

Name of meeting: Cabinet
Date: 14th December 2021
Title of report: 2021/22 to 2025/26 Council Capital Plan – Proposed allocation of capital funding from the Directorate for Children’s Achieve and Aspire Strategic Priorities and Basic Need funding sections of the Capital Plan.

Purpose of report: This report will identify potential schools’ projects, for Member approval, to be funded from the 2021/22 to 2025/26 Achieve and Aspire Strategic Priorities and Baseline Basic Need funding sections of the Council’s Capital Plan.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes - this will result in capital expenditure significantly in excess of £250K.
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision - Yes Public Report
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Mel Meggs – Strategic Director for Children’s Services – 10/11/2021 Eamonn Croston - Service Director for Finance- 06/12/2021 Julie Muscroft - Service Director for Legal Governance and Commissioning - 06/12/2021
Cabinet member portfolio	Cllr Viv Kendrick - Children (Statutory Responsibility for Children) Cllr Carole Pattison - Learning, Aspiration & Communities Cllr Paul Davies - Corporate

Electoral wards affected: All wards

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered? There are no GDPR implications arising from this report.

1. Summary

- 1.1 This report will provide information relating to specific individual school related capital projects identified to be funded from the Directorate for Children's Services Achieve and Aspire Section of the Council's Five-Year Capital Plan, which was approved by Council on 8th September 2021.
- 1.2 Members will be asked to consider and approve the projects identified in the report, along with the highlighted capital allocation for each scheme. In some instances, Members will be asked to note investment that has already been approved by Officers using authority previously delegated by Cabinet.

2. Information required to take a decision

- 2.1 For three years, a pupil population bulge has been moving through the Secondary School phase in Kirklees. Evidence suggests this is a time limited bulge with the size of the Year 7 cohorts entering most secondary schools starting to return to more normal levels after 2023/24. Through engagement with secondary schools between 2016 and 2018, it was agreed that this bulge could be managed by the existing school system without creating any new high schools.
- 2.2 The introduction of one or more new high schools would have required significant capital investment and with the population peak being temporary, threatened to destabilise the future secondary school system post the bulge period. Too many school places can create school budget sustainability challenges. The size of a high school required to ensure it was viable would also have been disproportional to the expected levels of local need even at the height of the population peak.
- 2.3 A number of secondary schools have therefore been offering bulge classes for the past three years and further bulge classes will be needed for the next two to three more years. The cumulative impact of these bulge classes, each of which will stay with the school for a five-year period, is placing pressure on the available facilities of some schools. Capital investment is therefore required to address some of the more acute pressures to ensure a high-quality education offer is sustained. Whilst some of the investment is targeted to support bulge class arrangements, future generations of pupils will also benefit from the investment in better facilities.
- 2.4 In two geographical locations the population pressures are expected to continue for a little longer and they are also close to strategic housing development sites which over time will have an upward impact on the demand for school places. In these two areas, Dewsbury and North Huddersfield, it is considered prudent to introduce a modest amount of additional secondary school places on a permanent basis. Further details including the evidence which underpins this is contained in the published Kirklees School Place Planning documents:
<https://www.kirklees.gov.uk/beta/schools/school-organisation-and-planning.aspx>
- 2.5 Local authorities have a statutory duty to ensure there are sufficient school places (section 14(1) of the Education Act 1996) across the whole school sector. To discharge this duty Local Authorities work with maintained schools and academies to secure suitable solutions. Whilst academies receive revenue funding directly from central government and can apply for capital funding for repairs and maintenance,

they are not provided with capital funding to address the basic need for additional school places.

- 2.6 In order to ensure that the Local Authority can discharge its statutory duty to provide sufficient secondary school places, Council approved the inclusion of £6M of corporate borrowing in the Five-Year Capital Plan, which was subsequently reprofiled in the Financial Monitoring Report Q2 at Cabinet on 16th November 2021 as follows:

Financial Year	2021/22	2022/23	2023/24	Total
Secondary Basic Need	£487K	£4.513M	£1M	£6M

In addition, a small baseline budget of £604K in Financial Year 2021/22 comprising of basic need government grant was identified for small quick win investment schemes (of which £6K relates to previous schemes, leaving £598K for new investment).

- 2.7 This report outlines the proposed first phase of the proposed investment in secondary school places at Manor Croft Academy and Thornhill Community Academy as well as identifying quick win schemes at Westborough High School and North Huddersfield Trust.

(i) Manor Croft Academy – permanent expansion of 150 places

- 2.8 Manor Croft Academy have provided a bulge of 30 pupils for the past three years to support additional demand for places resulting from the local child population bulge. The local population bulge is expected to continue towards 2023/24. The school is also close to the Chidswell Strategic Housing development site. For these reasons it is proposed that the school permanently expands by 30 pupils a year from a 180-place intake to 210. In time, this will increase the capacity of the school by 150 pupils from 900 to 1050 places. Officers have been working jointly with the Academy and Delta Academies Trust to identify a suitable scheme to enable the expansion described above to occur. The identified scheme involves an extension to an existing dining room space to accommodate the increase pupil numbers, six additional classrooms with associated toilet provision, and a modest car park extension.
- 2.9 This school is part of the Council's Grouped Schools Public Private Partnership (PPP) 1 Contract with Kirklees School Services Limited (KSSL) hence the PPP1 Provider will manage the design, procurement and delivery of the expansion works through the contractual variations process. A temporary modular classroom solution is expected to be required to support the admission of 30 additional pupils in September 2022, which will be provided by the Council using modular accommodation from within the Council's existing fleet.
- 2.10 Initial feasibility work has indicated that the package of works described in paragraph 2.8 including all professional and legal fees, furniture, equipment and the provision of the temporary modular accommodation will be £3.2M. Delta Academies Trust, of which Manor Croft Academy is part of, has agreed to contribute £500K towards the project for works not covered by the Council's statutory duty to provide school places. This means that the Council's contribution to the project is £2.7M. Members are requested to authorise this expenditure from the £6M allocation in the Council's Capital Plan for additional secondary school places.

- 2.11 Subject to Cabinet approval, start on site will begin in April / May 2022 with the work delivered in stages and expected completion of the overall project before the arrival of the September 2023 intake of additional pupils.

(ii) Thornhill Community Academy – managing pupil bulges

- 2.12 Thornhill Community Academy have offered a bulge of 20 pupils per year for the past three years to support additional demand for places resulting from the local child population bulge. This bulge is expected to continue for two further years, 2022/23 and 2023/24.
- 2.13 A significant shortage in dining provision has been identified in a benchmarking exercise that compares the existing size to the guidelines within the relevant Building Bulletin for secondary schools. Officers have been working with the school to identify a suitable capital scheme to address this shortfall which would involve an extension into an existing courtyard area adjacent to the current dining room.
- 2.14 This school is part of the Council's Grouped Schools PPP1 Contract with KSSL hence the PPP1 Provider would manage the design, procurement and delivery of the expansion works through the contractual variations process. An initial feasibility study has indicated a budget requirement of £600K including all professional fees and legal costs. Members are requested to authorise this expenditure from the £6m allocation in the Council's Capital Plan for additional secondary school places.

(iii) North Huddersfield Trust School – managing pupil bulges

- 2.15 North Huddersfield Trust School have provided a bulge of 30 pupils for the past two years to support additional demand for places resulting from the local child population bulge. The local population bulge is expected to continue towards 2023/24 and the school is also closely located to the Bradley Strategic Housing development site.
- 2.16 It was identified that with rising pupil numbers the school did not have sufficient pupil toilets to meet the current standards contained in the Department for Education Building Bulletin guidance. Officers have worked with the school to identify a suitable scheme to provide additional pupil toilets by remodelling existing internal spaces.
- 2.17 This school is part of the Council's Grouped Schools PPP1 Contract with KSSL hence the PPP1 Provider will manage the design, procurement and delivery of the expansion works through the contractual variations process. The scheme, which is estimated at around £250K, is currently at tender stage and is capable of being delivered during term time. Members are requested to note that this scheme is being funded through 2021/22 Baseline Basic Need grant using delegated authority provided by Cabinet on 13th April 2021.

(iv) Westborough High School – Managing the pupil bulge

- 2.18 Westborough High School have agreed to provide a bulge of 20 pupils for the past three years to support additional demand resulting from the local child population bulge. This bulge is expected to continue towards 2023/24. Officers have been working with the school to identify the pressures and constraints generated by the larger numbers of pupils being educated on the school site, which has led to the

identification of a number of small improvements to address the flow of pupils around the school site and expansion of the outdoor dining facilities.

- 2.19 It is estimated that the combined scheme will cost around £104K including all professional fees. Due to the small nature of the improvement works required, delivery of the scheme has been delegated to the school. Members are requested to note that this scheme is being funded through 2021/22 Baseline Basic Need grant using delegated authority provided by Cabinet on 13th April 2021.

Investment in the primary sector

(i) Reinwood Infant and Nursery School and Reinwood Junior School

- 2.20 Bulge classes have been working their way through Reinwood Infant and Nursery School and Reinwood Junior school for a number of years. The last bulge class will leave the Junior school in July 2022.
- 2.21 The two schools are based on the same site and have been working closely together and sharing facilities as appropriate to facilitate the bulge classes. The nursery class from the infant school has been accommodated in a rented modular building whilst their accommodation was used for older pupils and a further rented double modular classroom has been available on site to support the bulges.
- 2.22 In order to return the two schools to their original status prior to the bulge years, capital investment is required for remodelling and reinstatement works. It is proposed to relocate the nursery class back into the infants' main school building where it was originally located, therefore enabling the removal of the temporary nursery modular. This requires remodelling of space which has been used as classrooms including age-appropriate toilets.
- 2.23 The space occupied by the former nursery modular would be reinstated for the benefit of the pupils. In addition, in summer 2022 the two modular classrooms used by the Junior School would be removed and the area re-instated for the benefit of pupils including the retention and upgrade of an enclosed link.
- 2.24 It is estimated that the combined cost of all the reinstatement and remodelling works is in the region of £215K. Members are requested to consider and approve an allocation of £215K from the 2021/22 Baseline Basic Need allocation of £604K, which sits in the Achieve and Aspire section of the Council's Capital Plan.

(ii) Headlands CE (VC) J I and N School - Nursery provision

- 2.25 A failing temporary classroom that has been as a nursery class at Headlands CE (VC) J I & N School for many years has been identified through condition assessments as being at the end of its economic life. Due to building work over the years since it was installed, the temporary classroom is landlocked and can only be removed through demolition.
- 2.26 Officers have been working with the school for some time to identify a suitable solution. A detailed option appraisal has considered a range of options including the provision of another temporary modular, remodelling and extension of an existing classroom and a new build solution. Given the ongoing need for the nursery provision,

Officers are recommending the replacement of the failed temporary classroom with a permanent new build, which has been estimated at round £650K.

- 2.27 It is proposed that this is funded from the Capital Maintenance line within the Achieve and Aspire Section of the Council's Capital Plan, which is funded by capital grant from the Government to deal with urgent condition and health and safety items. This temporary classroom is beyond repair and without its replacement the school would face the loss of its nursery provision. Members are requested to authorise the allocation of £650K from the Capital Maintenance fund for this scheme.

Financial Delegations

- 2.28 The construction market is particularly volatile at present due to a combination of material and labour shortages, which means that successfully tendering for a contractor at an affordable price is more difficult than in previous years. In order to aid the implementation of the schemes outlined in this report in paragraphs 2.8 to 2.27, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2021 to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to the schemes stated in this report to facilitate the delivery of the tendered schemes providing that the total resources allocated to the programme areas is not exceeded.

Further investment in schools in 2022/23

- 2.29 A second phase of investment in secondary school places is currently being developed and a further report will be brought forward in 2022 to allocate the remaining funds from the £6M capital allocation for secondary basic need.
- 2.30 In addition, there may be further quick win investment projects in the primary and secondary sectors that could be developed and delivered during Financial Year 2022/23 under delegated powers if granted from a Baseline Basic Need allocation of £500K in 2022/23 (comprising £466K of government basic need grant and £34K corporate borrowing).
- 2.31 Members are requested to delegate authority to the Service Director for Development and the Service Director for Learning and Early Support to identify, develop and implement capital projects using the Baseline basic need £500K allocation in Financial Year 2022/23. Any schemes developed and delivered under this delegation would be reported to Cabinet retrospectively.

3 Implications for the Council

Working with People

- 3.1 Should the proposals be approved, officers will work in close partnership with the schools and staff to ensure the delivery of excellent facilities that will help secure the outcomes for children both now and in the future. Since 2018 there has been regular engagement with the secondary school system, providing and updating evidence about population, cross border movement and other factors which impact on the demand for school places. The provision of bulge classes has been a planned approach and about planning for bulge classes to meet the expected population.

Working with Partners

- 3.2 In preparing each of these proposals, Children's Services and Capital Delivery officers have worked closely with the Senior Management of each school and, where appropriate, their respective Academy representatives to agree a package of works for each school.

Place Based Working

- 3.3 Schools are at the centre of their communities, delivering essential educational, health and well-being activities for children, parents and the wider community. The proposals in this report will deliver high quality school places to meet the needs of local pupils and will ensure that learners with SEND have access to a range of specialist provision across a variety of settings.

Climate Change and Air Quality

- 3.4 The new build accommodation being provided will be constructed using modern, energy efficient materials and equipment that will contribute to an ever-reducing carbon footprint for the Council and conform as a minimum to the requirements of Part 25b of the Building Regulations.

Improving outcomes for children

- 3.5 The proposals in this report are intended to improve outcomes for children by providing access to high quality facilities that enable the full breadth of the curriculum offer to be delivered thereby ensuring that young people have the widest opportunities to fulfil their aspirations and ambitions.

Financial implications

- 3.6 The proposed schemes at Manor Croft Academy and Thornhill Community Academy will, if approved, be funded from prudential borrowing that has already been included in the Council's Capital Plan, which is funded as part of the Medium-Term Revenue plan. The quick win schemes at North Huddersfield Trust School and Westborough High, plus the reinstatement project at the Reinwood Schools will be funded through Basic Need government grant, hence there is no impact on prudential borrowing. The permanent new build project at Headlands CE (VC) J I & N will be funded through Capital Maintenance government grant, and hence will have no impact on prudential borrowing. The proposed £500K Basic Need quick win programme for 2022/23 is predominately funded through government grant, with a small contribution of £34K from prudential borrowing, which is already incorporated in the Council's Capital Plan.

4 Consultees and their opinions

- 4.1 This report has been subject to consultation with the Portfolio Holders for Corporate, Children's and Learning, Aspiration and Communities, who support the proposed report and programme of works.
- 4.2 Local Ward Members have been informed of the proposed developments where they result in a permanent expansion of school places.

- 4.3 Following approval by Cabinet, consultation will continue with individual schools and where applicable their Academy Trusts throughout the development, design and implementation of each project.

5 Next steps and timelines

Subject to approval of the proposed schemes, officers from the Development Service and Children's Services will ensure that the projects concerned are developed, designed, procured and implemented in accordance with the Council's Financial and Contracts Procedure Rules.

There will be engagement with the Regional Schools Commissioner regarding the investment in academies.

6 Officer recommendations and reasons

To help ensure there are sufficient school places available and suitable school premises, members are requested to:

- (a) Consider and approve the proposed secondary school places capital allocation of £2.7M for the implementation of building work at Manor Croft Academy to enable the permanent provision of 150 additional secondary school places and an interim modular build solution for September 2022;
- (b) Consider and approve the proposed secondary school places capital allocation of £600K for the building work at Thornhill Community Academy to support an agreed bulge of pupils;
- (c) Note the basic need capital investment of £104K agreed under delegated authority from Cabinet on 13th April 2021 for Westborough High School to support additional pupils as part of agreed bulges of pupils;
- (d) Note the basic need capital investment of £250K agreed under delegated authority from Cabinet on 13th April 2021 for North Huddersfield Trust School for building works required to support agreed bulges of pupils;
- (e) Consider and approve the proposed basic need allocation of £215K for reinstatement and remodelling works at Reinwood Infants and Reinwood Juniors, to be funded from the 2021/22 £604K Basic Need funding programme;
- (f) Consider and approve the proposed capital allocation of £650K from the Capital Maintenance grant for a permanent new build replacement of a failed temporary classroom at Headlands CE (VC) J I & N School;
- (g) In order to facilitate the prudent and timely delivery of the secondary basic need programme and the 2021/22 Baseline Basic Need programme, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2021 to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to the schemes stated in this report to facilitate

the delivery of the tendered schemes providing that the total resources allocated to the programme areas is not exceeded.

- (h) In order to facilitate the prudent and timely delivery of the 2022/23 Baseline Basic Need £500K programme, Members are requested to delegate authority to the Service Director for Development and the Service Director for Learning and Early Support to identify, develop and implement capital projects using the £500K allocation in Financial Year 2022/23, with approved schemes being retrospectively reported to Cabinet.

7 Cabinet Portfolio Holder's recommendations

We wish to place on record our thanks to the schools who have been working with the council for the past few years, particularly those who have agreed, in a coordinated way, to accept additional pupils.

We are proud of the strong partnership of schools in Kirklees highlighted once again in this report. Whether they be maintained schools, church schools, single academy trusts or part of a multi academy trust the collaboration is strong. As a Local Authority we are bound to ensure there are sufficient school places and our strong partnership has enabled this. We all share the same aims for the communities we serve which are captured in Our Kirklees Futures strategy.

This is important investment to ensure all families in Kirklees continue to have access to a school place. Generations of children in the future will also benefit from the improved facilities we able to improve with this investment.

We are therefore pleased to recommend that cabinet approve the Officer recommendations contained in this report in full.

8 Contact officers

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9 Background Papers and History of Decisions

2021/22 Council Capital Plan – Proposed allocation of 2021/22 capital funding from the Directorate for Children's Achieve & Aspire baseline section of the Capital Plan, 13 April 2021

School place planning documents including Securing sufficient school places 2020-23: <https://www.kirklees.gov.uk/beta/schools/school-organisation-and-planning.aspx>

SEND Transformation Plan 2021

<https://www.kirklees.gov.uk/beta/special-education/pdf/send-transformation-plan.pdf>

10 Service Directors responsible

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