

# North Somerset Council

## Report to the Executive

**Date of Meeting: 21 June 2023**

**Subject of Report: Approval of Commissioning Plan for delivering an expansion to the buildings at Clevedon School to meet local place needs**

**Town or Parish: Clevedon**

**Officer/Member Presenting: Cllr Gibbons - Deputy Leader of the Council and Executive Member for Children's Services, Families and Life-long Learning  
and  
Cllr Waite - Executive Member for Climate, Waste and Sustainability**

**Key Decision: Yes**

**Reason: The expenditure is in excess of £500,000**

## Recommendations

- It is recommended that this commissioning plan for delivering an expansion to the buildings at Clevedon School to meet local place needs be approved.
- That the capital Programme project for Clevedon School KCS217 be re-based to align with the funding sources as detailed.

## 1. Summary of Report

The Council has been awarded a basic need grant in the 2023/24 financial year and 2025/6 financial year specifically to enable deficits in the accommodation requirements available to Clevedon School for its current pupil population to be rectified. This report seeks approval to progress the procurement and award of contract processes to enable an extension to the buildings at Clevedon School to be progressed including design and build element and associated external professional services.

## 2. Policy

Basic Need allocations are paid to local authorities, pursuant to section 31(3) and 31(4) of the Local Government Act 2003 and may be used in accordance with regulations made under section 11 of the Local Government Act 2003. The grant aims to support the capital requirement for providing new school places – by expanding existing maintained schools, free schools or academies, and by establishing new schools. This is un-ringfenced capital funding that is not time-bound so that local authorities can make the best decisions for their local area.

A local authority should seek to ensure funding paid out under this grant is spent efficiently and it must thoroughly evaluate all procurement options for school projects – including the DfE construction frameworks and output specification – to demonstrate value for money. A local authority should encourage academy trusts and other responsible bodies to do the same, should they procure a construction project directly.

A local authority may be required to provide such information as reasonably requested by the Secretary of State, relating to expenditure on school places and the procurement options appraisal conducted.

### **3. Details**

Children's Services receive Basic Need grant funding from the DfE if our pupil places projection returns, submitted to them annually, show a deficit of places that require significant capital resources to resolve. The allocations are to be used at North Somerset schools regardless of their status to assist the Council in fulfilling its statutory duty to secure sufficient school places for its residents.

The Council will receive a total basic need grant allocation of £6,694,758 in the 2023/24 financial year of which the DfE has specifically identified £2,865,010.78 in the 2023/24 financial year to pay for increases in accommodation at Clevedon School. The DfE's funding assessment determined that the site shows a shortfall of c 127 school places when assessed against their 1,200 11-16 aged places plus 200-place 6<sup>th</sup> form. This Basic Need allocation for the 2023-24 financial year has been based upon the projected need for new places to be in place by September 2024 (the start of academic year 2024/25).

A further allocation of £1,441,812 will be made available in the 2025/26 financial year where the DfE have shown that a further 41 places will be required by the start of the 2026/27 school year and have allocated a further £977,725 for this.

To date a feasibility study of the site has been undertaken to look at ways of adapting and extending the existing accommodation to better provide for the anticipated pupil numbers. The study comprised of a variety of drawings illustrating the existing accommodation and options for extension. Issues identified against the DfE's capacity tool BB103 include:

- In the general teaching areas, there are 12 classrooms which are well undersized, some of these being as much as 20% below the indicated minima.
- All but a few of the specialist teaching areas are undersized. Arts, Drama, Music and specialist technology teaching are well undersized, making it difficult to accommodate the required group sizes and exacerbating health and safety issues.
- There is a substantial shortfall of space in the total of learning resource areas.
- The school shows an excess of office and administrative spaces, but these are set in small rooms which are not suitable as teaching spaces.
- Some of the specialist teaching areas are not fit-for-purpose. In particular the Music rooms, which are housed in an old portable building, do not have adequate acoustic performance or sound insulation. There are insufficient practice rooms.
- The Design and Technology block has narrow circulation spaces set on different levels making general, and especially disabled, access difficult to a number of areas. The CAD CAM area is formed within a circulation area which is hazardous and wholly inappropriate.
- The library provision is well under sized.
- The provision of hall space is inadequate, even allowing that the fixed stage area should be included.

- The overall provision of WCs is in-adequate, with only 63 of the required 70 required facilities.
- The lack of covered circulation spaces, highlighted by the shortfall in area for this element, creates obvious problems during inclement weather. This is exacerbated by the need to place lockers outside. Many of the corridors are less than the minimum width recommended of 1.8m.

There is insufficient space for dining and the dedicated space that is provided is open to the hall. The noise from food preparation in the kitchen severely compromises the use of the hall and learning in that space.

The school has been keen to utilise this funding opportunity to create a Dance and Drama Theatre that can also be used by the public outside of school hours. Whilst this would allow for the redesignation of rooms currently used for this curriculum delivery, in reality they are in poor condition and may only have up to 10 years of serviceable life remaining. Also, the space for a new Performing Arts Centre suitable for public use is likely to be 55m<sup>2</sup> larger than needed by the school with an anticipated cost that could exceed the budget available. Within the constraints of this funding allocation this cannot be an agreed way forward for this project and would not present value for money.

In working in partnership with the school, their academy trust, Futura Learning Trust, have agreed to allocate a further £650,000 to the overall budget.

### **Contract Structure**

The main build contract value is estimated to be circa £3.74M and the contract term is 38 weeks.

We will also be appointing cost consultants and employer's agent through a framework with an estimated value of £75k.

### **Outline timeline**

An outline timetable of key milestones is detailed below:

<b>Approval of Commissioning Plan</b>	<b>June 2023</b>
<b>Approval of Procurement Plan</b>	July 2023
<b>Market testing</b>	June 2023
<b>Completion of Tender Documents</b>	July 2023
<b>Tender issued</b>	August 2023
<b>Tender submissions due in</b>	September 2023
<b>Tender Evaluation</b>	September 2023
<b>Award of Contract (Director's Decision)</b>	October 2023
<b>Contract Commences</b>	November 2023
<b>Project Completion</b>	September 2024

## **3. Consultation**

Clevedon School and their Multi-Academy Trusts (the Clevedon Learning Trust until 28 February 2023 and their successor, the Futura Learning Partnership, since 1 March 2023) have been consulted about the changes required at Clevedon School. They have been fully engaged with the RIBA stages 1 and 2 processes.

The CYPS Policy & Scrutiny Panel considered a report that included this scheme at their meeting on 20 October 2022 - <https://n-somerset.moderngov.co.uk/documents/s3948/9%20Schools%20Capital%20Programme.pdf>

#### 4. Financial Implications

The basic need allocation is a grant from the DfE designed to meet school place demand needs.

##### Costs

The design and construction costs are estimated to be in the region of circa £3.74M. The professional services and other associated costs are estimated to be in the region of circa £250k and risk provision of circa £500k. The total costs are therefore expected to be £4.5m.

##### Funding

The Basic Need grant allocation for the 2023/24 financial year includes an allocation of £2,865,010 to create c127 new physical places at Clevedon School and a further grant of £977,725 for an additional c41 places.

In addition, Futura Learning Trust, have agreed to allocate a further £650,000 to the overall budget.

This provides a **total budget allocation of £4,492,735**.

	Current Approved Budget as per 8 Feb 2023 Exec		Revised Funding - June 2023		Changes
	DFE Basic Need	DFE Basic Need	External Contributions	Revised Funding	
	£	£	£	£	£
2023/2024	2,865,011	2,865,011	0	2,865,011	0
2024/2025	2,500,000	977,724	650,000	1,627,724	-872,276
<b>TOTAL PROJECT</b>	<b>5,365,011</b>	<b>3,842,735</b>	<b>650,000</b>	<b>4,492,735</b>	<b>-872,276</b>

This report seeks approval for the changes to the funding: -

- A reduction of grant funding, from the estimated 24/25 amount of £1,522,276 to align with actual funds allocated, and
- A new funding of £650,000 external contribution added to the Council's capital programme.

## **5. Legal Powers and Implications**

Section 14 of the Education Act 1996 provides Local Authorities (LAs) with a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas.

The School Standards and Framework Act 1998 sets out how Local Authorities should exercise their statutory duties to secure primary and secondary education to meet the needs of the population in their area. The Education and Inspection Act 2006 enhanced the role of Local Authorities, making them strategic commissioners of services with a mandate to promote high standards for all and greater choice and diversity.

The Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 requires Local authorities to consider and respond appropriately to parental representations about school provision in relation to local authorities' functions under Section 14 of the Education Act 1996. Local Authorities must reasonably consider parental representations regarding the provision of schools and respond accordingly, including outlining any proposed action or, where it is considered, action is not needed, to explain the reasons for this.

The Education Act 2011 maintains the role of Local Authorities as the strategic commissioner of services but provides greater autonomy of education provision by the encouragement of the establishment of academies, free schools, studio schools and Enterprise Colleges that are independent of the Local Authority. The Act gives Local Authorities 'a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, co-ordinating fair admissions, promoting social justice by supporting vulnerable children, and challenging schools which fail to improve.'

The contract value is below the Public Contract Regulations 2015 Works threshold; however, the procurement will follow best practice and be in line the Council's Contract Standing Orders.

The funding changes are within the Constitution limits for section 4.35

Increases or changes to capital schemes are permissible subject to the funding impacts being identified and subject to the following limitations:

•changes to the capital budget of between £1,000,000 and £5,000,000 shall be decided by **Executive**;

## **6. Climate Change and Environmental Implications**

The Council is committed to becoming carbon neutral by 2030. Ensuring that young people within Clevedon are able to attend their local school assists with this commitment.

The development of the site will have climate change and environmental implications, if the proposal is delivered, including a potential overall increase in carbon emissions compared to current use. The Environmental impact of the proposed development will need to be considered within the planning applications to be submitted.

The DfE requires all schemes to be delivered using modern methods of construction that, meet the latest carbon reduction and energy efficiency requirements.

A Climate Emergency Risk Assessment will be carried out in relation to the project, in line

with the Council’s Climate Emergency Procurement Policy, to identify risks and means to minimise and mitigate them. Further information will be provided within the Procurement Plan.

## 7. Risk Management

Initial risks and mitigations are provided below.

Risk	Inherent Risk Score	Mitigation	Residual likelihood	Residual impact	Residual Risk Score
Failure to deliver service area expectations in relation to timescales	3	Ongoing service engagement around scope of work, and funding availability early supplier engagement	2	2	LOWMED
Maintaining operation of school during the works	3	Comprehensive site management, planning and communication with school	2	2	LOW
Project coming in over budget	4	Commissioning of Employers Agent to ensure cost management. Avoidance of scope creep. Design to budget. Risk understanding and pricing.	2	2	LOWMED
Abnormals and unknown ground conditions and services.	4	Detailed survey work during scheme design to understand existing conditions. Suitable contingency risk assessed.	3	3	MED

## 8. Equality Implications

Have you undertaken an Equality Impact Assessment? **Yes**

The EIA did not highlight any risks to particular groups and overall has a positive impact.

## 9. Corporate Implications

The Corporate Plan 2020-24 has a vision for openness, fairness and a green environment. In terms of the priority of a council which empowers and cares about people, this proposal seeks to priorities of

- An approach which enables young people and adults to lead independent and fulfilling lives.
- A focus on taking inequalities, improving outcomes.
- A collaborative way of working with partners and families to support children achieve their full potential.
- Partnerships which enhance skills, learning and employment opportunities

## **10. Options Considered**

To not use the basic need funds allocated to support Clevedon School on this setting, but on other increases in demand across the district. Our latest allocations of school places saw the Council meeting 99.1% of preferences for secondary school places school allocation process. Clevedon School is full with first preference requests as at the 1 March 2023 national school place offer date.

The options available on the site to deliver the scheme have been reviewed as follows:

- Option 1: Devise an upgrade scheme that rectifies the insufficient spaces across the whole school through a series of small expansions and reconfigurations.
- Option 2: Build a new classroom block and reconfigure other elements to create more usable spaces.
- Option 3: Build a new arts, music and drama block (the areas shown specifically to be deficient and close to end of life) and re-use these spaces as general teaching areas with some reconfiguration of other inadequate areas as can be afforded.

It has been decided to progress with option 3.

### **Author:**

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### **Appendices:**

None

### **Background Papers:**

1. Delegated authority to S151 to approve Commissioning and Procurement Plans  
[Committee Report NSC \(moderngov.co.uk\)](#)
2. CYPS Scrutiny Papers October 2022  
<https://n-somerset.moderngov.co.uk/documents/s3948/9%20Schools%20Capital%20Programme.pdf>
3. Capital Strategy 2023\_2028 - Executive 08 February 2023  
[Capital Strategy 2023 2028 and Capital Budget for 202324 Agenda item 16.pdf](#)