

From: Shellina Prendergast, Cabinet Member for Education and Skills
Sue Chandler, Cabinet member for Integrated Children's Services
Sarah Hammond, Corporate Director for Children, Young People and Education

To: Children's and Young People's Cabinet Committee – 12 October 2022

Subject: DECISIONS TAKEN OUTSIDE OF THE CABINET COMMITTEE MEETING CYCLE

Classification: Unrestricted

FOR INFORMATION ONLY

Summary: The attached decisions were taken between meetings as they could not reasonably be deferred to the next programmed meeting of the Children's, Young People and Education Cabinet Committee for the reason set out below.

Recommendation(s):

Cabinet Committee is asked to NOTE that the following decisions have been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

- 22-00077 - Whitfield Aspen Primary School (Dover) sports field
- 20/00007 -Proposal to expand Pilgrims Way Primary school, Pilgrims Way, Canterbury, Kent, CT1 1XU by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2024.
- 22/00079 - Supported Accommodation
- 22/00064 - Additional funding to complete the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site
- 22/00080 - Provision of temporary premises to enable Chilmington Green Secondary School to open off-site in September 2023.

1. Introduction

- 1.1 Set in accordance with the Council's governance arrangements, all Significant or Key Decisions must be listed in the Forward Plan of Key Decisions and should be submitted to the relevant Cabinet Committee for endorsement or recommendation prior to the decision being taken by the Cabinet Member or Cabinet.
- 1.2 For the reason set out below it has not been possible for these decisions to be discussed by the Cabinet Committee prior to being taken by the Cabinet Member or Cabinet. Therefore, in accordance with process as set out in Part 2 paragraph 12.35 of the Constitution, the following decisions were taken and published to all Members of this Cabinet Committee and the Scrutiny Committee.

2. Decision

22/00077 - Whitfield Aspen Primary School (Dover) sports field

- 2.1 To complete the works to provide the School with the facilities it requires at a quality level that is appropriate, safe, and long lasting, £1.5m of additional funding is needed. One aspect of the works, the provision of the sports field, is time critical. The seasonal nature of these works necessitates the commencing in September 2022, in order to ensure this was available for September 2023.
- 2.2 Delaying any approval for the works would mean the field not being available until Easter 2024. To enable the contract to progress this work to be let, a non-key decision (22/00077) was taken by the Cabinet member for Education and Skills to allocate £275,000 of funding. The contract cost is circa £450k. Other funding in the project is covering the difference, pending a key decision 22/00064 - Additional funding required to complete the construction of the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site on the remaining funding required, which is £1.225m. Decision 22/00064 will be considered by the Children's, Young People and Education Cabinet Committee on 13 September 2022.

20/00007 - Proposal to expand Pilgrims Way Primary school, Pilgrims Way, Canterbury, Kent, CT1 1XU by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2024.

- 2.3 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 reason this decision cannot wait until the next CYPE Cabinet Committee is that the DfE have confirmed that they need to receive a signed s151 letter for Pilgrims Way by 30th September at the latest. Failure to do this will cause a delay to the project and additional costs will be incurred to ensure the project is completed on time.

22/00079 - Supported Accommodation

- 2.4 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 reason this decision cannot wait until the next CYPE Cabinet Committee is that the contract providers have requested a 10% increase for the 5 and 6 month contracts that end in March, and any delay means
 - a) we cannot communicate and negotiate for as long,
 - b) contractors realise KCC will have no other option and are likely to increase costs from April, and
 - c) Commissioning want to focus on the contract from October 2023, which if delayed it will reduce the time they have to carry out this task.
 - d) Members of the Committee feel pressurised into agreeing a contract when the contracts are nearing the end date and this has led to previous decisions being taken to Scrutiny over timings.

22/00064 - Additional funding to complete the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site

- 2.5 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.

22/00080 - Provision of temporary premises to enable Chilmington Green Secondary School to open off-site in September 2023.

2.6 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 reason this decision cannot wait until the next CYPE Cabinet Committee is the DfE wish to confirm to United Learning Trust that, subject to the Secretary of State for Education approving a funding agreement, move forward with a September 2023 opening. To give this confirmation, DfE require KCC to commit to providing a temporary site and buildings for the school to open in. Delay in providing this will delay the DfE's decision, which has a knock on for the timing of them entering contract to build the new school, which in turn increases the risk that KCC would need to provide temporary accommodation for a longer period, with the costs associated. It also reduces the time the new school has to market, recruit and provides parents with less opportunity to apply for school places with knowledge of the changing options. This would not be able to wait until October or November 2022.

3. Recommendations:

Cabinet Committee is asked to NOTE that the following decisions have been taken in accordance with the process as set out in Part 2 paragraph 12.35 of the Constitution:

22/00077 - Whitfield Aspen Primary School (Dover) sports field

20/00007 - Proposal to expand Pilgrims Way Primary school, Pilgrims Way, Canterbury, Kent, CT1 1XU by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2024.

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22/00079 - Supported Accommodation

22/00064 - Additional funding to complete the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site

22/00080 - Provision of temporary premises to enable Chilmington Green Secondary School to open off-site in September 2023.

4. Background Documents

1. 22/00077 - Whitfield Aspen Primary School (Dover) sports field
2. 20/00007 - Proposal to expand Pilgrims Way Primary school, Pilgrims Way, Canterbury, Kent, CT1 1XU by increasing the Published Admissions Number (PAN) from 45 places to 60 places from September 2024.
3. 22/00079 - Supported Accommodation
4. 22/00064 - Additional funding to complete the expansion of Whitfield Aspen Primary School (Dover) onto a satellite site
5. 22/00080 - Provision of temporary premises to enable Chilmington Green Secondary School to open off-site in September 2023.

5. Contact details

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