

From: **Sarah Hammond, Corporate Director for Children, Young People and Education**

To: **Shellina Prendergast, Cabinet Member for Education and Skills**

Subject **Additional funding to complete the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site**

Decision Number: 22/00064

Classification: Unrestricted

Past Pathway of Paper: **The report to:** Children's, Young People and Education Cabinet Committee – 13 September 2022 (**postponed**)
The Education and Young People's Services Cabinet Committee - 11 May 2016

Future Pathway of Paper: **Cabinet Member Decision**

Electoral Division: **Dover North**

Summary: This report provides the Cabinet Member with information relating to the cost pressures associated with the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site and the impact on the Children's, Young People and Education Capital Budget. Additional funding is sought.

Recommendation(s):

The Cabinet Member for Education and Skills, is asked to agree to:

- I. Authorise the allocation of £1,225,000 from the Children's, Young People and Education Basic Need Capital budget to complete the permanent expansion of the satellite of Whitfield Aspen Primary School (Dover), thus increasing the agreed allocation to £9,490,000.
- II. Authorise the Director of Property and Infrastructure in consultation with the Director of Education and General Counsel to enter into any necessary contracts / agreements on behalf of the County Council.

1. Introduction

- 1.1 In May 2016, funding of £7,990,000 was agreed to support the expansion of Whitfield Aspen Primary School (Dover) on to a satellite site (Decision Number 16/00032).
- 1.2 The school has been built, and the buildings handed over to staff and governors, but there remain a number of issues and some unfinished areas which need urgent attention. To complete the works to provide the school with the facilities it requires at a quality level that is appropriate, safe, and long lasting, £1.225m of additional funding is needed.

- 1.3 The provision of the sports field, is time critical. The seasonal nature of these works necessitates them commencing in September 2022 to ensure the playing field is available for use in September 2023. Delaying any approval for these works would mean the field not being available until Easter 2024. To allow the letting of a contract to progress these works, a non-key decision (22/00077) was taken by the Cabinet Member for Education and Skills to allocate £275,000 of funding.

2. Background

- 2.1 The expansion of Whitfield Aspen Primary School from 2FE to 3FE on a Satellite site was agreed by Members in 2016. This included expanding its specialist provision, which supports pupils with Profound, Severe and Complex Needs.
- 2.2 A feasibility was instructed in June 2016 and design progressed by a Multi-Disciplinary Architect up to RIBA Stage 3 design and planning application submission.
- 2.3 Following a procurement exercise the final tender report was issued in October 2017 and the contractor appointed to undertake RIBA Stage 4 design and construction.
- 2.4 The planning application was approved in March 2018 following an extended consultation period which took 9-months.
- 2.5 The work to transfer the site, provided via a s106 agreement, commenced.
- 2.6 Land transfer became unexpectedly delayed. Together with the planning application consultation delay, this prevented construction commencing as intended. KCC entered a JCT Design & Build Contract in December 2018, before the land transfer was completed, in response to pressure to provide the new school building. The contract limited construction to preliminary enabling works only, commencing January 2019, concluding February 2019.
- 2.7 The construction of the school has not progressed according to programme. A phased handover of the internal areas of the building only was achieved in December 2020, with all other areas being taken in May 2021.

3. Reasons for increase in costs

- 3.1 There are several factors that have increased the costs of the project. Many are commercially sensitive. Therefore a high level summary is provided here:
- The length of time between tender and entering contract.
 - Commercial variations.
 - Post-handover works requested by the school or a result of contractor omission.
 - Stockpiling earth and subsequent cost of removal.
 - Provision of playing field. A separate contractor is being commissioned to deliver the playing pitch for September 2023.
 - Defects - a number remain outstanding. These need to be resolved.

- Residential development slowed as a result of the pandemic leaving the new building isolated; security is in place when the site is vacated.

4. Proposed way forward

- 4.1 KCC will instruct a third party contractor to undertake works.

5. Alternatives considered

- 5.1 Provide the contractor with further opportunities to rectify any defects. This option will have a detrimental impact on the schools ability to operate and grow sufficiently.

6. Financial implications

- 6.1 An additional £1,225,000 (in addition to the £275,000 agreed by the Cabinet member) is being requested from the Children's, Young People and Education Basic Need Capital Budget.

7. Legal implications

- 7.1 Kent County Council (KCC) as the Local Authority has a duty to ensure sufficient school places are available.

8. Equalities implications

- 8.1 An Equality Impact Assessment was completed prior to the initial funding being agreed. This assessment has been reviewed with no adverse impact on protected groups being identified.

9. The view of the Local Member, David Beaney, Dover West

- 9.1 The views of the local Member will be sought prior to the CYPECC meeting.

10. Other corporate implications

- 10.1 None at this point.

11. Governance

- 11.1 It has been necessary to take this decision outside of the committee cycle as the Children's, Young People and Education (CYPE) Cabinet Committee on 13 September 2022 had to be postponed following the sad passing of Queen Elizabeth II. The decision cannot wait until the next CYPE Cabinet Committee as there are safety concerns which need to be addressed and a delay in moving forward on these matters would exacerbate the issue. Although the immediate issue of letting the contract for the playing field has been addressed in decision 22-00077 other issues highlighted in this report remain.

- 11.2 The Officer Scheme of Delegation; within the Council's Constitution, provides a clear and appropriate link between this decision and the actions needed to implement it.

12. Conclusions

- 12.1 The outstanding issues with the buildings and the outside areas are having a significant impact on the running of the school. Given the need to progress the remedial works swiftly, it would seem appropriate to allocate an additional £1,225,000 from the Children's, Young People and Education Basic Need Capital Programme. This will increase the agreed allocation to £9,490,000.

13. Recommendations

The Cabinet Member for Education and Skills, is asked to agree to:

I. Authorise the allocation of £1,225,000 from the Children's, Young People and Education Basic Need Capital budget to complete the permanent expansion of the satellite of Whitfield Aspen Primary School (Dover), thus increasing the agreed allocation to £9,490,000.

II. Authorise the Director of Property and Infrastructure in consultation with the Director of Education and General Counsel to enter into any necessary contracts / agreements on behalf of the County Council.

14. Background documents (plus links to document)

- The original report form 2016 linked here: [THE REPORT \(kent.gov.uk\)](#)
- The Equality Impact Assessment
- Commissioning Plan for Education Provision in Kent 2022-26
https://www.kent.gov.uk/_data/assets/pdf_file/0005/131486/Commissioning-Plan-for-Education-Provision-in-Kent-2022-to-2026.pdf

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