

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 86

Brighton & Hove City Council

**Subject:** Capital Programme, 2009/2010  
**Date of Meeting:** 2 March 2009  
**Report of:** Director of Children's Services  
**Contact Officer:** Name: Gillian Churchill Tel: 29-3515  
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**Key Decision:** Yes Forward Plan No: CYP7786  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To allocate funding available in the Capital programme under New Deal for Schools Modernisation, Structural Maintenance, New Pupil Places, Schools Access Initiative, Primary Capital Programme and Target Capital Fund cost centres for 2009 / 2010

#### 2. RECOMMENDATIONS:

- 2.1 The Children and Young People Cabinet Member to recommend to Cabinet the allocation of funding on the basis set out in paragraphs 3.3 to 3.50 **below**.
- 2.2 Subject to Cabinet approval, approve the allocation of funding as shown in Appendices 2 to 7.

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

- 3.1 The Cabinet Member received a report on the Capital Resources and Capital Investment Programme for 2009/10 at the meeting on 19<sup>th</sup> January 2009. The recommendations from that report have been included in the report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2009/10. This report was considered by Cabinet on 12<sup>th</sup> February 2009 and Budget Council on 26 February 2009. The full capital programme for CYPT is attached at Appendix 1
- 3.2 Six of the principal headings in the programme relate to funding for adaptations, improvements and extensions of school buildings. These are listed below:

**NDS Modernisation** (under which £2,234,304 is available for improvements to facilities available in community schools);

**Structural Maintenance** (under which £920,000 is available for expenditure on schools and other educational establishments);

**New Pupil Places** (under which £668,831 is available for expenditure on providing or removing pupil places);

**Schools Access Initiative Funding** (under which £366,679 is available for expenditure on improving access to buildings and the curriculum);

**Primary Capital Programme** (under which £3,074,914 is available for transforming education in primary phase schools);

**Targeted capital Fund** (under which £2,000,000 is available for works to secondary schools, particularly 14 – 19 diplomas, SEN and disabilities, pending inclusion in the full BSF programme);

### 3.3 **NDS modernisation**

3.4 The Council recently submitted a revised Expression of Interest (Eoi) to the Department of Children Schools and Families (DCSF) in respect of the Building Schools for the Future (BSF) programme. It is hoped that as a result of this revised Eoi the timeframe for entering the BSF programme will be foreshortened.

3.5 There is a considerable amount of work to be completed prior to being admitted on to the BSF programme by the DCSF and Partnership for Schools (Pfs). It will be necessary to prepare a Secondary Strategy for Change which details the authorities approach to transforming secondary education and a Readiness to Deliver document prior to being able to draw down BSF funding for the individual elements of the programme.

3.6 The experience of authorities already in BSF is that this initial work will cost in the order of £3million and the LA is expected to fund this work from within its own resources.

3.7 It is recommended that £1million from the NDS budget is allocated to this initial phase of work to progress our bid for BSF.

3.8 New and revised 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 £250,000 be allocated to this work from the NDS funding.

3.9 The introduction of the new fire regulations has meant that the Council has had to undertake fire risk assessments for all of its building including schools. These risk assessments have been arranged and paid for by Property and Design. 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 £200,000 is allocated for works identified by the Fire Risk Assessments that are the responsibility of the Local Authority.

- 3.10 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 recently of the 5 Star "Scores on the Doors" system places greater emphasis on and publicises the quality of the kitchen environment.
- 3.11 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 for the CYPT to allocate funding for a planned programme over a number of years to resolve this matter.
- 3.12 A bid has been made to the Asset Management Fund to meet half the costs of undertaking the necessary upgrade works at two schools within the city, a requirement of bids to the Asset Management Fund is that departments meet 50% of the cost of the work from within their own capital resources. It is recommended that £75,000 is allocated from the NDS budget for this purpose.
- 3.13 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 extends to 13 years. In an effort to reduce this time period it is recommended that £525,000 is allocated from NDS funding to carry out additional structural maintenance in the 2009 / 2010 financial year.
- 3.14 The extent of the work at each school will be the subject of further discussion with schools. Schools who benefit from this additional funding will be required to make a contribution to the costs involved from their Devolved Formula Capital allocations.
- 3.15 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. This is more important than ever this year given the levels of funding available next year under the Primary Capital Programme and the Targeted Capital Fund.
- 3.16 It is recommended that £150,000 is allocated for advanced design.
- 3.17 The above recommendation will leave £34,000 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.

3.18 A summary of expenditure on each of the items listed above is included at Appendix 2.

### 3.19 **Structural maintenance**

3.20 The sum of £920,000 is available for structural maintenance as a result of the transfer of revenue funding by Finance and Resources.

3.21 The extent of the work at each school will be the subject of further discussion and, where appropriate, schools will be asked to make a contribution to the costs involved from their NDS Devolved Formula Capital.

3.22 A summary of the work planned for the 2009 / 2010 financial year is shown at Appendix 3 .

### 3.23 **New Pupil Places**

3.24 The New Pupil Places budget is provided to allow authorities to expand or contract schools as necessary when pupil numbers change.

3.25 At the Cabinet Member Meeting held on 1<sup>st</sup> December 2008, it was agreed to progress proposals to expand Balfour Junior School by one form of entry from September 2010. The required Statutory Notices have been published to provide the final opportunity for the community to comment on these proposals.

3.26 It is intended that the results of this proposal will be reported to the Cabinet Member meeting on 2<sup>nd</sup> March 2009 for a final decision on the proposal. A scheme to extend the school to enable this proposal to be implemented has been progressed over the last year and it is intended that part of the cost of this extension should be met from the New Pupil Places Budget.

3.27 Subject to the determination of the statutory notices for the proposal to expand Balfour Junior School it is recommended that £335,000 should be allocated to this project.

3.28 At the Cabinet Member Meeting held on 1<sup>st</sup> December 2008, it was agreed to progress proposals to permanently expand Davigdor Infant School by one form of entry from September 2010. The required statutory notices will be published on 1<sup>st</sup> May 2009 (this proposal is linked to a similar proposal to expand Somerhill Junior School by one form of entry from September 2011). The statutory notices will provide the final opportunity for the community to comment on these proposals.

3.29 It is intended that the results of this proposal will be reported to the Cabinet Member meeting in June / July 2009 for a final decision on the proposal. A scheme to extend the school to enable this proposal to be implemented has been progressed over the last year and it is intended that part of the cost of this extension should be met from the New Pupil Places Budget.

3.30 Subject to the determination of the statutory notices for the proposal to expand Davigdor Infant School it is recommended that £333,831 should be allocated to this project.

3.31 A summary of expenditure is included at Appendix 4

### **3.32 Schools Access Initiative Fund**

3.33 Each year it is necessary to carry out some adaptations at some schools to accommodate children with special mobility needs. The costs of these changes are met from the Schools Access Initiative fund. At the present time it is anticipated that the cost of these changes will utilise £150,000.

3.34 It is recommended that the remaining £216,679 be allocated to continue the work to meet the targets of the Accessibility Plan for Schools.

3.35 It is recommended that the funding is allocated as indicated above.

3.36 A summary of expenditure is included at Appendix 5.

### **3.37 Primary Capital Programme**

3.38 The Primary Capital Programme is intended to transform primary education, the funding is expected to be targeted in such a way as to ensure this educational transformation and to make primary schools the heart of their communities. A Strategy for Change outlining our approach to transformation was submitted to the DCSF and they have confirmed that they are happy with the approach we have suggested.

3.39 Our initial proposals under the PCP are based on the need to provide additional school places in the primary phase in some parts of the city. As mentioned at points 3.25, 3.26, 3.28 and 3.29 above proposals to expand Balfour Junior School and Davigdor Infant School have been progressed.

3.40 Subject to the determination of the statutory notices for the proposal to expand Balfour Junior School it is recommended that the balance of funding needed to complete this project be met from this funding stream.

3.41 Subject to the determination of the statutory notices for the proposal to expand Davigdor Infant School it is recommended that the balance of funding needed to complete this scheme be met from this funding stream.

3.42 A summary of expenditure is included at Appendix 6.

### **3.43 Targeted Capital Fund**

3.44 As part of the Council's future development of schools within the city it is proposed to expand Longhill School by one form of entry and to carry out the necessary adaptations to the building to facilitate this expansion. A report was presented to the Cabinet Member Meeting held on 19<sup>th</sup> January 2009, detailing the reasons for this proposal.

3.45 Work on the design of the scheme will progress alongside the statutory processes necessary when proposing an alteration of this nature to a community school.

3.46 Subject to the determination of the statutory processes for the proposal to expand Longhill School it is recommended that £1,600,000 should be allocated to this project.

3.47 This year we will look to identify another major scheme to be taken forward in the next financial year. We will need 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 £100,000 is allocated for advanced design for future schemes under the Targeted Capital Fund.

3.48 Work has progressed on developing plans for an Academy at Falmer. The scheme to provide a new building for the Academy is being funded by the DCSF and procurement is via the Partnerships for Schools framework contract. However the DCSF funding does not cover the cost of re-providing the Swan Centre or the existing accommodation for the school caretaker.

3.49 These costs fall to the Council and it is recommended that £300,000 is allocated to this element of the Falmer project.

3.50 A summary of expenditure is included at Appendix 7.

## **4. CONSULTATION**

4.1 Consultation has been carried out as necessary on the individual schemes mentioned above.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 The report sets out the allocation of capital resources that were approved at Cabinet on 12<sup>th</sup> February 2009 for inclusion in the 2009/10 Capital Investment Programme. The revenue implications of any schemes proposed will be met from existing school resources.

*Finance Officer Consulted: Rob Allen, Strategic Finance*

*Date: 4/02/2009*

### Legal Implications:

- 5.2 The report highlights the need for the LEA and schools to comply with the current statutory provisions regarding the Disability Discrimination Act 1995, and recent regulations concerning the control of asbestos and legionella in buildings.

As recommended in the report, the proposal for the allocation of funding towards the areas identified within the programme need to be forwarded to Cabinet for approval.

There are no 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.

*Layer Consulted: Serena Kynaston*

*Date: 26/01/2009*

### Equalities Implications:

- 5.3 The equality implications of individual schemes included within the Capital Investment Programme are reported to Members when detailed reports are submitted to Cabinet or Cabinet Member 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 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 Cabinet or Cabinet Member 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 prevention of crime and disorder implications of individual schemes included within the Capital Investment Programme are reported separately to Members when detailed report are submitted to Cabinet or Cabinet Member for final approval. 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

Corporate / Citywide Implications:

- 5.7 The NDS funding identified in this report is evidence of the Governments continuing support, via the New Deals for Schools, for the Council's work as a Local Education Authority. The support for the PCP is also indicative that the DCSF supports the Councils proposals around transforming primary education.

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

- 6.1 The only option available would be not to take up the supported borrowings approvals. 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 work towards meeting the aims of the Primary Strategy for Change. It will also enable us to continue to ensure that we provide school places in areas of the city where they are required

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. CYPT Capital investment programme for 2009 2010
2. Summary of expenditure under NDS funding
3. Summary of expenditure under Structural maintenance funding
4. Summary of expenditure under New Pupil Places funding
5. Summary of expenditure under Schools Access Initiative funding
6. Summary of expenditure under Primary Capital funding
7. Summary of expenditure under Targeted Capital funding

**Documents In Members' Rooms**

1. None

**Background Documents**

1. None