

<b>-DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	REPROFILE OF THE 2011/12 CAPITAL INVESTMENT AT UPPER SHIRLEY HIGH SCHOOL
<b>DATE OF DECISION:</b>	19 JUNE 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

### **BRIEF SUMMARY**

On 26 September 2011, Cabinet gave approval for £485,000 worth of capital expenditure at Upper Shirley High School. The proposed works included investment in reinstating a portion of the roofing; replacing pipework and windows; and building an additional toilet block. Since becoming an academy, however, the school's priorities have shifted and it is now proposed that this money be invested in the building of a double-storey modular classroom block, in order to provide additional space for their increasing intake. This report seeks Cabinet approval for this proposed change in approach.

### **RECOMMENDATIONS:**

- (i) To add, in accordance with Financial Procedure Rules, a sum of £485,000 to the Children's Services capital programme to deliver a new modular classroom block at Upper Shirley High.
- (ii) To approve, in accordance with Financial Procedure Rules, capital expenditure of £485,000 in 2012/13 from the Children's Services capital programme to deliver a new modular classroom at Shirley High School.
- (iii) To note that this amends the decision of Cabinet dated 26th September 2011 (recommendations (i) and (ii) and paragraph 13) which provided for the expenditure of £485,000 at Upper Shirley High to deliver replacement of roof coverings, pipework, windows and window frames and provision of a toilet block.
- (iv) To delegate authority to the Director of Children's Services and Learning to do anything necessary to give effect to (i) above including incurring expenditure up to the approved expenditure level of £485,000, entering into contracts and other associated matters.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. Southampton is currently experiencing a significant rise in birth rates relative to historic trends. In order to deal with the increasing number of primary pupil place requirements that this brings, the Council has committed to the *Primary Review: Phase 2* expansion programme. The first expansions took effect from the beginning of the 2011/12 academic year and it is clear that the envisaged increased demand for pupil places is materialising as expected.

2. Upper Shirley High School is already nearing its maximum net capacity figure of 793 and its ancillary facilities are proving insufficient to cope with the number of pupils already in the school. Moreover, as increasing levels of pupils filter from the primary to the secondary sector, it is anticipated that the school will have to accommodate up to 900 pupils in total, which could only be accommodated by a physical expansion of the building area available at the school. The school and Children's Services and Learning's (CSL) Infrastructure Division are therefore keen that this expansion is effected now, in order to maximise the utility derived from the funding presently available. The most efficient means of achieving this expansion is via investment in a new modular classroom block.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. The principal alternative to proceeding with the recommendation of this report is to proceed with the project as originally envisaged in the Cabinet Decision of 26 September 2011. Whilst the capital maintenance works proposed for this school within the associated Cabinet Report are still required, the Council has agreed with the school that, if the former agrees to complete the modular expansion project, the latter will undertake the requisite maintenance over an elongated timescale. Furthermore, the Academy Trust that oversees the school has provided the Council with a letter to confirm that, if the revised position is agreed:

*"[The school] will make no further claims from the Authority in respect of capital maintenance works in relation to its building and/or site and... absolves the Authority entirely from any liability (in terms of Health and Safety and the like) in terms of outstanding capital maintenance-related issues."*

4. Since the Council has committed to fund a project at this school and since the capital maintenance works can more easily be dealt with by the school than the expansion project (the former being more readily phased), the option of proceeding with the project as originally outlined has been rejected.

### **DETAIL (Including consultation carried out)**

5. The Cabinet Decision of 26 September 2011 granted approval for a total expenditure of £485,000 at Upper Shirley High School, comprising the following items:
  - £150,000 for the replacement of roof coverings;
  - £150,000 for the replacement of pipework;
  - £25,000 for the replacement of windows and window frames; and
  - £160,000 for the provision of an additional toilet block.
6. Since the above decision being made, however, it has become clear that there are other, similarly pressing, capital investment issues that require addressing at the school. Specifically, the school is experiencing a year-on-year increase in pupil intake and is nearing its maximum net capacity limit of 793. Although the school presently has sufficient classroom space to accommodate this increased pupil intake, there is significant pressure on the

school's ancillary facilities, which has resulted in the following issues arising:

- Indoor PE activities have to be suspended during the examination period, due to the fact that the Hall and Lecture Theatre (where indoor PE is taught) have to be utilised for exams;
  - The school does not presently have a Staff room, due to this space having to be redesignated as a learning space; and
  - The dining area has insufficient capacity to accommodate all pupils during lunchtime (despite the school adopting a split lunch arrangement).
7. Moreover, as mentioned above, the school is expected to have to take a significantly increased roll at the point at which the increased pupil numbers filter through from the primary to the secondary sector and, at a minimum, there will be a requirement for the school to expand to accommodate 900 pupils in total. A key element of this requirement will be produced by the increased pupil numbers going through Wordsworth Infant School, which is presently being expanded from a 2FE infant school to a 3FE primary school and acts as a "feeder" school for Upper Shirley High. Without an expansion in the school buildings, therefore, Upper Shirley High would be unable to accommodate the numbers that it inevitably will have to.
  8. As a consequence of the above factors, the school has proposed an alternative scheme for the £485,000 capital funding that it has been allocated. In terms of this, it is proposed that a new modular classroom block be delivered from this investment, which would comprise the following:
    - 4 classroom spaces, arranged over 2 storeys, with the two ground floor classrooms being capable of being opened out into one larger area;
    - Up to 12 additional toilet cubicles; and
    - A small kitchen/servery.
  9. The provision of such a block would solve the school's immediate space pressures, as well as providing suitable space for the school to "grow into" in the future.
  10. Although the capital maintenance issues that were identified to be addressed within the original proposal are still in need of addressing, the school have proposed that they could more readily deal with these in a phased manner, as opposed to the significant one-off expenditure that is required by the expansion project. As such, the school and CSL's Strategy and Capital Programme Team have come to the agreement that the school will absolve the Council of its stated commitment to addressing above mentioned condition related items, if it agrees to undertake the revised project. As both the capital maintenance and the expansion projects are both significant priorities (and since the Council is better placed to undertake the former project), it is recommended that approval be granted to proceed with the revised scheme.
  11. It is worth noting that, although the school became an academy from September 2011, SCC's capital maintenance allocation for 2011/12 was calculated on the basis of the Council having responsibility for the Upper Shirley High estate. Furthermore, the 14-19 Diplomas, SEN and Disabilities DfE Grant had been earmarked for former proposed BSF schools (of which

Upper Shirley High was one). As such, there is no conflict in providing a programme of works to this school from this previously allocated grant funding. The principle of providing this funding was confirmed within the school's Transfer Agreement of 29 July 2011 and agreed contractually prior to the Local Authority ceasing to maintain the school.

## **RESOURCE IMPLICATIONS**

### **Capital**

12. The Cabinet Decision of 26 September 2011 granted approval for total expenditure of £485,000 at Upper Shirley High School funded from Department for Education 14-19 Diplomas, SEN and Disabilities Grant.
13. The estimates costs of the project are summarised in the table below:

<b>Estimated Costs</b>	<b>2012/13 (£)</b>	<b>2013/14 (£)</b>	<b>Total (£)</b>
Works	406,000	12,000	418,000
Fees & Charges	67,000	0	67,000
<b>Total</b>	<b>473,000</b>	<b>12,000</b>	<b>485,000</b>

### **Revenue**

14. The ongoing revenue costs of academies are funded by the Department for Education.

### **Property/Other**

15. As there is no material change in the overall investment profile, there are no comments in this respect.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

16. S.1 of the Localism Act 2011 provides a general power of competence to do anything that an individual may do at law providing that no other statutory restrictions exist that prohibit the action proposed. This includes power to assist an academy (including financially or through provisions of goods, services or works) in undertaking Capital Improvement works for which central government grants were received prior to the schools conversion to academy status where such assistance would contribute to the Council's functions as a Local Education Authority and the corresponding duties to secure sufficient and appropriate places for school age pupils under the Education Acts.

### **Other Legal Implications:**

17. The works proposed in accordance with this report will be procured in compliance with the Council's Contract Procedure Rules and national procurement legislation. Any structures provided for the provision of education will be required to be designed to be compliant with the provisions of the Equalities Act 2010 and associated guidance.

## POLICY FRAMEWORK IMPLICATIONS

18. This revised proposal for capital investment in Upper Shirley High School will contribute to the outcomes of both the 14-19 Strategy and the Children and Young People's Plan by improving the overall suitability and capacity of the estate in question.
19. Furthermore, this proposal will contribute to Objective 2.3 of the Council's Community Strategy. Specifically, improving and expanding secondary-age learning environments directly supports the Council's aim of "developing and sustaining successful... secondary schools that local people choose to send their children to."

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**KEY DECISION** No

<b>WARDS/COMMUNITIES AFFECTED:</b>	Shirley
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### SUPPORTING DOCUMENTATION

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

#### Appendices

1.	None
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#### Documents In Members' Rooms

1.	None
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#### Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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#### Other Background Documents

**Integrated Impact Assessment and Other Background documents available for inspection at: N/A**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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