

APPENDIX 3 Breakspeare School

COMMUNITY INFRASTRUCTURE LEVY FUNDING REQUEST

Project Overview	
Project Title	Permanent enlargement of Breakspeare School.
Summary of the project proposal	The project proposed is for the permanent enlargement of Breakspeare School, Gallows Hill Lane, Abbots Langley, WD5 0BU from 97 to 210 places, with effect from September 2023 and the relocation of the school to the former Durrants School Playing Field, Manor Way, Croxley Green, WD3 3LU. Breakspeare School is a community special school for children aged 2 years to 19 years with severe learning difficulties (SLD).
Estimated project cost (including breakdown of the overall cost and what the CIL funding requested will cover)	The estimated cost has been provided confidentially to the council. The final cost will be subject to tender so the current best estimate is considered commercially sensitive. We have therefore omitted it from the public form so as not to affect the public procurement exercise and ensure value for money for the public purse.
Full address of project location	Former Durrants School Playing Field, Manor Way, Croxley Green, WD3 3LU
Project partner (if applicable)	N/A
Strategic Case	
How does the project help address the demands of development in the area. What evidence is there to support this?	HCC have developed a strategy to ensure that there are sufficient local places for children with special educational needs and disabilities. The strategy can be found here: https://democracy.hertfordshire.gov.uk/documents/s24950/201214%2006a%20Appendix%201%20SEND%20Special%20School%20Place.pdf All Hertfordshire special schools are at capacity and demand for places continues to rise. Demand for special school places is forecast to rise by 364 places between January 2020 and January 2025. It is clear that new capacity must be built into the system, particularly in some sectors, to ensure that Hertfordshire can continue to meet need locally now and into the future. One of the identified priorities of the Strategy is to build capacity in the SLD/PNI sector by creating up to 300 new SLD places to meet demand. The forecast shows that 75% of the overall increase in demand across the life of the forecast is for SLD and PNI places.
Do you have planning permission in place to carry out the works? If so, please provide the application number	Following approval from HCC Cabinet to progress with the scheme, expected Feb 2022, a planning application will be submitted to HCC who will be the determining authority as it will be a Regulation 3 application. Three Rivers District Council will be a statutory consultee to the application.

<p>Why is CIL funding being sought and who are the likely beneficiaries of the project?</p>	<p>The current Breakspeare School is at full capacity and there is no further expansion potential on the site or at other SLD schools in the south west. As the increase in demand for SLD places is a national trend, a shortage of out-of-county places will result in Hertfordshire residents being unable to access any suitable school places to meet children's needs.</p> <p>The Breakspeare relocation and enlargement will provide an additional 113 SLD places and play a major part in meeting the increased demand from the west of the county. HCC are also developing proposals to provide a further 100 places in the east of the county.</p> <p>SLD schools have significant revenue costs due to the complex needs of the children and the project will provide purpose built SEND accommodation, designed to meet these needs.</p>
<p>Would the community support the project?</p>	<p>A HCC public consultation on the proposal was held between 19th October 2021 and 22nd November 2021. The outcome of the consultation will be reported to the Education, Libraries and Lifelong Learning Cabinet Panel on 9 February 2022 when officers will ask Panel whether they will recommend to HCC Cabinet later that month to support the proposal and proceed to the publication of statutory notices. Although we are unable to share details before Cabinet Panel in February, we are confident that any objections will be addressed during the full town planning process and associated consultation, which will then have full plans for residents to review.</p>
<p>Would the project lead to any income generation?</p>	<p>No</p>
<p>Please provide details of any supporting policy from the Local Plan</p>	<p>The adopted Local Plan does not directly promote the delivery of a SEND facility through policy or by the allocation of land.</p> <p>However, the emerging Local Plan, although at an early stage of its development, highlights a number of objectives at the core of the Community Strategy for Three Rivers that the Local Plan will draw on, one of which is an ambition that residents "attend, engage in and enjoy high quality education and learning experiences".</p> <p>Strategic Objective #4 of the Regulation 18 version of the emerging Local Plan (June 2021) states that "it is important that <u>all</u> residents have good access to services including health, <u>education</u>, transport and emergency services and that this is maintained or improved in the future an integrated component of new development."</p> <p>Whilst the emerging Local Plan does not give specific details regarding the provision of additional SEND school places, the Breakspeare relocation and enlargement will help to ensure that there are sufficient non-mainstream school places for residents of Three Rivers and other South-West Herts boroughs who require such educational facilities, and who are currently underprovided for.</p> <p>The Former Durrants School Playing Field site is not allocated in the adopted Local Plan and was not proposed for any other type of land use within the Regulation 18 Local Plan consultation. Hertfordshire County Council requested that the site is allocated for SEND education use in its representations to the Regulation 18 consultation.</p> <p>No allocations or proposed allocations nearby would be unduly affected by the existence of a new SEND school.</p>

Financial information

Please show in the table below the amount of CIL funding being sought and any other contributions that may have been allocated for this scheme

	Amount	Detail
Please provide a detailed summary of the total CIL funding required, including phasing	£901,574	<p>HCC is seeking a CIL contribution that is proportionate to the level of demand for places at SEND schools that will have been generated by development that has occurred in Three Rivers district.</p> <p>We have calculated the proportion of CIL funding requested using the same methodology we use when seeking S106 contributions in non-CIL authorities. This is documented in the Guide to Developer Infrastructure Contributions and is an approved methodology that was developed in consultation with the 10 Hertfordshire district/borough councils, using the Hertfordshire Demographic Model (HDM).</p> <p>The HDM applies a flat rate contribution for houses and flats for SEND education. The flat rate was multiplied by the number of houses and flats delivered in Three Rivers since April 2015 (using SMART Data), which then gave the total proportionate SEND contribution sought.</p> <p>The additional special school places will provide much needed places for children living in the west of the county, and HCC will be applying the same methodology to other Hertfordshire CIL charging authorities in the west of the county. HCC is also collecting S106 obligations from development in St Albans.</p> <p>Further detail on our methodology can be provided upon request.</p>
How much funding does the project currently have?	£3,818,000 £1,000,000 £758,139.80	Department for Education grant funding Contribution from HCC School Repairs & Maintenance budget Collected S106 contributions held by HCC including £102,067.71 S106 contributions collected for education in Three Rivers District Council (subject to relevant HCC approvals).
Are there any revenue costs (i.e. day-today running costs, maintenance cost) associated with the project and if so how will they be funded and has that funding been secured?	N/A	Special schools' revenue funding comes from the High Needs Fund. HCC has ensured that sufficient funding is available to support the enlargement of this school to create an additional 113 places.

Please indicate in the table below the source of additional funding that has been secured/ is being sought.

Source	Amount	Conditions Attached	Use by Date	Funding Confirmed
CIL funding from CIL bids to each SW Herts CIL LPA (Including this bid)	£5,812,528	Subject to internal CIL approval procedures at Three Rivers DC, Hertsmere BC, Watford BC and Dacorum BC.	Unknown	No
Estimated future S106 obligations	£2,000,000	Unknown	S106 contributions secured by HCC tend to incorporate a 10 year period for expenditure.	No
HCC Capital Borrowing	Up to £17.9m	If required to cover remaining funding gap.	Included in the HCC Integrated Plan (Feb 2021) for expenditure between 21/22 and 24/25	Yes

Does the CIL funding help secure the release of additional funding?

Yes

No

No

Delivery Timescales

What is the delivery timescale for the project?

The current timetable for completion of the project is January 2024.

Additional Information

Is there any additional information that may support the application?

The case for the urgent need for new SLD special school places was made in the Special School Place Planning Strategy 2020-23, supported by HCC Cabinet in December 2020. It was also set out in the HCC Integrated Plan in February 2021.

Officer Comments/Recommendation December 2021

Regulation 59 (1) of the CIL Regulations state that CIL can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure/ to increase the capacity of existing infrastructure or to repair failing infrastructure if that is necessary to support development.

The Regulation 123 List (which was approved by Council following the independent examination of the CIL Charging Schedule) sets out the types of infrastructure that CIL will be spent on and includes education facilities. Although the Regulation 123 List was superseded (in 2020) by the Infrastructure Funding Statement it still provides the Council's approach.

CIL monies can be spent on education facilities as long as there is a need resulting from development in the area. The need for additional SEND education facilities is a direct result of development in the area and the wider SW Herts education planning area. HCC have provided details of the additional funding secured and those being sought from Dacorum, Hertsmere and Watford councils.

Recommendation:

CIL monies requested directly relate to the development in Three Rivers. The infrastructure meets the legal definition and new/improved facilities and relate to the development of the area.

CIL monies of £901,574 can be used for the Expansion and relocation of Breakespeare School.