

Record of officer decision

Decision title:	To approve the expenditure of £65,041 towards academy conversion dilapidation costs at Eastnor CE Primary School from school capital maintenance funding
Date of decision:	29 March 2019
Decision maker:	Interim Education & Capital Manager
Authority for delegated decision:	The authority for the specified officer to take this decision is set out in the cabinet report approved 28 June 2018 (http://hc-modgov:9070/ieDecisionDetails.aspx?ID=5189)
Ward:	Ledbury South
Consultation:	None
Decision made:	Agreement to: <ul style="list-style-type: none"> • Approve up to £65,041 of maintenance at Eastnor CE Primary School • Fund the works from the existing school capital maintenance budget
Reasons for decision:	<p>Eastnor is a popular and successful school with a current Ofsted rating of Outstanding. The school occupies premises that are leased from the Eastnor Castle's Estate Company and wished to convert to become an academy school. In doing so the lease between Herefordshire Council and the Eastnor Estate would terminate and a new lease will be formed between the new academy trust and the Eastnor Estate. As with all terminations of leases of this kind, there is a requirement for dilapidation works to be done so the buildings are up to a standard at the point of their return.</p> <p>The list of dilapidations has been agreed and the split of funding between the school and council has been negotiated, including accessing legal advice, with a final settlement figure agreed by all parties.</p> <p>An amount of funding for Eastnor academy conversion was included in the approved schools planned maintenance programme 2018/19 for dilapidation works.</p> <p>The additional costs required to cover the amount of dilapidation works agreed will be added to the maintenance programme for 2018/19 and funded from the contingency within the existing school capital maintenance budget.</p>

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>The cost of the dilapidation work is £95,041 including professional and associated fees. This will be funded from the planned maintenance programme and the contingency within the school capital maintenance budget.</p> <p>The works will be funded from:</p> <table border="1" data-bbox="651 427 1262 577"> <tr> <td>School contribution</td> <td>£30,000</td> </tr> <tr> <td>Planned maintenance</td> <td>£48,000</td> </tr> <tr> <td>Maintenance contingency</td> <td>£17,041</td> </tr> <tr> <td>Total</td> <td>£95,041</td> </tr> </table> <p>Impact on maintenance contingency:</p> <table border="1" data-bbox="651 663 1262 813"> <tr> <td>Contingency at start of year</td> <td>£193k</td> </tr> <tr> <td>Spend to date</td> <td>£150k</td> </tr> <tr> <td>Eastnor dilapidations</td> <td>£17,041</td> </tr> <tr> <td>Remaining contingency</td> <td>£25,959</td> </tr> </table> <p>There are no risks with this work as the final settlement figure and split of costs has been negotiated and agreed by all parties including taking legal advice.</p>	School contribution	£30,000	Planned maintenance	£48,000	Maintenance contingency	£17,041	Total	£95,041	Contingency at start of year	£193k	Spend to date	£150k	Eastnor dilapidations	£17,041	Remaining contingency	£25,959
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<p>Details of any alternative options considered and rejected:</p>	<p>Do not pay anything towards the dilapidation costs. This is not recommended as there are some items included in the schedule of dilapidations that fall within the responsibility of the council to address and pay for.</p> <p>Pay a smaller amount. The school were unwilling to increase their allocation above £30k and therefore continuing with a lower contribution from the council would have resulted in pursuing the arbitration route which neither party wished to follow as it would have been both costly and time consuming for all involved.</p>																
<p>Details of any declarations of interest made:</p>	<p>None</p>																

Signed:

Date: 29 March 2019