

Name of meeting: Cabinet
Date: 21 December 2022
Title of report: 2022/23 to 2026/27 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 2022/23 to 2026/27 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	Mel Meggs – Strategic Director for Children’s Services – 23 November 2022
Is it also signed off by the Service Director for Finance?	Eamonn Croston - Service Director for Finance- 8 December 2002
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - Service Director for Legal Governance and Commissioning - 8 December 2022
Cabinet member portfolio	Cllr Viv Kendrick - Children (Statutory Responsibility for Children) Cllr Carole Pattison - Learning, Aspiration & Communities

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.
- 1.2 Members will be asked to consider and approve the project identified in the report, along with the highlighted capital allocation.

2. Information required to take a decision

- 2.1 For four 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 one to two 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 was approved by Cabinet in December 2021 to support some of the more acute pressures to ensure a high-quality education offer is sustained. Whilst some of the investment was targeted to support bulge class arrangements, future generations of pupils will also benefit from the investment in better facilities.
- 2.4 It was reported to Cabinet in December 2021 that 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 In December 2021 Cabinet approved £2.7m investment at Manor Croft Academy to enable a permanent expansion of 150 places to address the expected population pressures in Dewsbury. Building work on this project is progressing well and completion is expected in April 2023.
- 2.6 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.

- 2.7 In order to ensure that the Local Authority can discharge its statutory duty to provide sufficient secondary school places, the Department for Education announced the allocation of a Basic Need Capital Grant in March 2022. The Kirklees share of this grant is £11.038M for 2023/24. This confirmed allocation was announced by the government after the 2022/23 capital plan was agreed by Cabinet in February 2022 and will therefore be built into forthcoming capital plan proposals for 2023/24 onwards.
- 2.8 In addition, allocations of the High Needs Provision Capital Grant were also announced in March 2022 as follows:
2022/23 £4.996M
2023/24 £4.626M
The 2022/23 allocation was then increased by £8.2M to £13.196M as part of the High Needs Safety Valve agreement reported to Cabinet in July 2022. This combined grant funding will support the Kirklees SEND Transformation Plan.
- 2.8 This report outlines the proposal to address the expected secondary school place pressures in North Huddersfield, which were first reported to Cabinet in December 2021, with investment to permanently expand North Huddersfield Trust School. The report will also seek delegated authority for quick win capital schemes to support the expansion of SEND provision such as Additionally Resourced Provision and Satellite provision in line with the Kirklees SEND Transformation Plan.

North Huddersfield Trust School – permanent expansion of 150 places

- 2.9 North Huddersfield Trust School 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 Bradley Strategic Housing development site. For these reasons it is proposed that the school permanently expands by 30 pupils per year group 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 school to identify a suitable scheme to enable the expansion described above to occur. The identified scheme involves a new self-contained block of five classrooms, to accommodate the increase pupil numbers. An early design illustration of the new block is included in Appendix A. The school is investing directly in other complementary site improvements to help accommodate the additional pupils.
- 2.10 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 2023, which will be provided by the Council using modular accommodation from within the Council's existing fleet. The modular accommodation is expected to be removed on completion of the proposed new block.

- 2.11 Initial feasibility work has indicated that the package of works described in paragraph 2.9 and 2.10 including all professional and legal fees, furniture, equipment and the provision will be £3.0M. Members are requested to authorise this expenditure from the £11M Basic Need government grant funding.
- 2.12 Subject to Cabinet approval, start on site for the new block is expected to begin in summer, 2023 with project completion expected before the arrival of the September 2024 intake of additional pupils.

Financial Delegations

- 2.13 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 capital scheme outlined in this report, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2022 to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to facilitate the delivery of the tendered schemes providing that the total resources allocated to the programme areas are not exceeded.
- 2.14 In order to aid the implementation of quick win capital schemes associated with SEND Transformation Plan, including facilities for Additionally Resourced Provision and satellite provision, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2022 to the Service Director for Learning and Early Support manage the implementation of identified works up to a maximum of £500K per year for 2023/24 and 2024/25 from the High Needs Capital Grant allocation.
- 2.15 Delegated powers would include the authority to:
- Add new urgent projects to the programme without Cabinet approval within the £500K limit per year
 - Slip or delete projects in response to operational need and reallocate the budget between projects

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.

There is regular engagement with the school system about progress with the Kirklees SEND Transformation Plan and work continues with individual schools to expand the

number of places available in Additionally Resourced Provision, Satellite Provision and Special Schools.

Working with Partners

- 3.2 In preparing each of these proposals, Children's Services and Capital Delivery Officers work 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.

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 for the people living or working in Kirklees

- 3.6 Local children for local schools is a key element of place based working in Kirklees where schools play an important role in their community beyond the provision of education. Attending a local school where children and young people can walk or cycle has many advantages including reducing the cost of transport.

Financial implications

- 3.7 As reported to Cabinet in the quarter 2 financial monitoring report, the multi-year capital plan is currently subject to a fundamental corporate review and affordability assessment, in light of the scale of financial challenges facing the council. The current capital plan incorporates an assumption about the requirement for corporate borrowing against a £2.542m scheme for North Huddersfield Trust School. The availability £11m Basic Need Capital Grant provides an alternative funding source for the majority of the schemes costs which will reduce the cost of borrowing. Given the time imperative, initial feasibility and design costs in 2022/23 of around £100K are being met by borrowing.

4 Consultees and their opinions

- 4.1 This report has been subject to consultation with the Portfolio Holders from 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 development.
- 4.3 North Huddersfield Trust School has been involved in the early design stages of the proposed new block of classrooms. Subject to approval by Cabinet, engagement will continue with the development, detailed design and implementation of each project.
- 4.4 Subject to approval by Cabinet there will be a formal planning process which is open to a public consultation.

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.

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 £3.0M budget (consisting of £2.9M Basic Need grant capital and £100K borrowing) for the implementation of building work at North Huddersfield Trust to enable the permanent provision of 150 additional secondary school places and an interim modular build solution for September 2023
- (b) In order to aid the implementation of the capital scheme outlined in this report, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2022 to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to facilitate the delivery of the tendered schemes providing that the total resources allocated to the programme areas is not exceeded.
- (c) In order to aid the implementation of quick win capital schemes associated with SEND Transformation Plan, including facilities for Additionally Resourced Provision and satellite provision, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.10 – 3.13 dated May 2022 to the Service Director for Learning and Early Support manage the implementation of identified works up to a maximum of £500K per year for 2023/24 and 2024/25 from the High Needs Capital Grant allocation.

Delegated powers would include the authority to:

- Add new urgent projects to the programme without Cabinet approval within the £500K limit per year

- Slip or delete projects in response to operational need and reallocate the budget between projects

7 Cabinet Portfolio Holder's recommendations

We wish to place on record our thanks to all 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 and those who are working to provide additional places for children with SEND.

We are proud of the strong partnership of schools in Kirklees whether they be maintained schools, church schools, single academy trusts or part of a multi academy trust. 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 additional investment at North Huddersfield Trust School will help 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 are able to improve with this investment.

Providing a range of places available locally for children with SEND such as Additionally Resourced Provision and Satellite Provision is a vital part of our Kirklees SEND Transformation Plan.

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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David Martin – Head of Corporate Landlord and Capital - Tel: 01484 221000 – Email: david.martin@kirklees.gov.uk

9 Background Papers and History of Decisions

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, 14 December 2021: <https://democracy.kirklees.gov.uk/documents/s44221/Cabinet%20Report%20Childrens%20Capital%20Various%20Projects%20Dec%202021.pdf>

School place planning documents including Securing sufficient school places 2021-24: <https://www.kirklees.gov.uk/beta/schools/school-organisation-and-planning.aspx>

Our Kirklees Futures – Our approach to learning 2021-2030 <https://www.kirklees.gov.uk/beta/delivering-services/kirklees-futures.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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Appendix A

An early design illustration of the new block proposed for North Huddersfield Trust School.

