

# Delegated Decision by Cabinet Member for Finance

Cabinet Member for Finance  
10 January 2025

Marlborough School, Woodstock  
Funding Agreement with River Learning Trust

Report by: Executive Director of Resources

## RECOMMENDATION

1. **The Cabinet Member is RECOMMENDED to:**

approve the sealing of a funding agreement to enable the Council to release funding greater than £1 million to River Learning Trust for the expansion of Marlborough School, from 6FE to 7FE, through the construction of new teaching accommodation.

## Executive Summary

2. The Marlborough CE School, Woodstock is an academy managed by River Learning Trust (RLT).
3. Due to local housing growth and rising primary school numbers, there is a pupil-place pressure for secondary school places in Woodstock. The Council agreed with RLT that they would increase the school's admission number at Marlborough School from 180 to 210 (6 forms of entry to 7 forms of entry).
4. RLT are self-delivering the expansion project using funding provided by the Council through a funding agreement. The anticipated completion date is summer 2026.
5. The expansion will be achieved by constructing a new 6 class teaching block, undertaking internal alterations that include additional changing room facilities, toilets, ancillary accommodation, additional hard play, external works to create additional car parking and enhanced external works to minimise the impact of vehicle movements in and around the school site.
6. The Outline Business Case, with a total capital budget of £3.994m was approved on 27<sup>th</sup> September 2022.
7. The Full Business Case will be submitted for approval in January 2025 with an estimated total capital budget of £4.5m.

8. RLT tendered the project, five contractors compliantly responded to the tender with Edgar Taylor Construction being the successful contractor. The tender sum forms part of the project budget. RLT are about to procure the services of Edgar Taylor to commence construction.

## **Corporate Policies and Priorities**

9. This proposed course of action supports the Council's statutory duty to provide basic need pupil places required due to population growth.

## **Financial Implications**

**The financial implications section should be completed by a member of the finance service**

10. The capital funding for this project has been approved as part of the capital programme, with the most recent project budget being approved as part of the Outline Business Case in September 2022.
11. A Full Business Case is due to be submitted in January 2025 for approval with an estimated total capital budget of £4.5m. The project is to be part funded by increased s106 contributions (£3.895m held and secured) and the remaining funding to cover the shortfall is requested to be met from Basic Need Contingency.
12. There are no revenue implications to the Council because all revenue costs are the responsibility of RLT.
13. Should the recommended course of action not be followed, there will be a delay to the completion of the Funding Agreement resulting in RLT not being able to enter the construction contract and additional costs will be incurred as a result, and ultimately a delay to the delivery of the accommodation for the additional pupil intake in September 2026.

Comments checked by:

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## **Legal Implications**

**The legal implications section should be completed by a member of the legal service**

14. The Council has a statutory duty including under section 14(1) of the Education Act 1996 to secure additional school places for children within the County. This funding arrangement to River Learning Trust will enable the Council to fulfil its statutory function.
15. River Learning Trust is an academy engaged in the provision of education to children pursuant to funding from central government. The benefit it will receive from the building works will enable it to fulfil this function. As such it is not engaged in an economic activity and so the funding arrangement does not constitute a subsidy under the Subsidy Control Act 2022.
16. Under the terms of the funding agreement, in selecting contractors and consultants for the building works, River Learning Trust is required to go through a procurement process which would be compliant with the public procurement legislation. This ensures that the works contracts represent value and comply with the Council's obligations under procurement legislation, under the Subsidy Control Act 2022 and under the Council's Contract Procedure Rules. River Learning Trust will also be required to comply with all applicable legislation in carrying out the building project.

Comments checked by:

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## **Staff Implications**

17. The project budget includes an allowance for internal staff costs for Legal; for the Funding Agreement, Highways; for the monitoring of the highway works, and Property to ensure the project is delivered to the required standards within the project programme and budget, as agreed in the Full Business Case.

## **Equality & Inclusion Implications**

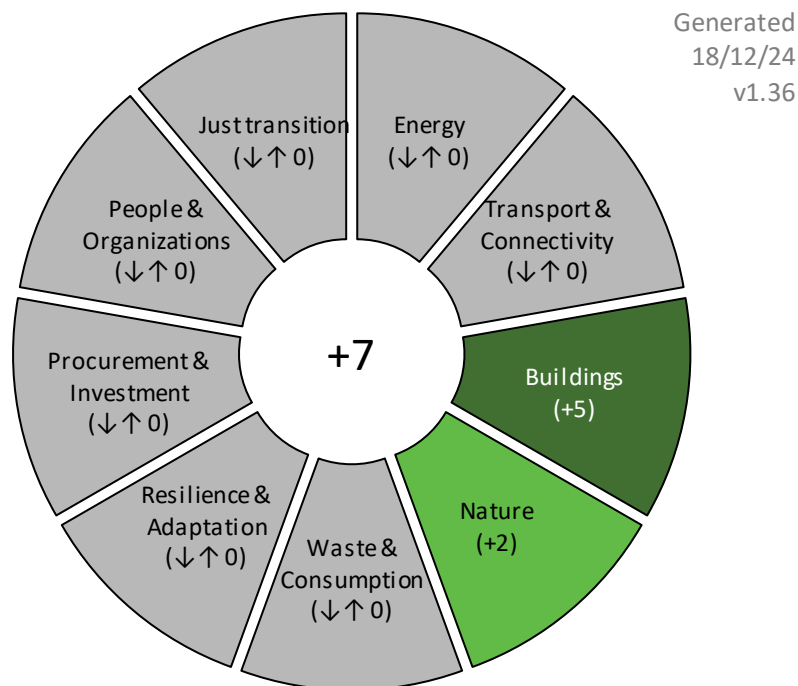
18. The project does not have any equality and inclusion implications with no change to current operations.

## **Sustainability Implications**

19. The new building has been designed to meet the LETI Climate Emergency Design Guide to achieve a greater than 25% improvement in carbon emission

over the building regulations and a 25% improvement over the target primary energy use.

20. Design measures in the new building include: an energy efficient building form, enhanced fabric u-values, triple glazing to limit fabric heat losses, enhanced air tightness, air source heat pump for heating and water, LED lighting, mechanical ventilation with heat recovery and photovoltaic panels for on-site renewable electrical energy.
21. Re-use and refurbishment of the existing school building has been used to reduce embodied carbon in the proposal. A Climate Impact Assessment has been completed for the project.



Oxfordshire Council has committed to being a carbon neutral organisation by 2030 (8 years and 0 months away).

## Risk Management

22. Project risks including any impacts to the Council's statutory duty to provide basic need pupil places and budget management has been monitored and managed by the Project Lead.

## Consultations

23. The proposal received full planning permission on the 8<sup>th</sup> December 2024.

24. The accommodation requirements and proposed design solutions to expand the school from 6FE to 7FE have been shared with RLT, the Headteacher and Governors of Marlborough CE School and is fully supported.
25. As an academy, the expansion of Marlborough School will need to be approved by the Regional Schools Director (RSD). An application has been made and approval is awaited.
26. No further public consultation has been undertaken.

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Annex: Annex 1 – Outline Business Case

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