us to provide a safer environment for tenants in all Doncaster's high rise accommodation.

EXEMPT REPORT

2. This report is not exempt however, Appendix A is not for publication as it contains commercial information, which is exempt under Paragraph 3 of Part 1 of Schedule 12 (a) of the Local Government Act 1972 (as amended) - information relating to the financial or business affairs of any particular person (including the authority holding that information).

RECOMMENDATIONS

3. Procure and install a fit for purpose sprinkler fire suppression system to the flats in all 9 HRA high rise blocks in Doncaster.
4. To add the project to the Regeneration and Environment capital programme, the exact value will be included into the programme as part of the quarterly Finance and Performance reporting following the outcome of the procurement exercise.

REASONS FOR URGENCY

5. This is a key decision and would normally require 28 days' notice. However, due to the need to respond quickly and ensure the necessary approvals are in place to undertake the necessary work and improve fire safety and reassure tenants that their safety is paramount this decision is being taken in accordance with urgency provision Executive Procedure Rule 15 - General Exception.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

6. Improved fire safety in high rise living accommodation.

BACKGROUND

7. After the tragic events at Grenfell Tower in London, local authorities across the UK have had to take immediate action, such as having the cladding on high rise blocks checked and the sector as a whole has been considering some of the wider and more long-term implications for them and their communities.
- 7.1 In consideration of those tragic events it has become important to assure tenants that their safety is of paramount importance. St Leger Homes currently carry out regular fire safety checks at all Doncaster's HRA high rise properties, in addition to carrying out regular fire risk assessments. These have been reviewed in conjunction with South Yorkshire Fire and Rescue.
- 7.2 St Leger Homes and DMBC colleagues have been working closely with South Yorkshire Fire and Rescue to further alleviate any fears of residents in Doncaster's high rise blocks. While working together it has become more apparent that fire suppression sprinkler systems have been proven to reduce the impact of fire. They are a potentially lifesaving tool that bring many benefits.
- 7.3 It is intended that subject to this reports approval that the exact specification will be based on expert advice and subject to consultation with tenants and residents.

OPTIONS CONSIDERED

8. **Option 1.**

Do nothing and rely on current fire safety provision and controls

Option 2. Recommended option.

- Procure and install a fit for purpose sprinkler fire suppression system to the flats in all 9 HRA high rise blocks in Doncaster this will improve fire safety to the buildings subsequently enhancing the safety to residents in the event of fire.
- To add the project to the Regeneration and Environment capital programme, the exact value will be included into the programme as part of the quarterly Finance and Performance reporting following the outcome of the procurement exercise.

REASONS FOR RECOMMENDED OPTION

9. The consensus in the housing and building press expects that retrospective installation of sprinkler systems will become a requirement. That said fitting sprinkler systems is a proactive measure that will enhance the safety of Doncaster's tenants which is paramount irrespective of legislation requiring this action. This will improve fire safety to the buildings subsequently enhancing the safety to residents in the event of fire.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

10.

Outcomes	Implications
<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> • 	
<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>Installation of sprinkler systems in high rise blocks will enhance the safety of residents</p>
<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	<p>Help safeguard vulnerable and elderly residents.</p>
<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	
<p>Council services are modern and value for money.</p>	
<p>Working with our partners we will provide strong leadership and governance.</p>	

RISKS AND ASSUMPTIONS

11. Installing sprinkler systems to flats will minimize any spread of fire thus protecting life and property. The main risk of installation will be one of access to all flats. Therefore legal means of access may need to be sought to ensure full compliance in all flats. Installation will not be optional. However it is thought that residents would welcome this investment. Prior consultation will take place on a locality basis and a full myth busting leaflet is being addressed which will cover resident's concerns. This will include such things as;

Myth:"Water damage from a sprinkler system will be more extensive than fire damage."

Fact: Water damage from a building sprinkler system will be much less severe than the damage caused by water from fire fighting hose lines or smoke and fire damage.

Myth:"When a fire occurs, every sprinkler head goes off."

Fact: Sprinkler heads are individually activated by fire temperatures in excess of 155°. Residential fires are usually controlled with one sprinkler head.

LEGAL IMPLICATIONS

12. The Council has a duty to protect the safety of its tenants.

The 2011 Localism Act introduced the so called "general power of competence" which states that "A local authority has power to do anything that individuals generally may do".

12.1 S111 Local Government Act 1972 provides a local authority with the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.

12.2 The appointment of a contractor to install the sprinkler system must be procured in accordance with Contract Procedure Rules and EU Procurement Regulations as required.

12.3 Whilst it is not easy to 'set off' sprinklers by accident, where tenants 'set off' sprinklers in their own flats they will be responsible for damage caused to their own furnishings. To assist in this residents will be offered our own insurance scheme.

FINANCIAL IMPLICATIONS

13. This report seeks approval for the following expenditure which will be added to the Housing Capital Programme;

- Installation of sprinkler systems in 9 high rise blocks comprising 603 individual flats.
- Removal of decorative capping at Silverwood house which has been identified as Category 2 as defined by DCLG's tests and replacement with a fully compliant alternative and
- The appointment of a fire safety expert to carry out a level 4 fire risk assessment which includes intrusive works within all high rise blocks.

13.1 The estimated costs for the sprinkler system is between £1m and £3m. The Government have stated that they will provide funding to Local Authorities which need it on a case by case basis, details of how to

access this funding have not yet been published. But the Council will need to fund this from the capital programme until such time as the government have confirmed the funding.

13.2 A Sprinkler Fund of £1 million is available for match funding from South Yorkshire Fire Service and a bid has been made for these resources, the outcome of which is as yet unknown.

13.3 Further financial details are included at Appendix A however, this information is not for publication as it is exempt under Paragraph 3 of Part 1 of Schedule 12 (a) of the Local Government Act 1972 (as amended) - information relating to the financial or business affairs of any particular person (including the authority holding that information).

HUMAN RESOURCES IMPLICATIONS

14. None.

TECHNOLOGY IMPLICATIONS

15. None at this stage.

PROCUREMENT IMPLICATIONS

16. To deliver an expedient route to market for the supply and installation of suitable fire suppression systems to Doncaster's High Rise Accommodations there are a number of existing national framework agreements open to the Council and St leger Homes which offer a compliant route to market by way of inviting further competition.

These are:

- YPO 582 & ESPO 225 (Joint FW agreement); Fire Safety Products & Services.
- Fusion 21; High Rise Refurbishment Agreement
- PAGABO; National Framework Agreement for Fire Safety – lot 4 Fire Safety – Supply & Installation of Fire containment equipment

16.1 St Leger Homes and the Council have a duty under their Contract Procedure Rules and overarching Public Contract Regulations 2015 to ensure all contracting activity is carried out in a fair, transparent and compliant manner.

16.2 Where the above frameworks are not suitable then a specific Authority (SLHD / DMBC) led tender must be carried out in line with Contract procedure rules, PCR2015 and EU Procurement Law as St Leger Homes and the Council have a duty to ensure all contracting activity is carried out in a fair, transparent and compliant manner.

16.3 Where applicable the engagement of Procurement & Legal Services is recommended so as to ensure all procurement and commissioning

activity is carried out under the auspices of the aforementioned legislation.

- 16.4 It is intended to complete the procurement of the installation as quickly as possible. However, there is likely to be a significant increase in demand for the manufacture and installation of such schemes. Therefore at this stage it is difficult to confirm timescales. Tenants and board members will be kept updated of progress.

EQUALITY IMPLICATIONS

17. The Public Sector Equality Duty (PSED) Due Regard Statement was created by the Equality Act 2010. The duty came into force in April 2011 and places a duty on public bodies and others carrying out public functions. The aim of the PSED is to embed equality considerations into the day to day work of public authorities, so that they tackle discrimination and inequality and contribute to making society fairer. 'Due Regard' is a legal term that requires proportionality and relevance. The weight given to the general duty will depend on how that area of work affects discrimination, equality of opportunity and good relations.
- 17.1 The installation of sprinklers will enhance the safety of all residents in all 9 high rise blocks, as there are a large proportion of tenants who are either vulnerable or elderly.

CONSULTATION

18. Consultation has been undertaken with the Housing Portfolio Holder, Senior Council officers and South Yorkshire Fire and Rescue. Further consultation will be required with residents of all high rise blocks.

BACKGROUND PAPERS

19. None.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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To the Chair and Members of Cabinet

STRATEGIC INVESTMENTS

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Joe Blackham	All	Yes

EXECUTIVE SUMMARY

- 1 This paper seeks approval to proceed with the acquisition of two strategic car parks to further enhance the Council's ability to regenerate the town centre.
- 2 If approved the Council will look to bring forward regeneration proposals for the benefit of the town centre.

EXEMPT REPORT

3. This report is not exempt however, the Appendices to the report are not for publication as they contain details of third party commercial interests, which are exempt under Paragraph 3 of Part 1 of Schedule 12 (a) of the Local Government Act 1972 (as amended), (information relating to the financial or business affairs of any particular person (including the authority holding that information)).

BACKGROUND

- 4 Through the recently published Doncaster Urban Centre Masterplan the Council has identified the need to redevelop and regenerate the town centre. The acquisition of two town centre car parks, that produce an income, would enable the Council to become a strategic land owner and have an ability to invest and improve in the town centre.
- 5 The Council historically divested all its interests in the town centre, however in order for the DUCM to become a reality this policy needs to be reversed. The termination of the Muse agreement and the acquisition of these two car parks, will lead to the Council becoming a significant landowner and investor in the town centre.
- 6 As well as being strategic development sites the two car parks sites also generate an income. If the two car parks were just investments they would also satisfy the Cabinet approved criteria for property investment. See background to Property Investment Fund at 15–17 below.
- 7 The proposal has the support of the Property Investment Fund Board. However, due to the regeneration potential of proposal, the purchase cannot be funded from within the currently approved Property Investment Fund. The

Property Investment Board therefore recommended that the scheme be referred to the Investment and Modernisation Fund due to the clearly identified regeneration benefits. The Property Investment Fund Board met on 21 June 2017 to consider the proposal and gave approval for the funding subject to IMF Board and Cabinet approval of the scheme.

- 8 Within the DUCM are a number of car parks/sites that have been identified for redevelopment purposes and therefore the acquisition two further car parks will help the regeneration of the town centres directly or indirectly. Those sites are as follows;

Council House Car Park - 400 spaces (350 staff car parking and 50 pool cars). Only 350 of these can be accommodated in Civic Quarter MSCP.

Scarborough House - 113 spaces (currently used for staff car parking)

Chamber Road (old girl school site) - 80 spaces

Council House old visitor's car park - 40 spaces for liveried vehicles.

In addition to the above there are, on the other side of town, Chappell Drive and Church Way Car Park that are shown in the Town Centre Master Plan as re-developed into a new Marina.

There are around 600 spaces in this location but usage is only around 300 spaces.

Background to Property Investment Fund

- 9 As part of the £4.662m Asset Transformation Programme savings, £1,041m was identified as being from income generation. The majority of this income will come from commercial property investment acquisitions. Cabinet subsequently approved a Property Investment Fund for this purpose. The report and decision can be found at:

<http://doncaster.moderngov.co.uk/mgDecisionDetails.aspx?Ild=4057&Opt=1>

- 10 The fund will be used to acquire investments based on core investment targets and risk management. These include targeted returns of 7% over the total portfolio, investment parameters of between 5% and 10%, clear risk management with a balanced portfolio of properties and easy management or cost recovery of management.
- 11 The Council is fully committed to its aspirations to create a vibrant and successful Urban Centre and is confident that this proposal will enhance the development opportunities in Doncaster Town Centre.

RECOMMENDATION

12 That Cabinet notes the contents of this report and approves the following:

- Proceed with the legal process to secure the purchase of the two car parks using IMF funding.
- Delegated authority to the Council's Property Officer, in consultation with the Director of Finance and Corporate Services and Director of Regeneration and Environment, to negotiate terms and enter into conditional agreements using the Property Investment Guidelines as a target.
- Proceed with feasibility work to identify significant town centre regeneration proposals.
- Add the car parks to the Regeneration and Environment Capital Programme for 2017/18;
- Virement of the Finance & Corporate Services Capital Programme, which contains the Investment & Modernisation Fund allocation, into the Regeneration and Environment Capital Programme, where this scheme will be delivered and monitored.

13 The total estimated costs of the project can be broken and shown in the financial appendix 1.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

- 14 These undeveloped sites, once completed, could provide the citizens of Doncaster with a secure income stream, and redevelopment potential.
- 15 This proposal sees the Council using its unique position to exploit its asset base to develop opportunities which create jobs growth and revenue through the generation of new rents and business rates.

OPTIONS CONSIDERED & REASONS FOR RECOMMENDED OPTION:

16 There are two key options available to the Council and these are set out below.

Option 1: Not to acquire the car parks

Should the Council do nothing then the sites will be sold to an unknown third party and the Council will lose the opportunity to purchase two strategic sites within the town centre.

Option 2: DMBC to step in and to acquire the two car parks

The recommended option is Option 2. If the Council steps in and becomes landlord of the two sites this will provide a regular income stream, overall control of two strategic sites, control of two car parks and flexibility to develop

sites within the town centre. As the two sites generate an income it gives the Council the opportunity to benefit from revenues whilst establishing the best development opportunities.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

	Outcomes	Implications
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>There are no negative implications with this recommended course of action. By buying the two car parks DMBC will secure two medium regeneration opportunities to invest in the town centre, create new jobs and business rates.</p>
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living.</i> 	<p>There are no negative implications that may impact on the councils key objectives.</p>
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living.</i> 	<p>This scheme could see development of a prime plots of land.</p>
	<p>All families thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services.</i> 	<p>There are no negative implications.</p>
	<p>Council services are modern and value for money.</p>	<p>This approach will improve value for money by releasing value from land that the council will own.</p>
	<p>Working with our partners we will provide strong leadership and governance.</p>	<p>There are no negative implications.</p>

RISKS AND ASSUMPTIONS

- 17 If the Council does not proceed the sites will be bought by an alternative purchaser.
- 18 There is a risk that the redevelopment options are not financially viable and therefore will not proceed until the market improves. However the car parks will generate an income and therefore the Council will benefit from significant revenues until such time as the sites are redeveloped.
- 19 The revenues are generated, on both car parks, come from a significant car park operator. The risk would be that the operator goes bust. In that case the Council would step in and run the car parks themselves, generating an income.

LEGAL IMPLICATIONS

- 20 Under s.120 of the Local Government Act 1972 the Council has statutory power to acquire any land inside or outside its administrative area for the purposes of its functions. Regeneration falls within the functions of the Council.
- 21 The proposal is to buy the freehold of the two car parks which are currently both subject to leases with 20 years left to run. In order to redevelop the car parks it early termination of these leases will have to be negotiated. If this is not possible the Council will still benefit from the rental income from the car parks for this period.
- 22 If the purchase of the property were for investment purposes rather than regeneration then s12 of the Local Government Act 2003 allows for investment either for “any purpose relevant to the Council’s functions under any enactment or for the purposes of prudent management of its financial affairs”.
- 23 In exercising its powers to invest under S12 the Council should have regard to the CLG Guidance on Local Government Investment, this includes the need for the Council’s investment strategy.
- 24 Investment in property purely for a financial return is not viewed as being for a purpose relevant to a function of the authority although it may well fall under the prudent management of financial affairs.

FINANCIAL IMPLICATIONS

- 25 This section summarises the financial implications. A more detailed breakdown of the financial implication has been appended.
- 26 The capital costs will be funded through prudential borrowing from the Investment and Modernisation Fund (IMF).

- 27 The revenue costs associated with the borrowing (repayment of principal and interest) have been calculated and are exceeded by the rent due to the Council from the tenant.
- 28 The key assumptions used for the borrowing calculations are summarised in the table below.

	NCP Car Parks
Useful life	50 years
PWLB maturity certainty rate	2.30%
IMF risk factor	0.50%
Total interest rate	2.80%

- 29 As stated above, the gross savings will contribute to the £1.041m target for income through investment property. If the £1.041m is overachieved the savings will be put towards the overarching Appropriate Assets savings target of £4.662m. The borrowing costs will be met by the Council's Treasury Management function and any costs outside existing budgets will need to be factored into the budget setting process.
- 30 In accordance with financial procedure B.17 budget virement between Directorates above £500k must be approved by Cabinet, this report satisfies that requirement.

HUMAN RESOURCES IMPLICATIONS

- 31 There are no immediate HR implications arising from the recommendation to the purchase of the two car parks, however, any future changes that impact on the workforce will require HR engagement and would require separate approval.

TECHNOLOGY IMPLICATIONS

- 32 There are no technology implications in relation to the recommended option to acquire two strategic car parks, which will continue to be operated by external providers. Digital & ICT should be consulted in relation to feasibility work to identify significant town centre regeneration proposals, to enable any arising technology implications to be fully considered and understood.

EQUALITY IMPLICATIONS

- 33 None

CONSULTATION

- 34 Councillor Joe Blackham, Cabinet Member for Highways, Street Scene and Trading Services.

BACKGROUND PAPERS

<http://doncaster.moderngov.co.uk/mgDecisionDetails.aspx?Ild=4057&Opt=1>

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Appendix 1 Financial Summary
Appendix 2 Scheme Layouts
Appendix 3 Property Information

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