

## **Schools Basic Need Capital Investment Proposals**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.***

**Recommendations: It is recommended Cabinet:**

- (a) approves the increase in the projects as summarised in Appendix A;**
- (a) approves an increase to the 2017/18 Planning Transportation & Environment Capital Programme of £651,957 funded by developer section 106 contributions;**
- (b) approves the allocation of £8,763,342 from the unallocated Basic Need funding in the 2018/19 programme to support the proposals in Appendix A;**
- (c) notes that proposals in Barnstaple and Okehampton are being forward funded by Basic Need funding in advance of securing further developer contributions.**

### **1. Summary**

The report sets out the high priority capital schemes that need to be approved in advance of the main budget in February 2018, in particular schemes planned for the new academic year 2018-19.

### **2. Background**

The Education Infrastructure Plan (EIP) 2016 – 2033, adopted by Cabinet at its meeting on 12 October 2016 (PTE/16/47, Minute\*86), sets out an investment programme to ensure Devon County Council can meet its statutory responsibilities in respect of the supply of sufficient pupil places.

The EIP reconfirms the Council's aspiration to provide Local Schools for Local Children. The proposals in this report align directly to the EIP, in particular Section 8 of the plan which details individual infrastructure needs and timescales.

### **3. Proposal**

Overall the proposal is to agree the capital investment plan as set out in Appendix A to progress high priority capital schemes as detailed below:

#### **Okehampton New Primary:**

At their meeting on 12 July 2017, Cabinet approved to forward fund the new primary school in Okehampton (PTE/17/36/Minute \*31) as well as submit a full planning application and proceed to tender for the school build. The total cost of the scheme, including the previous site purchase is £6,200,000 of which £1,722,237 is already approved. Negotiations with developers have secured £278,407 leaving a balance of £4,199,356 to be forward funded from unallocated Basic Need funding identified in the PTE Basic Need Capital Programme.

### **Barnstaple New Primary School Site:**

A Free School has been approved for West Barnstaple which is due for opening in September 2019 and will be delivered by the Education Skills and Funding Agency. A school site at Tews Lane has been secured through a Section 106 agreement which is large enough to support housing development at Tews Lane and other development in the area. A part of the site can be secured at no cost as it is required to mitigate the Tews Lane housing application, however the remainder of the site will need to be forward funded until developer contributions are secured from other local housing sites. Negotiations with the land owner developer have been completed and including disbursements, the total cost of the site is estimated at £1,650,000. Funds approved to date total £30,000 and a further £373,550 from Section 106 agreements has already been received, the balance of £1,226,450 to be forward funded from unallocated Basic Need funding identified in the PTE Basic Need Capital Programme.

### **Charleton Lodge, Tiverton**

The need for additional Special Educational Need places in Mid Devon has been identified in the EIP. A former care home known as Charleton Lodge has been secured for educational use and design funds have previously been secured to remodelling of the building to support 40 learners aged 11 – 18 whose primary need is Autistic Spectrum Condition (ASC) as well as provide accommodation for short stay school provision in Tiverton. The education provision is likely to be delivered by an existing special school provider, yet to be agreed, as a satellite from their existing provision rather than a new school provider. The total cost of the remodelling is estimated at £3,900,000 of which £562,464 has already been approved and the balance, £3,337,536, can be funded from unallocated Basic Need funding identified in the PTE Basic Need Capital Programme.

## **4. Consultations**

The EIP has been through a consultative process including Headteacher and Governor Associations, the Schools Forum and Cabinet. The EIP has informed responses to Local Plans in all three District Council areas.

Proposals for the new primary in Okehampton have also been through these forum as well as updates to the West Devon Link Committees which include the Town Council as well as parishes. In addition we have also included a public consultation seeking views on the requirements of proposers and priorities for delivery of the school, which will be taken into account when we assess the proposals and submit to the Department for Education.

The new free school sponsor in Barnstaple was approved via a direct bid to Government and the sponsor will be required to undertake further consultation prior to opening.

Further consultation will be required on Charleton Lodge which will take place during the Autumn in readiness for a September 18 allocation of places. It should be noted statutory consultation cannot commence without confirmation of capital and revenue funding.

Local Members in the three areas have been kept informed and updated on proposals.

## **5. Financial Considerations**

The capital implications of the proposals are detailed in section 3 of this paper.

Cabinet is asked to note that further Section 106 funds for both Okehampton New School and Barnstaple New School site will be secured in the future and retrospectively applied to the programme to, in part, reimburse the forward funding from the Basic Need investment.

In respect of the revenue funding:

Okehampton - PTE/17/36 confirmed *'Revenue funding is included within the Growth Fund to support pre and post opening costs of the new school.'*

Barnstaple New School Site – there are no significant revenue implications from the purchase of the school site except any requirements for routine grounds maintenance prior to work commencing on site, these costs can be met within existing maintenance budget provision.

Charleton Lodge – discussions with the School Finance Group have agreed the principle of forward funding pre-opening costs and planned places for September 2018 and 2019.

## **6. Environmental Impact Considerations**

All proposals will meet the latest building regulations in terms of sustainability and energy efficiency.

The proposals align to providing local provision for local children and therefore reduce the number and need for car journeys to school in particular for learners with special educational needs.

## **7. Equality Considerations**

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/ new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

The proposals detailed in this report all directly align to proposals within the Education Infrastructure Plan 2016 - 2033 which included an Impact Assessment when approved by Cabinet in October 2016. This is available at:

<https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/>

In addition, an Impact Assessment has also been produced for new schools which is available at:

<https://new.devon.gov.uk/impact/new-schools-procedure-june-2017/>

Future proposals regarding Charleton Lodge will require a new impact assessment.

Underpinning all these proposals is the access to local education and ensuring that communities, where possible, are able to access inclusive provision.

## **8. Legal Considerations**

The lawful implications/consequences of the proposals have been considered and taken into account in the preparation of the recommendations set out above.

The new Okehampton Primary School has the benefit of outline planning but will require full planning permission.

The school site in Barnstaple has outline approval through the previous housing development application but will require full planning permission, however the principle of education provision is established.

Planning for Charleton Lodge has been submitted and an update will be provided at the Cabinet Meeting. The decision on the provider to run the satellite provision will be subject to a statutory consultation as it will require an expansion of numbers.

## **9. Risk Management Considerations**

These proposals have been assessed and all necessary safeguards or actions have been taken/included to safeguard the Council's position.

The proposals are in part forward funding future Section 106 contributions and as there is a risk that these may not be secured in the future. However many housing developments are on site, in particular in Barnstaple.

As highlighted in section 8, proposals are subject to planning and further consultation however timescales are such that the capital investment needs to proceed in advance of these. The main risk is linked to the decision on the provider at Charleton Lodge, however discussions with existing special schools have been positive.

The timescales for capital delivery are tight but assurances have been sought from NPS on the delivery of capital schemes in time for September 2018.

## **10. Public Health Impact**

The proposals will take into account the requirements and health and wellbeing of local communities.

The new school in Okehampton will include a space to support the delivery of multi-agency services, in particular to support Children Centre Service delivery.

Proposals at Charleton Lodge will support multi agency work for vulnerable learners including those who cannot access school due to medical/mental health issues and those with special educational needs.

## **11. Options/Alternatives**

In all three proposals, do nothing is not an option as each proposal is creating additional provision to support rising pupil numbers/need.

In respect of the proposals relating to additional primary provision, expansion of existing schools have been exhausted and there is forecast to be insufficient capacity to meet existing or future numbers generated by house building. Transporting learners to outlying schools has been discounted as it does not meet the strategic objectives within the EIP and would have revenue implications for the Home to School Transport budget.

In respect of the special school proposal, there is a shortfall of ASC provision across the County, in particular in the Tiverton and Cullompton area. Should places not be provided, it is likely there will be an increased need for places in the Independent (Out of County) Sector and additional transport costs.

## 12. Conclusion

The investment proposals in this paper will support Devon County Council to meet their statutory responsibilities as well as providing local schools for local children.

Dave Black  
Head of Planning, Transportation and Environment

**Electoral Divisions: Fremington Rural, Barnstaple South,  
Tiverton West, Bampton, Tiverton East, Halberton  
Okehampton Rural**

Cabinet Member for Resources and Asset Management: Councillor John Clatworthy

Cabinet Member for Cabinet Member for Community, Public Health, Transportation and Environmental Services: Councillor Roger Croad

Cabinet Member for Children's Services and Schools: Councillor James McInnes

*Chief Officer for Chief Officer for Communities, Public Health, Environment and Prosperity,  
Dr Virginia Pearson*

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
1. Education Infrastructure Plan: 2016 – 2033 Cabinet Report	16 October 2016	PTE/16/47
2. Okehampton New Primary School Cabinet Report	12 July 2017	PTE/17/36
3. Impact Assessment for Education Infrastructure Plan 2016 - 2033	August 2016	<a href="https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/">https://new.devon.gov.uk/impact/the-education-infrastructure-plan-2016-2033-revised/</a>
4. Impact Assessment New Schools Procedure	June 2017	<a href="https://new.devon.gov.uk/impact/new-schools-procedure-june-2017/">https://new.devon.gov.uk/impact/new-schools-procedure-june-2017/</a>

Schools Basic Need Capital Investment Proposals  
Project Financial Summary

Project	Funding				
	pre 17/18	17/18	18/19	19/20	Total
	£	£	£	£	£
<b>Okehampton New Primary School</b>					
Approved to Date	1,291,675	430,562			1,722,237
Section 106		278,407			278,407
Basic Need Funding			4,119,356	80,000	4,199,356
<b>Total Okehampton Primary</b>	<b>1,291,675</b>	<b>708,969</b>	<b>4,119,356</b>	<b>80,000</b>	<b>6,200,000</b>
<b>Charleton Lodge</b>					
Approved to Date	58,354	504,110			562,464
Basic Need Funding		280,536	2,963,000	94,000	3,337,536
<b>Total Charleton Lodge</b>	<b>58,354</b>	<b>784,646</b>	<b>2,963,000</b>	<b>94,000</b>	<b>3,900,000</b>
<b>Barnstaple Site Purchase</b>					
Approved to Date	23,383	6,617			30,000
Section 106		373,550			373,550
Basic Need Funding			1,226,450		1,226,450
<b>Total Barnstaple Site Purchase</b>	<b>23,383</b>	<b>380,167</b>	<b>1,226,450</b>	<b>-</b>	<b>1,630,000</b>