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**Agenda Item No.6 (e)****DERBYSHIRE COUNTY COUNCIL****CABINET****13 February 2020****Report of the Executive Director for Children's Services****QUEEN ELIZABETH'S GRAMMAR SCHOOL – SECTION 106 FUNDING****(YOUNG PEOPLE)****1. Purpose of Report**

To approve the allocation of Section 106 funding from 3 housing developments in the Ashbourne area to Queen Elizabeth's Grammar School for an expansion project on the Boothby site.

**2. Information and Analysis**

The Academy has drawn up a feasibility study which will convert an existing building on the Boothby Site adjacent to the playing fields. At present it is a single storey building accommodating changing rooms and 3 classrooms. The new building will be 2 storey and accommodate new changing rooms and a total of 9 classrooms as well as ancillary spaces. This will increase the net capacity of the school by 180 places. The total cost of the scheme is £2,462,015.

On 5 October 2017 (minute number 287/17), Cabinet approved a total of £516,158.56 S106 funding towards phase 1 of the Boothby project from the developments detailed below:

Planning Reference	Site Details	Funds	Deadline for expenditure
12/00606/FUL	Former St Oswalds Hospital Site	£56,681.36	01/04/2021
12/00774/OUT	Willow Park Farm	£171,761.70	01/10/2021
13/00256/OUT	Lodge Farm Close	£103,056.00	01/07/2026
14/00722/FUL	Hillside Farm	£184,659.50	01/10/2026

On 14 June 2018 (minute number 171/18), Cabinet approved £184,659 from the following development:

Planning Reference	Site Details	Funds	Deadline for expenditure
14/00722/FUL	Hillside Farm, Wyaston Road	£184,659	01/10/2027

The total sum of £700,818 was transferred to Queen Elizabeth's Grammar.

The following S106 contributions are now available to be allocated to the project:

Planning Reference	Site Details	Funds	Deadline for expenditure
13/00911/OUT	Old Derby Road	£489,143	01/11/2028
16/00437/FUL	Land North of Broomy Drive	£137,328	01/12/2026
14/0722/FUL	Hillside Farm	£5,220	01/10/2027
<b>TOTAL</b>		<b>£631,691</b>	

The Ashbourne Rugby Union Football Club (RUFC) is providing £500K funding towards the re-provision of the changing room as part of the project and the Children's Services Capital budget is looking to fund the balance of £629,506 from Basic Need funding which is, in part, an advance of future S106 payments from the Old Derby Road development and will be repaid on receipt of that funding. The Basic Need funding is contained in a separate report being presented to Cabinet on 13 February 2020. It has been reported separately to avoid confusion over the detail of S106 funding.

### 3. Financial Considerations

The Academy has a costed programme of building works for the development of their site amounting to £2,462,015. The proposed breakdown of funding is as follows:

S106 funding already received	£700,817
S106 received and available	£631,691
S106 funding anticipated	£395,900
Ashbourne RUFC funding	£500,000
DCC basic need funding	£233,606
<b>Total</b>	<b>£2,462,015</b>

The outstanding S106 funding will be subject to indexation and the sum received is likely to exceed the figure quoted above. The Academy will be

responsible for the procurement and management of the building project as well as funding the furniture and equipment in the new block.

#### **4. Social Value Considerations**

This funding is to increase the capacity of the school and ensure that there are sufficient school places to meet the need generated by the new housing.

#### **5. Legal Considerations**

Local Authorities have a duty under Section 13(1) of the Education Act 1996 to ensure there are sufficient primary and secondary school places in their areas, and to work with Academies to ensure that these places are delivered. The S106 agreements name Queen Elizabeth's Grammar School as the recipient of the education contributions for secondary and post 16 places. A legal agreement will be put in place to ensure that the Academy complies with the terms of the various S106 agreements and indemnifies the Authority in respect of any claim from a developer.

#### **6. Other Considerations**

In preparing this report the relevance of the following factors has been considered:- prevention of crime & disorder, equality of opportunity, environmental, health, human rights, human resources, property and transport considerations.

#### **7. Key Decision**      Yes

#### **8. Call-in**

Is it necessary for the call-in period to be waived in respect of the decisions being proposed in the report? No

#### **9. Background Papers**

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

#### **10. Officer Recommendation**

It is recommended that Cabinet:

Approves the allocation of £631,691 S106 funding to the project.

**Jane Parfremment**  
**Executive Director for Children's Services**