

Decision maker:	Director for children's wellbeing
Decision date:	Wednesday 18 October 2017
Title of report:	Capital contribution towards new hall at Kimbolton, St James CE Primary School
Report by:	Sufficiency, Planning and Capital Investment Manager

Classification

Open

Decision type

Non-key

Wards affected

Leominster North & Rural;

Purpose and summary

To approve the expenditure of basic need funding as a contribution towards the provision of a new school hall at Kimbolton St James' CE Primary School.

Recommendation(s)

That:

- (a) **a contribution, not exceeding £75k, be made to Kimbolton St James' CE Primary School towards the provision of a new hall, in line with the council's Schools Capital Investment Strategy.**

Alternative options

1. **No funding contribution is made and the hall is not built.** The school would continue to be without a hall and would not be compliant in terms of space within the building and

would not be able to offer the children a suitable space to eat their school dinners, undertake PE or come together as a school for worship.

2. **No funding contribution is made.** The school would have to source additional funding to enable the scheme to progress. This could be by way of fundraising, which would delay the creation of a much needed space, or by taking out a loan. The repayment of the loan would result in a reduction in available resources for the school.
3. **Funding is made available from a different funding source to the basic need.** As a voluntary aided school, the only other funding stream available is LCVAP (LA Co-ordinated Voluntary Aided Programme) maintenance. However, an allocation of £63k has already been made from this funding source for this scheme as determined by the Cabinet member contracts and assets in a meeting on 30 June 2017 (<http://hc-modgov:9070/ieDecisionDetails.aspx?ID=4643>). No further funding can be allocated from this source as it is fully committed for this financial year.

Key considerations

4. Kimbolton St James' CE Primary School is a voluntary aided school located in the north of Herefordshire and is currently rated Good by Ofsted. The school is a half form entry school with a planned admission number of 15 pupils a year, which has been steadily increasing over the last four years.
5. The school does not have a dedicated hall. They currently use the village hall for performances and some PE lessons, however this involves walking along a main road that has a single track pavement in places and has been widely condemned as dangerous. For this reason, they rarely use the facility and when they do, they need to ensure additional supervision. In line with the council's Schools Capital Investment Strategy (SCIS) principles, the council supports the school in its provision of a dedicated hall; addressing one of the suitability / compliance issues in terms of space.
6. There are a variety of funding streams to support capital works in schools. The national schools funding formula means all schools receive a relatively small devolved capital allocation to support minor maintenance or improvement works. Schools may convert revenue budgets to capital to assist with these works. Bigger maintenance schemes are funded through a central maintenance grant awarded to the council for maintained schools, via the condition improvement fund from the Education Funding Agency for academies / free schools and LCVAP grant for voluntary aided schools. The council also receives a basic need grant, which is available for all schools and is to be used to create additional pupil places where there is demand.
7. Schools have the opportunity to write and request funding and other support from the council towards school improvement works. Given that the scheme at Kimbolton met a number of the principles of the SCIS, mainly suitability and compliance, the school had secured the majority of the funding from their own internal budgets and other sources and the scheme was ready to progress, the school was put forward as a priority scheme for funding approval.
8. The school has explored various options to bring a hall to its site and thinking creatively, keeping costs and quality in mind, have found a suitable building structure that is more cost effective than bricks and mortar. They have applied for and obtained planning permission and appointed a private consultant to act as project manager and oversee the project. In accordance with council procurement rules, the project manager put the work

out to tender, obtaining three competitive quotes and secured a contractor who has agreed to work for a fixed price.

9. The building will be located to the side of the main school and on the same site, which is owned by the diocese. The hall will be added to the assets of the school and therefore all responsibility for insurance, ongoing running costs and maintenance will lie with the school.

Community impact

10. Kimbolton St James' CE Primary School is highly valued by the local and surrounding community. It provides high quality education for its children and supports the council's Corporate Plan priority and Children and Young People's Plan objective of keeping children and young people safe and giving them a great start in life.
11. The decision supports the council's Schools Capital Investment Strategy that recognises the important contribution a high quality education brings to the lives of children, the wellbeing of residents and to future economic prosperity.
12. The creation of a dedicated hall space on the school site will eliminate the safety issues encountered when children are walking to the village hall, as this route will no longer be required.
13. The health and safety policy of the school will be amended to incorporate the new hall, which will come into effect once the build is complete. The build site will be separated from the main school by heras fencing, during which time any health and safety issues will also be the responsibility of the school as they are the client under the CDM (Construction, Design and Management) Regulations.

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes. The new building will be fully compliant with disability legislation and support improved accessibility.

Resource implications

16. The total cost for the hall build has been estimated at £290k. Funding has already been secured from the Diocese (£52k), LCVAP (£63k), schools devolved formula capital (£80k) and the school PTA (£20k). A further £75k from the council's basic need fund is required to complete the scheme. LCVAP is only available to aided schools and the schools have to apply to the Education Skills and Funding Agency to claim it. The council is responsible for coordinating how the funds should be allocated against local needs and priorities.
17. The governors are aware that they will have to pay VAT on professional fees and some elements of the building cost, however as the hall itself is a separate building from the main body of the school, the structure itself will be VAT exempt. Given that the building will be completed at a fixed price, governors have accepted responsibility for any overspend incurred on the build.
18. The new hall will result in savings for the school as it will no longer have to hire the village hall, however this will be offset by additional heating and maintenance costs. The extent of the differential is not known, however the school is prepared to cover any extra costs incurred as a result of the new build, as it will result in more time being available for children to undertake PE, performances and for the school to come together for worship.

Legal implications

19. If the tender process has been followed correctly, this spend should be agreed.

Risk management

20. There is a risk that the scheme costs more than the budget allocated. The governors have already accepted this as a risk and have agreed to cover any overspend. The school is also prepared to take out a short-term loan to cover any additional costs, should it be required.

Consultees

21. The head teacher and governors of Kimbolton St James' CE Primary School are managing the scheme, so have been involved from the start and are aware of the financial risks involved.
22. A LCVAP group with diocesan and arch-diocesan representatives meet at least termly. They have approved the programme of LCVAP expenditure.
23. A capital strategy consultative group, with a number of head teachers, diocesan and arch-diocesan representation and council property services officers meet at least termly. The outline proposals were agreed as a constructive way forward for the use of the grants.
24. The local ward member has been consulted and is in support of the scheme.

Appendices

None.

Background papers

None identified.