



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Children, Young People and Education
LEAD OFFICERS:	Strategic Director of Children & Education (DCS)
DATE:	Thursday, 11 January 2024

PORTFOLIO/S AFFECTED:	Children, Young People and Education
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	Y

SUBJECT: Schools Capital Programme 2023-2024

1. EXECUTIVE SUMMARY

To present for consideration and approval the capital programme for Schools and Education for 2023-2024 academic year as detailed within this report.

2. RECOMMENDATIONS

That the Executive Board:

- 1: Approves the attached list of projects as detailed in Appendix 2 for inclusion in the 2023-2024 Schools and Education capital programme funded from School Condition Allocation and Devolved Formula Capital.
- 2: Approves the variations to the 2022/2023 capital programme for schemes across both Audley Infants and Audley Junior Schools and Meadowhead Infants and Junior Schools.
- 3: Delegates authority to the Strategic Director of Children's & Education in consultation with the Executive Member for Children, Young People and Education to undertake the procurement for the works in accordance with the Contracts & Procurement Procedure Rules in the Council's Constitution.
- 4: Subject to (4) below, approves expenditure to be incurred on individual projects, in line with the Council's Financial Procedure Rules.
- 5: Agrees that projects proposed to be funded from s106 Agreements will not commence until funding under those agreements has been received by the Council.
- 6: Notes that reports will be provided for the Executive Member detailing any variations/amendments to programmes of work and seeking necessary approvals where these are required to ensure compliance with financial instructions and the Constitution.

3. BACKGROUND

The Council receives capital funding from Government to meet the responsibilities placed upon it by the Education Acts and the School Standards and Framework Act.

Schools Condition Funding – Local Authorities are given an annual funding allocation for Community Controlled and Voluntary Controlled school buildings. This funding is targeted in the first instance at concerns relating to the condition of school buildings as highlighted through individual school's asset management plans. Funding can however also be used to make environmental improvements that will enhance teaching and learning spaces and can also be used to address schools' capacity issues.

Schools Basic Need Funding - this is allocated to LA's based on pupil projection forecasts to specifically support demands for increased capacity for school places. The funding can be used to fund and/or part fund an increase in the capacity of school places at maintained schools, free schools and academies.

4. KEY ISSUES & RISKS

The Schools and Education capital programme is driven by capital priorities raised from the Condition, Suitability and Sufficiency sections of individual school's asset management plans (AMP's), which are inclusive of information derived from compliance condition/audit reports e.g. asbestos surveys, legionella reports. In addition, the boroughs information on pupil place sufficiency is used to understand the demand for any required school place growth. As set out in the authority's scheme of financial delegation for schools, the Council retains the responsibility for "capital" improvements valued over £10,000 in all schools.

The budgets which will be available in 2023 - 2024 academic year for capital improvement works in the authority's schools (Appendix 1), can be categorised into 2 areas:-

1. Directly Managed

Projects, irrespective of whether internally or externally funded, that are managed by officers from Blackburn with Darwen's Building Consultancy Team.

2. Indirectly Managed

In all cases, officers keep an overview on the individual projects in partnership with other parties i.e. Diocesan Authorities, Academy Trusts.

Details of the proposed new capital programme and associated costs for 2023-2024 academic year are contained in Appendix 1.

In respect of maintained local authority schools (Community & Voluntary Controlled Schools), the School Condition Allocation (SCA) and Devolved Formula Capital (DFC) are £1,317,302 and £217,477 respectively.

In addition, a carry forward of £15,110,935 from the 2022 - 2023 financial period brings the total available budget to £16,645,714.

The capital programme compiled for 2023 - 2024 (Appendix 1) reflects needs in schools, which have been identified through each school's AMP (Asset Management Plan). In line with previous years, schools benefiting from the programme will be expected to contribute to any capital works from either Devolved Formula Capital (DFC), or school reserves. A contribution is required to ensure that the School Condition Allocation funding is spread as far as possible and used in schools that have a commitment to working in partnership with the Council to improve their school buildings. Typically, schools are asked to contribute 10% of the total cost of the scheme. However, for those schemes that are of a high value (where a 10% contribution would be greater than the amount a school is able to

retain and/or the school has no other means of funding), schools will be asked to contribute up to 3 years' worth of their allocated Devolved Formula Capital (DFC).

An allocation of £100k from the 2023 - 2024 Schools Condition Allocation is proposed to address any unforeseen emergency works, including those that compromise health & safety and/or safeguarding regulations. Any works not on the initial planned programme that require urgent attention and funding through this contingency will be reported retrospectively to the Executive board.

5. POLICY IMPLICATIONS

The Council has responsibility to ensure that all allocated funding for maintained sector schools is used in accordance with the associated grant terms and conditions.

Performance Implications

The capital programme, made up of individual projects, will be closely monitored against agreed performance indicators representing measures of quality, cost and timescale.

6. FINANCIAL IMPLICATIONS

Existing live capital programme schemes are detailed in Appendix 2 (table a)

The proposed capital programme for the Schools and Education portfolio for the 2022– 2023 academic year, as well as variations to existing schemes, are detailed in Appendix 2 (table b).

The carried forward figure of £15,110,935 includes £3,948,000 in relation to s106 commuted sums, elements of which are due to be received from developers over the next three years. These schemes will not commence until funding under the Agreement has been received by the Council. Indeed, if these monies are not received within the expected timeframes the financing for the schemes they are supporting will need to be reviewed.

7. LEGAL IMPLICATIONS

The report has been compiled with regard to the Council's Constitution, in particular the Financial Procedure Rules and the Contracts & Procurement Procedure Rules. All procurement and contract activity in connection with this programme must be carried out in accordance with the relevant parts of the constitution and legislation.

All contracts prepared in relation to the programme must be in conjunction with Legal Services/CAPS team.

8. RESOURCE IMPLICATIONS

Resource requirements for managing and coordinating the capital programme will be met from within Schools and Education senior leadership team, alongside a funded service agreement with Councils Construction and Facilities Team.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

All schools who are eligible for funding through the LA's schools capital programme are asked annually to submit their asset management plans which detail required/requested works.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION: 1

CONTACT OFFICER:	Carol Grimshaw, Head of Service, Schools System Support Sara Malone, Pupils Place Planning Coordinator
DATE:	7 December 2023
BACKGROUND PAPER:	Appendix 1 – Schools and Education Capital Budgets Appendix 2 - Schools and Education Capital Programme