

Report to Cllr N Jupp, Cabinet Member for Learning and Skills

May 2022

Expansion of Cornfield School, Littlehampton

**Report by Mr A Edwards, Assistant Director (Property and Assets) and
Mr P Wagstaff, Assistant Director (Education and Skills)**

Electoral division: Littlehampton East

Summary

The County Council has a statutory duty to provide sufficient school places for all children who need a place.

There is a need to reduce the number of children and young people with Special Educational Needs and Disabilities (SEND) moving from maintained schools and academies into costly education provision in the Independent and Non-Maintained Special School sector, often at schools not situated in West Sussex. Increasing provision for children and young people with SEND through the creation of additional places in County Council Special Schools will assist with the aim of enabling children to attend school locally.

Cornfield School in Littlehampton caters for a wide range of Special Educational Needs, for children aged 9 to 16 year olds with social, emotional and/or behavioural challenges. Following a review of current numbers on roll, projected needs and the existing accommodation, the need to expand the school has been identified. This will enable 8 additional young people to be accommodated in temporary accommodation in September 2022 with permanent expansion of the school to follow.

This report proposes an increase in accommodation at the school in order to provide sufficient capacity for these additional 8 places, including all associated fees, ICT and furniture and equipment. The report also seeks approval to award the contract for the project to be delivered.

Recommendations

The Cabinet Member for Learning and Skills is asked to approve:

1. the procurement required for the design and hire of one additional classroom with ancillary accommodation for two years to enable an increase of 8 additional places at Cornfield School in Littlehampton;
2. the submission of a planning application for full planning permission and statutory consents;
3. the award of the contract for the construction and hire of a single modular classroom with ancillary accommodation for a two-year period to Portakabin in

the sum of £586,875, inclusive of £101,854 for contingencies and risk items, to be funded from the High Needs Block.

Proposal

1 Background and context

- 1.1 In West Sussex there are just under 20,000 children and young people with SEND receiving support in an early years setting, school or college, with over 6,571 of these having an Education, Health and Care Plan (EHCP) as at end April 2022.
- 1.2 Around 29% of West Sussex children and young people with an EHCP are placed in one of the 11 Special Schools across West Sussex. A further 10.6% of all placements are in Independent and Non-Maintained Special Schools (INMSS). These placements are usually for those children with significant physical disabilities or where maintained provision is at capacity (mainly for autism or complex social, emotional and mental health needs). These placements in INMSS are costly with an average cost of £47,000 per child, per annum, excluding transport. However, costs can be as high as £150,000 per child, per annum, depending on the needs of the child.
- 1.3 Increasing provision for children and young people with SEND through the creation of additional places in County Council Special Schools and Special Support Centres and investment in Alternative Provision will assist with the aim of enabling children to attend school locally. Creating these additional places also helps avoid the potential costs associated with placing children in INMSS that lead to increasing overspends in the Dedicated Schools Grant (DSG) High Needs Block. Ensuring that children with SEND can be educated locally also meets a key objective of the County Council's [SEND and Inclusion Strategy 2019 - 2024](#).
- 1.4 The [Planning School Places 2022](#) document sets out how the County Council are planning sufficient school places across the county. There is one Special School serving primary and secondary aged children in Littlehampton and the surrounding area with social, emotional and/or behavioural challenges. The school is Cornfield which caters for 64 planned places for pupils across the 9 to 16 age range.
- 1.5 Following recent increases in numbers on roll and a review of the requirement for places for September 2022 at Cornfield School, the need for urgent additional capacity has been identified. It is proposed that temporary places are provided for 2022 with permanent expansion of the school to follow as soon as possible.
- 1.6 It is a requirement that any new accommodation should be in accordance with Guidance in Building Bulletin 104 'Area Guidelines for SEND and Alternative Provision' and WSCC Design Guides.
- 1.7 In January 2022 the County Council's Multi-Disciplinary Consultant, Faithful+Gould Ltd. (MDC) were appointed to undertake the feasibility study

and design for the expansion of Cornfield School in accordance with the Royal Institute of British Architects recommended process stages 2-7.

2 Proposal details

- 2.1 The building project at Cornfield School would encompass the provision of a single class modular unit with associated WCs.
- 2.2 It is proposed that the modular unit is hired whilst feasibility continues on the permanent expansion required.
- 2.3 Due to exceptional market conditions, it is proposed that the contract to hire the modular unit should be awarded direct to Portakabin under a single tender waiver. It is necessary to follow this procurement route as Portakabin were the only contractor from those contacted through the framework to respond positively in being able to deliver the project for September 2022. This is a time critical Design & Build contract where early contractor appointment is key in meeting the programme. The MDC's quantity surveyors are benchmarking all costs to the framework used and other similar projects, monitoring for best value.
- 2.4 Therefore as part of this decision the Cabinet Member is asked to award the contract to Portakabin for the construction and hire of the single modular unit for two years.
- 2.5 The MDC have been appointed to provide contract administration; health and safety advice and services in relation to ICT and furniture and equipment for the full delivery of the project.
- 2.6 The current programme for delivery of the additional accommodation indicates this will be available for September 2022 with submission of a planning application anticipated in May 2022 and works commencing on site in July 2022.
- 2.7 The design and tendering exercise will be managed by the MDC and the Category Lead for Place.
- 2.8 The additional accommodation will be utilised by the School to support the increase in pupil numbers and the County Council will put in place mechanisms to monitor that the project is achieving the required benefits.

3 Other options considered (and reasons for not proposing)

- 3.1 There is an option to do nothing but this will not offer any savings to the high needs block fund, create much needed additional places for children with SEND or enable children to be placed in a Special School near to home. If the additional places are not provided children will need to be placed in alternative INMS provision.

4 Consultation, engagement and advice

- 4.1 The Headteacher and Governors have been fully involved in the design and they will continue to be involved as the design work concludes to increase accommodation at the School.

- 4.2 The details of the proposal have been shared with the local Member representing the Littlehampton East Division.
- 4.3 The proposal will be subject to planning permission and pre-application advice has been sought.
- 4.4 The Commercial Panel has been consulted on this proposal as part of the County Council's internal governance process..

5 Finance

- 5.1 As the accommodation is to be hired it is proposed that this is funded from the High Needs Block of the Dedicated Schools Grant as this cannot be funded from a capital budget.
- 5.2 The net cost to the high needs block of this project in 2022/23 and 2023/24 should be seen in the context of ensuring that provision is in place in the maintained sector. If these placements were made within the independent sector the high needs block would potentially be committed to higher placement costs over a much longer period of time. This is because once a student starts at an independent school, it is highly unusual for them to transfer back into Local Authority provision, and therefore this could lead to independent sector costs for at least 7 years.
- 5.3 Effectively, therefore the costs that the High Needs block will be incurring over the next two years will be offset by the future savings of these placements going forward once a permanent classroom has been built – with payback having been achieved by 2025/26.

Cost Implication	2022/23 (from Sept 22)	2023/24 Full year effect	2024/25 Full year effect	2025/26 Full year effect
Forecast cost of 8 places Independent sector *(£47k average) (A)	219,333	376,000	376,000	376,000
Forecast cost of 8 places at Cornfield (WSCC average £18k) (B)	-84,000	-144,000	-144,000	-144,000
Rental cost pa (to be added to school cost) (C) assumes no abatement in 2022/23	-440,937	-240,937	n/a	n/a
Total Net saving to high need block(A-B-C)	-305,604	-8,937	232,000	232,000
NB assume no inflationary changes				

- 5.4 It should be noted that the current average cost of a place at Cornfield is more than the WSCC average used for business case assumptions due to the designation of the school and it might be assumed that the cost of an INMS placement would be more too.

- 5.5 The expected costs to transport these 8 pupils to Cornfield should be less than the costs to transport them to potential INMS placements as the use of the local provision should result in reduced requirement for transport albeit miles not journeys.
- 5.6 The total gross cost of the project, including the delivery and installation on site; hire charges; design fees; ICT; FF&E and contingencies of £101,854 is £681,875. The gross cost per place is therefore £85,234 which is lower than benchmarks for SEN projects. However, it should be noted that this will not provide permanent provision of places. A long term solution to provide additional places is currently at the feasibility stage.
- 5.7 The budget requirement to complete the project is therefore £681,875 funded from the approved High Needs Block.

Revenue allocation	2022/23 £m	2023/24 £m	Total £m
Cornfield project allocation	440,937.50	240,937.50	681,875

6 Risk implications and mitigations

Risk	Mitigating Action
Contractor's ability to deliver this project on time and to budget.	The County Council's Capital Delivery Team and MDC Project Manager will work closely with the contractor and school to drive forward a programme to enable delivery for September occupation.
Planning permission is refused or delayed	Pre-planning consultation has been undertaken with Planners and statutory consultees to minimise the risk of issues arising. There is a risk that planning permission will not be secured in time for the contract to be awarded.
The project focuses on additional teaching accommodation to increase the planned places at the school, together with WCs. The project scope does not include expansions to kitchen/dining or additional provision for pupil drop off / pickup.	This will be reviewed on an ongoing basis depending on children's needs. Site pressures in relation to drop off and pick up at the start and end of the school day will be maintained. The process will be carefully managed by the school's site and leadership team. It is anticipated that a further capital project will be required at Cornfield in due course to provide a permanent expansion and to include works to other areas. This project is however required urgently to provide for anticipated pupils with special and complex needs.
Commitment of funds prior to planning approval.	The pace of the project will require a contractor to be appointed and a financial commitment for manufacturing space to construct the modular building prior to planning being granted.

7 Policy alignment and compliance

7.1 Legal Implications

The County Council's MDC has been appointed to undertake the design work required. The MDC was competitively procured from the Crown Commercial Framework reference RM3741. The instruction of the MDC to provide technical consultancy advice for the design of the expansion of Cornfield is compliant with public contract regulations PCR 2015 and the Council's Standing Orders.

The resulting construction contract will be procured via a Public Framework in accordance with the Council's Standing Orders on Procurement and Contracts and PCR 2015 as applicable and Legal Services will be instructed in the usual manner. The value of this procurement is below the PCR threshold for works £5,336,937.

7.2 Equality Duty and Human Rights Assessment

Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it. This proposal will ensure suitable school places for those with protected characteristics

7.3 Climate Change

The County Council's Design Guides are to be adhered to in relation to the design of the new accommodation. The Design Guides have recently been updated to ensure school building designs are in line with the County Council's [Climate Change Strategy](#).

7.4 Crime and Disorder - None

7.5 Public Health – None

7.6 Social Value - Not application for this specific proposal.

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Background papers

None