

## **Record of Officer Decision**

### **Capital Investment for Children's Services - Higher Needs Provision Capital Allocations (HNPCA) Programme 2025-2026**

#### **Decision Taker and Date Decision Taken:**

Director of Children's Services, in consultation with Strategic Head of Education and SEND and Head of Education, on 15 September 2025

#### **Summary of Matter or Issue Requiring Decision:**

Approval is sought to allocate £197,000 in HNPCA to support the repurposing and adaptation of the Chestnut Centre in Brixham. This investment will enable the installation of green energy infrastructure, specifically Heat Source Pumps, to improve the building's energy efficiency and long-term viability.

The Chestnut Centre is undergoing a strategic expansion to increase its specialist provision by 8 additional places. In addition, the sixth day provision will be relocated to this site, consolidating services and enhancing the centre's capacity to meet local needs.

The installation of Heat Source Pumps aligns with sustainability goals and will ensure the building remains fit for purpose as service demand grows.

This proposal is aligned with the Department for Education's objectives for Local Authorities to build upon existing good practices in adapting and improving the suitability of the built environment in schools. It supports the strategic aim of ensuring that local provision is readily available and accessible for children and young people with special educational needs.

HNPCA is allocated to Local Authorities (LAs) proportionally, based on the estimated share of future growth in the children and young people in each LA who may require High Needs provision as a percentage of the national total.

#### **Decision Taken:**

That the total allocation of £197,000 from the Local Authority's Higher Needs Provision Capital Allocation be approved for the installation of Heat Source Pumps at the Chestnut Centre, Brixham.

#### **Summary of Reason(s) for Decision Taken:**

The Education Act 1996 sets out a statutory duty on LAs to secure sufficient school places, which they must do with regard to securing special educational provision for children and young people with special educational needs and disabilities (SEND).

Children and Families Act 2014 also places important statutory responsibilities on LAs for supporting children and young people with SEND, including keeping the sufficiency of educational provision for them under review.

The HNPCA funding has been delegated to the LA to meet the capital costs associated with the provision of new places or improvement of existing provision for:

- Children and young people with complex needs, who have Education, Health and Care plans (EHCPs), and where appropriate other children and young people with SEND who do not have an EHCP.
- Pupils who require alternative provision (including children in AP settings without an EHCP).

If the funding is not spent it will be clawed back by the department.

Ongoing costs and the needs of children and young people with EHCPs, SEND is mitigated and costly out of area placements avoided.

**Summary of Alternatives or Options considered and rejected and Background Papers:**

Not proceeding – the LA has a statutory duty as the responsible body to secure sufficient school places, which they must do with regard to securing special educational provision for children and young people with special educational needs.

There is not an option to spend this funding on any other Council priorities; the funding is ring fenced specially for developing SEND provision. If the funding is not utilised by the LA or is spent in a manner that does not meet the terms and conditions of the allocation, it would be clawed back by central government.

**Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:**

None

**Implementation:**

September 2025 – September 2026.

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email [governance.support@torbay.gov.uk](mailto:governance.support@torbay.gov.uk)

Signed: \_\_\_\_\_  
Director of Children's Services

Date: 15 September 2025