

1st November 2021

Agenda Item: 13

REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES

SCHOOLS CAPITAL PROGRAMME PROGRESS REPORT AND 2022/23 SCHOOLS BUILDING IMPROVEMENT PROGRAMME

Purpose of the Report

1. To provide a progress report to Committee on the successes of delivering the various programmes of investment that comprise the Schools Capital Programme.
2. To present the projects identified as priorities for the 2022/23 Schools Building Improvement Programme (SBIP) and to seek approval to progress the projects to the feasibility stage.

Information

3. The Council receives annual School Capital Grant from Government comprising a number of funding streams including the Basic Need Grant and the Schools Condition Allocation. The Council discharges its duties pertaining to these allocations and provides capital improvements through its Schools Capital Programme, consisting of discrete programmes of investment.
4. The Council has also received a Higher Needs Capital Allocation (HPCA) for 2021-2022. Funding provides Specialist educational placements for pupils with Special Educational Needs and Disabilities (SEND).
5. The allocations are assigned to the various programmes or specific project budgets, and Policy Committee approves the inclusions into the budgets as part of the Council's annual budget process. Any budget variations are dealt with through Finance Committee. Finance Committee also considers the individual project or programme costs through Latest Estimated Cost reports which present the estimated costs following detailed design. Children and Young People's Committee approves the strategies for the programmes and approves the projects to be considered to deliver those strategies.
6. Alongside Government grants, capital funding contributions are also provided from new housing developments. Planning obligations, often referred to as Section 106 Agreements or Developer Contributions, are agreed as part of the planning approval process. These are legal obligations entered into to mitigate the impacts of a development proposal. For

new housing proposals, agreements will often include provision for additional school places which will arise from the new homes.

7. There are currently 214 live Section 106 agreements which include contributions for education purposes and a further 79 under negotiation. Depending on the scale of the development the planning application pertains to, these capital funding contributions range from relatively small sums that fund only a few additional school places, all the way to multi-million pound sums to provide major expansions or entirely new schools. S106 agreements can also contain an obligation for developers to provide sufficient land for a school build and will often specify the specific schools or school planning areas to be expanded.
8. The obligation to provide the additional places is dependent on the houses being built and the “triggers” within the agreements. The actual date that the school places will be required is not known in advance and therefore the progress of the developments has to be monitored and acted upon when required. The additional places are either delivered directly by the Council through projects commissioned to ARC Partnership, or through Grant Funding Agreements (GFAs) with Academies.
9. Options appraisals, feasibilities, and ultimately the construction projects themselves are funded from S106 funds. However, depending upon the specific agreements, forward funding from the Council’s Government basic need allocation is often required until the funds are received from the relevant Borough or District Council.

Additional School Places

10. The School Places Programme contributes to discharging the statutory duty of the Council to provide sufficient school places. It is an ongoing programme that delivers new schools and/or expansions to existing schools.
11. The programme is funded via government grant (Basic Need Grant) which allocates funding to local authorities on an annual basis as a result of data covering school capacities, the Published Admission Numbers (PAN) and the projected future demand for places. The programme is supplemented by additional funding from S106 contributions in respect of those places arising from new housing developments.

New Schools

12. **Chapel Lane, Bingham:** the Latest Estimated Cost was approved by Finance Committee in September 2021 and construction is now underway at Chapel Lane, Bingham, where a 210 place primary school is being built. This is due to be handed over to the Community Inclusive Trust, who will be operating the school, in August 2022.
13. **Rempstone Road, East Leake:** the need for this new school has arisen from two housing developments and has two associated S106 agreements. The phasing of the developments and the rate of housing builds and associated access arrangements has necessitated the build of a temporary learning village on part of the site, which will open in September 2022. In the meantime, work continues towards the detailed design of the 315 place new school which is due to open in September 2023 and will be handed over to the Spencer Academy Trust who will be operating the new school. Latest Estimated Cost

reports will be brought to Committee once detailed design has completed ahead of the project entering the construction phase.

Expansion Projects

14. The Basic Need Programme of School Expansion report is to be presented to Committee in December 2021. This will establish several projects to progress to feasibility stage to be undertaken in the coming year, alongside any expansion projects arising from S106 Developer contributions.
15. There are currently four school expansion projects in progress:
 - **Berry Hill Primary School** - feasibility is being considered for the creation of an outdoor classroom or forest school area.
 - **Leas Park Junior School** - an old mobile classroom is to be removed from site and a feasibility study is examining whether it is possible to create a permanent teaching space building elsewhere on the site.
 - **Wynndale Primary School** - this project will provide external play equipment for the early years curriculum and an internal library space.
 - **Portland Outwood academy** - this project will provide 300 additional school places; the project is being commissioned through the PFI provider for the site.
16. Recently completed projects are as follows:
 - **Albany Infants and Nursery School** - here, a much-needed hall extension has been built, right-sizing the hall so that all school pupils can be accommodated within the space. The project also incorporated additional works identified and funded through the Schools Building Improvement Programme. Works include replacing heating cabinets, new ceilings and lighting in some areas, re-roofing, a fire alarm upgrade and improved drainage and security fencing to the playing field. By grouping these works together, better value for money has been secured, as well as less disruption for the School.
 - **Radcliffe on Trent Junior School** - the School now has a new permanent modular building, providing three new classrooms, to replace the previous temporary provision, along with associated drainage works on the playing field.
 - **Woodland View Primary School** - a former caretaker's property has been converted into a nurture unit to accommodate and support pupils with social, emotional and mental health needs.
 - **Brookside Primary Academy** - an extra classroom has been delivered, through internal reconfiguration within the school building. This is as a result of an increase in pupil numbers in the area until the planned new school at the Rempstone Road site has been built.

Commissioning Monitoring Projects

17. There have been several academies requiring expansion to increase the number of pupil places they need to provide. Grant Funding Agreement funds are provided from the Council to the academies. The academies engage their own architects and building contractors to deliver the projects. Through Arc Partnership the Council then provides a monitoring role to ensure that what is provided is compliant and meets the necessary building regulations and County Council educational requirements. Projects recently completed or currently in progress are as follows:
- **Carlton Academy** has increased its Published Admission Number from 170 to 230 by constructing 10 new classrooms plus other specialist and ancillary facilities.
 - **Carlton Le Willows** is expanding from 8 forms of entry to 12, increasing its Published Admission Number from 226 to 360.
 - **South Nottinghamshire Academy** is expanding from 4 forms of entry to 5, increasing its Published Admission Number from 120 to 150.
 - At **Brunts Academy** the vacant caretaker's property is being converted into an enhanced provision unit for students with specialist needs.
18. In certain instances, as part of Section 106 Agreements, developers have chosen to provide and build the new school themselves rather than providing the Council with the capital funding. As with the expansion projects, ARC Partnership are commissioned to monitor these projects. There is currently one such project:
- **Teal Close, Netherfield** - the house builder Persimmon has chosen to construct the 210 place Primary School at this site. The School building is due to be completed and operational for September 2022 and will be operated by the Flying High Academy.

Department for Education (DfE) School Rebuilding Programme

19. The Department for Education School Rebuilding Programme is a national programme. So far across the country 100 schools have been selected to be rebuilt or have major refurbishments. A number of Nottinghamshire schools – both maintained schools and academies - have been included in the programme including: Yeoman Park, Sutton Bonington Primary, Ashfield Comprehensive, Kirkby College and Toot Hill School.
20. These projects are currently in the assessment and feasibility stage. The outcomes of this stage will determine whether the selected schools will be rebuilt or be given a major refurbishment and also will determine the construction plan for the works.
21. Associated with these projects there are costs which will fall to the Council to manage, such as any work relating to site boundaries and works external to the sites e.g. new road markings and other traffic management measures. As these costs become known, an allocation will be sought from the schools capital programme to enable the projects to proceed.

22. Discussions with the DfE are underway regarding additionality at two of the schools - Yeoman Park and Toot Hill schools - where the Council is seeking to include provision of additional places into the re-build projects. Toot Hill will incorporate S106 funding for additional places; at Yeoman Park the intention is to incorporate Higher Needs Capital Allocation monies to provide 28 Special Educational Needs & Disabilities Places.

Special Educational Needs & Disabilities Programme

23. The recently approved Special Educational Needs & Disabilities Place Planning Strategy supports the Council's statutory duty to provide an educational placement according to the type of provision (i.e. specialist or mainstream) named in a child's or young person's Education, Health & Care Plan. The Strategy has a work programme which is regularly reviewed and updated by officers and reports to Children and Young People's Committee. Since 2018, the Council has received an annual capital allocation from the DfE to fund increased specialist educational provision in Nottinghamshire. The Strategy identifies the numbers of additional specialist educational placements required in Nottinghamshire by September 2026. The numbers are based upon the growth in demand since 2016, which greatly outstrips the growth in population.
24. The number of specialist educational placements increased from 1,273 to 1,783 placements (510 in total) between January 2016 and January 2021, an increase of 40.0%. The expenditure on these placements is predicted to have increased by 61.7% between April 2017 and March 2022.
25. The Strategy identifies that between 285 and 490 additional specialist educational placements will be required over the next five years, with 243 of these required for September 2023. As well as considering the supply of places, the Council is also looking at how to reduce the demand for specialist educational placements. The Strategy's predictions will be updated annually.
26. Option appraisal and feasibility projects are currently progressing for the following:
- **Bracken Hill School** - where a permanent 2 classroom modular is in the design stage.
 - **Derrymount School** - a permanent 2 classroom modular classroom is in the design stage in order to provide 20 additional pupil places.
 - **King Edward Primary School** - where a potential partner has been identified to run a Special Educational Needs Satellite School from its current site providing 16-24 places; a design is now in progress for this.
 - The detailed design for the **Newark Orchard School's** planned extension is underway and will provide an additional 30 places for pupils.
27. A Latest Estimated Cost report for the Special Educational Needs & Disabilities Programme will be presented to Finance Committee in early 2022, bringing forward priority projects to progress to the construction phase.
28. £2m of the Higher Needs Capital Allocation will be required to contribute to the Yeoman Park rebuild project for the provision of the additional spaces. The remaining £3.3m will be

insufficient to fund all projects currently in feasibility stage. Projects which cannot be accommodated within the available funds will be deferred to future funding allocations.

Schools Building Improvement Programme (SBIP)

29. The Council receives an annual Schools Condition Allocation from the DfE which provides for buildings improvements for the maintained school estate.
30. The SBIP delivers improvements across several workstreams, focusing on health & safety and maintenance issues which are most likely to result in a school closure if not addressed. The workstreams are as follows:
 - **Boiler & Heating Pipework Replacement:** replacement of boiler and/or associated heating pipework. Pipework replacement predominantly affects Victorian and turn of the 20th century sites where the ageing heating pipework would not withstand the operating pressure of modern boiler installations.
 - **Drainage Works:** to address issues causing flooding, standing water or blockages to the foul drains.
 - **Roof Replacement:** where a roof is beyond economic repair, or the state of repair can become a risk through the possibility of falling slates or could result in major infrastructure damage particularly from water ingress and leaks.
 - **Kitchen Ventilation improvements:** Building Regulations require increased levels of ventilation where kitchens are improved or replaced, and gas appliances are changed. This programme will provide new mechanical ventilation installations where appropriate, although a move to replace with electrical appliances is first considered, where possible, as this removes the ventilation issues arising from the gas appliances.
 - **Compliance Matters:** particularly in relation to fire safety and water quality. The work stream focuses predominantly on the upgrade and replacement of fire alarms systems, and plumbing works to engineer out risk and provide safer water systems.
 - **Safeguarding:** some older school sites lack modern security and access control systems which ensure the safety of pupils and staff. This programme aims to rectify any identified safeguarding concerns.
 - **Structural and building fabric Issues:** structural works required to maintain the integrity of the building envelope including windows and doors.
31. Construction projects for the 2021/22 programme, agreed through two reports to Finance Committee in April and September 2021, have now been raised and are programmed to be completed over the next 18 months, depending on the complexity of the projects.
32. Over the last 12 months 29 projects have been successfully completed on site. Examples of recently completed projects are:
 - **Albany Infants Heating System Replacement:** the existing boiler was nearing the end of its economic life (20 years). The project approach was to replace the existing

gas boiler with a high efficiency alternative and to replace the existing heating circulation pump, distribution heating pipework and heat emitters.

- **Pinewood Infants Drainage:** the School had experienced flooding to the hall from the playground. The topography of the site is such that water was directed to the entrance doors of the hall from the top playground. To alleviate potential flooding in the future approximately 20 metres of linear channel drain was installed to intercept water and convey it to the nearest suitable gully.
- **Stanhope Primary Roof & Ceilings:** the original roof membrane had come to the end of its life and was failing in several areas causing water ingress into the building. The existing waterproofing was overlaid with a high performance felt system and the insulation upgraded. All existing roof lights were replaced with triple skin polycarbonate glazed domes.
- **Maun Infants Kitchen Ventilation:** the ventilation in the school kitchen had been deemed to be inadequate under current Building Regulations. Improving the mechanical ventilation and converting the kitchen from gas to electric were both considered at feasibility stage. Converting the kitchen from gas to electric was considered the most appropriate option at this site. As well as replacing two gas ovens, the electrical distribution system was upgraded, asbestos ceilings replaced and lighting in the kitchen upgraded to LED energy efficient fittings.
- **High Oakham Safeguarding:** the School had concerns for the safety of pupils and staff due to the lack of reception at the main entrance. On entering the School through the main entrances, members of the public had the opportunity to go elsewhere in the School without being supervised. These issues were resolved by replacing the front and side external entrance doors so they could be fitted with secure access card / fob entrance systems and a new reception lobby with secure access control into the School was created.

2022/23 Schools Building Improvement Programme (SBIP)

33. With a significant backlog of maintenance and improvement works required across the school estate it is necessary to prioritise the works that can be undertaken.
34. Stock Condition surveys have been conducted across the school estate over the last five years. These condition reports form the basis of the prioritisation. Recommendations from other property records are also assessed and scrutinised particularly site risk assessments (including water quality, fire safety and asbestos management). On-site issues and requests from schools are also taken into consideration.
35. The 2022/23 School Condition allocation grant has yet to be announced. Confirmation is expected in April 2022. For the purposes of project planning the programme is working to the reasonable estimate of £5m in line with allocations for previous years. Should the allocation be significantly different to that expected, a revised programme report will be brought to Committee.
36. Alongside projects deferred from previous years, additional projects with a total value of circa £5m have been identified for the 2022/23 additions to the Schools Building

Improvement Programme. This is merely an initial estimate of cost and more robust estimates of the costs will be achieved through the feasibility stage. If the final estimates of the cost exceed the available funding then it will be necessary to defer projects to the 2023/24 programme. As well as available funding, decisions on the projects to be included have been made based on the urgency of the works required and assessment of the risk.

37. A Latest Estimated Cost report will be brought to Committee in Spring 2022 once the feasibility projects have been concluded, establishing the full costs for the prioritised projects of the 2022/23 programme before proceeding to the construction phase of the projects.
38. Due to the urgent nature of some of the works certain projects have already been raised to ensure the required works can be undertaken as soon as possible.
39. The full list of the projects to be considered for the 2022/23 programme is provided in **Appendix 1**. Not all projects identified will progress to construction phase, the feasibility projects will determine the extent of any works required and the best options for delivering the required improvements.

Schools Access Initiative and Academy Access Initiative

40. The Council's Schools Access Initiative (SAI) provides for adaptations to County Council maintained schools to ensure that pupils with Special Educational Needs & Disabilities can access education alongside and equal to their non-disabled peers. It enables them to obtain skills and qualifications necessary to enter further education and the job market on an equal basis to their peers. It also ensures that the Council and schools meet their legal duties under the Equality Act and Public Sector Equality Duty. The funding for the SAI is top sliced from the Schools Condition Allocation.
41. The Council is required by the DfE to provide adaptations to Academies where the pupil has an Education, Health and Care Plan. This is provided by the Council's Academies Access Initiative (AAI). For recent adaptations funding has been provided from the Higher Needs Capital Allocation.
42. Over the last 12 months there have been 10 projects that have been successfully completed on site to meet the access needs of 30 children with Special Educational Needs & Disabilities. Examples of recently completed projects are:
 - **Butler's Hill Infants:** this scheme provided a Special Educational Needs calming room for use by 7 pupils with conditions such as autism, extreme separation anxiety, non-accidental brain injury, global developmental delay and cerebral palsy. This scheme enabled the school to deliver the pupils' education in mainstream school rather than the pupils going into special school provision. The scheme future proofs the school to cater for an ever-increasing number of pupils with similar conditions thus taking the strain off special school places.
 - **Morven Park Primary School:** this scheme provided a hygiene suite facility in the Foundation Unit for 4 pupils. In the process of creating the hygiene suite it was possible to reconfigure the Foundation toilet layout to increase the number of toilet cubicles which were previously below DfE recommendations. The new hygiene suite layout

ensured that pupils with disabilities could be toileted whilst ensuring safe handling requirements were met for the staff.

- **Ash Lea School:** this scheme provided a hygiene suite for a pupil who had to have a dedicated sterile facility. Without this facility the pupil could not attend school.
- **Radcliffe on Trent Infant School:** this scheme provided a platform lift for a pupil who is a wheelchair user.

43. Currently, there are 23 projects either on site or in the pipeline, which will meet the access needs of 41 pupils.

Other Options Considered

44. The Council has an obligation to provide adequate spaces for pupils requiring education and to maintain its property portfolio, ensuring they are safe, compliant and fit for purpose. Therefore, no other options have been considered.

Reason/s for Recommendation/s

45. The Council is committed to providing good schools with sufficient places for all Nottinghamshire children. The Schools Capital Programme is a key element of delivering this commitment.

Statutory and Policy Implications

46. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

47. Financial provision for the elements that comprise the Schools Capital Programme are reconciled annually as part of the Council's overall budget setting process. The reconciliation takes account of the most recent government grant and other forms of income that contribute to the overall funding of the Programme, against the anticipated actual spend across the range of projects. Realistic assumptions about future sources of external income/grants have been built into the overall financial planning for the Programme, and robust arrangements are in place to monitor these over the course of the Programme.

Human Resources Implications

48. Where schools expand, appropriate levels of teaching staff are appointed and funded from increases in the delegated school budget triggered by the increased number of pupils.

Human Rights Implications

49. The provision of additional school places in new and refurbished schools will facilitate parental preference via the schools admissions process.

Public Sector Equality Duty implications

50. Children within the Local Authority area will be able to access school places locally. All new build schemes will meet requirements for disabled access and special needs, for pupils, teachers and members of the public/visitors. Adaptations will be carried out to existing Council schools and academies to meet the access needs of children with Special Educational Needs & Disabilities.

Safeguarding of Children and Adults at Risk Implications

51. All schemes will take account of safeguarding needs and requirements.

Implications for Service Users

52. The Schools Capital Programme seeks to ensure that there will be sufficient school places in school buildings which do not suffer from the need of essential maintenance to their fabric.

Implications for Sustainability and the Environment

53. Increasing the number of school places is demonstrated by sustainable demand. All capital projects are subject to the requisite planning and Building Regulations which reflect environmental and sustainability targets. By providing local school places the need for travelling by car can be reduced.

RECOMMENDATION/S

That Committee:

- 1) considers the successes and progress that has been made in delivering the Schools Capital Programme.
- 2) approves the projects for addition to the Schools Building Improvement Programme for 2022/23 and approves the commencement of the project Feasibility stage.

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Constitutional Comments (ELP 13/10/21)

54. The recommendations fall within the delegation to Children's and Young People's Committee by virtue of its frame of reference.

Financial Comments (GB 20/10/21)

55. The programmes set out in this report are all within the approved capital programme as follows – School Places Programme £11.2m in 2021/22 (£10.7m in 2022/23), School Building Improvement Programme £8.8m in 2021/22 (£8.2m in 2022/23), School Access Initiative £0.8m in 2021/22 (£0.3m in 2022/23), Special School Grant Programme £1.7m in 2021/22 (£4.3m in 2022/23), Chapel Lane Primary Capital Project £4.5m in 2021/22 (£3.3m in 2022/23). As set out in **paragraph 35**, the 2022/23 School Condition Grant allocation is yet to be announced. Should this allocation be significantly different than the estimated £5m allocation, a revised programme report will be required.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

[Schools Capital Programme Progress report and 2021/22 Schools Building Improvement Programme: report to Children and Young People's Committee on 30 November 2020](#)

[2021/22 Schools Building Improvement Programme \(SBIP\) Latest Estimated Cost \(LEC\): report to Finance & Major Contracts Management Committee on 19 April 2021](#)

[Nottinghamshire Special Educational Needs and Disabilities Place Planning Strategy 2021 – 2026: report to Children and Young People's Committee on 26 July 2021](#)

[Nottinghamshire Special Educational Needs and Disabilities \(SEND\) Place Planning Strategy 2021 – 2026: report to Policy Committee on 2 September 2021](#)

[2012/22 Schools Building Improvement Programme \(SBIP\) Additional Projects Latest Estimated Costs: report to Finance Committee on 6 September 2021](#)

[Latest Estimated Cost New School Chapel Lane, Bingham: report to Finance Committee on 6 September 2021](#)

[Proposed Expansion of Carlton le Willows Academy: report to Children and Young People's Committee on 13 September 2021](#)

[Proposed Expansion of South Nottinghamshire Academy: report to Children and Young People's Committee on 13 September 2021](#)

Electoral Division(s) and Member(s) Affected

All.
C1519