

Subject:	Education Capital Programme 2012 / 2013		
Date of Meeting:	15th March 2012		
Report of:	Strategic Director People		
Lead Cabinet Member:	Cabinet Member for Children and Young People		
Contact Officer:	Name:	Gil Sweetenham	Tel: 29-3433
	Email:	Gil.sweetenham@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: 27545	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To allocate funding available in the Capital programme under Structural Maintenance, Pupil Places and Condition cost centres for 2012/2013.

2. RECOMMENDATIONS:

- 2.1 That Cabinet approve the allocation of funding as shown in Appendices 2 and 3

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2012/13 was received by Cabinet on 9th February 2012 and Budget Council on 23rd February 2012. The full capital programme for new CYPT capital investment is attached at Appendix 1.
- 3.2 In December 2011, the Government announced the capital allocations for 2012/13. The capital allocation is now funded entirely through capital grant and no funding is provided through supported borrowing.
- 3.3 The overall level of capital funding available for expenditure on school buildings from the Government has **decreased** under the new financial regime.
- 3.4 Funding is now allocated under three headings only; Structural maintenance (under which £920,000 is available for expenditure on schools and other educational establishments); Capital Maintenance Grant (under which £3,231,310 is available for expenditure on improving the condition of the school estate); and Basic Need Funding (under which £3,211,188 is available for expenditure on providing additional pupil places).

- 3.5 In addition to this a further £1,478,846 was allocated to Brighton & Hove in November 2011 to address the basic need issues that we face. This funding was allocated as non year tied capital grant and is available for expenditure in the 2012 / 2013 financial year.
- 3.6 In addition to this a further £1,000,000 is available from a capital receipt from the sale of the assets in connection with the Whitehawk co-location project. This funding will be used to assist with new pupil places on new projects (see Appendix 2) and will be reported in due course.
- 3.7 An overall summary of expenditure against each of these headings is attached at Appendix 2 and a more detailed explanation of each item is shown below.

3.8 Structural Maintenance

- 3.9 The sum of £920,000 is available for structural maintenance as a result of the transfer of revenue funding by Finance and Resources. This funding will be used to address the most urgent and important items highlighted by the condition surveys of school buildings.
- 3.10 The extent of the work at each school will be determined by the condition survey and detailed investigation and scoping of the problem to be addressed. There will also be discussion with each school on the timing and scoping of the works.
- 3.11 A copy of the proposed structural maintenance programme is attached at Appendix 3 to this report.

3.12 Capital Maintenance Grant

- 3.13 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 £150,000 each be allocated to legionella and asbestos work.
- 3.14 The council is required by legislation to undertake fire risk assessments for all of its building including schools. 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 £150,000 is allocated for works identified by the Fire Risk Assessments that are the responsibility of the Local Authority.
- 3.15 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 of the 5 Star "Scores on the Doors" system places greater emphasis on and publicises the quality of the kitchen environment.

- 3.16 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 to allocate funding for a planned programme over a number of years to resolve this matter. It is recommended that £150,000 is allocated for this purpose.
- 3.17 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 shows a backlog of £33,934,550 million which will take approximately 13 years to address at current expenditure rates. In an effort to reduce this time period it is recommended that £1,000,000 is allocated to carry out additional structural maintenance in the 2012/2013 financial year.
- 3.18 The work is prioritised using the Department for Education (DfE) condition Criteria. The highest level of priority will be attached to the renewal or replacement of building elements which fall within Grade D (as being in bad condition, being life-expired and/or in serious risk of imminent failure) and fall within

Priority 1 Urgent work, which will prevent immediate closure of premises and/or address an immediate high risk to the health & safety of occupants and/or remedy a serious breach of legislation;

or

Priority 2 Essential work, required within two years, which will prevent serious deterioration of the fabric or services and/or address a medium risk to the health & safety of occupants and/or remedy a less serious breach of legislation.

High priority will be attached to the renewal or replacement of building elements which fall within grade C (as being in poor condition, exhibiting major defects and/or not operating as intended) and within priority 1 or 2.

- 3.19 The extent of the work at each school will be the subject of further discussion with schools. In past years schools that benefitted from this additional funding were required to make a contribution to the costs involved from their Devolved Formula Capital (DFC).
- 3.20 We have instigated a rolling programme of surveys of school buildings to better inform the prioritisation of maintenance works at schools. Surveys include condition surveys, gas and electrical soundness surveys and asbestos surveys etc. It is recommended that £100,000 be allocated for this.
- 3.21 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. It is recommended that £150,000 is allocated for advanced design.

- 3.22 Each year it is necessary to carry out adaptations at some schools to accommodate children with special mobility needs. In the past these costs have been met from the Schools Access Initiative fund but since this no longer exists it is recommended that £150,000 is allocated from the Capital Maintenance Grant. While the works are generated by the need of an individual pupil they do improve accessibility in the schools and as such improve the schools for all pupils and staff.
- 3.23 The most immediate need for the Council at the present time is to ensure that there are sufficient school places for every child that wants one. It is recommended therefore that £1,100,000 is moved from the Capital maintenance budget heading to the new pupil places budget heading.
- 3.24 The above recommendations will leave approximately £130,000 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.
- 3.25 **Basic Need Funding**
- 3.26 Basic need funding is provided to authorities who are experiencing increasing school rolls. The funding is provided to ensure that the Local Authority can meet its statutory obligation to provide a school place for every child that wants one. The amount of funding available under this heading (including the £1,100,000 from the capital maintenance grant detailed at paragraph 3.22 above and the £1, 478,846 additional basic need detailed in paragraph 3.5 above) is £5,790,034.
- 3.27 At its meeting on 19th January 2012 Cabinet approved the preferred option to provide the three additional junior forms of entry in Portslade. It was agreed to progress with the necessary statutory consultation to make both Portslade Community infant School and St Nicolas C of E Junior schools into 2 form entry all through primary schools and St Peters Community Infant School into a 1 form entry all through primary school. The additional places need to be available by September 2013.
- 3.28 To meet the timetable of providing these places by September 2013 work needs to start on the design of these projects immediately and construction work will need to commence as soon as possible after completion of the statutory processes.
- 3.29 It is intended that the work for these projects will be undertaken using the councils Strategic Partnership contract. This contract has been used very successfully over the last 5 years to deliver education projects on time and on budget even when the timescales available are very tight.
- 3.30 It is recommended that £2.1 million is made available for St Peters Community infant school. This will include the purchase of an additional site, all fees in connection with the project and construction of the necessary extension.
- 3.31 It is also recommended that £2.5 million is made available for the works to St Nicola C of E Junior School. This will include all fees in connection with the project and construction of the necessary extension.

- 3.32 It is recommended that £250,000 is made available for preliminary works to Portslade Community Infant school. This finding will allow for design work to commence and some preliminary adaptation to the school to be undertaken. The school currently has 12 classrooms which is sufficient for the schools immediate need, even if the proposal to make it in to a 2 form entry is confirmed following completion of the statutory processes.
- 3.33 As part of the proposal to provide extended / refurbished buildings for Brighton Aldridge Community Academy a panning condition has been placed upon the Council to provide an contribution towards the costs of sustainable transport. The contribution currently stands at £200,000 although there will be a negotiation to reduce this figure. It is recommended that £180,000 be included against this budget heading to meet this cost.
- 3.34 The above recommendations will leave approximately £750,000 of the available resources uncommitted. This is considered as it is necessary to have funding in reserve to purchase a site to provide three additional forms of entry for juniors in Hove from September 2014.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Capital Maintenance works will be discussed with each school prior to the work being commenced.
- 4.2 There will need to be a formal consultation of all interested parties as required under the Education and Inspections Act 2006 on the proposals for the new junior forms of entry in Portslade.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 This report sets out the allocation of capital resources under the headings included in the Capital Investment Programme 2012/13, as approved by Cabinet on 9th February 2012. The recommended allocations of the 2012/13 capital funding over the projects detailed in the report are shown in summary in Appendix 2. The revenue implications of any schemes proposed would need to be met from existing resources.

Finance Officer Consulted: Rob Allen

Date: 21/02/2012

Legal Implications:

- 5.2 The report sets out the need for both the local authority and schools to comply with provisions contained in the Equality Act 2010 regarding adaptations to schools where deemed necessary and appropriate, and also recent regulations concerning the control of asbestos and legionella in buildings.

The proposed expansions of St Peters Community Infant School, St Nicolas C of E Junior School and Portslade Community Infant School are all intended to ensure that the local authority meets its statutory duty under section 14 of the Education Act 1996 to ensure that there are sufficient school places available within its area.

There are no other 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.

Lawyer Consulted: Serena Kynaston

Date: 21/02/2012

Equalities Implications:

- 5.3 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 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.

Public Health Implications:

- 5.7 There are no public health implications arising from this report

Corporate / Citywide Implications:

- 5.8 The Capital Maintenance Grant identified in this report is evidence of the Governments continuing support for the Council's work as a Local Education Authority. The Basic Need Funding is indicative that the DfE understands the issues of primary places we face in the city. The proposals for Portslade are an essential element in providing additional places in local areas for local children.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The only option available would be to not make use of this funding to improve / extend the education property portfolio. 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 continue to ensure that we provide school places in areas of the city where they are required and to improve the condition of our education property portfolio.

SUPPORTING DOCUMENTATION

Appendices:

1. CYPT Capital investment programme for 2012/2013
2. Summary of allocation of funding streams in Section 3 of this report
3. Proposed Structural Maintenance programme

Documents in Members' Rooms

1. None

Background Documents

1. None