

## Decision Report - Lead Member Decision

Forward Plan Reference: FP/23/11/01

Decision Date – 20 November 2023

Key Decision – yes



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### Education Build CIL Funding (Taunton)

Executive Member: Lead Member for Economic Development, Planning and Assets

Local Member(s) and Division: Comeytrove and Trull Division: Cllr Dawn Johnson and Cllr Habib Farbahi

Lead Officer: Kate Murdoch

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### Summary / Background

1. The Orchard Grove residential development is anticipated to yield a large number of primary age children thereby generating a requirement for a two form entry primary school with 420 primary pupil places and 60 pre-school children places. £7m of CIL funding has been allocated to Education Provision and it has been agreed that the entirety of this allocation will be used towards the creation of this school. £867,000 has already been passed to the Education Department to purchase the land on which this school will be located. This application has now been received requesting the release of the remaining £6,133,000.00 of the allocated Education Provision CIL funds to the Education department in instalments, as invoices are received, to enable the construction of the new primary school and keep borrowing to a minimum.

Link to decision to commission school: [Somerset County Council](#)

### Recommendations

2. The Lead Member for Economic Development, Planning and Assets agrees
  - to approve the allocation of the £6,133,000.00 to Education, Partnerships and Skills for the delivery of the Orchard Grove primary school at Comeytrove and funds will be released on receipt of invoices

## **Reasons for recommendations**

3. These CIL funds, allocated to Education Provision, were authorised by Full Council of Somerset West and Taunton in December 2020. This project is identified in the Somerset West and Taunton Infrastructure Delivery Plan and adopted Somerset West Local Plan (site allocations and development management plan). CIL funds of £867,000.00 have already enabled the purchase of the land for the school. The Education Department is now in a position to begin construction of the school and requires the remaining £6,133,000.00 to be made available for payment of invoices in conjunction with the construction. This will enable Somerset Council to keep the borrowing for the shortfall in funding to a minimum.

## **Other options considered**

4. This project has been identified as a CIL funded project since its inception.

## **Links to Council Vision, Business Plan and Medium-Term Financial Strategy**

5. This funding request relates to the provision of a new school which was a County Council responsibility, supported by the Corporate Strategies of the District Council. On 1 April 2023 the unitary authority Somerset Council was vested. This project is identified in the Somerset West and Taunton Infrastructure Delivery Plan and adopted former Taunton Deane Site Allocations and Management Plan which forms part of the Local Plan for Somerset West.

## **Financial and Risk Implications**

6. This scheme is fully funded by CIL collected and therefore there is no additional budget required from Somerset Council as a result of this report being approved.

## **Legal Implications**

None - The Education Authority are responsible for the construction of the school and all legal implications associated with this.

## **HR Implications**

7. None

## **Other Implications:**

## **Equalities Implications**

8. Equality Impact Assessment attached to this report.

## **Community Safety Implications**

9. None

## **Climate Change and Sustainability Implications**

10. This is the responsibility of the project team. However, we understand that this school is to be delivered to Passivhaus standards.

## **Health and Safety Implications**

11. This is the responsibility of the project team.

## **Health and Wellbeing Implications**

12. None

## **Social Value**

- Helping build community capacity and playing an active role in the local community, especially in those areas and communities with the greatest need

## **Scrutiny comments / recommendations:**

13. The proposed decision has not been considered by a Scrutiny Committee.

## **Background**

14. Please see Section 1

## Background Papers

### 15. Full Council Report dated 15 December 2020




#### Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	9 Aug 2023
Communications	Chris Palmer	7 Aug 2023
Finance & Procurement	Nicola Hix	11 Aug 2023
Workforce	Duncan Sharkey on behalf of Chris Squire	18 Aug 2023
Asset Management	Charlie Field on behalf of Oliver Woodhams	8 Aug 2023
Executive Director / Senior Manager	Paul Hickson / Mickey Green	17 Aug 2023 / 21 Sep 2023
Strategy & Performance	Alyn Jones	29 Aug 2023
Executive Lead Member	Cllrs Liz Leyshon / Ros Wyke	17 Aug 2023 / 15 Aug 2023

Consulted:	Councillor Name	
Local Division Members	Cllrs Habib Farbahi / Dawn Johnson	17 Sept 2023 / 7 Aug 2023
Opposition Spokesperson	Cllrs Mark Healey / Mandy Chilcott	22 Aug 2023 / 9 Aug 2023
Scrutiny Chair	Cllr Bob Filmer, Chair – Scrutiny Corporate and Resources Committee	8 Aug 2023

## Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or [www.somerset.gov.uk/impactassessment](http://www.somerset.gov.uk/impactassessment)

Organisation prepared for (mark as appropriate)	 <b>Somerset</b> Council		 <b>NHS</b> <b>Somerset</b>		 <b>NHS</b> <b>Somerset</b> NHS Foundation Trust	
Version	1		Date Completed	09/11/2023		
Description of what is being impact assessed						
<p>The Decision Paper contains details of the capital requirements relating to:</p> <ul style="list-style-type: none"> <li>• Schools Basic Need</li> <li>• Schools Condition</li> <li>• Schools Access Initiative (SAI)</li> <li>• Schools Safeguarding and Security</li> </ul> <p><b>Basic Need</b> Somerset continues to respond to the increasing demand for school places as the school age population in the county continues to rise. To ensure there are a sufficient number of school places, for all of Somerset’s children over the next 4 years, £191,913,900 of capital funding for Schools Basic Need is requested.</p> <p><b>Schools Condition</b> In addition to new places, schools must be maintained in an appropriate condition. In order to ensure an effective condition programme can be delivered on a priority basis, £17,600,000 of capital funding for Schools</p>						

Condition is requested.

**SAI**

The third key area is the Schools Access Initiative (SAI). The Local Authority has a duty make reasonable adjustments to schools to ensure children with disabilities and

physical and sensory impairments are able to access their local school.

To address the delivery of capital works and facilitate the purchase of assistive technology £2,800,000 of capital funding for SAI is requested.

### **Schools Safeguarding and Security**

In response to the increasing expectation on all schools to secure the perimeter of their sites and prevent unauthorised access and egress, the Local Authority is seeking to support its remaining maintained community schools to implement physical safeguarding measures. Cost £2,500,000

### **Evidence**

**What data/information have you used to assess how this policy/service might impact on protected groups?** Sources such as the [Office of National Statistics](#), [Somerset Intelligence Partnership](#), [Somerset's Joint Strategic Needs Analysis \(JSNA\)](#), Staff and/ or [area profiles](#), should be detailed here

Evidence and data is contained within individual business cases (attached as Appendices to the original decision).

The various bids impact on children and their families all across Somerset. Capital funding has been requested to ensure there are sufficient school places for local children.

Where sufficient school places cannot be delivered locally, this will impact on:

- Children – Having to travel longer distances, away from their local community, to access a school place
- Parents – Having to support their child(ren) to attend a school, or different schools, away from their local community
- Local Authority – Funding the significant cost of transporting those children placed at schools further than statutory walking distance. There is also likely to be an increase in School Admission Appeals and associated costs.
- Schools – Working with families whose parental preference has not been met, whose children are being educated away from their local community

Capital funding has been requested to ensure the physical condition of schools is appropriate and does not detract from teaching and learning.

Where the condition of schools is not adequate:



- Children – Having to learn in school buildings that are not conducive to effective learning. This will impact on attainment.
- Parents – Considering removing their child(ren) from poorly maintained schools, putting pressure on other local schools.

Capital funding has been requested to ensure that reasonable adjustments can be made to schools in order to accommodate children with disabilities and physical and sensory impairments.

Where these adjustments cannot be funded:

- Children – Having to travel longer distances, away from their local community, to access a school place or having to access specialist provision.
- Parents – Having to support their child(ren) to attend a school, or different schools, away from their local community

**Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?**

Where sufficient numbers of school places cannot be delivered locally, this will result in a significant increase in the workload of officers in:

- School Admissions & Entitlements – The number of parents who submit School Admission Appeals is likely to increase, with a significant impact on the limited staff resource co-ordinating them.
- Transporting Somerset – The number of children eligible to free school transport is likely to increase the number of school bus contracts tendered with increasingly complex routes. This will have a significant impact on the workload of Transport Officers.
- Community Governance and Communications teams

Where school buildings cannot be adequately maintained, this will impact on:

- Teachers – The condition of the building (draughty, cold, dark, damp) detracts from teaching and learning, affecting attainment and staff morale.
- Schools – The condition of buildings may have an impact on schools’ ratings during Ofsted inspections. This could also have a detrimental impact on the Local Authority’s reputation.
- Local Authority – Administering an increased number of in-year admissions and appeals where these are refused.




Where funding is not available to make reasonable adjustments to school premises to accommodate the specific needs of children with disabilities or physical and sensory impairments:

- Local Authority – Funding the significant cost of transporting those children placed at schools further than statutory walking distance. There is also likely to be an increase in School Admission Appeals and associated costs. There may also be legal challenge if it is perceived the Local Authority has not met its statutory duty.

### Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
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<b>Age</b>	There is likely to be a social impact on young children who cannot access a local school place with other local young children with			
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	whom they have formed a significant attachment.			
<b>Disability</b>	Where capacity is not increased, there is likely to an impact on the ability of children with special educational needs to access their local special school who will have to travel outside of their community to access education. This will increase the amount of time they have to spend away their family on schools days	☐	☐	☒
<b>Gender reassignment</b>	N/A	☐	☐	☐
<b>Marriage and civil partnership</b>	Single parent families are likely to be most affected if children cannot access a place at their nearest or	☐	☐	☒

	catchment school.			
Pregnancy and maternity	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Race and ethnicity	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	Single parent families are likely to be most affected if children cannot access a place at their nearest or catchment school. This is most likely to impact on females.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Armed Forces (including serving personnel, families and veterans)	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other, e.g. carers, low income, rurality/isolation, etc.	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Negative outcomes action plan**

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>
	Select date			<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

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**Completed by:****Mike Keal****Date****09/11/2023****Signed off by:**



Date	
Equality Lead sign off name:	Tom Rutland
Equality Lead sign off date:	9 November 2023
<b>To be reviewed by:</b> (officer name)	
<b>Review date:</b>	