

Allocation of Section (S)106 education contributions retrospectively towards the costs of the permanent expansion of Allerton Bywater Primary School

Date: 20 February 2024

Report of: The Sufficiency and Participation Team Lead

Report to: The Head of Learning Systems

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

The housing developers of the Park Lane, Allerton Bywater development (Keepmoat Ltd) have paid the Local Authority Section 106 education contributions totalling £125,581.32 to be used for the provision of primary school facilities.

Allerton Bywater Primary School (PS) is the nearest primary school to the development at 0.393 miles straight line distance / 0.5 miles walking distance. The school has absorbed the majority of the additional demand for primary school places generated by this development.

On roll data from November 2023 shows there are currently 56 primary aged pupils living in the housing development, 31 of whom are attending Allerton Bywater PS.

Allerton Bywater PS's capacity was increased from 210 to 420 pupils, with the Published Admission Number increasing from 30 to 60, from September 2014. The expansion project pre-emptively generated the necessary teaching space, along with welfare and supporting space, to accommodate the increased intake at the school arising directly from this housing development. The cost of the expansion scheme was £2.4M and was financed by Basic Need Grant funding as part of the Capital Programme.

The 2014 expansion of Allerton Bywater PS was envisaged to be the long-term solution to meet the rising demand for primary school places in the local area arising from both existing residential areas and from new housing developments, including the Keepmoat Ltd development. Therefore, it is appropriate for the S106 primary education contributions paid by the developers of this site to be retrospectively directed towards meeting the capital cost of this expansion scheme.

At January 2024's Programme Risk and Control group, support was given to allocate £125,581.32 of Section 106 education contributions, paid to the Local Authority by Keepmoat Ltd, retrospectively towards the costs of the permanent expansion of Allerton Bywater Primary School.

This report seeks final approval to allocate these Section 106 education funds retrospectively towards the capital costs of the permanent expansion of Allerton Bywater Primary School.

Recommendations

- a) The Head of Learning Systems grants approval to allocate £125,581.32 of S106 education contributions paid by the housing developers of the Park Lane, Allerton Bywater development (Keepmoat Ltd) towards the costs of the permanent expansion of Allerton Bywater Primary School.
- b) The Head of Learning Systems grants approval to inject £125,581.32 of S106 education contributions (reference 13/05235) into capital scheme number 16585/ALB/000 for the permanent expansion of Allerton Bywater Primary School.
- c) Note that at its January 2024 meeting, the Programme Risk and Control group supported the use of the Park Lane, Allerton Bywater development (Keepmoat Ltd) S106 education contributions retrospectively towards the capital costs of the permanent expansion of Allerton Bywater Primary School.

What is this report about?

- 1 This report seeks approval to allocate a total of £125,581.32 of S106 education contributions paid by the housing developers of the Park Lane, Allerton Bywater development (Keepmoat Ltd) retrospectively towards the capital costs of the permanent expansion of Allerton Bywater Primary School.

What impact will this proposal have?

- 2 The allocation of this Section 106 funding will help ensure there remains sufficient capacity in Allerton Bywater to meet long-term demand for primary school places generated by housing growth.
- 3 Providing places close to where children live allows improved accessibility to local and desirable school places, is an efficient use of resources and reduces the risk of non-attendance.
- 4 The permanent expansion of Allerton Bywater PS contributes to the city's aspiration to be the best council, the best city in which to grow up and a child friendly city. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a child friendly city.
- 5 A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsession to improve achievement, attainment and attendance at school.

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

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 6 The Local Authority has a statutory duty to ensure a sufficiency of school places within Leeds, which supports the achievement of the Best City Ambitions of 'ensuring children in all areas of the city have the best start in life' and 'ensuring young people and those changing career in later life have the skills and job opportunities which enable them to realise their potential and thrive'.
- 7 Providing additional school places in an area where demand for places is high contributes towards the achievement of the Child Friendly City aim of 'improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'. The permanent expansion at Allerton Bywater PS also contributes to the achievement of the Best City Priority to help 'young people into adulthood, to develop life skills and be ready for work' which in turn, provides underlying support for the council's ambition to produce a strong economy and be a compassionate city.

What consultation and engagement has taken place?

Wards affected: Kippax and Methley

Have ward members been consulted?

Yes

No

8 Ward members are routinely informed of S106 allocations on approval.

What are the resource implications?

9 The scheme cost for Allerton Bywater PS was £2.4M and was financed by Basic Need Grant funding as part of the Capital Programme. The S106 contribution will be used to replace an equivalent amount of Basic Need capital grant that was used in the original capital scheme financing proposal.

10 The allocation of £125,581.32 against the costs of the permanent expansion of Allerton Bywater PS will help ensure good value for money and is an appropriate use of the contributions in accordance with the terms of the S106 agreement.

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

11 If the allocation of S106 contributions paid by the developers towards the permanent expansion scheme at Allerton Bywater PS are not approved, the scheme would be fully financed by Basic Need grant funding allocations, resulting in a reduced pool of Basic Need grant funding available for other learning places schemes.

12 The risk of not approving the S106 allocations at this time could result in not using the funding within the time period set out in the S106 agreement. If the funding is not allocated prior to the clawback date then the developers could request that the Local Authority return the contributions.

What are the legal implications?

13 This is a Significant Operational Decision (SOD) which is not subject to call in and there are no grounds for keeping the contents of this report confidential under the Access to Information Rules.

14 There are no other legal implications.

Options, timescales and measuring success

15 The S106 funds should be allocated as soon as possible to ensure the impact the housing development has had on demand for education places is mitigated by improving the value for money of the permanent expansion scheme at Allerton Bywater PS.

What other options were considered?

16 There are no other eligible school expansion or improvement schemes towards which these S106 education contributions could be directed. Given that Allerton Bywater PS has absorbed most of the additional demand for primary school places generated by this development, the expansion scheme at this school stands out as the only appropriate option for the allocation of these funds.

Appendices

17 None.

Background papers

18 None.