

Learning Places Programme & School Condition Update Report

Date: 20 September 2023

Report of: Director of Children & Families and Director of City Development

Report to: Executive Board

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report provides an update to Members regarding the current Learning Places Programme delivery including: places across the school estate delivered over the last 18 months; schemes in delivery and the potential future work programme. The decline in the birth rate across the city has resulted in a shift of focus in recent years in terms of creating additional capacity, with expansion schemes predominantly being within secondary and SEND provision. This report also gives consideration to managing the condition of the school estate, the challenges, potential solutions and the financial implications to effectively meet the council's statutory duties to provide sufficient learning places across the city whilst ensuring our school buildings are fit for purpose, safe, warm and watertight.

Recommendations

- a) Note the progress made to date with the Learning Places Programme delivery and the current schemes in development and delivery across primary, secondary and SEN provision and the forward programme.
- b) Note the progress made regarding the Planned Maintenance Programme delivery.
- c) Note the challenges and issues being experienced across the programme and the measures in place where possible to mitigate for these.

What is this report about?

Background

- 1 Between 2009 and 2018, Leeds City Council reacted to a rapidly rising birth rate by creating over 14,000 additional primary school places across the city to manage the demand. This is comparable to the total number of primary places offered by local authorities in neighbouring cities. Following high birth rates of over 10,300 there has been a decline city wide for the past 5 years, with the most recent births across Leeds recorded at just over 8,300. The impact of this

decline is now affecting many primary schools in terms of both numbers on roll with high levels of surplus places across the city, but also impacting financially on school budgets.

- 2 The local authority is working with schools to look at ways of reducing surplus places such as reducing PAN (Published Admission Number) allowing schools to change staffing models based on different intakes. Investigating whether there is a need for nursery provision in an area which may support some schools who are without this and looking at the need for Resourced Provision.
- 3 Secondary school places across the city continues to be in high demand with over 10,100 Year 7 places being allocated for September 2023. In comparison for academic year September 2018 there were 8971 places allocated. Forecasts indicate that city wide demand will continue across part of the city for secondary provision up to 2028, however much of the need has been addressed in readiness and any shortfalls are likely to be managed by schools taking over their PAN and utilising existing accommodation. Over the past five years, the secondary estate has increased capacity by over 5,000 places.
- 4 As part of a strategic approach to meet the demand identified across the secondary estate and SEN requirements, a range of solutions were developed to ensure that the Council's statutory duty to provide a sufficiency of school places could be successfully met. This report sets out the approaches adopted and the position regarding schemes delivered over the last eighteen months, those currently in delivery or under development. The approaches adopted include: -
 - The use of the Council's own school estate or through negotiations with Academies/Trust schools to either take numbers over the schools PAN or bulge/expansion/rebuild schemes to provide new facilities to accommodate new pupils temporarily or permanently;
 - The purchase of land or property for the provision of new school accommodation through a free school presumption;
 - The lease or disposal of land to the DfE or Academy trusts to support the delivery of Free School proposals;

Completed Schemes – up to Academic Year 2022/2023

- 5 Over the last eighteen months and as a result of a collaborative effort across a number of services, including, Children's Services, Asset Management, Planning, Highways, Legal, Procurement and Finance the Learning Places Programme has enabled the successful delivery of the following schemes:

Bulge places/Expansions/New builds

- **Bramhope Primary** – permanent expansion through internal remodelling and extension to the hall (total increase of 140 places)
- **Leeds City Academy** – bulge works delivered ahead of permanent expansion (total increase of 60 places)
- **Allerton Grange** – completion of phase 2 works and extension to the former City Learning Centre building (total increase of 300 places)
- **Allerton High** – bulge works ahead of permanent expansion (total increase of 60 places)
- **Leeds West Academy** – permanent expansion through remodelling and extension to the existing building (total increase of 300 places)
- **Horsforth School** – permanent expansion through extension to the existing building (total increase of 300 places)
- **Bishop Young Academy** – creation of a Resource Provision for children with Autistic Spectrum Disorder (ASD) through internal remodelling (total increase of 30 places)

- **West Oaks Woodhouse** – permanent expansion through extension to existing building (total increase of 80 places)
- **West Oaks Headingley** – further expansion of West Oaks school through remodelling of former Rose Court site (total increase of 120 places)
- **Horsforth St Margaret's C of E Primary** – creation of a Resource Provision for children with ASD through the delivery of a modular building (to increase of 25 places)
- **VINE provision (complex Special Educational Needs – 16-25 years)** – new build (total number of places is 60 with an increase of 40)

Special Educational Needs (SEN)

- 6 There continues to be pressure for additional learning places for our children and young people with SEND, with an increase in requests for SEN assessments and the number of young people with an Education Health & Care Plan (EHCP).
- 7 The DfE provides a specific High Needs Pupil Capital Allocation (HNPCA) for LAs to create new, or improve existing, learning places for children and young people with SEND. This supersedes the 'SEND' capital grant provided between 2018/19 and 2020/21. HNPCA has been provided to LAs since 2021/22 with the next allocation anticipated to be announced early 2024 along with confirmation whether the grant will continue for a fourth year into 2024/25.
- 8 To support our Leeds SEND and Inclusion Strategy, work has been underway with the SENSAP service to identify new Resourced and Partnership learning places to enable children and young people with SEND to learn and participate alongside their peers, in their local mainstream schools and setting. Additional places for children with Autistic Spectrum Disorder have opened at Horsforth St Mary's, and further Resourced Provision will open at Iveson Primary from September 2023. A number of potential expansions and new Resourced and Partnership Provisions have been identified and are currently in the development stage. Once confirmed, these will be costed and where viable will be written into the capital delivery programme.
- 9 Some children and young people, due to their complex needs, still require specialist places, with significant pressure for places in the South of the city where the identification of a viable site is still proving problematic, and work continues to establish a solution.
- 10 The Co-op Brierley 200 place special free school, being delivered by the DfE, has experienced further building delays, and is now due to be completed early August 2024. Upon opening, Co-op Nightingale Primary will host Partnership Provision with the new school. The local authority has worked with the Cooperative Academy Trust to bring forward the Partnership Provision capital scheme at Nightingale so that 52 places can be offered from September 2023 as an interim solution for children up to year 7. On the opening of the Co-op Brierley site many of the children will transition to the new school.
- 11 The LA was successful in its bid for a 200 place SEMH free school, this was through the DfE special free school wave 2022. The application window for interested sponsors opened in May and closes on the 31st August. Interviews will take place this autumn and the successful applicant announced in January 2024. The school is not expected to be open before 2027.
- 12 Expressions of interest to the DfE for an Alternative Provision Free School, to be delivered in partnership with the Local Authority, closed in October 2022. The Local Authority supported a bid from the Rodillian Trust for an 11 to 16 alternative provision academy with a Key Stage 2 transitional unit. The final application was submitted to the DfE in February 2023 with announcements of successful bids expected in early autumn 2023.
- 13 In December 2020 Executive Board approved a decision to re-provide purpose built educational provision for young people aged 19 to 25 with complex SEND, known as the Vine. The funding

source at the time was described as Prudential Borrowing which would be repaid through the lease arrangement with the provider, Leeds City College. The paper also made clear this would be dependent on renegotiating the service level agreement which is funded through the High Needs block. Subsequently, the Authority has received notification of the High Needs Pupil Capital Allocation, which is provided by the department specifically for such purposes, and therefore this is now being used to fund the new build. This enables the Local Authority to achieve further savings on the High Needs Block. The new build will be operational from September 2023.

Planned Maintenance Programme (PMP)

- 14 Leeds City Council receives an Annual School Condition Allocation (SCA) of circa £6m to be used for addressing essential/priority building condition works across maintained schools, Foundation (Trust) schools and children's centres on school sites. The LA utilises the grant by delivering a rolling annual Planned Maintenance Programme (PMP) addressing the highest priority condition issues at schools in the following seven areas:
1. Mechanical Services
 2. Roofing Works
 3. External walls, windows, and door replacement
 4. Kitchen Ventilation
 5. Fire Safety
 6. Modular Works
 7. Combined Works
- 15 The rationale for addressing these priorities is to maintain a safe, warm, watertight learning environment, and to address the most common causes of unplanned school closure and loss of teaching time, which generally fall into the seven categories noted above.
- 16 The local authority is not adequately funded to address the backlog maintenance issues within the school estate. In 2021 the DfE published key findings from the condition of school buildings surveys (CDC1: Condition Data Collections version1). These findings stated the average condition need within the Yorkshire and Humber Region was £463,366 per school to bring buildings back to a satisfactory level. This estimate indicates a total of £127.4m of backlog maintenance exists within all state funded schools in Leeds (275 schools), and £66.3m within those where the Local Authority is the responsible body for condition (143 Schools). There has been widespread criticism of the accuracy of the CDC1 data across the sector. In way of example, the CDC1 data formed the basis to determine which schools were in scope for the DfE's School Rebuilding Programme. On CDC1 data alone, Wetherby High School and East SILC John Jamieson did not qualify, requiring additional professional data obtained by the Local Authority to secure their inclusion. This underestimation of condition need within the DfE's data collection is recognised by the National Audit Office (NOA), which states, whilst the DfE have made some progress in the last year, it currently lacks comprehensive information on the extent and severity of potential safety issues across the school estate. Cost increases since the collection of the CDC1 data, and the continued deterioration of buildings, means the condition need estimate of £66.2m for Leeds Local Authority maintained schools is very likely a conservative one.
- 17 The forecast deterioration in the condition of the school estate is a significant risk to long-term value for money. In June 2023 the National Audit Office (NAO) published its report "Condition of School Buildings" concluding 38% of school buildings nationally are past their estimated initial design life, and 700,000 pupils are learning in schools where the responsible body or DfE believes a major rebuild or refurbishment is required. In recent years, funding for school buildings has not matched the amount the department estimates it needs, contributing to the estate's deterioration. Between 2016-17 and 2022-23, DfE spent on average £2.3 billion a year, with most of this (76%) for maintenance and repair and the remaining 24% to carry out major

rebuilding and refurbishment projects. In its Spending Review 2020 case, drawing on external estimates, DfE reported that £7 billion could represent the best-practice level of annual capital funding required to bring schools to a satisfactory position. This, combined with weak incentives for schools to maintain their buildings, creates a significant risk that defects will go unrepaired and will cost more to address in the future.

- 18 In 2021, after the pandemic, the programme management of PMP was transferred to Asset Management and Regeneration and brought into the Learning Places delivery, working closely with Children and Families Directorate to identify the highest condition need across the school estate. The governance approach developed enabled the successful delivery of the 2021 PMP. During the pandemic the Planned Maintenance Programme was only able to deliver a minimal number of schemes (stripped back to 19 rather than the usual 40-50) to address the most severe condition need. The delivery has since continued to be impacted by significant increase in material costs, inflation, and the limited availability of contractors across the building sector. This has caused some schemes being judged as not value for money, and fewer being afforded within the annual SCA, with the programme due to deliver 26 schemes during the summer of 2023. As concluded by the NAO, this results in more remedial and reactive works required throughout the year to keep schools open for learning.
- 19 Locally we are challenging our schools in respect of routine maintenance, and the most appropriate utilisation of their Devolved Formula Capital (DFC) funding. However, school budgets are under pressure, and primary schools receive on average £7k DFC and Secondary schools £12k DFC per year. Whilst this can be pooled over 3 years, it does not leave much scope for major capital maintenance projects.
- 20 Children and Families have worked closely with the Sustainable Energy and Air Quality Team and provided match funding of £1.5m from the SCA to support the decarbonisation of school sites through heating infrastructure upgrades and the replacement of gas boilers with air source heat pumps.

Health & Safety issues

- 21 To ensure the Council can respond to any unplanned reactive/emergency condition works at schools, £1m of the SCA grant is ringfenced annually. These works still fall into the 7 areas of condition works eligible through the grant. Due to the issues highlighted in respect of the aging school estate, the requirement for such works and the associated costs are increasing year on year.
- 22 There is some complexity in understanding the responsibility in respect of maintaining school buildings. Where the Local Authority is the employer of the staff (within Community and Voluntary Controlled Schools) they are also responsible for Health and Safety. The Local Authority is not the employer in Foundation schools, Aided schools and Academies. The Local Authority is the responsible body for maintaining Community, Voluntary Controlled and Foundation schools. They are not the responsible body for Aided schools or Academies.
- 23 The Local Authority, as the employer of staff within Community and Voluntary Controlled schools, is responsible for their Health & Safety and work with schools to meet duties in relation to regulation 4 of the Control of Asbestos Regulations 2012 (CAR). This includes ensuring all schools have an up-to-date Asbestos Management Plan and:
 - support governing bodies and leadership teams to ensure there are suitable arrangements in place to manage the asbestos materials within a school.
 - regularly monitor the effectiveness of the arrangements to ensure that the risks are controlled.
 - ensure all staff with delegated responsibilities in this area are suitably trained to undertake their role.

- 24 When commissioning construction work, the Local Authority work with the schools and the relevant responsible body (such as the Multi-Academy Trust) to determine whether there is a risk the work might disturb any asbestos materials, including any unidentified, presumed or hidden asbestos materials. Where this work will disturb the fabric of the building, the Local Authority arrange for a relevant refurbishment or demolition survey to be carried out by a trained specialist. Wherever asbestos can be removed, this will be done safely by approved and qualified specialist as part of a project. Where it is not possible to be removed, this will be encapsulated and logged, monitored and reviewed as part of the Asbestos Management Plan and associated processes.
- 25 The lead responsibility for Fire Safety in schools moved from Children & Families in 2021 to the Fire Hub within Communities, Housing & Environment. The Fire Hub now complete Fire Risk Assessments for all schools, including academies. For those schools where the Local Authority are the responsible body, the Fire Hub provide Children & Families a list of fire stopping projects each year that form part of the Planned Maintenance Programme.
- 26 An additional Health & Safety risk within school buildings which has come to light in recent years is the use of Reinforced Autoclaved Aerated Concrete (RAAC), a lightweight precast form of concrete panels. RAAC was used in schools, colleges and other buildings constructed or modified between mid-1950s and mid-1990s, used for flat and pitched roofs, eaves, floors, walls. It has recently been identified as having a useful life of around 30 years.
- 27 The DfE has requested each Local Authority completes a questionnaire on the presence of RAAC, providing them with a list of potential schools effected where the LA are the responsible body for condition (including Community, Voluntary Controlled and Foundation Schools). In this list in Leeds equated to a possible 76 schools. The DfE then extended the timeframes for the use of RAAC to be from the mid-1930's, identifying another potential 67 Leeds schools in scope, a total of 143. Leeds City Council are currently complying with the departments five stage approach:
1. Information collection
 2. Initial Assessment
 3. Appoint a specialist engineer
 4. Detailed assessment
 5. Management and remediation strategy
- 28 Stage 1 narrowed the scope of schools to 111. Schools in Leeds have received advice in several ways, so they are aware whether they are likely to be at risk, and what to look out for as early warning signs of any problems. Now in Stage 2, visual inspections of those schools have taken place for the majority of those schools in scope. As RAAC is commonly encased in asbestos, Leeds Building Services have been commissioned to complete an asbestos survey of all those schools in scope and are taking photographic evidence of the concrete which is then being reviewed by a structural engineer against RAAC guidance to ascertain whether any of the concrete is potentially RAAC and whether any schools need to move to stage 3. LAs can tender, or call off from the DfE framework, surveyors qualified to carry out intrusive RAAC surveys – no one in the LA is qualified to complete RAAC intrusive surveys. The DfE have confirmed they will meet the capital costs of mitigations if RAAC is identified within schools, however the guidance document published on the 31 August states that revenue costs of renting alternative accommodation or education transport will need to be met by the Local Authority. The speech given by the Secretary of State on 4th September stated that the DfE would engage with schools where there were additional revenue costs, so there is a lack of clarity at present over the potential for revenue costs to be met
- 29 Overall, Leeds have taken a measured and proactive approach, and have advised our colleagues in the relevant Dioceses who also have responsibility for school buildings. The vast

majority of investigations at stage 2 for all schools for which the Local Authority is the responsible body have been completed and no RAAC has been identified. We have been made aware of one academy where RAAC has been identified within a single block within the school. Support has been offered to the Academy from the Local Authority should they require it.

Priority School Building Programme (PSBP)

- 30 On 29 June 2020 the Government announced the School Rebuilding Programme (SRP) to replace “poor-condition and ageing school buildings, with modern, energy-efficient designs. The DfE committed to rebuild (or refurbish) 50 schools a year over a 10-year period. There are currently 400 projects in the programme, announced in 2021 and 2022.
- 31 The 300 schools prioritised in the third and fourth tranches in 2022 were identified from 1,105 nominations received from organisations responsible for school estates. Assessment and site visits took place by DfE commissioned surveyors in spring and summer 2022 to identify from the nominations those schools with the greatest need for a rebuild or significant refurbishment.
- 32 The criteria for which responsible bodies were given the opportunity to nominate schools for the third and fourth tranche was extremely strict. In summary:
1. Where the DfE’s CDC1 condition data (2019) states the school/block has more than 1,200 m² of severe condition needs.
 2. Exceptional cases where the school/block has been closed, or is at risk of imminent closure (in the next 3 years) and:
 - a. Has not been captured in the DfE’s CDC1 data and the LA has additional professional evidence which can be submitted to prove the condition need (e.g., structural survey)
 - b. Issues that can only be resolved by a rebuild (of school or block).
 - c. Temp/Modular Buildings will only be considered if there are severe condition needs identified within the main building, they will not be considered in isolation.
- 33 There were no Leeds schools, for which the LA are the responsible body, that met the criteria of route 1. Leeds City Council nominated the following 5 schools under route 2 for ‘Exceptional Cases’ supported with additional professional evidence:
1. East SILC – John Jamieson Site
 2. Parklands Primary School
 3. South SILC – Broomfield
 4. West SILC – Milestone
 5. Wetherby High School
- 34 In March 2023, the DfE announced successful nominations. These were as follows for Leeds, including those where the LA is not the responsible body:
1. East SILC – John Jamieson
 2. Wetherby High School
 3. Oulton Academy (former Royds High school – Falcon Trust)
 4. Brigshaw Academy (Red Kit Trust)
 5. St. Mary’s Menston (Bishop Wheeler Catholic Academy Trust)
- 35 On 13th July 2023, the DfE informed responsible bodies of the timeframe of delivery as follows:
- Group 1: DfE started work on this first group of schools in April 2023, with schools entering delivery each quarter. These are urgent cases.
- Group 2: These projects are currently expected to enter delivery from April 2025
- Group 3: These projects will follow Group 2 projects and are expected to start no earlier than April 2027.

- 36 Groupings were allocated on a provisional basis as project start dates will be subject to completion and resolution of due diligence checks. Changes in circumstances could mean that projects become more or less urgent and additional projects entering the programme may need to be prioritised.
- 37 Leeds LA have yet to receive detail of the delivery timeframes for the three Leeds schools where they are not the responsible body. Wetherby High school and East SILC – John Jamieson have been confirmed as follows:

Wetherby High School

- 38 Allocated to Group 1 for delivery, with the DfE planning to complete additional site surveys over summer 2023. Discussions have taken place with the department regarding the original scope of the LA's rebuild proposal. These are ongoing to ascertain how the department and the LA could achieve savings and opportunities through collaborative working. It is likely the rebuild would take place at a different location on the school site, with the existing building in situ and a phased decant into the new build. The Council will continue to monitor the condition and safety of the existing building during the school rebuilding project.

East SILC John Jamieson

- 39 Allocated to Group 3 for delivery, not entering delivery before April 2027. Discounting any slippage in the DfE's delivery of Groups 1 and 2, the timeframes for Group 3 indicate it is likely the existing building will need to operate until 2030 before decanting into a new building if provided. The school has recently experienced new condition issues impacting on teaching and learning space and will require considerable capital investment to remain operational for this length of time. The presence of asbestos throughout the roof voids and floor ducts also increases costs and closure times to complete maintenance/remedial works, usually requiring them to be phased during summer holidays over several years. Whilst the DfE do not offer an appeals process, the Council are keeping the department informed of additional and ongoing condition issues with the ambition to escalate the school's position within the programme. Due to the complexities of the cohort, and the site restraints, the Council will be required to identify a decant site to secure the rebuild.

Learning Places Forward Programme

- 40 The demand for secondary and SEN places remains across the city, with one or two primary hotspot areas, with several schemes already either under a phased construction or in development. Schemes due for completion for September 2023 and onwards include:
- **St Edwards Catholic Primary** – permanent expansion through extension to existing building (total increase of 70 places)
 - **Allerton High** – permanent expansion through extension to existing building (total increase of 300 places)
 - **Leeds City Academy** – permanent expansion through extension to existing building (total increase of 300 places)
 - **Coop Nightingale Academy** – of new resource and partnership SEN provision (total number of places is 60)
 - **Coop Brierley Academy** – creation of new SEN school (delivered by the Department for Education on behalf of Leeds City Council – total number of places is 200)
 - **Iveson Primary** – creation of a new resource provision for children with ASD (total number of places is 16)
- 41 Due to the decline in births across the city, the need for further primary school capacity is likely to be centred around housing growth and as part of the adopted Leeds site allocation plan, several sites have been reserved for new primary schools as part of developments including:

East Leeds Extension (northern and southern quadrant), Otley East, Wetherby Racecourse Approach, Skelton Gate, Laneside Farm Churwell.

- 42 The current demand and pressure for secondary school places is forecast to continue up to 2028, and although additional capacity has been created across the city in anticipation of this, there will still be the need for additional places in some areas of the city, likely to be through schools taking over their PAN. From 2029 onwards it is expected that the lower numbers being seen in primary schools will start to be experienced within some secondary schools as the demographic changes follow through.
- 43 Additional places are also now being planned at post-16 level due to pressure on places and this is expected to continue for the next 5 years and beyond. To help manage this the Local Authority are working closely with our partners and will include a mixture of increased capacity at school sixth forms, increasing capacity at FE colleges and proposed new provision. Our data currently suggests a growth of 15% city wide in the learners moving into Year 12 who live in Leeds, compared to our census data of the population currently entering the provision, which equates to an increase of over 1300 learners city wide.
- 44 The planning of post-16 places can be a challenge due to the local authority having less autonomy and no capital funding to create extra capacity. Pudsey Grammar have recently been successful with a bid to the DfE for Post 16 Capacity Funding which will allow them to expand the number of places available by delivering a new block of accommodation. The project will be delivered in conjunction with the Projects and Programme Team in City Development. The collaboration of other partners such as city-wide FE colleges and the DfE is vital to the successful planning of places with regards to both capacity and the level and type of post-16 courses.

What impact will this proposal have?

- 45 The report sets out how the Council has and continues to deliver its statutory duty to provide a sufficiency of school places across Leeds for children of all ages and abilities. The positive benefits of good quality teaching environments as part of the educational experience are an important part of a child's life. The delivery of the expansion and new build schemes creates better quality spaces where children learn and grow in a positive way.
- 46 In addition, the schemes also address historic condition issues as part of either the Learning Places or Planned Maintenance Programme.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

- 47 The proposal directly supports the outcomes set out in the Inclusive Growth Strategy that puts children at the heart of the growth strategy by ensuring a sufficiency of school places for all children in Leeds.

What consultation and engagement has taken place?

Wards affected: Multiple Wards are affected due to City wide projects

Have ward members been consulted? Yes No

- 48 The Deputy Leader of the Council and Executive Member for Economy, Culture and Education is briefed on all proposals as they develop alongside ward specific members where the proposals relate to ward specific projects.

What are the resource implications?

- 49 The Learning Places programme currently includes 11 schemes that are on site or have been recently completed with project costs totalling £57.4m. Six schemes have Authority to Spend (ATS) approval and are in construction as part of a full or phased delivery, valued at £24.0m.
- 50 No further planned schemes are currently in the design development phase, however further pipeline schemes will be progressed to this stage once agreed solutions have been identified. Although some expansion of primary and secondary is still expected to be required, the future programme will mainly concentrate on managing the expected increase in the need for SEND places, mostly through expansion of existing Resource Provision plus additional Partnership Provision in mainstream schools.
- 51 A Programme Risk Fund currently sits at £6.5m. This fund is used to address any individual scheme funding shortfalls arising after completion of the design development stage and is usually set at 10% of schemes in development. Although market conditions continue to be subject to economic pressures, suitable client contingencies and specific risk amounts will be incorporated into individual project budgets for new schemes as they are brought forward. Based on schemes in the existing programme, it is anticipated this level of risk fund will not be required. Therefore, the intention is to review the risk fund over the next period, once schemes are fully defined, and reduce it proportionately in line with the size of the future programme.
- 52 Where mainstream expansion needs are linked to housing developments, Section 106 developer contributions continue to be sought to help finance programme costs.
- 53 Financial projections for the Learning Places Programme have highlighted for some years that the value of planned schemes on the programme monitor exceeds the amount of unallocated resources left in the programme (including the Risk Fund). Whilst an in-year funding deficit has been avoided for some time via careful programme management and subsequent grant allocations, current projections indicate that an in-year cash funding shortfall could occur in 2026/27 which is currently estimated at £1.4m subject to ongoing analysis of demographic projection data and is further projected to amount to £17.2m over the life of the current capital programme.
- 54 A funding solution may therefore be required to ensure that the 26/27 LP programme can be fully financed. Previous injections of CIL and council borrowing have been utilised to cash flow the programme in advance of confirmation of future years DfE capital grant allocations. The DfE notifies local authorities of capital grant allocations in advance of need, the most recent Basic Need grant announcement being for the 2025/26 financial year. No Basic Need grant allocation will be provided to Leeds for 25/26. This suggests projected future demand for additional school places in primary and secondary sectors is expected to diminish by this time, although capital solutions may still be required to help manage in-year bulges of pupil numbers in specific areas of the city. The most recent announcement on High Needs Provision Capital Allocations (HNPCA grant, to help manage increases in demand for special needs school places) was in respect of the 2023/24 financial year; the DfE has suggested that the next grant announcement is likely to be made early in 2024.
- 55 An update on the position, and a proposed strategy to manage the projected Learning Places deficit, and which could include the continued use of CIL and council resources, will be included in the annual budget and capital programme reports that are due to be presented to the Executive Board next February.

What are the key risks and how are they being managed?

- 56 Risk is managed through application of 'best practice' project management tools and techniques via the City Council's 'PM Lite' risk methodology. Risk management forms just one part of PM Lite and further details on risk can be viewed on the Insite page: <https://insite.leeds.gov.uk/toolkits/managing-a-service/riskmanagement>

- 57 The progress of the scheme (RAG rating and comments) is included in the routine reporting to the council's Strategic Investment Board, Programme Risk and Control Group and Schools Places Programme Board.
- 58 Meeting the Local Authority's duty to provide sufficient learning places, under section 14 of the Education Act 1996, is monitored through the Council's Annual Corporate Risk and Resilience Report. Risks are reviewed, updated and reported on a quarterly basis.
- 59 A key risk associated with any Learning Places scheme can be an objection from a statutory consultee. Early consultation and pre-application conversations prior to the planning submission process reduces the level of risk of objection and consequently the potential delay to handover.
- 60 In respect of RAAC, the 5-stage approach suggested by the DfE is being followed, and a remedial works plan will be established if any is identified as being present within Leeds Schools. Council and school business continuity plans will be followed if sites are to be closed for long periods of time. This approach will be monitored through the Programme Risk and Control Group within Children and Families Directorate, and where additional capital injections are required, these will be requested through the Council's Strategic Investment Board.
- 61 Asbestos is a potential risk in those schools built up to the year 2000, and which is actively managed by the Local Authority and schools in line with published guidance from the DfE which reflects the Control of Asbestos Regulations 2012 (CAR) and wider duties under health and safety legislation including:
- The Health and Safety at Work act 1974 (HSWA)
 - Hazardous Waste Regulations 2005
 - Safety Representatives and Safety Committees Regulations 1977
 - Health and Safety (Consultation with Employees) Regulations 1996
 - Construction (Design and Management) Regulations 2015
 - The Management of Health and Safety at Work Regulations 1992
- 62 Leeds Local Authority has supported the DfE in improving the information they hold about the presence and management of asbestos within the school estate by completing the voluntary Asbestos Management Assurance Process Questionnaire over the past 5 years. This has now been amalgamated into the DfE's Condition Data Collection process as a mandatory return.

What are the legal implications?

- 63 There are no legal implications for this report.

Options, timescales and measuring success

What other options were considered?

- 64 No other options have been considered as the Council has a statutory duty to provide a sufficiency of school places and the Learning Places Programme is governed with this as its key driver.

How will success be measured?

- 65 Success is measured through the delivery of a sufficiency of school places and the opening of schools in time for the academic year the places are required, and the schemes are delivered within budget.

What is the timetable and who will be responsible for implementation?

- 66 This report provides an update for Members regarding the schemes delivered under the Learning Places Programme over the last 18 months purpose. No decision is required to be taken.

Appendices

- Appendix A - Equality, Diversity, Cohesion and Integration Screening

Background papers

- None.