

Bath & North East Somerset Council

DECISION MAKER:	Cllr Paul May, Cabinet Member for Children and Young People Cllr Charles Gerrish, Cabinet Member for Finance and Efficiency	
DECISION DATE:	On or after 7th July 2018 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE: E 3080
TITLE:	First Steps Moorlands Redevelopment – Section 106 contribution	
WARD:	Oldfield	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 A decision is required to approve uplift to the Council's 2018/19 Capital Programme for works to First Steps Moorlands.

2 RECOMMENDATION

The Cabinet Members are asked to;

- 2.1 Fully approve a new entry to the Council's 2018/19 Capital programme of £79,000, wholly funded by s106, for building developments to First Steps Moorlands Nursery.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 Allocation of £79,000 of identified Section 106 funding to First Steps Moorlands.
- 3.2 This funding supplements external contributions secured by First Steps Moorlands to deliver their new site and enables additional child spaces to be incorporated into the build.
- 3.3 The site is leased from the Council until 2093; there will be negligible residual value from these works to the Council at the end of that period.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 This will support delivery of statutory function of the Council under the Childcare Acts, particularly this will enable the community provision of early years places to expand to enable the Council to meet demand required in the area for placements.

4.2 The Childcare Act 2006 states:

Section 6, which places a duty on English local authorities to secure sufficient childcare for working parents.

Section 7 (as substituted by section 1 of the Education Act 2011), which places a duty on English local authorities to secure early years provision free of charge. Regulations made under s7 set out the type and amount of free provision and the children who benefit from free provision.

4.3 The Childcare Act 2016 states:

Section 1 which places a duty on the Secretary of State to secure the equivalent of 30 hours of free childcare over 38 weeks of the year for qualifying children. Children in England will qualify if they are under compulsory school age and meet the description set out in regulations made under Section 2. These regulations also set out the conditions to be met by parents in order for their children to qualify.

4.4 The provision of the contribution towards the new build for childcare provision at the Moorlands Infant School is permissible for the purposes of State Aid under the de-minimis rules.

5 THE REPORT

5.1 The legislative requirements outlined in section 4 above require the Council to ensure that an offer of free childcare is made for qualifying children and that sufficient provision is made available.

5.2 The childcare sufficiency report (which is published every 6 months) details the level of childcare provision compared to the resident children in the area. The sufficiency report is based on calculations taking into account demand for full-time and part-time care requirements.

5.3 The Moorlands area is under supplied in terms of childcare places. The current ratio of children to childcare places is currently 0.81. Further, the demand for places is expected to increase with the take up of the extended entitlement within the Moorlands area.

5.4 Currently First Steps Moorlands offers 50 places for children from birth to school reception, but redevelopment will enable an increase to 75. These are full-time equivalent places and actual numbers of children able to attend the nursery is far higher. The expansion would improve the sufficiency of places and therefore enable more local families to work and increase local employment opportunities.

5.5 The works would include expanding and fitting out new space at the nursery site and to bring the outside space back into use. This will be a contribution towards a larger capital programme for the Nursery, for which additional funding has been secured from a private benefactor.

6 RATIONALE

6.1 First Steps are in the position to redevelop the site with capital from a benefactor. This will be a stake on behalf of the Council to ensure sufficient funding for a higher quality development.

7 OTHER OPTIONS CONSIDERED

7.1 Other childcare provision has been assessed and it is not felt that any other has the capital funding and the premises to enable them to expand to the extent that First Steps Moorlands has. In addition this option represents an investment into a building which will come back in to Council ownership in the future.

8 CONSULTATION

8.1 The Council's s151 and Monitoring Officers have had opportunity to review and input into this report.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Nicola Valentine 01225 395890</i>
Background papers	Planning Obligations SPD http://www.bathnes.gov.uk/services/planning-and-building-control/planning-policy/supplementary-planning-documents-spds/plannin Link to the obligations under which these contributions were secured: http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/SPDs/planning_obligations_spd_2009.pdf
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