

Notice of Meeting

Cabinet Member for Schools, Skills and Educational Achievement Decisions

**Date & time**

Tuesday, 11 April
2017 at 2.00 pm

Place

Committee Room C,
County Hall, Kingston
upon Thames, Surrey
KT1 2DN

Contact

Andrew Baird or Joss
Butler
Room 122, County Hall
Tel 020 8541 7609 or 020
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Chief Executive

David McNulty

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird or Joss Butler on 020 8541 7609 or 020 8541 9702

Elected Members

Mrs Linda Kemeny

AGENDA

1 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

2 PROCEDURAL ITEMS

MEMBERS' QUESTIONS

The deadline for Members' questions is 12pm four working days before the meeting (05/04/17).

PUBLIC QUESTIONS

The deadline for public questions is seven days before the meeting (04/04/17).

PETITIONS

The deadline for petitions was 14 days before the meeting and no petitions have been received.

3 TULK TRUST FOR SCHOOL SPORTS FACILITIES

(Pages 1
- 12)

To decide on the use of the accumulated income from the Tulk Trust which is a registered charity for which Cabinet is the trustee..

The Tulk Trust for School Sports Facilities (registered charity 312006) was set up in 1952, with a bequest of £10,000 from the will of Mr. J.A. Tulk to provide playing fields for secondary schools in Surrey. The sole trustee of this Trust is Surrey County Council.

As of 20 September 2016 the object of the charity is 'to provide recreational facilities and advance education by providing or assisting in

the provision or improvement of outdoor sports facilities (not including equipment) for maintained secondary schools and secondary academies in Surrey’.

£157,000 of the Tulk Trust has already been committed to Winston Churchill School for sports facilities. Approximately £180,000 of the Trust remains unallocated.

Bids were invited from secondary schools (through the Schools Bulletin) for grants from the Trust. 20 bids were received from a wide range of secondary schools. The value of the bids amounts to £673,778. A list of the bids is attached as Appendix A.

All bids would meet the objectives of the charity and the bids were evaluated by young people, attending Surrey County Council as part of its ‘Takeover Day’.

David McNulty
Chief Executive

Published: Monday, 3 April 2017

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SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND
EDUCATIONAL ACHIEVEMENT****DATE: 11 APRIL 2017****LEAD OFFICER: GARATH SYMONDS, ASSISTANT DIRECTOR,
COMMISSIONING AND PREVENTION****SUBJECT: TULK TRUST FOR SCHOOL SPORTS FACILITIES****SUMMARY OF ISSUE:**

To decide on the use of the accumulated income from the Tulk Trust which is a registered charity for which Cabinet is the trustee..

The Tulk Trust for School Sports Facilities (registered charity 312006) was set up in 1952, with a bequest of £10,000 from the will of Mr. J.A. Tulk to provide playing fields for secondary schools in Surrey. The sole trustee of this Trust is Surrey County Council.

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RECOMMENDATIONS:

It is recommended that the Cabinet Member for Schools, Skills and Educational Achievement approves the distribution of the accumulated income from the Tulk Trust as set out in point 6 of this paper.

REASON FOR RECOMMENDATIONS:

To distribute the accumulated Trusts of the Tulk Trust in accordance with Surrey County Council's Cabinet's responsibilities as trustee.

<u>DETAILS:</u>

Background

1. The Tulk Trust is a registered charity. The Trust was originally set up in 1952, with a bequest of £10,000 from the will of Mr. J.A. Tulk, Chairman of governors at a Surrey school, to provide playing fields for secondary schools in Surrey.
2. Awards for the Trust were last granted in October 2009. In April 2016 Cabinet agreed to request an alteration to the object of the charity in order to allow secondary academies to apply. As of 20 September 2016 the object of the charity is 'to provide recreational facilities and advance education by providing or assisting in the provision or improvement of outdoor sports facilities (not including equipment) for maintained secondary schools and secondary academies in Surrey'
3. The accumulated income amounts to £335,950. The Trust has a residual commitment to a project supporting sports changing facilities at Winston Churchill School of £157,000, for which Trusting has not yet been paid. Therefore, the residual uncommitted value of the Tulk bequest is £178,950. This includes the permanent endowment. The Council is currently seeking clarification with the Charity Commission on the use of the permanent endowment.
4. In October 2016 issues a request for bids to the Trust. This bidding window closed on 7 November 2016 and 20 bids were received. The value of the bids amounts to £673,778.
5. On 18 November as part of the Council's 'Takeover Day', nine young people evaluated the bids. All bid were anonymised, therefore students were unaware which schools were bidding. Officers and two youth workers were on hand to support the young people to assess the bids professionally and to ensure fairness. The young people ran a detailed and professional process – equal to that of officers in the past. The bids were evaluated against the following criteria (plain English used for young peoples benefits):
 - Is this bid worth the amount of money being asked?
 - Does the bid meet a need for sports facilities?
 - Will it make a difference in supporting education or addressing deprivation?
 - Can they complete the work within the next two years
6. The highest scoring bids, as evaluated by young people, were:

Number	School	Amount (£)
8	Glyn School	£28,495
7	Glebelands School	£22,545
16	The Beacon School	£5,000
9	Heathside School	£12,800
19	Woking High School	£34,845
5	Farnham Heath End School	£63,230

7. It is recommended that the full amount bid for is awarded to the top 5/6 schools as listed.
8. If the full value of the Trust including the permanent endowment is awarded then this will effectively wind up the Trust. Due to the relatively low remaining value of the Trust, it is recommended that the full value of the Trust be awarded. If the Council receives confirmation that the permanent endowment can be spent and if there are any remaining Trusts after the awards listed in (6), it is recommended that these Trusts are awarded to Fullbrook School whose bid came 7 in the young peoples' bid assessment process.

Reasons for the proposal

9. Cabinet agreed on 26 April 2016 to updating the articles of the Tulk Trust and to offer this Trusting to schools with secondary pupils across Surrey. The bids recommended will improve outcomes for children, young people and communities and supports the articles of the Tulk Trust.
10. A robust process has been run with young people as part of the Council's commitment to the Children's Commissioners, Takeover Day Challenge. Young people scrutinised the bids received and through a scoring system the bids with the highest score are recommended for award.

Planning and capital considerations

11. All bidding schools have been asked to ensure the Trusting is used within 48 months. If all the bids recommended are awarded then the Council will spend the remaining endowment in full and the Trust will be permanently closed. The Council is still awaiting final confirmation from the Charity Commission to close the Trust permanently.

CONSULTATION:

12. Prior to offering the Tulk Trust to schools to bid a six week consultation process was completed to gain the views of schools on the Council's proposed changes. These were all supported by the sector
13. Young people through the Children's Commissioners, Takeover Challenge were consulted on all the bids and agreed a shortlist.

RISK MANAGEMENT AND IMPLICATIONS:

14. The schools will be required to manage their own projects and will be responsible for any cost over-run. They will be required to confirm that they will deliver over time the full project suggested in their bids. All these schools have experience of project managing significant projects and none of the projects would appear beyond their skills and experience. Therefore there would be no risk to the County in these proposals.

Financial and Value for Money Implications

15. The Trust is invested in stock market Trusts, which will need to be sold in order to make grants from the Trust. The timing of the sale decision will affect the value realised and therefore the amount available for grant payments.

Section 151 Officer Commentary

16. The County Council's Cabinet is the sole Trustee of this charity. Decisions on awarding funding from the Tulk Trust has been delegated to the Cabinet Member for Schools, Skills and Educational Achievement.

Legal Implications – Monitoring Officer

17. The County Council is the sole Trustee of this charity.

Equalities and Diversity

18. The proposal would mean that all secondary schools in Surrey would have the opportunity to benefit from the Trust. No group with any protected characteristics under Equalities legislation will be disadvantaged by this proposal. As a result no Equalities Impact Assessment (EIA) has been produced. With secondary school provision being open to all applicants with the highest priority given to Looked After Children and pupils with Special Educational Needs, this proposal will support our most vulnerable children.

Corporate Parenting/Looked After Children implications

19. This proposal would provide the potential for improvements to secondary school provision across Surrey which would be of benefit to the community served by the school. Therefore, this would also be of benefit to any Looked After Children who have the opportunity of attending a school. The admission of Looked After Children is a priority within school admission arrangements.

Safeguarding responsibilities for vulnerable children and adults implications

20. Safeguarding vulnerable children is a high priority in Surrey. Schools have considerable expertise in safeguarding vulnerable children and adhere to robust procedures. Any school applying for Tulk Trusting would continue to apply good practice in the area of safeguarding. Safeguarding is monitored when Ofsted carries out inspections of schools.

Public Health implications

21. The provision of improved sporting at any Surrey school will improve public health in the locality. The ability for community groups to use facilities provided by schools will also promote good public health and increase levels of activity by providing local and affordable access to high quality sporting facilities.

Climate change/carbon emissions implications

22. No significant implications

<u>WHAT HAPPENS NEXT:</u>

23. Successful schools will be informed of their schools success to secure Trusts from the Tulk Trust and Trusting agreements will be circulated.
24. When the Charity Commission approved spending the full endowment this will be actioned and the Trust will be closed.

Contact Officer:

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Annexes:

None

Sources/ background:

None

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Appendix A
Bids received for The Tulk Trust for Outdoor Sports Facilities
Amount of Trusting available £180,000

School	Amount applied for	Estimated Total Project cost	Proposal	Trusting Flexibility	Estimated project completion date and Officer Comments
Ash Manor School	£40,000	£49,898	Cricket Nets - Provision of 4 wicket all weather Cricket Nets using part of the school playing field not used for sporting activities.	School will make up the difference in Trusting.	Project expected to be completed by April 2017. There are currently no cricket nets at the school so students do not get the opportunity to practice batting and bowling with a hard cricket ball.
Blenheim High School	£70,000	£74,136	Multi Sports Courts Refurbishment – resurface 2 out of 5 sports courts and installing floodlighting with Multi Play tarmac and the remaining three with medium tarmac. Floodlighting for 2 courts and fitting of tennis court and netball court lockable sockets.	Sports UK have agreed to fit the tennis court sockets free of charge if the floodlight work proceeds (discount of £4000) If the full amount of Trusting is not available the floodlighting would be put on hold and the school would Trustraise internally or seek Trusting from another trust Trust.	Project expected to be completed by May 2017. The current surfaces are unusable during wet weather resulting in 50% of classes or 780 students per fortnight that cannot receive the correct and planned lessons.
Broadwater School	£50,000	£120,000	Installation of a 3G Football/Rugby Training Pitch.	£70,000 has already been secured from school Trusts.	Project expected to be completed by Summer 2017. It is estimated that it would increase the amount of football and sport played by Broadwater by 50% and enable the school to build upon existing links with local clubs.
Collingwood College	£21,475	£28,475	Resurfacing of the Sports Ground Area	The balance of Trusting is	Project expected to be

				already secured from parental donations.	completed by 28 th April 2017. The school has been unable to use an outdoor area of approximately 1400m2 due to poor surface and significant health and safety concerns. Collingwood were awarded £30,000 in 2009 towards the resurfacing of the College netball courts.
Farnham Heath End School	£63,230	£64,680 plus VAT including a contingency Trust of £1500	Refurbishment of Netball/Tennis courts – 3 netball courts and 4 tennis courts	There are no other sources of Trusting planned.	Project expected to be completed by June 2017. Current courts do not comply with statutory requirements to provide hard service games courts in addition to playground areas.
Fullbrook School	£20,000	£63,522	3G pitch carpet replacement and acoustic fencing – the carpet needs replacing due to a manufacturing fault and due to the pitches popularity the school is at risk of a noise abatement order from Runnymede Council and needs to replace the fencing.	The school has the rest of the Trusting in their contingency Trust.	Project expected to be completed by Summer 2017.
Glebelands School	£22,545	£22,545	Resurfacing of south tennis court and communal sports area.	Would consider making a contribution from capital Trusts if the full amount of Trusting could not be awarded.	Project expected to be completed by 7 April 2017. A risk assessment carried out by the Governors' Health and Safety committee identified that in order to control the risks it may be necessary to restrict sporting activities in this area.
Glyn School	£28,495	£73,495	Glyn School MUGA Facility – currently the school only has a 20 year old hard court/playground which is in need of refurbishment.	The project has 3 other sources of Trusting: School PTA -£30,000 School Trust - £10,000	Project expected to be completed by Feb 2017. The astro turf surface would enable all PE to be delivered on

				School Budget - £5,000	the school site as the school currently has to use Priest Hill playing fields 0.8 miles away.
Heathside School	£12,800	£12,800	Artificial Cricket Wicket – do not have a cricket pitch to play competitive cricket on and all hard ball practices have to be completed at other venues across the county	No	Project expected to be completed by 18 th April 2017. Weybridge Cricket club are keen to use the wicket in order to increase the number of young people they can coach on Sunday mornings. The club has a thriving Colt's Academy catering for 8-17 year olds which provides professional coaching and encouragement for young people from all sections of the community.
Gosden House School (Special School)	Full amount (£25,000-30,000)	£25,000-£30,000	Playground/Sports Fencing Project – 8ft high sports mesh fence with one point of access – have already raised sufficient Trusts to resurface but need to fence in to make it secure for children with learning disabilities.	There are no other sources of Trusting planned.	Project expected to be completed ASAP in 2017. The area is no longer usable as a sports facility.
Hinchley Wood	£21,500	£31,577	New multi-use games court – resurfacing of an existing tarmacadam to create a third multi-use court for tennis, netball and basketball. This would increase the provision of multi-use games courts from 2 to 3.	School can provide £10,077.	Project expected to be completed by May 2017. A third multi-use court would breach a critical threshold in terms of facilities provision that would permit the school to host official tennis tournaments. Hinchley Wood were awarded £114,000 in 2009 towards the provision of a new multi-usage sports area on existing playing fields.
Kings College	£57,228	£227,228	Resurfacing of existing artificial turf pitch (A contribution of £100k	Project expected to be

			ATP)– a University Technical College is being built on the Kings College site (to be completed by Sept 2018) and as part of this scheme, changing facilities will be provided so that the community and school use of the ATP can be maximised. The additional Trusting requested would enable the pitch to be made suitable for competitive sports as it would meet the performance standards set out by FIFA and the International Hockey Federation.	has been secured from the Education Trusting Agency towards the external sports provision for the UTC. A further £120k contribution has been committed by Guildford Borough Council.	completed by March 2018.
Rydens Enterprise School and Sixth Form College	£38,580	£77,160	Floodlighting for sports pitches and MUGA as part of school redevelopment project to enable maximum benefit of these resources to all stakeholders. The current school is being rebuilt and once this has happened the old school will be demolished and the land used for housing.	The additional Trusting will be available from the Project Trust ie the sale of the housing built.	Project expected to be completed by April 2017. Without the floodlighting the use of the pitches will be restricted in the winter months.
St John The Baptist School	£25,000	£40,931.62	Building Fitness and Resilience – installation of military style obstacles on a currently unused boggy area of the school field.	£16,000 already available through Trustraising.	Project expected to be completed by Feb 2017.
St Peter's Catholic School	£8,000	£8,000	Long Jump Construction – move the long jump to the sportsfield and upgrade to rubberised material run-ups, removable take off boards and a protective cover.	No	Project expected to be completed to the deadline the school agrees with them.
The Beacon School	£5,000	£5,000	Permanent Ping-Pong – then installation of 3 concrete table tennis tables. The Beacon School do not have playing fields on site and only minimal sports facilities. The school have a licence from Reigate and Banstead Borough Council to use the adjacent recreation ground. It is the only secondary school in Surrey without a sports hall and struggles to provide	If the Trust were unable to contribute £5,000 the project the school would be happy to make up the difference.	Project expected to be completed by April 2017.

			sufficient sporting opportunities to meet the needs of students.		
Thomas Knyvett College	£25,200	£24,000	Remedial works to sports fields on the school site to enable safe use by students and the local community – costs include first 3 years scarification and repair.	No alternative Trusts available.	Project expected to be completed by Summer/Autumn 2017.
Tomlinscote School and Sixth Form College	£49,880	£49,880	Floodlit Multi Use Games Area – resurfacing of astroturf area and refurbishment of floodlights and backboards as the area now presents a number of health and safety issues during the winter months, at times forcing its closure.	The school is using its capital to Trust essential drainage works and engage help to identify ways to address its undersupply of outdoor sports provision.	Project expected to be completed by Dec 2017.
Woking High School	£34,845	£39,245	Refurbishment of Dilapidated Tennis and Netball Courts	Not clear where additional Trusting would be from.	Project expected to be completed by end of summer 2017.
The Winston Churchill School	£50,000	£80,000	Relaying of Outside Sports Surface -	£50,000 could be reduced if necessary.	Project expected to be completed by August 2017. The current surface poses some health and safety concerns. Winston Churchill were awarded £157,200 in 2009 towards the provision of outdoor changing facilities, new triple and long jump run ups and pit refurbishment and a covered netball and tennis court facility.

Total Trusting requested £673,778

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