

## **Cabinet – 24 October 2012**

### **Education Capital Programme – 2012/13 – Further schemes**

**Portfolio:** Councillor Rachel Andrew, Children's Services  
Councillor Adrian Andrew, Regeneration

**Service:** Walsall Children's Services, Serco

**Wards:** All

**Key decision:** Yes

**Forward plan:** Yes

#### **1. Summary**

- 1.1 The report sets out schemes from the Education Asset Management Plan for approval. In order to support the raising of educational attainment and achievement, these projects will provide improved learning environments for Walsall pupils and are part of the continued and significant investment in the buildings of Walsall schools.
- 1.2 Details of schemes previously approved by Cabinet will be made available to Members in the group rooms. In order to reflect the actual tender costs and final account figures for schemes previously approved by Cabinet, the opportunity has been taken to re-profile funding allocations across the whole programme to ensure that the whole programme of schemes is deliverable within available funding allocations.

#### **2. Recommendations**

- 2.1 That Cabinet approves the schemes and budgets set out in **Appendix A** of this report – including permission to seek tenders and appoint contractors to undertake the work identified.
- 2.2 That Cabinet delegates to the Executive Director for Children's Services in consultation with the relevant Portfolio holder authority to award contracts (including authorising execution/signature of the contract and ancillary documents) to the most suitable contractors having regard to Best Value for the works/services as set out.
- 2.3 That Cabinet approves the option to use an appropriate form of procurement and contracting arrangements determined by the head of Property Services to provide the most efficient and value for money means of delivering the projects. This shall include consideration of traditional procurement and EU compliant frameworks available to local authorities.

### **3. Report detail**

- 3.1 The Education Capital Programme is made up of grant and borrowing powers from Government, Section 106 contributions and capital receipts. Capital schemes funded from the programme usually include a contribution from schools, from their Devolved Formula Capital [DFC] or revenue budgets. All government grants and borrowing powers and much of Section 106 contributions and capital receipts are ring-fenced to education use. Some money is ring-fenced to one phase or one type of accommodation and some targeted for projects at specific schools.

Opportunities to bid for additional funds sometimes occur and Walsall has been successful in drawing down significant additional capital funding for its school buildings.

Priorities for recommendation to Cabinet are made using the following priorities: health and safety; condition, suitability and sufficiency of the building; basic need; standards; opportunity to combine funding; deprivation; pupil number forecasts; parental preferences; deliverability; opportunities for changes to school status; access; and security.

With the exception of health and safety, these priorities are not in order of importance and usually a combination of a number of priorities result in schemes being recommended for funding.

These priorities have been agreed by Cabinet and the Department for Education (DfE) in the past through approval of the Education Asset Management Plan Statement of Priorities.

The aim of the education capital programme is to contribute to the delivery of the Local Authority's vision for education in nursery, primary, secondary and special schools; the raising of standards and opportunities of all Walsall pupils; anticipated changes in school population and curriculum needs; and delivering the Council's landlord duties in community and voluntary controlled schools.

To ensure that recommendations on the use of Education Capital complement the strategies of other Council developments, Property Services colleagues have always been consulted on the content of Education Capital Cabinet reports.

It was agreed by the Corporate Property Board in October 2009 that the recommendations to be made on the use of education capital be discussed at the Board. This suggestion was made to ensure that capital investment being recommended for school property is linked to Partnership and Council priorities.

Whilst all schemes recommended to Cabinet for approval are based on the best information currently available, it is possible that external factors may mean that the proposed works will need to be reviewed in the future.

The government has reduced the amount of Devolved Formula Capital distributed to schools. In addition, there may be changes of status in schools that affect how they access capital resources. Any of these may affect the appropriateness or viability of schemes.

Any proposed changes to schemes recommended will be brought back to Cabinet.

- 3.2 Information from Property Services identified a high priority scheme, at Pool Hayes Primary School, to replace the hot water cylinder and associated modification of hot and cold water system as legionella prevention works. The estimated cost of the works is £40,000. During a recent Ofsted inspection at Delves Junior School, the inspectors were critical of the learning environments in relation to natural daylight, acoustics and ventilation. As a result the school have funded a project to rectify these issues. Part of the works involved a rewire of the teaching areas concerned to enable the main works to proceed. The completed cost of the scheme is expected to be in the region of £125,000 to which it is recommended that £30,000 is contributed from the Education Capital Maintenance budget towards the rewiring work.

#### **4. Council priorities**

The schemes will contribute to an improved learning environment for Walsall pupils, their families and the wider community.

#### **5. Risk management**

Construction programmes are at risk of delays that might affect the timescales and cost of projects and these may require adjustments to the programme. These risks will be managed as far as is practicable on an ongoing basis.

#### **6. Financial implications**

- 6.1 Walsall has been advised of capital allocations for the 2012/13 financial year only although the DfE has confirmed that there is no spend deadline on this funding. Further schemes will be brought forward for consideration by Cabinet when details are finalised.
- 6.2 Every effort is being made to maximise the use of capital resources to secure the greatest benefit for the Borough and Walsall is on track to spend all allocations within the spend periods. Slippage figures include funding provided through grants for which the spend period is the academic year rather than the financial year.
- 6.3 Other than in exceptional circumstances, schemes detailed in this report are funded in partnership with schools in order to maximise the number of schemes that can be taken forward. Such a partnership approach also takes account of capital resources made available to schools by the DfE through devolved formula capital (DFC). School DFC allocations for 2012/13 are at the same level as the previous year but these are significantly reduced to approximately 20% of those for years prior to 2011/12. In view of this, school contributions will not be at the same level as previous years. These contributions are negotiated on an individual basis by Walsall Children's Services – Serco, and are detailed in

**Appendix A** of this report. Any individual schemes where school contributions are not yet finalised will be reported to a future Cabinet meeting.

- 6.4 The majority of schemes are to be managed by Walsall Council Property Services who will ensure compliance with all Walsall Council Finance and Contract Rules. For Schemes at Voluntary Aided schools, the trustees of the individual schools are responsible for ensuring compliance with the DfE contractual and financial requirements.

## **7. Legal implications**

- 7.1 The majority of schemes identified in this report will be managed through Walsall Council Property Services and they will ensure that all statutory obligations in relation to the schemes are adhered to. These issues include building regulations, planning approvals, Disability Discrimination Act (DDA) and Construction Design and Management Regulations (CDM). This is in addition to ensuring compliance with Walsall Council Financial and Contract Rules and compliance with the European regime and regulations covering the procurement of goods, services and contracts of work.
- 7.2 Schemes funded through the Local Education Authority Controlled Voluntary Aided Programme (LCVAP) will be managed by the trustees of the individual schools. The responsibility for complying with the legislation detailed in paragraph 4.2.1 will, in accordance with the provisions of paragraph 3 to Schedule 3 of the Schools Standards and Framework Act 1998 (which was amended by the Regulatory Reform (Voluntary Aided Schools Liabilities and Funding) (England) Order 2002), be that of the trustees of those schools.

## **8. Property implications**

The property implications are as listed in the report detail.

## **9. Staffing implications**

There are no direct implications as a result of this report.

## **10. Equality implications**

The proposed schemes would result in improved learning environments for pupils and families in Walsall schools.

## **11. Consultation**

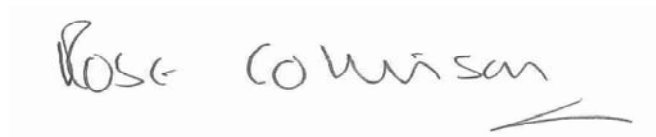
Relevant stakeholders including schools, Diocesan Authorities and Foundation representatives, as appropriate. Walsall Council: Property Services, Transforming Learning and Children's Services Finance.

## Background papers

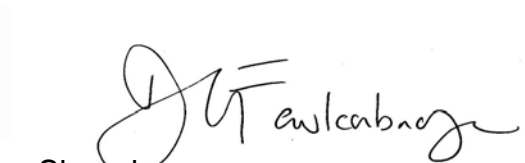
Education Asset Management Plan

### Author

Melanie Harmitt  
Head of Service  
Walsall Children's Services, Serco  
☎ 01922 686285  
✉ [melanie.harmitt@walsallcs.serco.com](mailto:melanie.harmitt@walsallcs.serco.com)



Signed:  
Interim Director Children's Services  
Date: 15 October 2012



Signed:  
Managing Director, Walsall Children's  
Services, Serco: Denise Faulconbridge  
Date: 11 October 2012



Signed:  
Portfolio Holder: Councillor R Andrew  
Date: 15 October 2012

<b>Capital Maintenance</b>				<b>2012/13</b>
<b>Allocation</b>				<b>£ 3,530,556</b>
<b>2011/12 Carry Forward</b>				<b>£ 536,000</b>
<b>Commitments</b>				<b>£ 1,271,774</b>
<b>Balance Remaining</b>				<b>£ 2,794,782</b>
<b>School</b>	<b>Project</b>	<b>Project Cost £</b>	<b>School Contribution £</b>	<b>2012/13 Allocation £</b>
Delves Junior	Internal alterations to teaching spaces and associated rewiring works	£ 125,000	£ 95,000	£ 30,000
Pool Hayes Primary	Legionella works	£ 40,000	£ 5,000	£ 35,000
<b>Total</b>				<b>£ 65,000</b>
<b>Balance Available</b>				<b>£ 2,729,782</b>