

Forward Plan reference number: Not applicable

Report title: Early Years and Childcare Funding Panel Recommendations	
Report to: Councillor Ray Gooding, Cabinet Member for Education and Skills	
Report author: Clare Kershaw, Director, Education	
Date: 17 July 2019	For: Decision
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County Divisions affected: Chelmsford Central	

1. Purpose of Report

- 1.1 To consider the recommendation of the Early Years and Childcare Grants Panel (The Panel) to award the Capital grant as set out in paragraph 2.1 below to create one additional early years place within Essex.

2. Recommendations

- 2.1 To approve the recommendation made by the Early Years and Childcare Funding Panel to award £15,473 to Seymour House Ltd to create 1 new early years and childcare place in their nursery in the Chelmsford Central and Moulsham Ward of Chelmsford City Council, subject to the prior signature of a grant agreement.

3. Summary of issue

- 3.1. The Panel meets monthly and was chaired by Councillor Tony Ball, Deputy Cabinet Member for Education and Skills.
- 3.2 The Panel considers applications made to Essex County Council (ECC) by early years and childcare providers for Capital Grant funding to build or expand early years and childcare provisions within Essex. The Panel's Terms of Reference, details of grants available and the application processes are available as background papers, as detailed in section 7.
- 3.3 The recommendations of the Panel support the delivery of the Essex Organisation strategy 2017 – 2021:
 - Enabling Inclusive Economic Growth
 - Supporting employment and entrepreneurship across our economy – through providing opportunities for private, voluntary, independent and maintained sector childcare provision to expand
 - Helping people to get the Best Start and Age Well

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- Increasing educational achievement and enhancing skills – though supporting access to nursery education and childcare for some of the most disadvantaged children
 - Helping to create a great place to grow up, live and work
 - Developing and maintaining the infrastructure that enables our residents to travel and our businesses to grow – through developing childcare provision that supports parents to work and train
 - Transform the Council to achieve more with less
 - Developing and maintaining sustainable early education provision.
- 3.4 These proposals support ECC's planned activities to:
- Deliver school readiness intervention projects in county hotspots linked to district GLD outcomes and working with the broad definition of disadvantage.
 - Ensure all early years & childcare provision and schools in every community are judged good or outstanding by Ofsted
- 3.5 ECC has a statutory duty to ensure that there are sufficient childcare provisions within the local area, as well as a duty to secure free early years provisions for preschool children. The Free Early Education Entitlement for 2 year olds (FEEE2) currently entitles 40% of the most disadvantaged 2 year olds to 15 hours per week of free nursery education. The recommendations of the Panel help ensure that ECC meets these obligations.
- 3.6 The Panel met on 19 February 2019 and considered the application documents submitted by Seymour House Limited. After careful consideration and assessment against the set criteria, the Panel has recommended that the application proceeds and funding of £15,473 is awarded as a contribution towards the planned new build.

4. Options

- 4.1 Pay the grant as recommended by the Panel.
- 4.2 Do nothing: This is not the recommended option. The funding utilised by the Panel is specifically made available for those to provide additional early years and childcare places. Each application is assessed against set criteria and identifies providers who are able to provide these additional places, and therefore assisting ECC in satisfying its statutory duty. To not approve the recommendation would mean that new applications would need to be submitted and reviewed by the Panel.

5. Issues for Consideration

5.1 Financial Implications

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- 5.1.1 The proposed grant is to be funded from S106 monies already received within the Chelmsford CC ward as detailed in the table below:

Ward	S106 monies received £	Grant to be awarded £	Remaining balance £
Moulsham & Central	15,473	15,473	0

- 5.1.2 No payments will be made until the recipients have agreed and signed ECC Grant Agreements. ECC will retain the right to inspect progress of works and to monitor and assess the contractor's work performance in respect of the projects. Furthermore ECC will possess agreement rights which will include for example claw back conditions should the asset be disposed at a later date.

5.2 Legal Implications

- 5.2.1 Under Section 6 of the *Childcare Act 2006*, ECC must ensure that there is sufficient childcare within the local area. Section 6 of the Act defines 'sufficient childcare' as sufficient to meet the requirements of parents in the area who require childcare in order to enable them to take up, or remain in, work or undertake education or training which could reasonably be expected to assist them to obtain work.
- 5.2.2 Section 7 of the Childcare Act sets out a duty to secure free early years provision for preschool children. Currently every child aged three or four is entitled to 15 hours per week free early years provision for 38 weeks of the year. Eligible working parents are also entitled to an additional 15 hours per week of free early years provision over 38 weeks of the year, this is known as the 30 hours offer.

6. Equality and Diversity implications

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7. List of Appendices

- 7.1 Equality Impact Assessment

8. List of Background papers

- 8.1 Grants Panel Terms of Reference

- 8.2 EYCC Capital Funding Guidance

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Ray Gooding Cabinet Member for Education and Skills	23 July 2019

In consultation with:

Role	Date
Director, Legal and Assurance (Monitoring Officer)	17 July 2019
Paul Turner, Monitoring Officer	