

## **Children and Families Committee**

**09 June 2025**

### **Children and Families Capital Programme – School Condition Programme 2025/26**

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**Report of: Dawn Godfrey, Executive Director of Childrens Services**

**Report Reference No: CF/14/25-26.**

**Ward(s) Affected: All Wards  
Decision**

#### **Purpose of Report**

1. For Committee to approve the progression of the school condition schemes detailed in Appendix1.
2. To ask the Committee to delegate authority to the Executive Director of Childrens Services to allocate uncommitted school condition monies to address any emerging priorities that arise to ensure schools remain safe and operational. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.

#### **Executive Summary**

3. School Condition Programme – appendix 1

This Appendix outlines the schemes included in the 2025/26 School Condition Programme and highlights the following: -

- Details of individual schemes
- Details of block allocation for in-year emerging priorities to address urgent Health and Safety issues and/or to prevent school closures.

- Details of a block allocation to progress with feasibility assessments for future schemes.
  - Details of a block allocation to undertake any necessary surveys in order to comply with legislation and ensure the safety of our school buildings.
4. The School Condition Allocation grant can only be used for maintained, foundation and voluntary controlled schools that are the responsibility of the Council as the Local Education Authority. Academies have access to Condition Improvement Fund and Voluntary Aided settings apply separately for school Condition allocation (formerly known as Local Education Authority Coordinated Voluntary Aided Programme (LCVAP), both of these grants are distributed by the Department for Education direct to Academy Trusts and the Diocesan Authorities.

#### RECOMMENDATIONS

The Children and Families Committee is recommended to:

1. Approve the School Condition Programme of schemes as detailed in Appendix 1.
2. Delegate authority to the Executive Director of Childrens Services to approve uplifts to Project Costs of schemes approved in the School Condition Programme (and the updates received during the financial year) to a maximum of 20% of the approved capital budget, this will ensure that schemes will be progressed in a timely way and to provide updates to committee as required. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.
3. Delegate authority to the Executive Director of Childrens Services to determine the school sites and works to be instructed from the block funding allocations set out in Appendix 1 and take all steps to deliver these works. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.

#### **Background**

5. The various funding streams which are utilised to support the capital investment into our schools include Basic Need Grant (DfE funded), Schools Condition Allocation Grant (DfE funded), High Needs Provision Capital Fund (DfE funded), developer contributions under s106 Town and County Planning Act 1990 and Approved Council Prudential Borrowing.

Many of the grant allocations received from the DfE are based upon annual returns which the Council completes outlining our levels of need.

6. The DfE provides basic need capital grant funding to local authorities to support them to meet their statutory responsibility to ensure there are enough school places available in their area for every child aged 5 to 16, as set out under section 14 of the 1996 Education Act. The annual 'School Capacity Survey' return (SCAP) as submitted to DfE in July provides the summary of priority areas where additional places are needed, and this is used to generate basic need allocations.
7. The DfE provides School Condition Allocations (SCA) on an annual basis for local authority-maintained schools only which provides the Council with the mechanism to maintain/improve school building infrastructures. In line with DfE guidance, investment should be prioritised on keeping school buildings safe and in good working order by tackling poor building condition, building compliance, energy efficiency, safeguarding concerns as well as health and safety issues. An indicative budget for the anticipated 2025-26 School Condition Allocation (SCA) grant of £2m was included in the Medium-Term Financial Strategy (MTFS), which was approved at full council in February 2025. Following the announcement from the DfE on 27 March 2025, the 2025/2026 the School Condition Allocation was confirmed as £ £2.552.916 million. This figure will be adjusted in the capital programme at the 1st quarter review.
8. The SCA can only be used for maintained, foundation and voluntary controlled schools. Academies have access to the Condition Improvement Fund and Voluntary Aided settings are funded via LCVAP (Locally Co-ordinated Voluntary Aided programme), both of these grants are distributed by the Department for Education direct to Academy Trusts and the Diocesan Authorities.
9. We will monitor the School Condition Programme to ensure the schemes compliment the Transformation Programme and Cheshire East's Corporate Plan.

### **Consultation and Engagement**

10. Prior to and during the scoping and progression of capital schemes, the team work closely with our schools to plan the programmes of work.

## Reasons for Recommendations

11. The recommendations seek approval from Committee to progress with these priority schemes and allocate funding accordingly and to delegate authority to the Executive Director of Children Services to take decisions to deliver the schemes which allows for the effective management of each of these programmes of work in a timely manner.
12. The delegated authority to the Executive Director of Childrens Services to approve uplifts to project costs of individual schemes approved in the School Condition Programme to a maximum of 20% of the approved capital budget, will ensure that schemes are progressed in a timely way and to provide updates to committee as required. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.
13. Committee have been previously informed about the current pressures on funding which are resulting in costs of scheduled schemes increasing due to a range of factors, these can include additional costs as a result of planning conditions, high costs resulting from low carbon build standards, increasing costs of materials, rising costs of raw materials etc.

## Other Options Considered

14. The option to do nothing and consequently not undertake the works detailed in appendix 1 could result in temporary closures of schools.
15. There is an option that officers continue to provide individual committee reports and seek individual decisions or delegations for every scheme. This does not allow for flexible working to deliver schemes or to react to individual emergencies or needs. It is also time consuming for Officers and the Committee.

16.

Option	Impact	Risk
The option not to do nothing and not progress the school condition programme	This could result in the closure of schools and/or failure to address health and safety risks and safeguarding issues	High Risk

## **Implications and Comments**

### *Monitoring Officer/Legal*

17. The committee has responsibility for the Council's education infrastructure provision. The DfE provides the Council with the School Condition Allocation grant based on a formulaic approach taking into account the school type and pupil numbers, the funding is intended to be used to address poor building condition, building compliance, energy efficiency and health and safety issues. The grant determination is made under section 31 Local Government Act 2003 which allows a local authority to receive a grant towards the expenditure it incurs. The Council must ensure that it only uses the grant funding in accordance with the grant conditions which are set out in Annex B of the Condition Funding Grant Determination 2025-26 no 31/7717, non-compliance with the terms of the grant could result in the funding being reduced, suspended or withheld.

The Council intends to use the monies to maintain or improve the condition of school buildings with the proposed schemes. The Council has an obligation to ensure that the premises of schools which it maintains are maintained to prescribed standards in accordance with section 542 of the Education Act 1996 and regulations made under that section.

As the Council is receiving a grant it will need to consider and comply with the Subsidy Control Act 2022, with legal advice being sought where necessary. The Procurement of works funded under this capital programme will comply with the Council's Contract Procedure Rules and the Public Procurement Regulations where applicable.

### *Section 151 Officer/Finance*

18. Funding for Children and Families capital programme is through a range of routes with the main ones relating to the use of the 'Basic Need' grant along with agreed Section 106 developer funding for education to mitigate the need for additional school places due to the impact of new housing. In addition to this external DfE grant has been allocated that supports SEN/High Needs schemes including provision of additional places. There is an annual allocation of School Condition funding, but this can only be used for local authority-maintained schools.
19. The School Condition Grant allocation is based on the number of maintained schools within the authority and can change subject to the number of schools that have converting to an academy, or an academy order has been submitted.

20. The DfE provides School Condition Allocations (SCA) on an annual basis for local authority-maintained schools only and provides the Council with the mechanism to maintain/improve school building infrastructures. In line with DfE guidance, investment should be prioritised on keeping school buildings safe and in good working order by tackling poor building condition, building compliance, energy efficiency, safeguarding concerns as well as health and safety issues.
21. An indicative budget for the anticipated 2025-26 School Condition Allocation (SCA) grant of £2m was included in the Medium-Term Financial Strategy (MTFS) 2025-29, which was approved at Full Council in February 2025. Following the announcement from the DfE on 27 March 2025, the 2025/2026 the School Condition Allocation was confirmed as £ £2.552.916 million. This figure will be adjusted in the capital programme at the 1<sup>st</sup> quarter review.
22. The schemes and block allocations named in Appendix 1, are fully funded from the School Condition Block allocation, also approved at Full Council on 26 February 2025 as part of the Medium-Term Financial Strategy (MTFS) 2025-26.
23. The programme of condition works are based on estimated costs from Facilities Management Team, these could change as more detailed surveys are undertaken and the schemes are progressed.
24. This programme will be regularly reported and updated to the Capital Programme Board who will determine any necessary further reports.

*Policy*

25. School Condition Allocation - Investment should be prioritised on keeping school buildings safe and in good working order by tackling poor building condition, building compliance, energy efficiency, and health and safety issues.

26.

<p><b>An open and enabling organisation.</b></p>	<p><b>A council which empowers and cares about people</b></p> <p><b>Support all children to have the best start in life.</b></p> <p><b>Increase opportunities for all children and young adults with additional needs.</b></p> <p><b>Ensure all children have a high quality, enjoyable education that enables</b></p>	<p><b>A thriving and sustainable place</b></p> <p><b>Reduce impact on the environment.</b></p> <p><b>Thriving urban and rural economies with opportunities for all</b></p> <p><b>Be a carbon neutral council by 2027</b></p>
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	<p><b>them to achieve their full potential (Include which aim and priority)</b></p>	
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*Equality, Diversity and Inclusion*

27. Equality Impact Assessments are completed informally and formally to determine the varying needs of learners and their families to be able to access schools. Such factors are built into all stages of the progression of a scheme.

*Human Resources*

28. There are no direct human resource implications for the council.

*Risk Management*

29. As outlined in the finance section, the DfE have confirmed capital funding grants which allows for the virement of funding. This funding is already available and therefore is not reliant on future funding allocations.

30. Force Majeure – The global Covid pandemic has identified that there can be some risks that on impact cannot be mitigated against and will inevitably cause some delay, disruption, and any additional costs.

31. It is essential that we achieve best value for our schools in the use of the funding and ensure that the schemes agreed will support and maintain the Education Estate and ensure that schools remain a safe, warm and dry environment for our pupils to attend. Grant allocation is in recognition of the need to repair existing defects as well as provide ongoing maintenance to keep all buildings in good condition over their lifecycle. This provides improved school infrastructures to allow learners to be educated and prosper in the best school building.

32. Schemes will be managed by our ‘in-house’ Facilities Management and CEC Property Projects Team and will be undertaken under the Authority’s corporate contract which conducts maintenance services across Cheshire East.

*Rural Communities*

33. There are no direct implications for rural communities.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

34. In accordance with the programme to ensure all children have a high quality, enjoyable education that enables them to achieve to their full potential.

*Public Health*

35. There are no direct implications for public health.

36. It is essential that we ensure that the schemes agreed will support and maintain the Education Estate and ensure that schools remain a safe, warm and dry environment for our pupils to attend.

*Climate Change*

37. For all school condition schemes, we will consider all measures to achieve carbon reduction including materials used and technology/equipment used to ensure maximum energy efficiency is achieved where it is possible and viable.

38. All schemes will require full compliance with the latest building regulations and the Cheshire East Low Carbon Build Standard relating to such factors as insulation/heat loss, energy efficiencies and sustainable heat and power. Such factors will be key considerations as the schemes are developed through to full handover.

39. The Cheshire east Low Carbon Build Standard was adopted in 2022 and requires all new or refurbished buildings below £10million to target low carbon and energy in a hierarchy of reduce, re-use, renewables. This standard will form a base point for the school condition schemes.

*Consultation*

<b>Name of Consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
<i>Statutory Officer (or deputy):</i>			
Sal Khan	Interim Director of Finance, Deputy Section 151 Officer	23/05/25	23/05/25
Janet Witkowski	Acting Governance, Compliance and Monitoring Officer	23/05/25	26/05/25

<i>Legal and Finance</i>			
Helen Donald	Capital Accountant	08/05/25	09/05/25
Mandy Withington/Adrian Leslie	Principal Lawyer (Commercial Property and Projects)/ Lawyer Contracts & Procurement Team	08/05/25	22/05/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			
Peter Skates	Director of Growth and Enterprise	22/05/25	23/05/25

<b>Access to Information</b>	
Cont act Officer :	<p>Claire Williamson - Director of Strong Start, Family Help and Integration</p> <p><a href="mailto:Claire.williamson@cheshireeast.gov.uk">Claire.williamson@cheshireeast.gov.uk</a></p> <p>Joanne Prophet – School Organisation and Capital Manager</p> <p><a href="mailto:Joanne.prophet@cheshireeast.gov.uk">Joanne.prophet@cheshireeast.gov.uk</a></p>
Appen dices:	Appendix 1 – School Condition Programme
Backg round Paper s:	<p>1. MTFs approval paper Feb 2025</p> <p><a href="https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s122772/Minute%20extract%20CPC.pdf">https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s122772/Minute%20extract%20CPC.pdf</a></p> <p>2. Children and Families Committee 7 April 2025</p> <p><a href="https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s123805/Capital%20Programme%20Update%20April%2007042025.pdf">https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s123805/Capital%20Programme%20Update%20April%2007042025.pdf</a></p>