



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 22 February 2024

Report of the Executive Director - Children's Services

**Section 106 Funding Allocations
Expansion Project for Heanor Gate Spencer Academy**

(Cabinet Member for Education)

1. Divisions Affected

1.1 Horsley

2. Key Decision

2.1 This is a key decision because it is likely to result in the Council incurring expenditure over £500,000.

3. Purpose

3.1 To request approval for funding of a capital project at Heanor Gate Spencer Academy to meet the demands of housing growth.

4. Information and Analysis

4.1 As a result of a number of planning applications within the school's normal area, the Authority has currently secured £1,185,023 from Section 106 agreements. The school have employed a specialist firm to draw up an expansion scheme to deliver a new two storey building which will provide additional teaching and support spaces, to accommodate the additional pupils from the housing development.

4.2 The design has been finalised and the cost will be £2,717,937. The Section 106 funds that are available to this project are identified in Appendix 1 – Financial Implications:

Planning Reference	Site	Available Funds £	Funds to be Allocated to Project £
AVA/2015/0296	Delves Court, Lockton Avenue, Heanor	57,340	57,340
AVA/2014/0923	Loscoe Miners Welfare, High Street, Loscoe	209,249	209,249
AVA/2014/0817	Heanor Road, Smalley	604,858	604,858
AVA/2018/0032	Adale Road, Smalley	202,811	202,811
AVA/2018/0661	Gregg Avenue, Heanor	110,765	110,765
Total		1,185,023	1,185,023

4.3 Due to a current shortfall in funding of £1,532,914, an additional allocation of £459,874 is required from the Children’s Services Capital Budget 2016-17 Basic Need (BN) & School Condition Allocation (SCA), with the Academy Trust contributing the remainder of the shortfall of £1,073,040.

4.4 The Basic Need allocation will be paid back as further Section 106 contributions are received.

4.5 Total Cost of the project £2,717,937

4.6
Section 106 Funding available £1,185,023
2016-17 BN & SCA £ 459,874
Total to be approved £1,644,897

5. Consultation

- 5.1 The school is an Academy and the Trust is aware of its responsibility to ensure the relevant Significant Change process has been undertaken in line with the Department for Education guidance 'Making significant changes to an open academy', dated January 2022.

6. Alternative Options Considered

- 6.1 Not to proceed – The school to retain its current capacity and be unable to admit the pupils from the local housing development.

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

10. Recommendation(s)

That Cabinet approves the allocation of £1,185,023 of Section 106 funding and £459,874 of Basic Need funding 2016-17 towards the proposed expansion of Heanor Gate Spencer Academy.

11. Reasons for Recommendation(s)

- 11.1 To permit the expansion of the school to meet the demand from housing growth in its normal area.

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

- 12.1 No

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Implications

Financial

- 1.1 The financial implications are explained in the Information and Analysis section above. The Section 106 funding is held by the council.

Legal

- 2.1 The projects are agreed in line with the individual S106 legal agreements.
- 2.2 Pursuant to section 14 of the Education Act 1996 the local authority is required to provide sufficient school places for primary and secondary education in its area.

Human Resources

- 3.1 The School will be responsible for providing the staff to teach the additional pupils on completion of the project.

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 Not applicable