Report to:	STRATEGIC PLANNING AND CAPITAL MONITORING PANEL		
Date:	11 March 2019		
Reporting Officer:	Jayne Traverse – Director of Growth		
Subject:	EDUCATION CAPITAL PROGRAMME		
Report Summary:	This report advises members of the Panel on the latest position with the delivery of the Council's Education Capital Programme and seeks the recommendation of various approvals as set out in the report.		
Recommendations:	 That the contents of the report and the updates on the Basic Need Funding and School Condition Allocation Funding schemes be noted. That approval of the proposed changes to the Education Capital Programme as outlined in Appendix 1 (Basic Need Funding Schemes) and Appendix 2 (School Condition Allocation Funding Schemes) be recommended to Executive Cabinet. That the RAG status of the Basic Need projects be noted and particular attention be given to those rated as high risk to ensure appropriate actions are being taken. That the Section 106 requests set out in paragraph's 3.9 and 3.10 be recommended to Executive Cabinet for approval. 		
Corporate Plan:	The proposals contained in this report will support the delivery of the community strategy.		
Policy Implications:	In line with approved policy.		
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	Basic Need Grant The council has £11,352,574 of Basic Need Funding available to spend in 2018/19. This is a balance of unspent grant from previous years- the Council did not receive any allocation in 2018/19. Notification has been received of an additional allocation of £4,800,000 for 2019/20 and nil for 2020/21.		
(Authorised by the statutory Section 151 Officer & Chief Finance	The council has £11,352,574 of Basic Need Funding available to spend in 2018/19. This is a balance of unspent grant from previous years- the Council did not receive any allocation in 2018/19. Notification has been received of an additional allocation		

	anticipated that further schemes will slip into 2019/20 when the next Capital Monitoring is completed.
	A detailed review of all earmarked schemes in 2018/19 continues to be undertaken and it is anticipated that resource will be identified from other earmarked schemes where costs are now expected to be less than budgeted. The allocation of 2018/19 School Condition funding must be spent within the financial year to which it relates otherwise there is a risk that the amount will need to be returned to government.
Legal Implications:	It is a statutory requirement for the Council to set a balanced
(Authorised by the Borough Solicitor)	budget. It is important that the capital expenditure position is regularly monitored to ensure we are maintaining a balanced budget and to ensure that the priorities of the Council are being delivered and achieving value for money.
	The Council has clear duties under the education legislation to ensure its schools are properly maintained and fit for purpose to ensure the best possible environment within which to study and develop. This includes ensuring allocated monies are spent appropriately where and when required to avoid a possible challenge to these duties. It is really important that the Council produces a strategic estates strategy for it schools and there is a clear understanding where places are to demonstrate we are meeting our statutory duties.
	The council has a strategic procurement arrangement in place with the LEP and in the first instance must go through the schedule 3 arrangements or any other appropriate mechanism under the contract to secure delivery of the projects to ensure building and price risk properly managed by the LEP who are required to secure a vfm judgment on each project. Should the LEP not be able to deliver the projects and advise the Council in accordance with the tight timescales set out under the contract then the Council will need to seek alternative arrangements in line with procurement rules and the Council's own financial arrangements.
Risk Management:	Risk management is addressed within the body of the report.
Background Information:	The background papers can be obtained from Andrea Wright, Capital Projects Lead:
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1. INTRODUCTION

- 1.1 This report provides an update on the latest position with the Council's Education Capital Programme 2018/19 and seeks recommendation for approval of various proposals in line with Council priorities.
- 1.2 The Council's powers to provide and maintain educational facilities are set out in the Education Act 1996. The Council also has a statutory duty under Section 14 of the Education Act 1996, to secure sufficient and suitable places for pupils in primary and secondary schools in its area.
- 1.3 The Government allocates funding for school buildings under a number of categories, the three main ones are described in Section 2 of this report.
- 1.4 Strategic Planning and Capital Monitoring Panel (SPCMP) is requested to note the content of the report and the updates on the Basic Need Funding and School Condition Allocation Funding schemes as outlined in the report and at **Appendix 1 and 2.**

2. FUNDING AND FINANCIAL POSITION

2.1 The government allocates ring fenced capital grant funding for school buildings under the following main categories:

Basic Need Funding

- 2.2 Basic Need Funding is allocated to each local authority to create new places in schools.
- 2.3 The table below sets out the amount of Basic Need Funding held by the Council, allocated in prior years, which is available to spend in 2018/19:

Basic Need Funding	Amount £
Basic Need funding available to spend in 2018/19	£11,352,574
Earmarked Schemes for 2018/19	£2,413,831
Earmarked Schemes for 2019/20	£7,538,000
Unallocated as at 31 January 2019	£1,400,743

- 2.4 On 5 October 2017, the Government announced that the 2019/20 allocation of Basic Need Funding for Tameside Council would be £4,800,000.
- 2.5 On 29 May 2018, the Government announced the 2020/21 allocation of Basic Need Funding and Tameside Council received no further allocation.
- 2.6 The balance of the Basic Need funding is profiled to be spent during the next year in order to deliver the required additional school places by September 2019.

School Condition Allocation (SCA) Funding

- 2.7 This grant is allocated for the maintenance of school buildings. The funding is part formulaic (based on pupil numbers) and part reflecting recent condition surveys conducted by the Education and Skills Funding Agency (ESFA).
- 2.8 The table below sets out the amount of School Condition Allocation available to spend in 2018/19 and current allocations. Schemes earmarked against this funding currently exceed available funding by £203,613. It is anticipated however that some schemes will slip into 2019/20, due to the delays with the delivery of the 2018/19 programme. The schemes carried forward will then be funded from next year's allocation.

School Condition Allocation (SCA) Funding	Amount £
SCA funding available to spend in 2018/19	£2,558,849
Earmarked for schemes for 2018/19	£1,898,061
Earmarked for schemes for 2019/20	£864,402
Over-allocated as at 31 January 2019	-203,613

Devolved Formula Capital (DFC) Funding

2.9 Devolved Formula Capital is direct funding for individual schools to maintain their buildings and fund small scale capital projects. It is calculated on a formulaic basis, using the school census dataset, and schools make their own individual arrangements for schemes. DFC funding available in Tameside in 2018/19 is £373,073 for Maintained Local Authority and £187,670 for Voluntary Aided schools.

3. **PROGRAMME UPDATE**

Programme Delays

- 3.1 The majority of the Council's Education Capital Programme is procured through the Tameside Investment Partnership (LEP). The LEP previously engaged Carillion as their main sub-contractor. There have been unavoidable delays to the programme following the liquidation of Carillion on 15 January 2018. Robertson was subsequently appointed as a replacement on 30 July 2018. This meant there was little time to tender, mobilise and carry out schemes over the 2018 summer school holidays.
- 3.2 Alternative delivery options have been progressed where appropriate for a limited number of schemes especially where they related to urgent health and safety works or to provide necessary school places that were required for September 2018. These were procured through the Council's Engineering and Disabled Adaptations teams and via other third-party arrangements.
- 3.3 Contingency plans have also been developed, in partnership with schools, to ensure there is minimal disruption to learning where it is evident that schemes cannot be delivered within the timescales we had available. Schools have been particularly understanding in these instances to engage in identifying and agreeing pragmatic contingency measures.
- 3.4 There were several planned schemes to replace school heating systems that were unable to start over the 2018 summer holidays. These schemes are hugely intrusive and cannot be carried out at weekends/after school as the heating systems need to be drained. The next opportunity to carry out these works is either at Easter and Whit 2019 (which may mean providing additional temporary heating) or over summer 2019. Discussions are continuing with the schools involved but all these schemes will, of necessity, slip into the 2019/20 financial year.

Basic Need Funded Schemes 2018/19

- 3.5 The current focus of the Council's Basic Need programme is to create additional places in secondary schools where forecasts have indicated a requirement.
- 3.6 Work is currently on-going to ensure that sufficient places are available in both Primary and Secondary Schools for September 2019 following previous Council decisions. A summary of the major schemes in the programme is set out below:

a) Aldwyn and Hawthorns

This scheme increases capacity at Aldwyn School from a 45-pupil intake to 60 and includes a two-classroom extension at Hawthorns School. There have been significant delays to the project because of the procurement requirement for a Building Schools for

the Future type contract. This caused significant delays and was on the point of resolution when Carillion entered liquidation.

Two temporary modular classrooms have been provided to accommodate additional pupils from September 2017 and September 2018 while the LEP, through its new delivery partner Robertson, finalises arrangements to complete the scheme for September 2019. Limited works to relocate the Hawthorns staffroom and so create an additional classroom were carried out over the summer 2018 break.

Revised costs were agreed by Panel at its last meeting and we are nearing a conclusion on the legal issues which should see works recommence in the spring. If the works cannot be completed by September 2019 there is further risk in the schools not being able to accommodate the pupils – a third mobile classroom may be required for a short period but this approach will only be taken as a last resort.

RAG Status: RED

b) St John's CE Dukinfield

The scheme provides a two-classroom extension, increasing the school's intake from 30 to 45. Agreement was reached with the school on a contingency plan to reconfigure the use of the existing facilities to accommodate the September 2018 intake.

The LEP, through Robertson, are working to complete the design and tender stages. Unfortunately there is insufficient time available to complete the works before September 2019. All available spaces in the school are currently used including a small classroom immediately adjacent to the proposed extension. It is therefore proposed to add a two-classroom mobile classroom block before September 2019 and through to Easter 2020 when all the works will be completed on the permanent extension. This is likely to incur costs of around £150,000.

Following a meeting with all parties on 15 February 2019 a new high-level budget estimate has been provided by Robertson. This is greater than the original estimate provided by Carillion as that contained no allowance for temporary haul roads and parking or removal of contaminated ground and other fees. It is proposed to increase the high-level budget allocation for this scheme by £200,000 including a client contingency of £82,000. It is anticipated that the work packages will be tendered before Easter after which a detailed report showing actual costs will be submitted to panel.

RAG Status: RED

c) Alder Community High School

The works will increase pupil intake from 155 to 180 and are being procured through Pyramid Schools (now known as Albany), a PFI Special Purpose Vehicle (SPV). Significant internal alterations were carried out over the summer break and completed by September 2018 to enable the first year of the larger admission number to be accommodated.

Final costs have now been identified to construct a four-classroom extension. These costs were agreed at the last meeting of the Panel and the works were ordered from the SPV on 30 August 2018.

Following this an emerging risk was identified over the financial stability of Interserve. and on this basis discussions are ongoing with the SPV to identify an alternative contractor.

A further issue has been raised by the SPV in relation to the procurement arrangements for this work. Discussions are ongoing with the SPV to obtain greater clarity on their legal position. It should be noted that the additional pupils have been allocated to the

school from September 2019 so it is of the utmost importance that these works are completed by then.

RAG Status: RED

d) Hyde Community College

The scheme increases the school's intake from 210 to 240 and is being delivered by Amber Infrastructure, a PFI Special Purpose Vehicle. Work on the internal alterations commenced in August 2018 and will be completed over future school holidays.

Discussions between Robertson, the new FM contractor, the school and the SPV have now taken place and a scope and programme of works to convert the former construction shed into classrooms has now been agreed.

One of the serious issues for the school is the provision of lunches for eventually 150 extra pupils. Existing space is at a premium and so, subject to planning permission, the intention is to add an external canopy and seating to provide additional covered spaces for lunchtimes.

RAG Status: GREEN

e) Mossley Hollins High School

The scheme increased the school's intake from 156 to 180 and a new four-classroom modular building was erected over the summer break and ready for occupation in time for the new school year.

The next phase is the remodelling of an internal space in the main school to create an additional food technology room and science lab from an under-used technical classroom. Proposed costs will be reported to a future meeting of the Panel. This isn't what was originally agreed by SCMP or Cabinet – this is now what school is asking for so I think we need to reflect that somehow. The agreed works were to remodel the DT classroom into 2 classrooms.

RAG Status: GREEN

f) Rayner Stephens High School

The scheme aims to increase the school's intake from 150 to 180 places. A further review of the proposed works is required because of additional complexities recently discovered including the need for significant asbestos removal. It is therefore unlikely that work will commence before summer 2019. A further report will be presented at a future meeting.

RAG Status: AMBER

g) Audenshaw School

Discussions have taken place with Audenshaw School to carry out internal remodelling so the school can offer additional places from September 2020 if the schools' recent consultation to close the sixth form provision at the school is agreed by the Education and Skills Funding Agency. The school previously operated a sixth form and some remodelling of this area is proposed to create additional classrooms. Additional specialist laboratory space is also required. An up to date CAD survey of the school has been undertaken to assist in the process (£10,628) and these costs are included in **Appendix 1**.

RAG Status: GREEN

h) Denton Community College

Discussions are underway to provide additional temporary accommodation at Denton Community College from September 2019. This is likely to take the form of a new temporary six-classroom block, an additional four-classroom block including new science accommodation along with significant internal remodelling of the school to create additional teaching spaces. It is proposed to allocate £100,000 for initial scoping and design costs. A further report will be presented at the next meeting.

RAG Status: GREEN

- 3.7 Virements and approval within approved budgets under £100,000 are approved under delegated authority in accordance with the Council's Constitution.
- **3.8 Appendix 1** provides a financial update with details of Basic Need funding projects over £100k, previously approved, including proposed changes to scheme funding.

Section 106 Capital Scheme Request

- 3.9 In 2010 a S106 agreement was struck with Taylor Wimpey over their proposals to redevelop the former Senior Service site in Dukinfield for housing (planning application 10/00788/FUL refers). The Council received £69,480 as a contribution to additional school places. Following a review of local primary school places it was determined to expand the nearby Yew Tree Primary School to increase pupils from 60 to 75 pupils in each year across the school. These extra classrooms were built at a cost of £469,449 and completed in December 2015.
- 3.10 Unfortunately no formal decision has been made previously to allocate the S106 contribution from Taylor Wimpey. It is therefore recommended that this contribution of £69,480 be allocated towards the costs of the scheme which were funded through the Basic Need budget.

School Condition Allocation (SCA) Schemes 2018/19

- 3.11 SCA schemes have been adversely affected by the delays caused by Carillion's liquidation schemes planned to take place during summer 2018 had to be postponed because the appointment of Robertson came too late to allow mobilisation. Many of the works are particularly intrusive on heating systems which makes it very difficult to carry out while the school is in session and for this reason they have been reprogrammed to take place over Easter, Whit and the summer 2019 school holidays.
- 3.12 A contingency budget of £150,000 has previously been approved for urgent work required given the age and condition of the Council's schools estate.
- 3.13 **Appendix 2** provides a financial update with details of School Condition Allocation funded projects over £100k, previously approved, including proposed changes to scheme funding. The amounts earmarked against available funding currently exceed the funding available by £203,613 although some of these schemes will slip into 2019/20, due to the delays with the delivery of the 2018/19 programme, and will be funded from next year's allocation.
- 3.14 Updates on some of the larger schemes are given as follows:

a) St Anne's Primary School Denton

As the works to completely re-roof the school draw to a close we are due to move on to resurface the school playground. An opportunity has also arisen to extend the school's tiny playground into a disused former side road at the rear of the school which has been disused since the building of the M67. The playground at the school is the smallest in the borough and the school has no grass pitch so every inch of additional space will improve matters for the pupils. Subject to obtaining planning permission it is recommended that a further £25,000 is allocated to this scheme for these additional works. Slight delays in completing the roofing works, due to bad weather in December, will mean that the playground works are unlikely to take place until Easter. It is

recommended that \pounds 50,000 of the existing budget along with the additional amount of \pounds 25,000 amount be re-profiled into 2019/20.

b) Russell Scott Primary School

Council engineers have been undertaking remedial works at the school following a major remodelling and extension of Russell Scott School:

These have focused on:

- 1. The school's external areas. The final phase of this work will involve specialist works to renew sports pitches. This is currently being tendered and a further report will be brought to the next meeting.
- 2. Works in the school itself. Issues have been identified following the appointment of independent architects and mechanical and electrical consultants. Costs should be available for the next meeting of the Panel following a tender process. Once the costs are known further engagement with all parties will be required to devise a realistic programme for undertaking the works.

c) St Thomas More Roper Block extension

The extension to the Roper block was completed over summer 2018. The extension has allowed the school to replace four extremely dilapidated mobile classrooms with large permanent classrooms fit for modern teaching and learning. The old mobiles have been demolished and the area laid to lawn.

d) Gorse Hall Heat Emitter Replacement

This project was scheduled for 2018 which was delayed by Carillion's liquidation. The scheme will now be tendered in early March and it is hoped to carry out the works in two phases – at Easter and Whit 2019.

e) Millbrook Heating System Failure

Problems with the underground pipework meant that the school was completely without heating. Emergency works took place over summer 2018 to create a new gas supply to, and fit a new boiler and heaters for the nursery building. Because of time limitations the final part of the works, to replace the heat emitters in the main school, could not be completed over the summer holidays. It is now hoped to carry out this work over Easter and Whit. This will mean that £51,510 of the original £116,000 budget will need to be re-profiled into 2019/20

f) Condition Surveys

A Condition Survey of all schools is now being progressed, via the LEP, to provide accurate and up to date information on school condition and inform better targeting of increasingly scarce capital resources in an open and transparent manner. We are awaiting a final cost and programme to carry out the work. It is likely the budget will need to be slipped to 2019/20. This will form the basis of an updated Education Capital Asset Management Plan.

4. PROCUREMENT AND ADDED VALUE

- 4.1 In accordance with Council policy, most capital projects are procured through the Tameside Investment Partnership (LEP) subject to a price for un-costed risks being agreed prior to the contract being let or work agreed. Alterations to PFI schools are procured through the PFI contracts.
- 4.2 In addition to a fixed price and scope being provided, the LEP has a responsibility to confirm to the Council that value for money is being delivered, either through tendering or benchmarking using independent review on the larger projects. The LEP has also committed to delivering added value in the form of using local supply chains and providing apprenticeships and work experience opportunities.

- 4.3 Following the Council's Executive Cabinet decision on 20 June 2018 to review the current arrangements with the LEP by 31 July 2019, there will be a need to ensure that a longer term sustainable solution for the delivery of the Education Capital Programme forms part of the consideration of the review.
- 4.4 Some smaller schemes are procured directly through the Council's Engineering Design & Delivery and Disabled Adaptation teams or through the Tameside Works First initiative for local businesses.
- 4.5 Capital projects at voluntary aided schools are generally procured directly by the relevant diocese as they own the buildings.

5. RISK MANAGEMENT

- 5.1 The specific risks, associated with each of the projects, have been identified in the main section of the report.
- 5.2 The majority of the Council's Education Capital Programme is procured through the Tameside Investment Partnership (LEP). The LEP previously engaged Carillion as their main sub-contractor. There have been unavoidable delays to the programme following the liquidation of Carillion on 15 January 2018. Robertson was subsequently appointed as a replacement on 30 July 2018. This meant there was little time to tender, mobilise and carry out schemes over the 2018 summer school holidays. Contingency plans continue to be developed, in partnership with schools, to ensure there is minimal disruption to learning where it is evident that schemes cannot be delivered within the timescales available.
- 5.3 Lack of capacity within teams, specifically for project management continues to be a challenge. Although plans are in place to recruit to additional posts and secure interim capacity. This is continued to contribute to delay. The risks, specifically in relation to expansion schemes, identified in the main section of the report are significant.
- 5.4 Inflation in the building industry is also a more significant risk than previously experienced and larger schemes will be most affected. Early scoping and pricing of the works will mitigate against this and enable projects to be delivered in a timely and cost-effective manner.

6. **RECOMMENDATIONS**

6.1 As set out at the front of the report.

Basic Need Funding Schemes - Financial Update

The table below provides details of Basic Need funded projects, previously approved, including requirements for additional funding.

BASIC NEED SCHEMES	Existing Scheme Budget 18/19	Under-spend/ Reprofiling request at P9	2018/19 Budget following re- profile
Aldwyn Primary Additional Accommodation	1,475,188	(1,000,000)	475,188
Alder Community High School	1,168,015	(718,000)	450,015
Hyde Community College	1,025,000	(525,000)	500,000
Mossley Hollins	1,081,000	(331,000)	750,000
Audenshaw High School	0	0	0
Denton Community College	0	0	0
St John's CE Dukinfield	0	55,000	55,000
St John's CE Dukinfield – Temporary accommodation	0	0	0
Alder Buy Out Fitness Centre	0		0
Rayner Stephens Community High School	5,000	(3,000)	2,000
Other Schemes Individually below £100k	196,628	(15,000)	181,628
Total	4,950,831	(2,537,000)	2,413,831

BASIC NEED SCHEMES	2018/19 Budget following re-profile	2019/20 Budget	Proposed Changes	Total Scheme Budget
Aldwyn Primary Additional Accommodation	475,188	2,228,000	0	2,703,188
Alder Community High School	450,015	1,464,000	300,000	2,214,015
Hyde Community College	500,000	1,246,000	0	1,746,000
Mossley Hollins	750,000	331,000	0	1,081,000
Audenshaw High School	0	0	100,000	100,000
Denton Community College	0	0	100,000	100,000
St John's CE Dukinfield	55,000	736,000	200,000	991,000
St John's CEDukinfield – Temporary accommodation	0	0	150,000	150,000
Alder Buy Out Fitness Centre	0	495,000	(300,000)	195,000
Rayner Stephens Community High School	2,000	473,000	0	475,000
Other Schemes Individually below £100k	181,628	15,000	0	196,628
Total	2,413,831	6,988,000	550,000	9,951,831

School Condition Allocation Schemes - Financial Update

The table below provides details of School Condition Allocation funded projects over £100k, previously approved, including requirements for additional funding. The amounts earmarked against available funding currently exceed the funding available by £203,613 although it is anticipated that some of these schemes will need to slip into 2019/20 and will be funded from next year's allocation.

SCHOOL CONDITION SCHEMES	Existing Scheme Budget	Reprofiling requested at P9	2018/19 Budget following re- profile
St Anne's Primary School Denton Roof Replacement Phase 1	546,981	(60,000)	486,981
Russell Scott Primary Capital Programme	264,075	0	264,075
Russell Scott Primary- External Works	110,075	0	110,075
St Thomas Moore Roper Block Extension	200,000	0	200,000
Gorse Hall Heat Emitters	0	0	0
1819 Contingency	94,523	0	94,523
Greenside Heat Emitter	0	0	0
Millbrook Heating System Failure	116,000	(50,000)	66,000
1819 Condition Surveys	100,000	0	100,000
Other Schemes Individually below £100k	883,407	(307,000)	576,407
Total	2,315,061	(417,000)	1,898,061

SCHOOL CONDITION SCHEMES	2018/19 Budget following re-profile	2019/20 Budget	Proposed Changes	Total Scheme Budget
St Anne's Primary School Denton				
Roof Replacement Phase 1	486,981	60,000	0	546,981
Russell Scott Primary Capital				
Programme	264,075	0	0	264,075
Russell Scott Primary- External				
Works	110,075	0	0	110,075
St Thomas Moore Roper Block				
Extension	200,000	0	0	200,000
Gorse Hall Heat Emitters	0	178,000	0	178,000
1819 Contingency	94,523	0	0	94,523
Greenside Heat Emitter	0	0	0	0
Millbrook Heating System Failure	66,000	50,000	0	116,000
1819 Condition Surveys	100,000	0	0	100,000
Other Schemes Individually below				
£100k	576,407	489,000	87,402	1,152,809
Total	1,898,061	777,000	87,402	2,762,463