

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:

Richard Long,
Cabinet Member for Education and Skills

DECISION NO:

20/00070

For publication

Subject: Funding update on the proposal to permanently expand and relocate St Peter's Church of England Primary School, Windmill Street, Tunbridge Wells, Kent TN2 4UU, from 140 places to 210 places, increasing the published admission number (PAN) from 20 to 30 Year R places from September 2019.

Decision:

As Cabinet Member for Education and Skills, I agree to:

- a) Allocate an additional £1.3 million from the Children, Young People & Education Basic Need Capital Budget to fund any necessary additional works or variations to accommodation.
- b) Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council.
- c) Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

Reason(s) for decision:

Background

Kent County Council (KCC), with the support of the Governing Body, proposed to expand and relocate St Peter's Church of England Primary School to help provide improved Primary education facilities and more school places for local children. The project will permanently expand the school from 140 places to 210 places, increasing the published admission number (PAN) from 20 to 30 (1FE) Year R places from September 2019.

The expansion will serve to meet the additional demand for Primary school places arising from new housing at Hawkenbury. The relocation of the school to new, purpose-built accommodation will significantly improve and increase the facilities available for its pupils.

A 4-week public education consultation was undertaken from 20 February 2018 to 20 March 2018, prior to the decision being made. In May 2018 the Cabinet Member for Children, Young People and Education agreed to the capital funding allocation of £6.9 million from the Basic Need Capital Programme Budget for the scheme.

A further £1m was allocated from the Children's, Young People and Education Capital Budget in June 2019. The need for additional funds prior to the commencement of construction were the result of abnormal topography on the site that necessitated additional ground works, building redesign and changes to the car park and site entrance. There was also an unforeseen need for alternative piling and foundation solutions to mitigate any exposure from ground contamination.

The proposal is to allocate a further £1.3 million from the Young People and Education Basic Need Capital Budget. The reasons for the increased expenditure are as follows:

Since the commencement of work on site there have been further unforeseen and significant abnormal issues relating to the condition of the land on transfer to KCC. This has resulted in the need for the redesign of some elements of the school, such as the level of the playing field, the redesign process created delay to the programme. Additionally, costs and delays to the programme have been incurred due to the need for unanticipated remedial works to take place to enable construction to be completed.

This work will entail an outlay of capital expenditure from KCC to progress the scheme in a timely manner. Actions have been taken to minimise the quantum of additional costs as far as possible through working with the main contractor to identify design solutions.

Original decisions

<https://democracy.kent.gov.uk/mgDecisionDetails.aspx?Id=48461&Opt=1>

<https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2265>

How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement 2015-2020.

As the strategic commissioner of school provision, the Local Authority (LA) has a duty to ensure that there are sufficient school places for the residents of Kent as set out in Kent's Commissioning Plan for Education Provision in Kent (2018-22 iteration for this expansion).

Financial Implications

Capital

Kent County Council's contribution was initially £6.9 million and this was increased by £1 million in June 2019. The proposal increases the contribution by £1.3 million, taking the total scheme cost to £9.2 million. This will be offset over a period of time by approximately £1.5 million from developer contributions and an estimated £450,000 in capital receipts from the sale of the existing school site.

Revenue

The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum. The school will also receive £6,000 per new learning space that is provided towards the cost of furniture and equipment. In addition, an allowance of up to £2500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment.

Human

The schools will appoint additional staff as and when appropriate.

Legal Implications

The local authority has a statutory duty under the Chapter III of the Education Act 1996 to ensure sufficient school places are available for any Kent child who requires one.

Equalities implications

An Equality Impact Assessment (EqIA) has been produced and identified the following positive impacts:

- The new accommodation and better facilities will have a positive impact on students and staff through the improvement of the learning environment.
- More families able to access school places
- School places available to children with and without faith based backgrounds.

No adverse impacts have been identified

Data Protection implications

When handling consultation and scheme responses KCC are the 'controllers' under the General Data Protection Regulation and will ensure that any personal information is processed fairly and lawfully.

Cabinet Committee recommendations and other consultation:

In accordance with the Department for Education's Statutory Guidance (October 2018): Making 'prescribed alterations' to maintained schools, there was a need to undertake a formal statutory consultation process. Prior to the decision being made, a public education consultation was undertaken from 20th February 2018 to 20th March 2018 and subsequently a formal Public Notice ran from 8th June 2018 to 6th July 2018.

Cabinet Committee consultation planned or undertaken. If planned – which meeting do you wish to attend? The original proposal was presented to the Committee in written report format outside of committee, prior to the decision being taken by the Cabinet Member for Children, Young People and Education.

<https://democracy.kent.gov.uk/documents/s84548/1800020%20Report.pdf>

A Basic Need Programme Update report that included the detail for the additional funding allocation for St Peter's was presented to and endorsed by the Children's, Young People and Education Cabinet Committee on 7th May 2019. The Cabinet Member for Children, Young People and Education agreed to the additional funding on 4th June 2019.

A revised report was presented to the Children's, Young People and Education Cabinet Committee on 30th July 2020:

(1) RESOLVED that the decision proposed to be taken by the Cabinet Member for Education and Skills to:

- a) allocate an additional £1.3 million from the Children, Young People & Education Basic Need Capital Budget to fund any necessary additional works or variations to accommodation;
- b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council; and
- c) authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision,

be endorsed.

Ida Linfield asked that her abstention from the recommendation be noted within the minutes

Any alternatives considered:

The Commissioning Plan for Education Provision 2020-24 explored all options and the expansion of this school was deemed the suitable option.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None



21 August 2020

Signed

Date