

Written statement of a key decision
Leader of the Council (Section 9E)

Title	Brookfield Special School Capital Improvement Programme
Decision maker	Leader of the Council (Section 9E) Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	28 April 2020
Report exemption class	Open
Reason for being a key decision	<p>This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.</p>
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	<p>To approve expenditure on Brookfield Special School (Brookfield) to ensure that there is high quality sustainable special educational accommodation for children and young people with social emotional and mental health (SEMH) special needs in Herefordshire.</p> <p>The Brookfield improvement project seeks to achieve; better school buildings compliance with DfE building bulletin 104 for special educational needs settings, more robust fire evacuation buildings compliance, the release of a council owned split site facility at Symonds Street, the capacity to deliver the full statutory curriculum at Brookfield, and improved accommodation for girls with SEMH</p>

	<p>needs. This will ensure that there is high quality sustainable educational accommodation for children and young people with SEMH special needs in Herefordshire. This report seeks cabinet agreement to draw down the funding allocated in the capital programme to progress the project to completion, in line with the business plan at Appendix 1.</p>
<p>Decision</p>	<p>That:</p> <ul style="list-style-type: none"> (a) The Council undertakes the programme of capital improvements to the Brookfield Special School as described in the business plan (Appendix 1) be completed within a budget of £3.939m (b) Delegated responsibility for award of procurement contracts for the lifecycle of the project, informed by methodology advised by the council procurement team is given to the Director for Children and Families, to be recorded as officer decisions accordingly. (c) The Assistant Director Education Development and Skills be authorised to take all operational decisions necessary to implement the above (d) Authority be delegated to the Director of Economy and Place for finalising and completing all necessary deeds of surrender, agreements, new lease terms and regrant of the leases to both the Brookfield School and the Greyhound Rugby Football Club
<p>Reason for the decision</p>	<p>As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mglIssueHistoryHome.aspx?IId=50032937</p>
<p>Options considered</p>	<p>1. The cabinet could decide not to agree the use of the funds listed in the capital programme. The advantage to this would be that there would be no requirement for prudential borrowing in order to provide the bulk of the total funding required. This amount totals £3,090,000. The disadvantage of this decision would be that the very modest amount of government grant left available and allocated to the project at Brookfield i.e. £849,000, would only be able to realise a small percentage of the priority improvements proposed; the provision of female toilets for pupils, the upgrade of the internal stairwells to full fire compliance, and an external fire escape to the first floor of the secondary block. It would not be possible to move the Arrow cohort from the very poor accommodation in Symonds Street into a purpose built vocational block on the Brookfield site, nor provide a sports hall, or any compliant sized classrooms for the secondary setting. It is proposed that this is not the chosen decision, as not to proceed with the full programme would impede significant improvement to the education of the SEND pupils offered a place at the school. A likely consequence of the lack of capital investment in Brookfield would be an increase</p>

	<p>in the commissioning of places for Herefordshire children out of county, which would be costly (putting the high needs funding block at risk of entering deficit), and incur greater travel time to and from school for some Herefordshire pupils.</p> <p>2. The cabinet could choose not to give delegated authority to the award of procurement contracts to the Director for Children and Families following the advice of the procurement team. There is no obvious advantage to this decision, and the disadvantage would be that procurement may not be completed in the most cost efficient or best value way. It is proposed that this is not the chosen decision, in order to enable consistency of procurement approaches, and the meeting of project deadlines.</p> <p>3. The cabinet may decide not to grant delegated powers for operational decisions within the lifecycle of the project to the Assistant Director of Education Development and Skills as project sponsor, with associated records of officer decision as governance thereafter. The advantage to this would be to impose higher levels of governance to the project gateways. The disadvantage would be to lengthen the project timeline, potentially imposing inflationary cost increases. In addition, this would negate the described role of the sponsor and project board in the corporate project management approach. It is proposed that this is not the chosen decision, in order to take the project forward to time, and within budget.</p> <p>4. The cabinet may decide not to award delegated responsibility to the Director for Economy and Place for the finalising of new leases for the Greyhound Rugby Club and the Brookfield School. There is no obvious advantage to this decision, and the disadvantage would be a delay to the lease agreements that will allow the project to proceed to the benefit of both parties, and a timeline lag that would potentially lead to cost increases.</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	4 May 2020

Councillor: Leader of the Council (Councillor David Hitchiner)	Date 28 April 2020
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted.