

# **CHILDREN & YOUNG PEOPLE COMMITTEE**

## **Agenda Item 62**

Brighton & Hove City Council

<b>Subject:</b>	<b>Capital Programme 2013 / 2014</b>		
<b>Date of Meeting:</b>	<b>11<sup>th</sup> March 2013</b>		
<b>Report of:</b>	<b>Interim Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gil Sweetenham</b>	<b>Tel: 29-3433</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

### **FOR GENERAL RELEASE**

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) are that details of the capital allocation for 2013/14 were not received from central government until after the report deadline.

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To allocate funding available in the Capital programme under Structural Maintenance, Pupil Places and Condition cost centres for 2013/2014.

#### **2. RECOMMENDATIONS:**

- 2.1 That Committee approve the allocation of funding as shown in Appendices 2 and 3

#### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 A report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2013/14 was received by Policy and Resources on 14<sup>th</sup> February 2013 and Budget Council on 28<sup>th</sup> February 2013.
- 3.2 On 1<sup>st</sup> March 2013, the Government announced the capital allocations for Education. The announcement included a one year allocation for maintenance funding for 2013/14 and a two year announcement for Basic Need covering 2013/14 and 2014/15.

- 3.3 The overall level of capital funding available for expenditure on school buildings from the Government has increased from last year when comparing with the main allocations. However last year the council were fortunate to benefit from additional basic need allocations which are not likely to be available this year.
- 3.4 Funding is now allocated under three headings only; Structural maintenance (under which £920,000 is available for expenditure on schools and other educational establishments); Capital Maintenance Grant (under which £3,107,784 is available for expenditure on improving the condition of the school estate); and Basic Need Funding (under which £7,921,299 in total is available for expenditure on providing additional pupil places for the 2013/14 and 2014/15 financial years).
- 3.5 In addition to this a further £1,000,000 has been included within the capital strategy to assist with new pupil places. This relates to forward funding from education resources in previous years to support the Whitehawk co-location project.
- 3.6 An overall summary of expenditure against each of these headings for 2013/14 and 2014/15 is attached at Appendix 2 and a more detailed explanation of each item is shown below.
- 3.7 **Structural Maintenance**
- 3.8 The sum of £920,000 is available for structural maintenance as a result of the transfer of revenue funding by Finance and Resources. This funding will be used to address the most urgent and important items highlighted by the condition surveys of school buildings.
- 3.9 The extent of the work at each school will be determined by the condition survey and detailed investigation and scoping of the problem to be addressed. There will also be discussion with each school on the timing and scoping of the works.
- 3.10 A copy of the proposed structural maintenance programme is attached at Appendix 3 to this report.
- 3.11 **Capital Maintenance Grant**
- 3.12 Legislation on both the control of legionella and asbestos in buildings has given rise to the need to carry out works on a rolling programme to school buildings to achieve compliance with the new legislation. It is recommended that £150,000 each be allocated to legionella and asbestos work.
- 3.13 The council is required by legislation to undertake fire risk assessments for all of its building including schools. Any necessary work identified by the audits that is the responsibility of the Local Authority will have to be prioritised and carried out on a rolling programme. There may be some work identified that is the responsibility of the individual school and the cost of this will be met from the schools budgets. It is recommended that £150,000 is allocated for works identified by the Fire Risk Assessments that are the responsibility of the Local Authority.

- 3.14 School kitchens have been subject to food hygiene inspections for many years and are currently inspected under the Food Safety Act 1990, Food Hygiene (England) Regulations 2006 and Regulation (EC) No.852/2004. Issues regarding compliance in relation to ventilation have been raised for a number of years. Inadequate ventilation in a kitchen environment leads to very hot and humid conditions which raise the risk of accidents, hygiene problems and potential poor health of staff. The introduction of the 5 Star “Scores on the Doors” system places greater emphasis on and publicises the quality of the kitchen environment.
- 3.15 In 2007/2008 it was decided to adopt a more systematic approach to addressing ventilation issues in school kitchens. Surveys were commissioned in 2 schools to establish the potential extent of the problem, provide recommendations and some initial budgetary costs. It is necessary to allocate funding for a planned programme over a number of years to resolve this matter. It is recommended that £150,000 is allocated for this purpose.
- 3.16 A major priority of the Asset Management plan is to reduce the amount of condition related works in schools. A rolling programme of works has been prepared which currently shows a backlog of £30 million. It is recommended that £1,700,000 is allocated to carry out additional structural maintenance in the 2013/2014 financial year.
- 3.17 The work is prioritised using the Department for Education (DfE) condition Criteria. The highest level of priority will be attached to the renewal or replacement of building elements which fall within Grade D (as being in bad condition, being life-expired and/or in serious risk of imminent failure) and fall within
- Priority 1      Urgent work, which will prevent immediate closure of premises and/or address an immediate high risk to the health & safety of occupants and/or remedy a serious breach of legislation;
- 3.18 In the current year the total D1 priority work identified is approximately £2.4million excluding fees (£2.6million including fees). By allocating £1.7 million from this budget together with the £920k from the structural maintenance budget we will be able to address all the D1 priority works.
- 3.19 The extent of the work at each school will be the subject of further discussion with schools.
- 3.20 We have instigated a rolling programme of surveys of school buildings to better inform the prioritisation of maintenance works at schools. Surveys include condition surveys, gas and electrical soundness surveys and asbestos surveys etc. It is recommended that £100,000 be allocated for this.
- 3.21 Each year we look to identify the next major schemes to be taken forward. This enables us to undertake advanced design which in turn gives us more certainty of completing the construction element of the scheme within one financial year. It is recommended that £150,000 is allocated for advanced design.

- 3.22 Each year it is necessary to carry out adaptations at some schools to accommodate children with special mobility needs. In the past these costs have been met from the Schools Access Initiative fund but since this no longer exists it is recommended that £150,000 is allocated from the Capital Maintenance Grant. While the works are generated by the need of an individual pupil they do improve accessibility in the schools and as such improve the schools for all pupils and staff.
- 3.23 The most immediate need for the Council at the present time is to ensure that there are sufficient school places for every child that wants one. There is a shortfall of primary school places in Hove at the present time which needs to be addressed. It is recommended therefore that £350,000 is moved from the Capital maintenance budget heading to the new pupil places budget heading to assist in addressing this need.
- 3.24 The above recommendations will leave approximately £58k of the available resources uncommitted. This is considered prudent until tenders for the current planned work have been received and will enable us to address any urgent priorities which may arise later in the financial year.
- 3.25 **Basic Need Funding**
- 3.26 Basic need funding is provided to authorities who are experiencing increasing school rolls. The funding is provided to ensure that the Local Authority can meet its statutory obligation to provide a school place for every child that wants one. The amount of funding available under this heading for the 2013/14 and 2014/15 financial years (including the £350k from the capital maintenance grant detailed at paragraph 3.24 above) is £8,271,299.
- 3.27 At its meeting on 14<sup>th</sup> January 2013 the Children and Young People Committee agreed to progress with the necessary statutory consultation to expand Aldrington CE Primary School by one form of entry. The additional places need to be available by September 2013.
- 3.28 To meet the timetable of providing these places by September 2013 work needs to start on the design of this project immediately and construction work will need to commence as soon as possible after completion of the statutory processes.
- 3.29 It is intended that the work for this project will be undertaken using the councils Strategic Partnership contract. This contract has been used very successfully over the last 5 years to deliver education projects on time and on budget even when the timescales available are very tight.
- 3.30 It is recommended that £1.050million is made available for Aldrington CE Primary School from the 2013/14 allocation with a further £1.1million being made available from the 2014/15 allocation. This will include all fees in connection with the project and construction of the necessary extension.
- 3.31 It is anticipated that an expansion of the Connaught Infant school will be required in time for September 2014. To facilitate this expansion it will be necessary to refurbish the buildings to the rear of the site. It is recommended that £500k be allocated to this from the 2013/14 allocation with a further allocation of £500k in 2014/15.

- 3.32 Cabinet indicated at its meeting on 19<sup>th</sup> January 2012 that the preferred location for the three additional junior forms of entry required for Hove from September 2014 was in Hove Police Station and subsequently authorised the Strategic Director People jointly with the Strategic Director Resources to proceed to acquire the freehold of Hove Police station, without planning consent in place, for the express purpose of providing primary school places in Hove.
- 3.33 These negotiations have not yet been concluded but assuming that they are it will be necessary to allocate funding to the conversion of the exiting building to a school. It is recommended that £1.5million is allocated to this from the 2013/14 allocation with a further £900k being allocated from the 2014/15 allocation.
- 3.34 It is also recommended that £1.75million is made available to complete the Portslade re-organisation including works to St Peters Community Infant School, St Nicolas Church of England Junior School and Portslade Infant School.

#### **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 Capital Maintenance works will be discussed with each school prior to the work being commenced.
- 4.2 There will need to be a formal consultation of all interested parties as required under the Education and Inspections Act 2006 on the proposals for the new junior forms of entry in Hove.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 This report sets out the allocation of capital resources under the headings included in the Capital Investment Programme 2013/14, as approved by Cabinet on 28<sup>th</sup> February 2013. The allocations reported to Cabinet were based upon estimated projections as a result of the delayed announcement by central government for education investment and this report now reflects the confirmed allocations for Basic Need in 2013/14 and 2014/15 and Capital Maintenance for 2013/14. The revenue implications associated with any capital investment proposed would be met from existing revenue resources in 2013/14 and onwards.

Finance Officer Consulted: Rob Allen

Date: 5 March 2013

##### Legal Implications:

- 5.2 The report sets out the need for both the local authority and schools to comply with provisions contained in the Equality Act 2010 regarding adaptations to schools where deemed necessary and appropriate, and also recent regulations concerning the control of asbestos and legionella in buildings.

The proposed expansions of Aldrington CE primary school and the creation of the new junior element for Hove are all intended to ensure that the local authority meets its statutory duty under section 14 of the Education Act 1996 to ensure that there are sufficient school places available within its area.

There are no other direct legal implications arising from this report. Individual projects may give rise to specific issues which will be covered by the individual reports referring to them. There are no specific Human Rights implications arising from this report.

Lawyer Consulted: Serena Kynaston

Date: 6 March 2013

Equalities Implications:

- 5.3 The detailed planning of projects at educational establishments will take account of the implications of Brighton & Hove's policies in relation to equality of access to learning.

Sustainability Implications:

- 5.4 There are no direct environmental implications arising from this report. The environmental impact of individual schemes are reported to Members when detailed reports are submitted to Children and Young Peoples Committee for final approval. The detailed planning of projects at educational establishments will take account of the implications of Brighton & Hove's policies in relation to Local Agenda 21 and sustainability issues generally.

Crime & Disorder Implications:

- 5.5 The detailed planning of projects will take account of security issues.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal.

Public Health Implications:

- 5.7 There are no public health implications arising from this report

Corporate / Citywide Implications:

- 5.8 The Capital Maintenance Grant identified in this report is evidence of the Governments continuing support for the Council's work as a Local Education Authority. The Basic Need Funding is indicative that the DfE understands the issues of primary places we face in the city. The proposals for Aldrington C E primary school and the new junior provision for Hove are an essential element in providing additional places in local areas for local children.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The only option available would be to not make use of this funding to improve / extend the education property portfolio. This is not recommended as it would limit our ability to maintain, modernise and improve our school buildings property portfolio

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The proposed capital Investment programme will enable us to continue to ensure that we provide school places in areas of the city where they are required and to improve the condition of our education property portfolio.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Summary of allocation of funding streams in Section 3 of this report
2. Proposed Structural Maintenance programme

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None