

# Cabinet

9 May 2024

## Additions to the Education Capital Programme 2024/2025

### Recommendations

That Cabinet:

1. Approves the proposals relating to Lighthorne Heath Primary School as follows:
  - a) Relocate the school to a new school site and increase the capacity from 91 places to 420 places (two form entry)
  - b) Establish specialist resourced provision for up to 14 learners with SEND;
  - c) recommends to Council the addition of £16.467m to the capital programme to deliver the scheme at Lighthorne Heath Primary School which will be funded from developer contributions, the School Condition Allowance and the Department for Education (DfE) Basic Need Grant;
2. Approves the proposals relating to Shottery St Andrew's CofE Primary School as follows:
  - a) Relocate the school to a new school site and increase the capacity from 105 places to 420 places (two form entry);
  - b) Establish specialist resourced provision for up to 8 learners with SEND.
  - c) Recommends to Council the addition of £15.573m to the capital programme to deliver the scheme at Shottery St Andrews CofE Primary School which will be funded from developer contributions, the School Condition Allowance, an education capital receipt and the DfE Basic Need Grant;
3. Recommends to Council the addition of £5.347m to the capital programme to deliver the scheme at Myton Gardens Primary School. This will be funded by developer contributions and the DfE Basic Need Grant.
4. Approves the addition to the capital programme of £1.500 million to deliver the scheme at Stratford upon Avon School and £0.310 million to deliver the scheme at The George Eliot Academy. Both schemes will be funded by developer contributions.
5. Approves £0.600 million for the delivery of the disability and access block header and £0.163 million to deliver the scheme at the Coleshill Learning Pod. Both schemes will be funded by the High Needs Capital Grant.

6. Approves the addition to the capital programme of £0.400 million to deliver the safeguarding and security block header, to be funded from the School Condition Allocation.
7. Subject to Council's agreement to the required additions to the Capital Programme, the Executive Director for Children and Young People is authorised, in consultation with the Portfolio Holder for Finance and Property, to invite tenders and enter into the appropriate contracts or (where the scheme is school led) to make the necessary funding arrangements for these schemes on terms and conditions considered acceptable to the Executive Director for Resources.

## **1. Executive Summary**

- 1.1 This report recommends proposals for allocating resources in the Education (Schools) Capital Programme to the specific projects set out in Section 3.
- 1.2 The Education Capital Programme is driven by the long-term strategic planning outlined in the Education Sufficiency Strategy and the [annual sufficiency update](#) to ensure Warwickshire can meet its statutory duty to provide school places. Projects are prioritised and brought forward according to the date the additional places will be required, as evidenced in the pupil forecast data, combined with the expected time required to design and deliver each scheme.
- 1.3 The 2021 census highlighted that Warwickshire's child-age population increased by almost 7% between 2011 and 2021, an increase of nearly 10,000 pupils. As such the county has seen significant education capital investment over recent years. To accommodate this growth Warwickshire County Council has delivered over 10,000 new permanent school places in the last ten years through numerous school expansions across the county and the opening of 11 new schools, comprising six Primary, two Secondary, one All-through and three special schools.
- 1.4 Over the next 10 years we expect a further increase in the total school age population (age 4-16) as a result of the housing developments that have received planning permission or are building out at present. This growth will require additional school places.
- 1.5 Warwickshire has also experienced increased demand for specialist education provision year on year with the number of children with EHCPs increasing annually by 9% over the past 5 years. This trend for increased demand for specialist education provision is anticipated to continue particularly in areas of housing and population growth.
- 1.6 There are currently 14 live capital projects, six in the North and Nuneaton & Bedworth and eight across the central and southern areas of the county, providing both primary, secondary and specialist places.

- 1.7 The projects outlined in this report, including three new primary school builds, are set to meet existing and future demand for delivery between September 2024 and September 2026 in Nuneaton & Bedworth, Stratford and Warwick and will be delivering 136 early years places, 1050 primary school places, 330 secondary school places and 36 places at specialist resourced provisions.
- 1.8 A further seven schemes delivering additional primary and secondary school places for 2026/2027 in Nuneaton & Bedworth and Rugby are proposed to be presented to Cabinet and Council later this year.
- 1.9 The expected education capital requirements associated with proposed strategic housing development across the county are identified as part of the District and Borough Local Plan process. As strategic housing developments progress across the county, and planning permission is granted, the pupil forecast data is updated and the prioritisation of education capital projects amended as needed to ensure sufficient school places exist to meet the expected demand. Availability of education capital resources limits the ability to deliver additional school places in advance of the requirement for those places being evidenced in the pupil forecast data.
- 1.10 Whilst the issue of sufficiency of provision must take priority, it is important to ensure that schools that are not expanding are able to continue to meet existing sufficiency needs and to operate within their existing accommodation. Details of proposed schemes to make improvements to existing settings are set out in section 3.
- 1.11 Where possible, and where economies of scale allow, expansions and building works will also address other factors such as: encouraging infant and junior to become primary, pre-school requirements in an area, providing specialist resourced provision, and any outstanding disability access requirements
- 1.12 All proposed education capital projects are considered against independently published third-party data to benchmark the cost to the Council of providing school places and ensuring effective allocation of resources.
- 1.13 The current available funding is set out in Section 2.

## **2. Financial Implications**

- 2.1 The Basic Need capital grant allocation available for 2024/25 is £27.131 million. The Department for Education has confirmed the Council will receive zero in 2025/26.
- 2.2 The High Needs Capital Grant allocation received for 2023/24 is £2.546 million, of which £0.982 million remains unallocated. The Department for Education (DfE) has just announced that the Council has been allocated £7.015 in total for the 2023/24 (additional £4.987m) and 2024/25 (£2.028m) High Needs capital allocation.

2.3 The project costs outlined within this report total £40.360 million of which £27.131 million is from the Basic Need Fund, £6.924 million is from developer contributions, £3.429 million is from the School Condition Allowance, £0.763 million uses the High Needs Capital Allocation and £2.113 million utilises an education capital receipt.

Recommendation	Total	Basic need	S106 Funds	Capital Receipt	School Condition	High Needs
Rec 1	16.467	10.801	3.603	0	2.063	0
Rec 2	15.573	11.330	1.164	2.113	0.966	0
Rec 3	5.347	5.000	0.347	0	0	0
Rec 4	1.810	0	1.810	0	0	0
Rec 5	0.763	0	0	0	0	0.763
Rec 6	0.400	0	0	0	0.400	0
<b>Total</b>	<b>40.360</b>	<b>27.131</b>	<b>6.924</b>	<b>2.113</b>	<b>3.429</b>	<b>0.763</b>

The Service holds resources for school investment which are not currently included in the approved Capital Programme, this is largely from the following:

- confirmed yet unallocated Basic Need grant to be received up to 2025/26,
- other grants/contributions held for specific purposes,
- developer contributions currently held but unallocated; and
- one historically earmarked capital receipt

The available funding set out in the table below is as at 29 April 2024 and doesn't take into account the projects in this report or other relevant reports on 9 May 2024 Cabinet agenda.

Available Resources (unallocated)	2024/25
	£m
Basic Need Grant	27.131
High Needs Grant	7.997
Schools Condition Allocation	6.259
Special Provision Fund	0.162
s.106*	17.845
Earmarked Capital Receipts	2.113
	<b>61.507</b>

\* The s.106 balance consists of funds the authority currently holds in cash as received from developers but is linked to over 200 separate s.106 agreements and, therefore, flexibility of funding is limited to the conditions of the individual agreements.

2.4 Funding from developer contributions can only be used for a limited range of purposes specified in the relevant agreement. Colleagues in the Infrastructure

Team and Finance have confirmed the use and availability of the funding in line with the relevant agreement.

- 2.5 The larger scale capital projects at Lighthorne Heath and Shottery St Andrews are at a stage which allows further design and development and surveys to be undertaken to increase the level of cost certainty. Contingency and risk allowance are included in the project budgets to provide some mitigation against further cost increases.
- 2.6 The establishment of specialist resourced provision is part of the strategy to mitigate the overspend on the Dedicated Schools Grant (DSG) allowing learners to be placed in more cost-effective provision, and ensuring that, where possible, more learners with an EHCP can be taught alongside, and within, a mainstream school environment.
- 2.7 The recommendations in this report utilise all the Basic Need grant funding available until the next allocation in 2026/27. Following the recommendations from this report going to Council for approval, further capital resources will be required to deliver further schemes in Nuneaton and Rugby to ensure sufficient school places exist to meet demand. A report will be presented to Cabinet and Council in July 2024 outlining the capital requirements for September 2026 and seeking approval for the use of corporate resources to deliver the projects where insufficient grant funding and/or developer contributions are available.
- 2.8 The challenge around future levels of Basic Need grant funding and developer contributions being sufficient to meet the cost of delivering schemes will influence our future approaches to prioritising projects, procurement routes and delivery options.

### **3. Proposals for addition to the 2024/25 Education Capital Programme**

#### Lighthorne Heath Primary School

- 3.1 Lighthorne Heath Primary School currently has 91 places for children aged 4-11 years.
- 3.2 As a result of local growth, 3,000 new homes will be provided on the Upper Lighthorne development with construction now underway.
- 3.3 Pupil forecasts indicate reception cohorts and growth in other year groups will start to increase above existing capacity from September 2025. To ensure sufficient school places in the village of Lighthorne Heath as the housing development builds out it is proposed to relocate and increase the capacity of Lighthorne Heath Primary School from 91 to 420 pupils.

- 3.4 Land has been secured via Section 106 agreements to deliver a new 2FE Primary School (with site capacity to accommodate expansion to 3FE in future if required) and increased provision for early years.
- 3.5 Lighthorne Heath Primary School's existing site is located circa 0.5 miles from the new school site.
- 3.6 It is also proposed to establish education provision for children with special educational needs in the form of specialist resourced provision for up to 14 primary aged pupils with Social, Emotional and Mental Health (SEMH) needs or Communication and Interaction needs at Lighthorne Heath Primary School. The specific type of need that the provision will be focusing on is still to be determined.
- 3.7 As part of the process to relocate and increase the number of school places at Lighthorne Heath Primary School, a 4-week statutory consultation was carried out with key stakeholders between 26<sup>th</sup> February and 22<sup>nd</sup> March 2024. Eleven responses were received. 91% of respondents agreed with the proposal to increase capacity with 9% not agreeing with the proposal.
- 3.8 With regards to establishing a specialist resourced provision 82% agreed with the proposal and the remaining 18% provided a neutral response.
- 3.9 Those respondents that provided narrative highlighted the need for the school to be bigger and the need for provision for SEND pupils in Lighthorne Heath and Warwickshire. There was a single response that disagreed with the proposal citing the lack of need for school places and the impact the expansion would have on other local schools in the wider local area. The 3,000 homes at Upper Lighthorne could generate over 3 forms of entry of pupils. This demand could not be accommodated by schools in the wider local area nor would it create a sustainable solution to meeting demand generated from the development. Parental preference could also increase the number of pupils from the Upper Lighthorne attending schools in the wider local area. A summary of responses can be found in Appendix 2.
- 3.10 It is proposed that the new school building will be operational for the school to relocate during the 2025/26 academic year.
- 3.11 The school's energy performance will go beyond Part L minimum compliance requirement. This entails the use of high efficiency building materials, advanced insulation, and energy efficient lighting, appliances and heating, ventilation and air conditioning systems. These stringent energy performance standards will minimise the school's carbon footprint. The school will be fossil fuel free from opening, ensuring this it is net zero carbon ready.
- 3.12 With the need to address other education capital priorities within a tight financial envelope it is not proposed to provide the school as Net Carbon Zero. Based on current market data the uplift to achieve Net Carbon Zero on new build school projects is approximately 20%. This would increase the

overall total project cost from the estimated £15.901 million to circa £19.000 million.

- 3.13 Officers aim to achieve feasibility and development works up to RIBA (Royal Institute of British Architects) stage 3 before presenting to Cabinet and Council to ensure a greater degree of cost certainty (circa 60% cost certainty). It should be noted to keep on programme to deliver the project for Autumn 2025, the costs are based on enhanced Stage 2 development providing an estimated cost certainty of circa 40%. An increased amount of contingency is included to account for this reduced cost certainty.
- 3.14 It is proposed to allocate £16.467 million with £3.603 million funded from collected developer funding. A remaining estimated £2.156 million is due to be collected towards this capital project in instalments over future years and will be returned to the education capital balance on its receipt.
- 3.15 Cabinet is asked to agree the proposal to allocate £16.467 million funded as follows and recommend to Full Council its addition to the Capital Programme:

Basic Need Funding	£10.801 million
Developer Funding	£3.603 million
School Condition Allowance	£2.063 million

#### Shottery St Andrew's CofE Primary School

- 3.16 Shottery St Andrew's CofE Primary School is currently a 0.5 FE primary school with 105 places for children aged 4-11.
- 3.17 The development Land West of Shottery was approved at appeal in October 2012. The development is for 800 homes and a 1.66ha site was secured for a primary school via Section 106 agreement ensuring the medium to long term sufficiency of primary school places in Stratford upon Avon town as a result of the demand for school places that circa 2000 homes proposed in the local area over the next 10 years could generate.
- 3.18 To ensure sustainability of existing provision, access to high quality sustainable education facilities and sufficient school places are available in Stratford upon Avon town over the next 10 years, it is proposed to relocate and expand the existing Shottery St Andrew CE Primary School from 105 places to 420 places.
- 3.19 Shottery St Andrew's CE Primary School's existing site is located circa 0.6 mile from the Shottery View new school site. The existing school site is not big enough to accommodate demand from the new housing development. The relocation to a larger site also allows access to improved educational

facilities which the existing school site currently does not have such as dedicated hall/dining space, group/intervention space and a playing field.

- 3.20 As part of the process to relocate and increase the number of school places at Shottery St Andrew's CofE Primary School, a 4-week statutory consultation was carried out with key stakeholders between 26<sup>th</sup> February and 22<sup>nd</sup> March 2024. 23 responses were received. 65% of respondents agreed with the proposal and 5% provided a neutral response. 30% of respondents disagreed with the proposal to increase capacity.
- 3.21 With regards to establishing a specialist resourced provision 85% agreed with the proposal, 5% provided a neutral response, and 10% disagreed with the proposal.
- 3.22 Those respondents in agreement with the proposal to increase the capacity of the school cited the poor condition of the current school building and the limited facilities available to fully support pupils learning. Those respondents not in agreement with the proposal to increase the capacity highlighted the loss of a small school which was the reason it was a preferred choice for some families. There was also a concern raised with the increase to 2 forms of entry and the impact this would have on other local schools. In addressing this concern, although the new build has capacity for two forms of entry the school will initially grow to operate as one form entry (210 places) and only increase to two forms of entry when demand in the town requires it. A summary of consultation responses can be found in Appendix 3.
- 3.23 Engagement with the Diocese is planned with regards to a joint approach to the future use or disposal of the existing school building.
- 3.24 It is anticipated that the new school would be ready for occupation during the Autumn term 2025.
- 3.25 The school's energy performance will go beyond Part L minimum compliance requirement. This entails the use of high efficiency building materials, advanced insulation, and energy efficient lighting, appliances and heating, ventilation and air conditioning systems. These stringent energy performance standards will minimise the school's carbon footprint. The school will be fossil fuel free from opening, ensuring this it is net zero carbon ready.
- 3.26 With the need to address other education capital priorities within a tight financial envelope it is not proposed to provide the school as Net Carbon Zero. Based on current market data the uplift to achieve Net Carbon Zero on new build school projects is approximately 20%. This would increase the overall total project cost from the estimated £14.895 million to circa £18.000 million.
- 3.27 Officers aim to achieve feasibility and development works up to RIBA (Royal Institute of British Architects) stage 3 before presenting to Cabinet and Council to ensure a greater degree of cost certainty (circa 60% cost certainty). It should be noted to keep on programme to deliver the project for Autumn



2025, the costs are based on enhanced Stage 2 development providing an estimated cost certainty of circa 40%. An increased amount of contingency is included to account for this reduced cost certainty.

- 3.28 It is proposed to allocate £15.573 million with £1.164 million funded from collected developer funding. A remaining estimated £1.7 million is due to be collected towards this capital project in instalments over future years and will be returned to the education capital balance on its receipt.
- 3.29 Cabinet is asked to agree the proposal to allocate £15.573 million funded as follows and recommend to Full Council its addition to the Capital Programme:

Basic Need Funding	£11.330 million
Developer Funding	£1.164 million
School Condition Funding	£0.966million
Education Capital Receipt	£2.113 million

#### Myton Gardens Primary School

- 3.30 In September 2022 Council approved the addition of £13.4 million to capital programme to deliver a new 2fe primary school to the South of Leamington/ Warwick, now known as Myton Gardens Primary School.
- 3.31 The new school will deliver early years provision (40 fte places ages 0-4), a 2fe (420 places) primary and SEND resource provision (8-14 places).
- 3.32 The trust has been appointed and the school will be opening in the new accommodation temporarily for the 2024/25 academic year at Oakley School for its first reception intake in September 2024.
- 3.33 As the project progressed through design and development revised costs by the original appointed contractor indicated a shortfall of £11.0 million which WCC determined to not present value for money, and therefore WCC have appointed a new contractor.
- 3.34 While the new contractor represents better value for money a shortfall in funding still exists due to costs incurred through the re-procurement process to change contractor along with increased costs associated with additional ecological surveys and mitigation works, site and planning abnormal costs and ground condition remediation.
- 3.35 The total project cost is now estimated to be in the order of £18.845 million, a shortfall of £5.347 million.
- 3.36 Cabinet is asked to agree the proposal to allocate £5.347 million funded as follows and recommend to Full Council its addition to the Capital Programme:

Basic Need Funding	£5.000 million
Developer Funding	£0.347 million

### The George Eliot Academy

- 3.37 The George Eliot Academy have agreed to offer an additional 30 places for September 2024 to meet the forecast demand for year 7 places in the Nuneaton area.
- 3.38 Currently, there aren't sufficient science classrooms suitable for an additional class of 30 pupils.
- 3.39 To be able to deliver the full curriculum across the school, two classrooms need to be reconfigured and equipped to make them suitable for teaching practical subjects.
- 3.40 Cabinet is asked to agree the proposal to allocate £0.310 million funded as follows:

Developer Funding	£0.310 million
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### Stratford School

- 3.41 The existing project to deliver a 2FE expansion, an additional 350 pupils, was approved by Cabinet in December 2020 with a budget of £11.573 million. Following the approval of additional funding in July 2022 and March 2023 the total approved budget to complete the 2FE expansion is £17.489 million.
- 3.42 Following further revised costs by the original appointed contractor which were 4.6 million over the approved budget and which WCC determined to not present value for money, WCC have appointed a new contractor.
- 3.43 Whilst the introduction of a new contractor has saved £2.5 million on the cost of the project presented by the first contractor, subsequent delays to the project has created further budget pressures as a result of re-procurement costs associated with changing contractor and the temporary accommodation in the form of nine classrooms required from September 2024 to ensure the school can continue to accommodate the increase to their intake.
- 3.44 Cabinet are asked to agree the proposal to allocate £1.500 million, funded as follows:

Developer Funding	£1.500 million
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### Disability and Access Block Header

- 3.45 Children with additional needs and levels of support are entitled to a full education and have the same rights of admission to school as their non-disabled peers. This means that no child should be denied admission or prevented from taking up a place in school because arrangements for their accessibility needs have not been made.
- 3.46 Under the Equality Act there is a duty to make reasonable adjustments to enable access. Whilst some of the projects can have a significant cost, this is offset against a longer-term investment in school access, whilst enabling children and young people to attend their local community school saving on school transport costs.
- 3.47 It is proposed that £0.600 million of the High Needs' Capital Allocation is allocated to a Block Header to enable the necessary adaptations and capital works to be carried out to ensure that pupils with physical disabilities, sensory and/or complex health access needs, are able to access mainstream education and have their specific needs met. These adaptations could include "changing place" hygiene facility, outdoor ramping, widening of door thresholds, and the improving of acoustics within a classroom. The budget has been derived using the allocations for previous years and historic trend data to forecast future requirements as further school placements are made.
- 3.39 Cabinet are asked to agree the proposal to allocate £0.600 million, funded as follows:
- |                               |                |
|-------------------------------|----------------|
| High Needs Capital Allocation | £0.600 million |
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### Safeguarding and Security Block Header

- 3.48 The existing Schools Estates maintenance funds provides our maintained schools with support for all building fabric, mechanical & electrical and compliance (Asbestos, Fire & Water) with a planned and reactive service that maintains the current stock using condition surveys to prioritise activity. This equates to circa.£7.5m of capital funding per year to deliver this work. From a fencing perspective, the fund covers repairs and/or replacement of existing fencing if damaged. It does not cover the replacement of fencing deemed unsuitable by schools due to height.
- 3.49 Education and Property are regularly contacted by headteachers, governing bodies and health and safety colleagues with concerns about inadequate fencing creating safeguarding concerns. Typically, this is related to the height of fencing and concerns that it does not support them to keep children safe within the school grounds. The proportion of pupils with behavioural issues has also increased in mainstream schools in recent years meaning that fencing that may have been adequate in the past is now creating greater further challenges to keep children safe.

- 3.50 A number of primary schools have been identified with fencing and other security/safety concerns with a total estimated cost of addressing the issues of £2.00 million. It is recognised that a solution is necessary to provide confidence in the safety and welfare of children and young people in our schools. Therefore, to limit pressure on capital resources is proposed that a phased approach is put in place to address those fencing and security concerns that are presented.
- 3.51 It is proposed to allocate £0.400 million of funding from the School Condition Fund to address inadequate perimeter fencing at the initial set of primary schools.
- 3.52 Cabinet are asked to agree the proposal to allocate £0.400 million, funded as follows:

School Condition Allowance	£0.400 million
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#### Coleshill Learning Pod

- 3.53 Recent data shows an 129% increase in exclusions from pre-pandemic levels with increasing demands for Alternative Provision (AP) to be available in the right areas of the county.
- 3.54 AP settings are places that provide education for children who can't go to a mainstream school. It is used by local authorities to arrange education for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education. It is also used by schools to arrange education for pupils on a fixed-period exclusion or to improve behaviour off-site.
- 3.55 Warwickshire currently does not have an AP state funded school, relying on independent provision and services to provide intervention and education provision for those young children unable to attend a mainstream school.
- 3.56 The Local Authority owns a building in Coleshill that has been used previously to provide education services for children and young people. It is proposed to refurbish this building to enable an AP service to operate within the North Warwickshire and Nuneaton & Bedworth area.
- 3.57 Refurbishment costs including external works (parking, fencing, ramps), internal works (flooring, new kitchen and toilets, and fixtures and furniture are estimated at £0.163 million. It is proposed to fund the works from the High Needs Capital Allocation.
- 3.58 Cabinet are asked to agree the proposal to allocate £0.163 million, funded as follows:

High Needs Capital Allocation	£0.163 million
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## **4. Environmental Implications**

- 4.1. The County Council will look to use modern methods of construction to achieve efficiencies and benefits particularly in terms of time, cost, and the environment.
- 4.2. Environmental risk assessments, together with mitigation statements to reduce any potential environmental impacts, are required for any capital project.
- 4.3. All future school capital projects will be developed in accordance with statutory regulations which include the revised Building Regulations 2021. These new building regulations include significant changes to the regulations around ventilation, energy efficiency and overheating, electric vehicle charging and a number of smaller supporting elements of the regulations. Schools will therefore be built to new standards that are expected to produce lower carbon dioxide omissions compared to previous standards.
- 4.4. As part of the feasibility work on capital projects, where feasible net zero options and associated costs have been explored and considered.
- 4.5. Extensions to existing buildings make environmental improvements a challenge. However, where possible new build elements will be fossil fuel free and will be net zero carbon enabled.
- 4.6. Proposed schemes aim to ensure the sufficiency of, and accessibility to, provision in local settings avoiding the need to travel further afield to access education or childcare provision. The provision and access to local education provision supports the promotion of active travel and the health and well-being, economic and environmental benefits this can bring.

## **5. Supporting Information**

- 5.1 None

## **6. Timescales associated with the decision and next steps.**

- 4.7. Subject to Cabinet approval, those schemes requiring Council approval will be submitted on 14 May 2024.

## **Appendices**

Appendix 1: Finance Summary

Appendix 2: Summary of responses to consultation – Lighthorne Heath

Appendix 3: Summary of responses to consultation – Shottery St Andrew's

## **Background Papers**

## 1. Equality Impact Assessment

	<b>Name</b>	<b>Contact Information</b>
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The report was circulated to the following members prior to publication:

Local Member(s): Cllr Christopher Kettle, Cllr Jenny Fradgley, Cllr Parminder Singh Birdi, Cllr Richard Baxter-Payne

Other members: Councillors Marian Humphreys, Jerry Roodhouse and Barbara Brown