

**REPORT OF THE LEADER OF THE COUNTY COUNCIL****NEW SCHOOL AT THE SHARPHILL DEVELOPMENT, EDWALTON****Purpose of the Report**

1. To seek approval to vary the Council's capital programme for the provision of a new primary school at the Sharphill development in Edwalton, Rushcliffe.

**Information**

2. A site within the Sharphill housing development has been identified as a new primary school which is required as a result of related housing development and population growth in the West Bridgford area and the new school is required to be open by September 2020.
3. Rushcliffe Borough Council (RBC) entered into a Section 106 (S106) agreement for the wider development, and allocated a £5.3m (indexed from 2016) developer contribution to fund the construction of the school. As part of that S106 agreement between the Borough Council and the developer, a 2 hectare site was allocated for the school which has to be transferred to the County Council by the landowner/developer.
4. The County Council is however not party to the S106 agreement. Unfortunately the site allocated for the new school creates a number of engineering difficulties for the County Council in constructing the buildings, and particularly in the provision of level playing fields as it is located on one of the steeper parts of the overall development area.
5. As result of the site conditions, a more complex site design is required which increases the basic build cost, as well as extensive and costly groundworks to make the site usable. The developer contribution is therefore insufficient to cover off the cost of the new school and the County Council, as the statutory authority responsible for school places, is required to meet the funding gap.
6. Negotiations continue with the developer to seek their support in undertaking regrading of the site prior to it's transfer to the County Council to mitigate some of the cost increases identified.
7. The school has been designed to meet the Education Skills Funding Agency (ESFA) output specification for primary schools and Building Bulletins 99 & 103. The school will be built as a 315 place school with sufficient space to expand to 420, with a 39 place nursery. There will also be associated playing fields and outdoor play areas.

8. Following a tender process Morgan Sindall have been appointed as the main contractor for the build, and the County Council's Planning and Licensing Committee considered the planning application for the new school at its meeting on 16 July.
9. The Spencer Academy Trust will operate the new school as a free school, and will be responsible for identifying and managing any potential community use within safeguarding requirements.
10. The land identified for the school should be transferred to the Council before construction can commence. Property and Legal Services Departments are pursuing the land transfer to facilitate the build.
11. In order to be available by September 2020 construction of the school needs to commence in August 2019. Any delays to completion of the land transfer with the developer, and the relevant site remediation to deal with the level concerns currently present a significant risk to the project in terms of both delivery time and cost.
12. The County Council has a significant school build programme to meet the needs of our population and has a strong track record of delivery. Nationally Government statistics demonstrate that Nottinghamshire outperforms the national average in ensuring children go to the primary school of their choice – 98.4% in Nottinghamshire compared to 97.7%. In order to continue to meet the needs of children and families in the County, it is important that the Council is engaged with local planning authorities. Dialogue is ongoing with Rushcliffe Borough Council about County Council engagement in S106 negotiations to secure the best possible outcome for children, families and communities in future.

### Capital Budget implications

13. Arc Partnership has undertaken a full feasibility costing on the proposed scheme, which is currently in the detailed design development stage. The current costings set out in the table below include risk items which have been identified in relation to the site including additional earthworks, increases in utility connection costs and mitigations for delay in acquiring the land which knock on to the construction programme.

<b>Sharphill Primary School – Preliminary Cost</b>	<b>£</b>
Building cost	6,100,000
Highway works beyond site boundary	150,000
Fees, Surveys etc	672,250
Furniture & equipment	300,000
<b>Total Cost</b>	<b>7,222,250</b>
<b>Estimated risk costs associated with the site</b>	<b>1,328,486</b>
<b>Total</b>	<b>8,550,736</b>

14. The budget approval for the purposes of this report is therefore £8.6m. Every effort is being taken to reduce the County Council's exposure to cost given the build cost already exceeds the amount of S106 funding secured by the local planning authority. Latest Estimate Cost

reports will be presented to Finance and Major Contracts Management Committee as the project progresses and costs become more certain.

### **Other Options Considered**

15. None. The development of the new school is vital to providing school places in the local area.

### **Reason/s for Recommendation/s**

16. The Council has a statutory duty to ensure sufficient school places are available for all school age children.

### **Statutory and Policy Implications**

17. 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**

18. As noted above the budget approval for the purposes of this report is £8.6m to reflect the full value of any construction costs and potential project risks currently identified.
19. The £5.3m (indexed from 2016) S106 monies to be recovered from Rushcliffe Borough Council will be drawn down at stages during the project.
20. Funding in excess of the £5.3m will need to be met by the Council's capital funding allocation for Basic Need pupil provision from the Department for Education/Education and Skills Funding Agency.
21. As noted above negotiations continue with the developer to seek their support in undertaking regrading of the site prior to its transfer to the County Council.
22. Further discussions will be required with Rushcliffe Borough Council to identify potential increases in the S106 contribution to cover the additional costs incurred in developing the school as the County Council considers that the site provided does not meet the requirements of the S106 agreement in that it is not developable without significant additional cost.
23. An updated Latest Estimated Cost (LEC) report based on the tender package provided to the contractor will be presented to Finance and Major Contracts Management Committee in September 2019 when the risks outlined above have been clarified. Further updated LEC reports will be produced as necessary thereafter as the project progresses.

## **Public Sector Equality Duty implications**

24. In accordance with County Council policy the design of the buildings will incorporate access and facilities for people with disabilities.

## **Implications for Sustainability and the Environment**

25. Environmental and Sustainability requirements will be incorporated into the detailed design process for each of the individual buildings

## **RECOMMENDATION/S**

1. That the capital programme be varied by £8.6m to establish a project for the provision of a new school at the Sharphill development in Edwalton.

**Councillor Mrs Kay Cutts MBE**  
**Leader of the County Council**

**For any enquiries about this report please contact:** Phil Berrill, Team Manager, Property Commissioning Tel: 0115 9774641

## **Constitutional Comments (CEH 28.06.19)**

26. The recommendation falls within the remit of Policy Committee under the Council's Constitution.

## **Financial Comments (GB 03.07.19)**

27. The financial implications of this project are set out in paragraphs 13 to 14 and 18 to 23. It is proposed that the Children and Young People's capital programme is varied by £8.6m with £5.3m (plus indexation) funded from section 106 contributions and up to £3.3m from Basic Need grant. This element of the funding will be transferred from the 2019/20 Basic Need allocation which totals £18.0m and is already in the approved capital programme.

## **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.

- Report to Planning and Licencing Committee, 16 July 2019

## **Electoral Division(s) and Member(s) Affected**

- Division: West Bridgford South
- County Councillor Jonathan Wheeler