



EXECUTIVE 17th August 2023

Report Title	Section 106 Funding Uplift to the Schools Minor Works Budget
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Lead Member	Cllr Scott Edwards, Executive Member for Children, Families, Education & Skills

Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

List of Appendices

None

1. Purpose of Report

- 1.1. To provide Members with the necessary information to consider and approve the uplift of the school's minor works budget by £807,999 from Section 106 (S106) development funding.
- 1.2. To provide details of the S106 development funding to be expended in line with the S106 agreement.

2. Executive Summary

- 2.1. This report will provide details to allow Members to consider the information and decide on the proposal.

2.2. The report also sets out the benefits of progression of this proposal, the S106 development funding included in the proposal. Finally, the report will set out the risks should the proposal not be accepted.

3. Recommendations

3.1. It is recommended that the Executive:

- a) Approve the proposal to uplift of the school's minor works budget in 2023/24 by £807,999 from S106 development funding.
- b) Delegate authority to the Executive Member for Children, Families and Education in consultation with the Executive Director of Children's Services, and the Executive Director of Finance and Performance, to authorise all necessary financial arrangements to ensure expended use of S106 Development Funding.

3.2. Reasons for Recommendations:

- NNC has a responsibility to ensure that the S106 Development Funding is invested in a timely and efficient way to ensure it meets the S106 funding criteria and delivers the most strategic impact in the areas and the schools it is intended to support.
- Provision of appropriate management of the existing school estate and provides an opportunity to meet our statutory responsibilities to provide sufficiency of school places in NNC.

3.3. Alternative Options Considered:

- The funding is nearing expiry date and needs to be expended appropriately and in a timely way, the alternative is that it would expire without being spent to the benefit of residents.

4. Report Background

4.1. The Schools Minor Works Programme was approved at Executive on 22nd December 2022. This proposal is asking that the Schools Minor Works programme be uplifted by the £807,999 from S106 funding. This will then be spent in accordance with the previously approved governance process.

4.2. The S106 funding of £807,999 is derived from the following developments:

Planning ref	Site	S106 Held	S106 use
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	TOTAL:	£807,999	
16/00376/DPA	Land at Weldon Football Club, Oundle Road	£79,552	Towards the provision of additional school places at Weldon Village School
16/00376/DPA	Land at Weldon Football Club, Oundle Road	£90,013	Towards the provision and/or improvement of secondary education facilities at Corby Business Academy
16/00252/DPA	Land off Stanion Lane (Phase 3)	£41,270	Towards the provision of facilities or additional capacity at Corby Old Village Primary School
WP/14/00526/FUL	Land Adjacent 43 - 65 Chapman Road, The Embankment	£22,785	For the purpose of funding extensions and/or improvements to the All Saints C of E Primary School in Wellingborough or any successor or alternative facilities to that school
EN/08/02282/FUL	Finedon Road (Sunseekers Site) - The Lanterns	£554,380	For the maintenance improvement or enhancement of education facilities in Irthlingborough which would benefit children of school age who would be expected to live in the dwellings constructed pursuant to (this) planning permission
12/01557/FUL	Addington Way	£20,000	For the purposes of providing additional Primary & Secondary school accommodation at schools in whose priority area the site is situated.

5. Issues and Choices

- 5.1. This proposal relates directly to NNC's responsibility to ensure that the S106 Development Funding is invested in a timely and efficient way to ensure it meets the S106 funding criteria and delivers the most strategic impact in the areas and the schools it is intended to support. Taking no action represents a clear and immediate risk to the Council's statutory obligations.
- 5.2. The proposal will assist the Council in fulfilling its statutory obligations of providing appropriate management of the existing school estate and provides an opportunity to meet our statutory responsibilities to provide sufficiency of school places in NNC.
- 5.3. Expenditure totalling £570,000 has already been identified and committed against which the S106 funding can be applied in line with the conditions of the agreement.

6. Next Steps

- 6.1. If approved £807,999 will be uplifted to the school's minor work budget by Finance.

7. Implications (including financial implications)

7.1. Resources, Financial and Transformation

- 7.1.1. S106 funding will be returned if not utilised, and the opportunity to invest the above funding in the schools it is intended to support will be lost. This does not align with NNC's responsibility to invest the S106 funds in a timely and efficient way to ensure it meets the S106 funding criteria.

7.2. Legal and Governance

- 7.2.1. Under school place planning duties (s13-14 Education Act 1996), the Council as an education authority has a statutory duty to promote high standards of education and fair access to education. It also has a general duty to secure sufficient schools in their area.
- 7.2.2. Local authorities must provide appropriate maintenance of the existing school estate and it provides an opportunity to meet our statutory responsibilities to provide sufficiency of school places in North Northamptonshire.
- 7.2.3. The monies received from the named s106 agreements above will be utilised in accordance with the restrictions and specific schools as named within the respective agreements.

7.3. Relevant Policies and Plans

- 7.3.1. These proposals will assist the Council in meeting its commitments in the long term by providing better, brighter futures: We will care for our young people, providing them with a high-quality education and opportunities to help them flourish as well as safe and thriving places to live and learn, work and visit.

7.4. Risk

Risk	Mitigation	Residual Risk
The Governance Process prevents a proactive response to ongoing and effective	<i>We seek to progress the programme at pace to ensure we achieve statutory compliance.</i>	Green

school maintenance programme.		
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7.5. **Consultation**

7.5.1. Ward Members have been consulted as part of the business case process.

7.6. **Consideration by Executive Advisory Panel**

7.6.1. This report has not been considered by the Executive Advisory Panel.

7.7. **Consideration by Scrutiny**

7.7.1. The report is eligible for call in by the Scrutiny Commission.

7.8. **Equality Implications**

7.8.1 An equality assessment form has been completed and confirms no negative impact.

7.9. **Climate and Environment Impact**

7.9.1. The Council, having declared a climate change emergency in June 2021, is committed to reducing its climate impact both within its own Council buildings and in working with businesses and the wider community to achieve net zero energy emissions.

7.10. **Community Impact**

7.10.1. This proposal will lead to improvements of schools allocated from the above funding.

7.11. **Crime and Disorder Impact**

7.11.1. This scheme will have no direct Crime and Disorder Impact.

8. **Background Papers**

8.1. None