

TRAFFORD COUNCIL

DELEGATED EXECUTIVE MEMBER DECISION REPORT

Report to: Deputy Leader of the Council and Executive Member for Children's Services
Date: 21 March 2023
Report for: Decision
Report of: Corporate Director, Children's Services

Report Title

Education Capital Maintenance Report 2023/24 – Part I

Summary

This report highlights the Council's further investment plans in the Education portfolio for the 2023/24 financial year.

To support Trafford's corporate priority to support children out of poverty and to have the best start in life. Enabling pupils to thrive and achieve their educational outcomes through fit for purpose and high quality learning environments.

The Council also has a general duty under Section 2 of the Health and Safety at Work Act 1974 to provide a safe working environment and hence respond to condition issues, which have health and safety implications.

To support the achievement of this duty, and to meet any risks in relation to school conditions and access, the Council is awaiting DfE funding announcement but has assumed a similar level of DfE funding as in 2022/23 and hence has an indicative allocation of £2.477m for Capital Maintenance for 2023/24.

Recommendation(s)

A) That the Executive Member agree the proposals contained within this report as the detailed capital programme for 2023/24, specifically -

1. Agree to carry out condition and access work detailed in Appendix A: Proposed Capital Projects, Capital Maintenance Programme, Table 1

B) That the Executive Member approves, based on the urgency provisions, that this decision shall not be subject to the call in process.

Contact person for access to background papers and further information:

Name: Claire Fisher, Schools' Capital Projects Manager

Extension: 912 4558

Background Papers: None

Relationship to Corporate Priorities	To support children out of poverty and to have the best start in life
Relationship to GM Policy or Strategy Framework	Not applicable
Financial	The estimated capital cost of the schemes, now recommended for approval in Appendix A, is £2.970m which can be financed by capital grant from the DfE shown in Section 2.
Legal Implications:	The Council has statutory duties in relation to the provision of school and early education places. Building closures affect this duty.
Equality/Diversity Implications	Schools are subject to current legislation regarding Equality and Diversity. Capital Maintenance monies funds schemes to ensure Schools are DDA compliant.
Sustainability Implications	School buildings are procured requiring successful contractors to meet required sustainability criteria. Building improvements will reduce both energy usage and carbon emissions.
Carbon Reduction	Improving the quality of our School buildings helps to reduce energy and carbon consumption.
Resource Implications e.g. Staffing / ICT / Assets	School buildings are assets that need to be maintained
Risk Management Implications	Operational risk of buildings closing if capital maintenance works not undertaken
Health & Wellbeing Implications	The condition of School buildings affects the Health and Wellbeing of all staff and pupils.
Health and Safety Implications	All building work is subject to appropriate current Health and Safety/CDM regulations. Failure to respond to condition issues, which have health and safety implications, will find the Council in breach of the Health and Safety at Work Act.

1.0 Background

Condition Works

- 1.1 The Council's programme of asset management surveys has been used to identify, as a priority, any health and safety and condition issues that need to be addressed. As the majority of large capital maintenance works are carried out in summer school holidays it is necessary to seek approval for these schemes, so that the design, planning and tendering of these schemes can be carried out ready for schools to re-open in September 2023. The capital maintenance works form part of the Council's capital programme as set out in the Capital Strategy, Asset investment Strategy, Capital Programme and Prudential & Local Indicators Report 2023/26 which was approved by the Executive and by Full Council at their respective meetings on 15 February 2023.
- 1.2 Appendix A: Proposed Capital Projects, Table 1 sets out the general health and safety condition works deemed as the highest priority, and shows the sources of funding that will be used to meet the cost, which are summarised in 2. Financial Implications below. The estimated cost of each individual item is set out in Appendix A in Part 2 of this report.
- 1.3 There have been a number of emergency capital maintenance schemes that have required funds from the 2022-23 unallocated sum of £715k and savings on other schemes. They are outlined in the Appendix A: Proposed Capital Projects, Table 1a and total £20k.
- 1.4 In addition to the proposed works, there are significant condition issues within the Secondary sector and as such feasibility studies have been undertaken to develop a long term strategy for these schools. Additional support has been sought from Department of Education in order to support the outcome of the feasibility studies but has not been forthcoming. Bids to the DfE School Rebuild Programme were submitted in March 2022 for blocks within two Schools. In December 2022 the DfE announced that these two bids had been successful. We are awaiting further information from DfE with regards to the scope of works and timescales for these projects.

Energy Efficiency Allocation 2022-23

- 1.5 In December 2022, the DfE announced an additional capital allocation for schools. Each school was awarded a formulaic allocation of capital for prioritising projects that would improve energy efficiency. A total of £765k for our community, voluntary controlled and foundation schools.

2. Financial Implications

- 2.1 The projects proposed in this report are at the budget estimate stage and are yet to be fully costed. The estimated capital expenditure is £2.970m and can be financed from the following funding streams;

- Capital Maintenance Grant - £2.477m being from the indicative DfE grant for 2023/24 plus an unallocated balance of £715k carried forward from 2022/23 grant allocation.

3. Proposals

- 3.1 Following a thorough analysis of the options it is recommended to proceed with the following:
- a) Urgent health and safety works in order to keep schools open i.e. replacement roofs, replacement boilers, rewires, replacement windows and other urgent H&S works. Priorities are evidenced using schools' Asset Management Plan and local knowledge of the Schools. (See Appendix A: Proposed Capital Projects, for Community and Voluntary Controlled Schools)
 - b) The prospective schemes have been overseen by Education Buildings Group and were circulated on 1 March 2023.

4. Legal Position

- 4.1 The Council has a general responsibility for education under Section 13 and 13A of the Education Act 1996 to both contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education to meet the needs of the population of their area and to promote high standards and fulfilment of potential.
- 4.2 Under the Children and Families Act 2014 Section 27 the Council has a duty to keep education and care provision under review and consider the extent to which the provision is sufficient to meet the educational needs, training need and social care needs of the children and young people concerned.
- 4.3 In addition Section 42 of the Children and Families Act 2014 places a duty on the Council to secure special educational provision in accordance with a child's or young person's Education, Health and Care Plan.
- 4.4 The Council has a general duty under Section 2 of the Health and Safety at Work Act 1974 to provide a safe working environment and hence respond to condition issues, which have health and safety implications.

5. Other Options

- 5.1 The implications of not progressing with the capital maintenance schemes are that there will be health and safety issues for schools that could potentially close the schools for a period whilst urgent remedial works are undertaken.
- 5.2 The Capital Maintenance grant is not ring-fenced and could be used for other Council priorities; however it works towards meeting the Council's Corporate Priorities of "supporting children out of poverty and to have the best start in life".

6. Consultation

6.1 Consultation has been carried out with Amey Surveyors to draft a list of proposed projects. This process is overseen by the Education Buildings Group.

7. Urgency

7.1 A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

7.2 This report should be considered as 'urgent business' and the decision exempted from the 'call-in' process for the following reason(s) :-

- A decision subject to a call-in period would now run into the pre-election period which would negate the possibility of a call-in meeting before the elections on 4th May.
- The majority of large capital maintenance works are carried out in school summer holidays to avoid disruption to teaching and learning. It is necessary to seek approval for these schemes, so that the design, planning, tendering and undertaking of these schemes can be carried out ready for schools to re-open in September 2023.
- A published decision after the elections would not allow sufficient time for the works to be carried out in the summer holidays resulting in either the disruption of teaching and learning or the works being delayed which, as these are urgent health and safety works, could result in danger to users of the school buildings.

8. Reasons for Recommendation

8.1 To ensure compliance with the Council's statutory duties as highlighted in Section 4 – Legal Position.

8.2 To enhance educational facilities in Trafford schools for children and young people.

8.3 To support Trafford's corporate priority to support children out of poverty and to have the best start in life, by ensuring that pupils are able to thrive and achieve their educational outcomes through fit for purpose and high quality learning environments.

Key Decision: No

If Key Decision, has 28-day notice been given? N/A

Exempt Information

By virtue of Paragraphs 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by The Local Government (Access to Information) (Variation) Order, the following information has been excluded from Part 1 of this report and included in Part 2 of the report:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Finance Officer ClearanceMB.....

Legal Officer ClearanceTR.....

CORPORATE DIRECTOR'S SIGNATURE *(electronic)*



Jill McGregor
Corporate Director of Children's Services

To confirm that the Financial and Legal Implications have been considered and the Corporate Director has cleared the report prior to issuing to the Executive Member for decision.

Appendix A – Proposed Capital Projects

CAPITAL MAINTENANCE PROGRAMME – TABLE 1		£m
Allocation c/f from previous report		0.584
Savings / Overspends on 2022-23 schemes		0.131
2023-24 additional DfE allocation (indicative)		2.477
Total Allocation		3.192
School	Work	Estimated Cost £m
Lostock High	Building Fabric Repairs to undercroft	
Sale High	Building Fabric Repairs	
Stamford Park	Fabric Repairs to the High Level Dormers & Surrounding Brickwork to the Junior Hall Roof	
Wellfield Junior	Replacement of internal rainwater gutter to main roof	
Victoria Park Infants	Replacement Roof coverings	
St Matthews	Replacement mobile roof	
Woodheys	Replacement Roof coverings	
Delamere	Windows	
Seymour Park	Windows	
Stamford Park	Window - Ph 2	
Delamere	Drainage issues	
Woodhouse	Footpath – safeguarding issue through Nursery play	
Lostock High	A, B, C & D block boiler replacement	
Urmston Primary	Heating pipework - to go with boiler replacement from 22/23	
Navigation	BMS Outstation replacement	
Templemoor	Kitchen upgrade	
Egerton	Kitchen upgrade	
Willows	Kitchen AHU replacement	
Delamere	New replacement fire alarm system	
Woodheys	Provision of fire exit doors in 3 classrooms	
Various	LED lighting	
Schools Access - Top-up	Top up funding for any adaptations to comply with DDA.	
Healthy & Safety – Top-up	Top up an emergency fund for throughout the year	
		£m
Total Cost of schemes to be approved		2.970
Total Allocation Available		3.192
Balance still to allocate		0.222
Schools' Devolved Formula Capital contributions - not included in the costs above		

Table 1a - Emergency Capital Maintenance Schemes during 2023/24

School	Scheme	£m
Concrete Inspections	Further structural investigations for RAAC	0.020
	Total	0.020