

**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET FOR EDUCATION**

**9 December 2021**

**Report of the Executive Director of Children's Services**

**Children's Services Capital Programme 2021-22 S106 allocation for the expansion at The Ecclesbourne School**

**Children's Services - Education**

**1. Divisions Affected**

1.1 Duffield

**2. Key Decision**

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regards to the budget for the service or function concerned (this is currently defined as (£500,000)).

**3. Purpose**

3.1 To inform Cabinet of the receipt of a recent Section 106 developer contribution and to seek approval for the allocation of this contribution to a project in line with the Section 106 agreement.

**4. Information and Analysis**

4.1 There is significant housing growth in the normal area of The Ecclesbourne School. The School has a masterplan to expand and improve its provision to meet the increased demand for places. It took the decision however to move forward with its building plans, ahead of

the receipt of funding under agreements under Section 106 Town and Country Planning Act 1990 on the basis that it would be repaid once those funds were received by the council. On the 26 August 2021 the Authority received £562,624.61 S106 funding details of which are shown in appendix 2. The most recent projects were an expansion of the sixth form block at a cost of £1,151,105 and the improvement to the science block costing £507,075 – making a total of £1,658,180.

On 20 July 2017 (minute number 212/17), Cabinet approved the allocation of £52,980 S106 funding towards the science block project and on 22 February 2018 (minute number 60/18) Cabinet also approved the allocation of £70,637.75 towards the sixth form block. On 11 March 2021 (minute number 54/21) Cabinet approved an additional allocation of £1,163,701 in Section 106 funding from the Kedleston Road development - planning reference AVA/2014/0928. This paper details the final contribution plus indexation from this development totalling £562,624. The proposal is to allocate the funds received to the projects at The Ecclesbourne School.

## **5. Consultation**

5.1 Not applicable

## **6. Alternative Options Considered**

6.1 Developer contributions are to be utilised as per the S106 agreements. If we did not allocate these contributions the funding for additional school places related to the growth in housing would have to come from Basic Need in order for the Authority to meet the statutory requirement for provision of school places.

## **7. Implications**

7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

8.1 These are held on file in the Children's Services Development Section

## **9. Appendices**

9.1 Appendix 1- Implications.

9.2 Appendix 2 – Proposed scheme

## 10. Recommendation(s)

That Cabinet:

- a) Notes the receipt of S106 funding.
- b) Approves the allocations to the project outlined in Appendix 2.

## 11. Reasons for Recommendation(s)

11.1 The approval of the S106 allocations will ensure that the funding can be spent in line with the agreement in the allotted time available and ensure there is sufficient capacity at schools in their normal areas.

## 12. Is it necessary to waive the call in period?

12.1 No

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**This report has been approved by the following officers:**

<p><b>On behalf of:</b></p> <p>Director of Legal Services and Monitoring Officer Director of Finance and ICT Managing Executive Director Executive Director(s)</p>	
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### **Implications**

#### **Financial**

- 1.1 On the 26 August 2021 the Authority received £562,624.61 S106 funding. Appendix 2 summarises the breakdown of the funds received. The total S106 to allocate is £562,624.

#### **Legal**

- 2.1 The projects have been agreed in line with the individual legal agreements under S106 Town and Country Planning Act 1990 detailed above in order to make the original development proposals acceptable in planning terms.

#### **Human Resources**

- 3.1 None

#### **Information Technology**

- 4.1 None

#### **Equalities Impact**

- 5.1 No impact

#### **Corporate objectives and priorities for change**

- 6.1 Not applicable

#### **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

- 7.1 The projects were procured and managed by the Trust and the payment of the funding will be the subject of a legal agreement between DCC and the Trust to ensure that the funds have been used in accordance with the Section 106 agreement.

## Appendix 2

<b>School</b>	<b>Development</b>	<b>Funds £</b>	<b>Project</b>
The Ecclesbourne School	Miller Homes, Kedleston Road AVA/2014/0928	392,399 (Secondary)	To repay The Ecclesbourne School for the sixth form project and works to the science block as previously agreed.
	Miller Homes, Kedleston Road AVA/2014/0928	170,225 (Post 16)	
	<b>Total to allocate</b>	<b>562,624</b>	

