

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 18 December 2017	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<u>School Expansion Programme</u> To release £11,966,549.59 from the S106 agreements associated with the developments listed in the report, for the purposes of increasing school capacity in the borough.	
<b>Ward(s) or groups affected:</b>		Project: All Wards Funds: All Wards	
<b>From:</b>		Director of Planning	

## RECOMMENDATION

1. That planning committee authorise the release of £11,966,549.59 from the Agreements listed in Appendices 1-15, in order to contribute to the overall Capital Programme requirement for these projects, the total life time cost of which is £135,789,495.

## BACKGROUND INFORMATION

2. Planning obligations under S106 of the Town and Country Planning Act 1990 are used to address the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agrees to provide planning obligations. These obligations can take the form of financial contributions and can cover a range of facilities including contributions toward educational facilities.
3. The council has a statutory duty under the Education Act 1996 (amended by the Education and Inspections Act 2006) to “secure that sufficient schools for providing— (a) primary education, and (b) [secondary] education are available for their area” as well as to “secure diversity and increase opportunities for parental choice when planning the provision of school places” in the Borough.
4. Birth rates have increased 12% across the borough from 2002-2014 and in common with other London boroughs, Southwark has seen a sharp increase in demand for primary places and this year a record proportion of ‘on time’ applications were received.
5. As a result, there is currently a programme of investment of approximately £160 million in Southwark schools to increase numbers and address capacity issues. This is being funded mainly by EFA capital grant, council capital (with Section 106 support) and school contributions.

## KEY ISSUES FOR CONSIDERATION

6. Through the [School Place Strategy](#), the council has assessed the need for places throughout the borough and has invested in additional school places in order to meet the growth in population and parental choice.

7. The whole of the school estate, both council maintained and voluntary aided, has been subject to a condition and capacity survey. The survey was completed in the summer of 2012 and informed the above mentioned strategy.
8. Prior to the introduction of our local CIL, S106 funding was agreed to be used to contribute towards the costs of providing this extra educational capacity. As such, this report requests that the expansion programme, in respect of the schools mentioned in paragraph 1 are funded from the identified S106 contributions.
9. Cabinet reports on the [Primary Investment Strategy](#) were agreed 16 July 2013 (which detailed the outcome of the 2012 condition and capacity surveys), 18 March 2014 ([School Places Strategy Update](#)) and 22 July 2014 ([School Places Strategy Further Update](#)). These reports have informed the strategy for the provision of school places and this request for the release of S106 funding.
10. The proposed works will provide an additional 14 forms of entry for Southwark's primary schools and one additional secondary entry form. There will also be additional SEN places at Cherry Garden School and a new, fit for purpose, PRU unit at SILs 3.
11. The proposed scope of works at each school include:

<b>Project</b>	<b>Scope of Works</b>
Albion Primary School	New school building on current site to replace existing school
Bellenden Primary School	New school building to replace existing
The Belham School	Refurbishment of previously disused Victorian school building (listed) with new extension
Bessemer Grange Primary School	New school building on annexe site
Charles Dickens Primary School	Alterations to existing building and new extensions, including expanded nursery and two-year old provision
Cherry Garden School	New school building on new site increasing the number of places from 48 to 72
Crawford Primary School	New extension to existing school
Grange Primary School	Alterations to existing building and new extensions, including expanded nursery provision
Ivydale Primary School	New school building on annexe site
Keyworth Primary School	New extension to existing school
Lyndhurst Primary School	New extension to existing school
Phoenix Primary School	Refurbishment of previously disused Edwardian school building on annexe site
Robert Browning Primary School	New extension to existing school
Southwark Inclusive Learning Service (KS 3) (SILS3)	New school building on current site to replace existing school
Southwark Park School	Full remodelling of existing school building with new extensions

## Community impact statement

12. The school expansions will have a positive impact on the community. The provision of modern and practical facilities with more capacity will greatly enhance the quality of the education facilities for both the additional and existing pupils and teachers.
13. All projects have been designed to be fully accessible to all, without prejudice or discrimination.
14. The proposals have no negative impacts on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
15. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

## Consultation

16. The expansion programme has been widely consulted upon, including the statutory consultation associated with each planning permission.
17. The chair and vice chair of the community councils, local ward members and the schools themselves have all been consulted over the life time of the School Places Strategy.

## Resource implications

18. As detailed in the above mentioned reports in paragraph 9, the council has previously committed to forward fund these expansion projects from the existing approved project budgets.
19. All £11,966,549.59 listed below are currently unallocated and available. The proposed allocation accords with the above mentioned agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

Project	Number of Agreements	Appendix	Total S106 Funding
Albion Primary School	10	1	£2,529,626.20
Bellenden Primary School	4	2	£321,434.51
The Belham School	4	3	£462,413.35
Bessemer Grange Primary School	1	4	£20,173.00
Charles Dickens Primary School	25	5	£2,106,759.75
Cherry Garden School	8	6	£1,056,441.85
Crawford Primary School	9	7	£655,384.32
Grange Primary School	19	8	£1,733,901.51
Ivydale Primary School	3	9	£195,585.00
Keyworth Primary School	8	10	£299,486.12
Lyndhurst Primary School	1	11	£27,978.00
Phoenix Primary School	11	12	£1,312,091.65
Robert Browning Primary	9	13	£696,909.13

<b>Project</b>	<b>Number of Agreements</b>	<b>Appendix</b>	<b>Total S106 Funding</b>
School			
Southwark Inclusive Learning Service (KS 3) (SILS3)	4	14	£141,481.77
Southwark Park School	5	15	£406,882.43
<b>TOTAL</b>	<b>121</b>		<b>£11,966,549.59</b>

### **Policy implications**

20. These projects will help deliver our Fairer Future Promises by making Southwark a more connected and sustainable borough to live in.
21. The projects meet the following Fairer Future Promises:
  - Promise 4: More and better schools.
  - Promise 1: Value for money.
  - Promise 8: Education, employment and training.
  - Promise 9: Revitalised neighbourhoods.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Democracy**

22. This report requests authority for the release of an amount of £11,966,549.59 for the 15 schools as listed in paragraph 13 of the report from a variety of different section 106 Agreements which are set out in the various Appendices to this report.
23. The report highlights the ever growing pressures in recent years for primary school places and this has led to a considerable investment in the schools programme and this has led to an increase in pupil capacity as outlined in paragraphs 4 and 5. To achieve this, there has been a considerable amount of consultation along the way including the consultation on each planning application. In order to progress with these developments within the necessary timescales to make additional spaces available, the internal accounting has fallen behind and the Council, as explained at paragraph 14 of the report, has needed to forward fund the projects.
24. Many of the major developments within the borough over the past 10 years or so have required a financial obligation to mitigate the additional impact arising from the development and its future occupiers. The agreements listed in the appendices refer to the payment being made to contribute towards the provision of school places for primary or secondary education within the borough. In the case of some of the Agreements, the payment has been made for primary and secondary education provision “within the vicinity of the Site” and it is for this reason that the agreements have been batched in relation to the appropriate nearby school.
25. The procedure for drawing on funds for education projects should prove less cumbersome in the future following the introduction of the Community Infrastructure Levy Regulations and the adoption by the council in April 2015 of the Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document.

26. The decision to approve the expenditure of section 106 monies exceeding £100,000 is reserved to planning committee in accordance with Part 3F of the Constitution.

### Strategic Director of Finance and Governance CAP17/059

27. This report seeks approval from the planning committee to release the sum of £11,966,549.59 from the various agreements listed in appendices 1 to 15 for primary school expansion programme in Southwark.
28. The director of planning confirms the section 106 receipts associated with the agreements listed in this report have not been allocated to other projects, and the proposed allocation accords with the terms of the agreements.
29. The strategic director of finance and governance notes the council has received the related section 106 funds and they are available for the purposes outlined in this report.
30. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
School Places Strategy	Regeneration Team, 160 Tooley Street, London SE1	Andy Brown 020 7525 5538
<b>Web link:</b> <a href="http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?AllId=32647">http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?AllId=32647</a>		
Primary Investment Strategy	Constitutional Team, 160 Tooley Street, London SE1	Gerald Gohler 020 7525 7420
<b>Web link:</b> <a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4549&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4549&amp;Ver=4</a>		
School Places Strategy Update (March 2014)	Constitutional Team, 160 Tooley Street, London SE1	Gerald Gohler 020 7525 7420
<b>Web link:</b> <a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4556&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4556&amp;Ver=4</a>		
School Places Update (July 2014)	Constitutional Team, 160 Tooley Street, London SE1	Gerald Gohler 020 7525 7420
<b>Web link:</b> <a href="http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4861&amp;Ver=4">http://moderngov.southwark.gov.uk/ieListDocuments.aspx?Cid=302&amp;Mid=4861&amp;Ver=4</a>		

## APPENDICES

No.	Title
Appendix 1	Albion Primary School
Appendix 2	Bellenden Primary School
Appendix 3	The Belham School
Appendix 4	Bessemer Grange Primary School
Appendix 5	Charles Dickens Primary School
Appendix 6	Cherry Garden School
Appendix 7	Crawford Primary School
Appendix 8	Grange Primary School
Appendix 9	Ivydale Primary School
Appendix 10	Keyworth Primary School
Appendix 11	Lyndhurst Primary School
Appendix 12	Phoenix Primary School
Appendix 13	Robert Browning Primary School
Appendix 14	Southwark Inclusive Learning Service
Appendix 15	Southwark Park School

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Bruce Glockling, Head of Regeneration, Capital Works	
<b>Report Author</b>	Andy Brown, Capital Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	21 November 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Director of Planning	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		1 December 2017

**APPENDIX 1****Albion Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
11/AP/1097	380A	£144,255.76
08/AP/1563	400	£317,475.00
08/AP/2388	402	£63,808.00
09/AP/1870	452	£403,558.00
11/AP/0963	570	£20,069.08
11/AP/2565	616	£833,610.46
11/AP/2242	641	£79,900.00
13/AP/0568	692	£35,117.05
12/AP/4126	693	£287,001.85
14/AP/0309	728	£344,831.00
<b>TOTAL</b>		<b>£2,529,626.20</b>

**APPENDIX 2****Bellenden Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
09/AP/1769	442	£43,271.00
10/AP/3239	528	£15,953.17
12/AP/3563	655	£207,896.00
13/AP/1738	706	£54,314.34
<b>TOTAL</b>		<b>£321,434.51</b>

**APPENDIX 3****The Belham School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
11/AP/0914	320A	£73,303.00
14/AP/1872	751	£206,467.00
14/AP/3276	759	£170,162.35
11/AP/1139	774	£12,481.00
<b>TOTAL</b>		<b>£462,413.35</b>

**APPENDIX 4****Bessemer Grange Primary School**

Permission Ref	Account No	Amount
12/AP/1630	670	£20,173.00
<b>TOTAL</b>		<b>£20,173.00</b>

**APPENDIX 5****Charles Dickens Primary School**

Permission Ref	Account No	Amount
06/AP/1882	305	£38,430.00
		£38,752.00
07/AP/0202	335	£15,874.00
07/AP/1124	336	£25,034.00
06/AP/2490	353	£23,075.99
08/AP/2406	404	£159,301.00
09/AP/1874	441	£25,702.00
08/AP/2409	444	£11,044.00
08/AP/2427	445	£155,084.00
10/AP/2081	510	£21,419.00
10/AP/3131	526	£121,343.00
10/AP/3372	568	£29,039.90
11/AP/1071	579	£207,075.39
		£1,005.00
13/AP/1403	579A	£43,404.82
11/AP/3963	602	£10,642.00
12/AP/1066	654	£71,723.27
11/AP/2012	681	£159,186.13
13/AP/0943	683	£9,585.50
13/AP/1123	684	£2,322.00
13/AP/0966	690	£160,228.08
13/AP/3815	729	£67,765.00
14/AP/0257	732	£62,127.98
13/AP/3791	733	£136,922.00
14/AP/1862	772	£510,673.69
<b>TOTAL</b>		<b>£2,106,759.75</b>



**APPENDIX 6****Cherry Garden School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
94/AP/0301	030	£50,000.00
12/AP/2702	632	£146,507.00
12/AP/2859	659	£25,260.64
13/AP/3059	720	£93,613.55
14/AP/2102	734	£285,835.00
14/AP/1302	749	£138,602.15
07/AP/1262	687	£314,954.43
13/AP/4266	709	£1,669.08
<b>TOTAL</b>		<b>£1,056,441.85</b>

**APPENDIX 7****Crawford Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
06/AP/2183	330	£35,181.00
07/AP/2075	385	£7,466.00
09/AP/0717	437	£16,353.66
09/AP/0841	462	£4,418.00
13/AP/0561	679	£188,472.16
12/AP/2444	680	£18,816.29
12/AP/1308	686	£115,366.21
13/AP/2902	726	£87,723.00
14/AP/3277	758	£181,588.00
<b>TOTAL</b>		<b>£655,384.32</b>

**APPENDIX 8****Grange Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
06/AP/0334	287	£17,029.00
06/AP/2272	328	£128,183.00
08/AP/2411	446	£168,270.00
09/AP/1098	455	£11,780.00
10/AP/1860	511	£137,347.00
10/AP/2725	521	£85,596.46
10/AP/2824	531	£15,629.10

Permission Ref	Account No	Amount
10/AP/3010	535	£444,277.91
06/AP/1293	543	£21,081.00
09/AP/1917	547	£128,478.05
10/AP/3074	556	£31,492.00
10/AP/1935	560	£113,542.37
11/AP/0217	565	£83,884.00
11/AP/1390	572	£66,919.01
10/AP/0870	575	£8,487.00
11/AP/3251	595	£75,398.00
12/AP/0164	621	£132,668.95
12/AP/1423	627	£38,993.02
12/AP/2942	661	£24,845.64
<b>TOTAL</b>		<b>£1,733,901.51</b>

## APPENDIX 9

### Ivydale Primary School

Permission Ref	Account No	Amount
11/AP/2851	590	£38,420.00
13/AP/1767	708	£155,463.00
14/AP/0075	750	£1,702.00
<b>TOTAL</b>		<b>£195,585.00</b>

## APPENDIX 10

### Keyworth Primary School

Permission Ref	Account No	Amount
05/AP/2502	291	£10,000.00
08/AP/0564	377	£5,521.00
09/AP/2388	491	£18,139.00
10/AP/1831	499	£8,401.00
12/AP/2239	664	£200,247.87
11/AP/0868	666	£18,889.15
13/AP/1235	702	£29,782.10
14/AP/4693	755	£8,506.00
<b>TOTAL</b>		<b>£299,486.12</b>

**APPENDIX 11****Lyndhurst Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
11/AP/0196	559	£27,978.00
<b>TOTAL</b>		<b>£27,978.00</b>

**APPENDIX 12****Phoenix Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
05/AP/1949	312	£26,342.98
06/AP/1058	344	£26,000.00
11/AP/0138	562	£101,056.67
11/AP/1180	567	£225,899.00
11/AP/4309	620	£714,067.00
10/AP/2091	645	£18,607.00
12/AP/3201	667	£67,159.24
12/AP/3860	713	£26,543.13
13/AP/1864	716	£66,994.31
14/AP/0669	737	£33,469.95
14/AP/0764	737A	£5,952.37
<b>TOTAL</b>		<b>£1,312,091.65</b>

**APPENDIX 13****Robert Browning Primary School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
05/AP/2502	291	100,000.00
08/AP/1480	440	2,945.00
08/AP/2440	448	66,933.00
10/AP/2849	551	39,978.00
11/AP/2577	591	15,842.38
09/AP/1940	600	29,888.51
12/AP/1455	628	63,323.47
12/AP/2797	658	301,048.15
14/AP/2706	757	76,950.62
<b>TOTAL</b>		<b>£696,909.13</b>

**APPENDIX 14****Southwark Inclusive Learning Service**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
11/AP/0914	320A	£25,675.77
06/AP/2183	330	£17,078.00
10/AP/3372	568	£7,584.00
13/AP/0065	723	£91,144.00
<b>TOTAL</b>		<b>£141,481.77</b>

**APPENDIX 15****Southwark Park School**

<b>Permission Ref</b>	<b>Account No</b>	<b>Amount</b>
10/AP/3458	541	£13,607.00
11/AP/0139	557	£271,306.00
12/AP/1485	629	£39,147.94
12/AP/3127	668	£34,161.91
12/AP/4049	676	£48,659.58
<b>TOTAL</b>		<b>£406,882.43</b>

<b>COMBINED TOTAL</b>	<b>£11,966,549.59</b>
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