

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No: 1819043**

**BOX 1****DIRECTORATE:****DATE: 21 November 2018****Contact Name: James Hopper****Tel. No.: 01302 737764**

**Subject Matter: New SEND School - Allocation of Funding to provide Services up to the Red Line Boundary of the Allocated Site**

**BOX 2****DECISION TAKEN**

Doncaster Council has submitted a bid to self-deliver a new special (SEND Communication and Interaction) free school on the vacant land behind Hungerhill school. The project will be part of the wider development of the site that includes over 500 houses and site for a new school and whilst the original plan was to run concurrent this is no longer possible because of different funding streams and priorities. The ESFA have offered a fixed budget for the red line boundary of the proposed school and as part of Doncaster's commitment to the wider site and predicted receipts have agreed to commit £245k for the access road and services up the red line boundaries to support both projects.

ODR 1819030, signed on 10/10/18 approved the allocation of £150,000 to provide for the access road. This ODR is for the approval of £95,000 for the provision of services up to the red line boundary of the allocated site.

**BOX 3****REASON FOR THE DECISION**

The Authority is committed to taking the land to market for housing development and as part of these proposals; the initial access will be via the new roundabout that was installed as part of the waste transfer station at Kirk Sandal. The new road will open the site for the initial access into the SEND school with identified spurs for housing and the proposed new primary school.

The funding body, the DfE, would normally only fund the works within the red line boundary of the project, therefore the services up to this boundary will need to be paid for by the Authority. The estimated cost of this work was £180k, the DfE have exceptionally agreed to pay 50% of this cost, £95k, because the initial feasibility request did not highlight the need for this

commitment from ourselves to deliver the project. The remaining 50% would be funded by the Authority.

#### **BOX 4**

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

*Seek additional funding from the ESFA to cover the remaining £95k cost of the services.*

An application for additional funding would be required which would require the application being referred for Ministerial approval. It is unlikely from negotiations with the DfE that the application would be successful – however the referral process to would result in unacceptable delays to the delivery of the new school. This approach is not recommended.

#### **BOX 5**

##### **LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 provides the Council with a general power of competence, allowing the Council to do anything that individuals generally may do. Section 111 of the Local Government Act 1972 gives the Council the power to purchase goods and services.

The provision of the service or services must be procured in accordance with the Councils contract procedure rules.

Legal Services should be consulted at the earliest opportunity to provide the contractual documentation.

**Name:** Nicky Dobson :

**Signature:** 

**Date:** 24/1/19

Signature of Assistant Director of Legal and Democratic Services (or representative)

#### **OX 6**

##### **FINANCIAL IMPLICATIONS:**

The estimated cost for the delivery of a new access road & supporting services into Council owned land located off Hungerhill Lane, Edenthorpe, to facilitate the delivery a new Special Free School and over 500 houses on the site is £245k. ODR 1819030 has previously been approved to fund £150k of this cost, leaving £95k to fund as per this ODR.

The LOCYP Capital Programme currently contains an allocation of £7,382k for the construction of a new Special School at Hungerhill Lane, Edenthorpe which is funded from an Education Skills Funding Agency Grant.

This allocation will need to increase by £95k to fund the supporting services up the red line boundary to be funded from future capital receipts from the disposal of the remaining site.

As per the Financial Procedure Rules B12 this ODR will need to be signed by the Director of People's Services and the Chief Financial Officer & Assistant Director of Finance – 'Any project expecting to exceed its approved budget must identify sources of funding to cover the additional expenditure. Where no additional funding can be identified, a request for additional resources must be made to the CFO by an ODR approved by the relevant Director before the additional

spend is committed. The CFO will then determine if additional resources are available and amend the capital programme if required'

The overall work from this ODR is expected to increase the value of the site earmarked for new housing.

Name: David Armistead

Signature: [REDACTED]

Date: 25/01/19

**Signature of Chief Financial Officer and Assistant Director of Finance (or representative)**

#### **BOX 7**

#### **OTHER RELEVANT IMPLICATIONS**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

#### **BOX 8**

**EQUALITY IMPLICATIONS:** (To be completed by the author).

The provision of a Special School for Communication and Interaction will allow for 100 children and young people with social communication needs aged 5-19, whose needs are assessed and cannot be met within a mainstream environment, to receive suitable education within the local area. This will increase and strengthen our Local Offer and support our obligations under the Equality Act 2010.

The Council's duty under section 149 of the Equality Act 2010 when exercising its functions to advance equality of opportunity and foster good relations between those who have a protected characteristic and those who do not share that protected characteristic, ensure fair access to learning and opportunities for all Doncaster children and young people.

Name: Neil McAllister

Signature: [REDACTED]

Date: 21/11/18

#### **BOX 9**

**RISK IMPLICATIONS:** (To be completed by the author)

Reputational Risk: There is a risk to the council that not achieving the outcomes of the new special school or not pursuing this opportunity and withdrawing from the process would result in a lack of appropriate provision within the Borough. Children and young people would remain within less appropriate provision increasing the risk of social isolation and loneliness and not enabling them to reach their full potential. There is a risk of delay in the opening of the new school which may mean this being achievable by September 2020 and not 2019.

Financial Risk: There would be a risk of increasing pressure on the High Needs Block due to higher cost of out of authority placements and transport costs. There is an additional financial risk of the financial envelope not meeting the required costs to build the school.

**Name: Neil McAllister**

**Signature:** [REDACTED]

**Date: 21/11/18**

## **BOX 10 CONSULTATION**

Discussions have been held with colleagues within Finance, Property and Construction Services, Regeneration and Environment and Asset Board regarding the provision of a site for the school.

Following discussions with colleagues within the region the proposal includes provision for other LAs to be offered places at the school. Rotherham, Sheffield and Barnsley LAs have supported the bid and are expected to take up to 20 of the 100 places. Sheffield were also successful in their bid supported by Doncaster to undertake reciprocal arrangements as their special school has a different focus.

A number of consultation events have been held and it is intended that Officers and representatives of the new sponsor will continue to consult and coproduce with parents, children and young people and other stakeholders throughout the delivery of the project.

**Name: Neil McAllister**

**Signature:** [REDACTED]

**Date: 21/11/18**

## **BOX 11 INFORMATION NOT FOR PUBLICATION**

It is in the public's interest to be aware of this decision record under the Freedom of Information Act 2000, therefore this decision will be published in full redacting signature only.

**Name: Neil McAllister**

**Signature:** [REDACTED]

**Date: 21/11/18**

Signature of FOI Lead Officer for service area where ODR originates

## **BOX 12 BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR NO

(If YES please list and submit these with this form)

**BOX 13  
AUTHORISATION**

**Name: Damian Allen      Signature: [REDACTED]      Date: 12/02/2019**

Director of People

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**YES**

**If yes please authorise below:**

**Name: Steve Mawson      Signature: [REDACTED]      Date: 13/2/2019**

Chief Finance Officer & Assistant Director of Finance

**Consultation with Relevant Member(s)**

**Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

**Designation \_\_\_\_\_**

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest    NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

**Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.**

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**