

Date of committee: 29 April 2021

Date published: 29 April 2021

Date of implementation: 10 May 2021

**DECISIONS OF THE CABINET
29 APRIL 2021**

The following decisions were made by the Cabinet on 29 April 2021 and will come into force and may be implemented on 10 May 2021 unless the decision is called in for scrutiny.

In accordance with the council's constitution, any six members of the same relevant Scrutiny Committee may request the Monitoring Officer to 'call-in' a decision for scrutiny. The Monitoring Officer will be provided with written notice that will identify the decision to be called-in and the ground for the call-in when the request is made. If satisfied that there are reasonable grounds for the proposed call-in, the Monitoring Officer will notify the decision-maker of the call-in within 5 clear working days. The deadline for this request is **7 May 2021**.

The full call-in procedure is set out in the Constitution or for further information and advice please telephone Kate Critchel on 01305 252234

4 OUTCOME FROM CONSULTATION ON PROVISION IN SHAFTESBURY

Decision

1. That, following public consultation on the future use of the former St Mary's School site, the consultation report be noted and that the Council's preferred option for the use of the site proceed;
2. That the Business Plan to use the site as an independent special school for children and young people of Dorset and the longer-term vision, be approved;
3. That the formation of a company limited by shares and the entry into such ancillary legal documentation, as may be necessary in line with the proposed scope contained in the Business Plan, be approved;
4. That the granting of indemnities for personal liability incurred by council officers acting in the role of directors of the company, be approved;
5. That Cabinet agrees to the granting of a lease of the site to the company on terms to be approved by the Executive Director for Place in consultation with the Executive Director for People – Children's; and that service agreements between the Council and the company to deliver the Business Plan on terms to be approved by the Executive Director for People - Children's.
6. That authority be delegated the Portfolio Holder for Children, Education, Skills and Early Help in consultation with the Executive Director for People – Children's to deliver the Dorset Council actions within the Business Plan.

Reason for the decision 1:

The consultation on the future use of the former St Mary's School site received 1,427 responses from a wide variety of individuals and organisations. Nearly 90% of responses came from Dorset Council residents, including 32% of responses which came from local residents (within 3 miles of the site).

There was overwhelming support for the St Marys site to continue to be used for educational purposes, with 92% overall in favour. In addition, there was very strong support for specifically using St Marys as a school for children and young people with Special Educational Needs and Disabilities (SEND) with 89% overall in favour alongside 82% of respondents that signalled strong support for the additional use of the St Mary's site to create complementary facilities for vulnerable children, young people and adults.

This demonstrated strong support to deliver the Council's preferred option to create a new independent school for children and young people of Dorset with SEND.

Reason for the decision 2, 3, 4, 5 and 6

In order to deliver the Council's preferred option, a detailed 5-year Business Plan has been completed setting out the next steps the Council will need to take to establish a Company to operate the new independent special school alongside the longer-term vision for the site and arrangements for the land to be used by the Company. The Business Plan

sets out that a Company that will be set up for the purposes of operating the site and school, and this will be through the formation of Company Limited by Shares (which may be established as a standard or Community Interest Company). Approval of this decision allows the named Members and Officers with delegated authority to deliver the Business Plan to achieve the challenging timescales for delivery. Further leadership and governance would be provided by the St Mary's Project Board Chaired by the Chief Executive and Vice Chaired by the Executive Director of Corporate Development.