
Decision Maker: EXECUTIVE

Date: Wednesday 30 March 2022

Decision Type: Non-Urgent Executive Key

Title: BASIC NEED PROGRAMME UPDATE

Contact Officer: Robert Bollen, Head of Strategic Place Planning
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Chief Officer: Director of Education

Ward: (All Wards);

1. Reason for report

This report provides an update on the capital schemes included within the Council's Basic Need Programme.

2. RECOMMENDATION(S)

- 2.1 That the Executive agrees the updated Basic Need Programme as set out in Appendix 3. subject to Full Council approval.
- 2.2 That the Executive agrees the allocation of an additional £981k of S106 allocations to projects within the Basic Need Capital Programme as outline in Appendix 2.
- 2.2 That Members note the additional SEND Provision Capital Funding allocation of £2,451k received during 2021/22 for improving and expanding SEN and Alternative provision.
- 2.3 That agreement be given that the schemes at Farnborough Primary School, Marian Vian Primary School (Phase 2) and St John's CE Primary School be brought forward to the Projects in Delivery (Funded) Programme, that the existing allocation to fund secondary bulge classes be maintained and that a new contingency fund be set aside to support additional specialist provision, should it be required for the Council to meet its statutory duty and that two new accessibility schemes at Bishop Justus and Chislehurst School for Girls (Appendix 1) be approved.

- 2.4 That where required funding be delegated to schools for local delivery subject to there being sufficient mechanisms in place to control expenditure and ensure delivery of outcomes.**
- 2.5 That the Executive notes that schools will be submitting planning applications in association with these works.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: This programme is currently benefitting local children and young people through providing an additional 1,680 temporary and 3,715 permanent schools places in both mainstream and specialist settings.
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Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Estimated Cost
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Educational Capital Programme
 4. Total current budget for this head: £96,562k
 5. Source of funding: DfE Basic Need Capital Grant, DfE SEND Provision Capital funding, DfE School Condition Allocations (SCA), S106 contributions
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Personnel

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
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Procurement

1. Summary of Procurement Implications: There are no procurement implications arising from this report. The procurement strategy for the Basic Need Capital Programme has been set out in previous reports.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Over 5,000 children and young people in Bromley schools
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

This report provides a progress update on the delivery of the Council's Basic Need Capital Programme over the past year.

- 3.2 The Council receives Basic Need Capital Grant from the DfE to support the delivery of sufficient school places, with a total of £80m so far allocated for 2011-2022. The Council has received no additional mainstream allocation for the years 2019-20 to 2020-21. The formula for allocation is based principally on projected population growth for children and young people aged 2-18.
- 3.3 In addition, the Council has now received a £6.9m SEN Provision Capital Funding allocation. These allocations are provided in addition to the Basic Need Capital Grant to support local authorities to provide new specialist placements and improve SEN facilities

Basic Need Allocations	
2011-12 allocation	£4,496,771
Autumn 2011 exceptional in-year allocation	£1,277,936
2012-13 allocation	£2,404,519
Spring 2021 exceptional in-year allocation	£1,590,436
2013-15 allocation	£9,968,079
2015-16 allocation	£20,635,153
2016-17 allocation	£21,666,911
2017-18 allocation	£8,837,573
2018-19 allocation	£6,895,846
2021-22 allocation	£2,237,466
Total Allocation To Date:	£80,010,690
SEND Provision Capital Funding	
2018-19 allocation	£865,510
2019-20 allocation	£865,510
2020-21 allocation	£865,510
Additional 2018-21 allocation (May '18)	£603,844
Additional 2018-21 allocation (Dec '18)	£1,207,688
2021-22 allocation	£2,450,780
Total Allocation To Date:	£6,858,842

- 3.3 The table above provides details of all the Basic Need Capital Grant and SEND Provision Capital Funding received by the Council.
- 3.4 In addition, the Basic Need capital programme also includes capital contributions from a range of other capital funding programmes including DfE School Condition Allocations (SCA) and Section 106 contributions. These are detailed in Section 6 of this report.
- 3.5 Appendix 1 provides an appraisal of new schemes being added to the Basic Need Programme.
- 3.6 Appendix 3 provides details of Section 106 funding being drawn down against schemes within the programme.
- 3.7 Appendix 3 provides details of the Basic Need Programme and the funding allocated for individual project. Projects are categorised as follows:

A Completed projects, including projects that are in defects and yet to reach Final Account.

- B Projects in Delivery (Funded) – schemes that are in the delivery phase, including projects under construction and in procurement, and have available funding allocated to them to allow delivery
- C Projects in Development (Unfunded) – schemes that are not an immediate priority and are therefore not fully funded, but are being delivered to a ‘shovel ready’ status

3.8 Design development of schemes not in the delivery phase (funded or unfunded) of the programme will continue, but schemes will not be brought forward until there is sufficient need and funding is available.

Recently Completed Schemes

3.9 Since the last Basic Need Update Report to the Executive in July 2018, the following schemes have been completed:

Bromley Beacon Academy - Orpington site (Phase 3)	Expansion and refurbishment of school accommodation for children with a diagnosis of Social Emotional and Mental Health (SEMH) need.
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Projects in Delivery (Funded)

3.10 The following schemes are being are currently in or being progressed to the Projects in Delivery (Funded) stage:

B1	Bishop Justus	Works to enhance hygiene facilities and accessibility to support child placed at school. Currently a number of options including a wider toilet refurbishment for which the school would contribute.
B2	Chislehurst School for Girls	Works to provide hygiene facilities and accessibility to support child placed at school.
B3	Farnborough Primary School	Council contribution of S106 monies towards school led scheme focussing on enhancements and re-providing specialist spaces rather than expansion.
B4	Marian Vian Primary School (Phase 1)	This scheme nearing completion provides a new drop off zone for the school and converts the former children and family centre into a nursery. The scheme is funded entirely by S106 contributions.
B5	Marian Vian Primary School (Phase 2)	S106 scheme to replace dilapidated year 6 accommodation block. S106 funded. Scheme delivery reliant on further expected S106 contributions.
B6	Nightingale (PRU)	Scheme has been on hold due to the review of Alternative Provision. Scope now broadened to include accommodation for Council's Home Hospital Tuition Service (HHTS) as well as Bromley Trust Academy Blenheim (BTAB).

B7	Oaklands Primary School	Minor capital works to set up new SEN resource provision from September 2022.
B8	Red Hill Primary Schools	This scheme involves carrying out remodelling and limited new build construction at the school to ensure that there is sufficient accommodation to admit 4FE in KS2, creating a guaranteed place KS2 for all pupils leaving Mead Road Infant School.
B9	St John's CE Primary School	S106 funded scheme. Design works and discussions ongoing with Aquinas Trust. Potential need for more school places in area in future years. Delivery of full scheme reliant on further expected S106 or trust contributions.
B10	Stewart Fleming Primary School	Phase 2 is now in defects and final account discussions underway following COVID delays. Phase 1(b) that involved the Phase 1 contractor returning to site to convert the temporary hall and kitchen servery required during the build phase into KS1 classes was completed during summer 2021.
B11	Secondary bulge classes	Allocation to support the Council meet its statutory duty for ensuring sufficient school places. Pressure is currently in NW Bromley and will continue until Harris Kent House opens.
B12	Specialist placement	Allocation to support the Council to ensure it has sufficient placements for children and young people with an EHCP through capital works

Projects in Development (Unfunded)

- 3.11 During 2021 Castlecombe Primary School and Dorset Road Infant School amalgamated to form Elmstead Wood Primary School following approval from the Regional Schools Commissioner (RSC). The disposal of the Dorset Road Infant School site, disposal process and use of funds was subject to a separate report approved by the Executive in November 2021.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

The Basic Need Capital Programme has added 1,680 temporary and 3,715 permanent school places in mainstream and specialist settings.

5. POLICY IMPLICATIONS

Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places, the quality of those places and their efficient organisation is a priority within the Council's strategy Making Bromley Even Better 2021-31; 'For children and young people to grow up, thrive and have the best life chances in families who flourish and are happy to call Bromley home.' In seeking best value in the delivery of school places this proposal will be the priority; 'To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.' The proposals contained within this report also contribute to key targets within the Children, Education and Families Portfolio Plan.

6. FINANCIAL IMPLICATIONS

- 6.1 The Council has been granted £86.9m in 100% Basic Need Capital Grant and SEND Provision Capital Funding for the financial years 2011-22 to meet the need for mainstream, specialist and alternative provision school places. The programme includes various transfers from other schemes to support the delivery of the Council's Basic Need Programme. Allocations have also been made to Basic Need to support other education capital schemes, resulting in a total current budget of £97.3m as shown in the table below.

	£'000s
Basic Need Allocation 2011-22	80,011
SEND Provision Capital Funding 2018-21	6,859
Total DfE mainstream and SEND place provision funding	86,870
Other funding streams	
Approved S106 allocations	8,704
Transfers from DfE Capital Maintenance Grant (SCA)	1,294
Transfer from Reconfiguration of Special Schools Scheme	113
DfE payment for Trinity CE Primary School MUGA	301
	10,412
Total Basic Need Budget	97,282
Transfer to Highway Capital Project	-650
Transfer to Beacon House Capital Project	-577
Transfer back from Highway Capital Project to Basic Need	113
Transfer back from Beacon House Capital Project to Basic Need	391
Transfer from Langley Park BSF Capital Project to Basic Need	3
New Basic Need Capital Programme	96,562

- 6.2 The table above sets out the Council's updated Basic Need Capital Programme including the SEND Provision Capital Funding and the addition of £981k additional S106 funding detailed in Appendix 2.
- 6.3 For the purposes of monitoring total Basic Need related expenditure, and to ensure that any underspends are returned to Basic Need, the £650k and £577k transfers to the Highway Primary Rebuild and Beacon House Refurbishment Schemes respectively have been added back into the list of projects, and the Section 106 funding removed and shown as other funding. £113k, £391k and £3k have been passed to Basic Need from the Highway, Beacon House and Langley Park School for Boys Capital Project respectively now that these schemes are closed.
- 6.4 To date, a total of £108.5m expenditure has been committed (completed schemes plus schemes in delivery). Funding of this is broken down as follows:-

	£'000
Expenditure committed	108,597
Funded by:	
Basic Need Grant	-79,995
SEND Capital Grant	-6,156
Other (including S106 and School contributions)	-22,446
Funding in balance	0

- 6.5 There are residual amounts remaining unspent of Basic Need and SEND capital that will be distributed in due course once projects progress.

7. LEGAL IMPLICATIONS

- 7.1 The distribution and application of monies received from Central Government is subject to guidance and advice from the Department for Education. Under Section 14 Education Act 1996 the Council have a statutory duty to ensure there enough primary and secondary school places are available to meet the need of pupils in its area.
- 7.2 Section 106 monies must be spent in accordance with the Education contribution clauses.

8. PROCUREMENT IMPLICATIONS

- 8.1 This report provides details on the funding allocations and priorities for the Council's Basic Need Programme. The procurement strategy, as set out in previous Executive reports, is not altered by the report.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	[Title of document and date]